

**HENDERSON COUNTY PLANNING BOARD  
MEETING SUMMARY  
May 18, 2023, at 5:30 PM**

**Planning Board Members Present:**

Steve Dozier, Chair  
Jim Miller, Vice Chair  
Robert Griffin  
Bruce Hatfield  
Hunter Marks  
Rick Livingston  
Jared Ownbey  
Bill Lapsley, BOC Liaison

**Planning Board Members Not Present:**

Linda Bradley  
Trey Ford

**Staff Present:**

Autumn Radcliff, Planning Director  
Russ Burrell, County Attorney  
Liz Hanson, Planner I  
Matt Champion, Zoning Administrator  
Chris Todd, Business and Community Development Director (remote)

**Meeting called to order:** Mr. Steve Dozier called the meeting to order.

**Roll Call:** Roll Call was taken.

**Informal Public Comment:** None.

**Adjustment of Agenda:** No Adjustments were made.

**April 20, 2023, Meeting Summary:** No change to the meeting summary was noted.

**#R-2023-05, Heffner Rezoning Request:** Ms. Liz Hanson stated that Rezoning Application R-2023-05, submitted on April 11, 2023, requests that the County rezone approximately 9.98 (assessed) acres of land from the Office Institutional (OI) zoning district to the Residential Two Rural (R2R) zoning district. The zoning map amendment application is for all of PIN: 9681-84-5915 located off Parham Road. The property owner is the J Keith Garren Trustee and Revocable Trust. The applicant is Lane Heffner. She provided a brief presentation and overview of the staff report.

Mr. Robert Griffin stated that he had spoken to the Bible college, and they were ok with the rezoning request. After some discussion, Mr. Jim Miller made a motion to send forward a favorable recommendation on the rezoning request. Mr. Hunter Marks seconded the motion. All voted in favor.

**#R-2023-06, Ourco Construction Rezoning Request:** Mr. Jim Miller stated that he knows Mr. Ourco and has worked for him in the past. He wanted to disclose that to the Board if they wanted in to recuse himself for this item. The Planning Board found that Mr. Miller had not involvement with this project or financial gain or interest and could vote on the item.

Ms. Liz Hanson stated that Rezoning Application R-2023-05, submitted on April 24, 2023, requests that the County rezone approximately 1.62 acres of land from the Estate Residential (R-40) zoning district to the Residential One (R1) zoning district. The zoning map amendment

application is for all of PIN: 9577-27-0660 located off Greenville Hwy (NC Highway 225). The property owner and applicant is Ourco Construction Company LLC (Eric Oursler).

The Planning Board heard from several members of the public in opposition of the rezoning request and stated issues with setbacks, drainage and flooding issues, and the possibility of higher density in a low-density neighborhood. The Planning Board asked several questions related to the flooding and drainage and identification of a stream on the property. The Board had concerns with the size of the tract and the range of density allowed in the R1 zoning district.

After some discussion, Mr. Robert Griffin made a motion to recommend the Board of Commissioners deny the request based on the County Comprehensive Plan and recommendations of the East Flat Rock Plan. Mr. Bruce Hatfield second the motion. All voted in favor of the motion.

**Continued Discussion on Text Amendment #TX-2023-02, Low Impact Camping:** Ms. Autumn Radcliff stated Planning staff received an application for a text amendment (#TX-2023-02) to add a specific use for low impact camping, which is a primitive type camping, which would include a definition and SR standards. The Land Development Code (LDC) does not specify this type of camping from a campground. Campgrounds are allowed in the LDC with a special use permit. This proposed amendment would allow for low impact camping (5 or less sites) in certain areas.

The Planning Board discussed the draft amendment at its March and April meetings, and requested staff revise the draft amendment based on the Board discussion and bring back at the May meeting. She stated that the Technical Review Committee (TRC) discussed the amendment at its meeting on March 21st. The TRC noted that campgrounds are currently allowed in the LDC with a special use permit. The TRC felt that this process allows for the Zoning Board of Adjustment to look at these projects by location and allows the ability for conditions to be made to address specific community and site concerns. The TRC did not feel that the amendment was needed as it could be permitted under the current regulations.

The Planning Board stated that the changes addressed their concerns. Mr. Jim Miller made a motion to send forward a favorable recommendation on the proposed amendment. Mr. Rick Livingston second the motion. The motion passed 6-1 with Mr. Bruce Hatfield voting against the motion.

**Continued Discussion on Text Amendment #TX-2023-02, Cryptocurrency Mining:** Ms.

Ms. Autumn Radcliff stated that currently, the Henderson County Land Development Code (LDC) does not specifically address the operation of cryptocurrency mining operations. This proposed amendment will establish locations where cryptocurrency mining operations may be located and the supplemental requirements that must be met to protect the public health, safety, and general welfare of county residents.

The purpose of the amendment is to mitigate the negative effects of cryptocurrency mining operations. This includes, but is not limited to, very high energy usage, noise pollution, and the disposal of electronic waste.

The Planning Board discussed the concerns around cryptocurrency at its April meeting and tabled the item until its May meeting. On May 1st, 2023, the Board of Commissioners (BOC) held a hearing and adopted a moratorium on cryptocurrency mining for 60 days to allow the Planning Board to recommend an amendment and for the BOC to consider adoption of the

amendment.

After a thoughtful discussion, Mr. Bruce Hatfield made a motion to table the item until the June meeting. Mr. Jared Ownbey second the motion. All voted in favor.

**Discussion on 2045 Comprehensive Plan Goals:** Mr. Steve Dozier stated that the Board of Commissioners have just completed going through all the plan goals and he wanted to provide an update to the Board. Commissioner Lapsley stated that the Commissioners have been going line-by-line through the plan goals and have made several edits. He stated that the Planning did an excellent job working on the comprehensive plan and making a recommendation to the BOC as an advisory board. He stated that if the Planning Board feels very strongly about any items that were removed or changed, the Commissioners would hear those specific concerns.

Ms. Autumn Radcliff stated that the Planning Board has already made a recommendation on the plan goals and the focus could be on the red-line edits. Mr. Dozier asked the Planning Board to look over the edits and be prepared to discuss at the June meeting. Mr. Jim Miller made a motion to table the discussion until June. Mr. Bruce Hatfield second the motion. All voted in favor.

**Updates:** Mr. Chris Todd provided some staff updates to the Board. Ms. Autumn Radcliff also updated the Board on the amendments to the Ronnie Gray rezoning request that the Board discussed in April. A public hearing on the rezoning will go before the BOC in June.

Mr. Robert Griffin asked if staff had been following some of the legislation bills. He specifically wanted to know if the bill on accessory dwellings would have an impact on the county. Mr. Matt Champion stated that the current LDC allows for accessory dwellings in all districts with some exceptions and did not feel it would impact the county.

**Adjournment:** With no further business, the meeting was adjourned at 7:06 pm.