

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: April 21, 2022

SUBJECT: Land Development Code Amendments Discussion

PRESENTER: Autumn Radcliff, Planning Director

ATTACHMENTS: 1. Draft Amendment - Accessory Residential Dwellings

SUMMARY OF REQUEST:

The Planning Board will continue its discussion on draft LDC text amendments as discussed at the March Planning Board meeting and directed by the BOC. Per the Board's request at its last meeting, a draft amendment is attached to address accessory residential dwellings for the Board's review. The Board will discuss other related amendments at this meeting and future meetings for the next few months.

BOARD ACTION:

Recommendation by the Planning Board is required prior to the Board of Commissioners adopting any text amendments to the Land Development Code.

Suggested Motion: I move that the Planning Board send forward a favorable recommendation on the proposed text amendments for accessory residential dwellings with any changes as discussed, and that these changes are consistent with the County Comprehensive Plan.

LDC Text Amendment (TX-2022-02)
Planning Board Meeting April 21, 2022

Recommended changes are highlighted in red.

Accessory Residential Dwellings

Summary: The Planning Board request amendments to the accessory residential dwellings based on recent public comments. Accessory residential dwellings are permitted with standards in all residential zoning districts including OI and LC.

§42-62. Supplemental Requirements to the Table of Permitted and Special Uses

SR 3.6. Dwelling, Accessory Residential

- (1) Maximum Number Permitted Per Lot. No more than one (1) *accessory dwelling* shall be permitted on a single deeded *lot* in conjunction with the principal *dwelling unit*.
- (2) Structure Requirements.
 - a. An *accessory dwelling* may be attached, within, or separate from the principal dwelling.
 - b. ~~The *principal use* of the *lot* shall be a detached or attached dwelling, built to the standard of the Henderson County Housing Code.~~ *Manufactured homes* are permitted as *accessory dwellings* where such are permitted as a *principal use* in the general use zoning district. **In no circumstance shall both the principal and accessory dwelling be a manufactured home (singlewide).**
 - c. *Mobile homes, park model homes and recreational vehicles* shall not be used as *accessory dwellings*.
- (3) Size. ~~A detached *accessory dwelling* shall be housed in a building not exceeding 50 percent of the *gross floor area* of the principal dwelling or 1,200 square feet, whichever is greater; the structure may be a dwelling only or may combine a dwelling with a *garage, workshop, studio or similar use*.~~ **An *accessory dwelling* shall be no larger than 50 percent of the *gross floor area* of the principal dwelling and not exceed 1500 square feet. The accessory dwelling may be combined with a *garage, workshop, studio or similar use*.**
- (4) Accessibility. The *accessory dwelling* shall not be served by a *driveway* separate from that serving the principal dwelling unless the *accessory dwelling* is accessed from a rear *alley* or *side road* and the principal dwelling is accessed from a *road*.
- (5) Location. A detached *accessory dwelling* shall be located in the established **side or rear yard** and shall meet the standards for the applicable *building* and *lot* type.
- (6) Lot Size. ***Lots with less than one (1) acre may not contain an accessory dwelling.***