

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: April 18, 2024

SUBJECT: Land Development Code Rewrite

PRESENTER: Autumn Radcliff, Planning Director
Janna Bianculli, Senior Planner

ATTACHMENTS: None

SUMMARY OF REQUEST:

With the adoption of the 2045 Comprehensive Plan, the Planning Board is currently working on the draft Implementation Plan. The first priority in the Implementation Plan is the Land Development Code (LDC) rewrite and associated zoning map amendments.

When the LDC was adopted in 2007, most of the county was zoned OU (Open Use) which had no density restrictions, no minimum lot size requirements, and no setbacks. The county now has traditional zoning districts in place for the entire county, and these will remain valid and in place during the rewrite process.

The LDC rewrite process will take time to complete (approximately 12 months) and will include several changes to the current code and corresponding zoning map to align with the newly adopted Future Land Use map. Some recommended changes that staff has identified include:

- Revise and add residential zoning districts that correspond to the density proposed in the 2045 Comprehensive Plan
- Decrease the overall number of special use permits
- Review supplemental requirements for all uses and allow uses to be permitted by right with the appropriate corresponding standards
- Add new identified uses to the table of permitted and special uses
- Review references to federal and state general statutes as well as local ordinances
- Update review processes and procedures

The first step in the rewrite process is to determine the zoning districts before the descriptions or allowed uses can be discussed. The zoning map amendments will also be considered in the process, but the districts needed to be established first. Staff will provide the Planning Board with a draft project schedule and begin discussing the new zoning districts at the April meeting.

BOARD ACTION:

The Planning Board is requested to provide direction on the information presented at the meeting.

Suggested Motion: None.

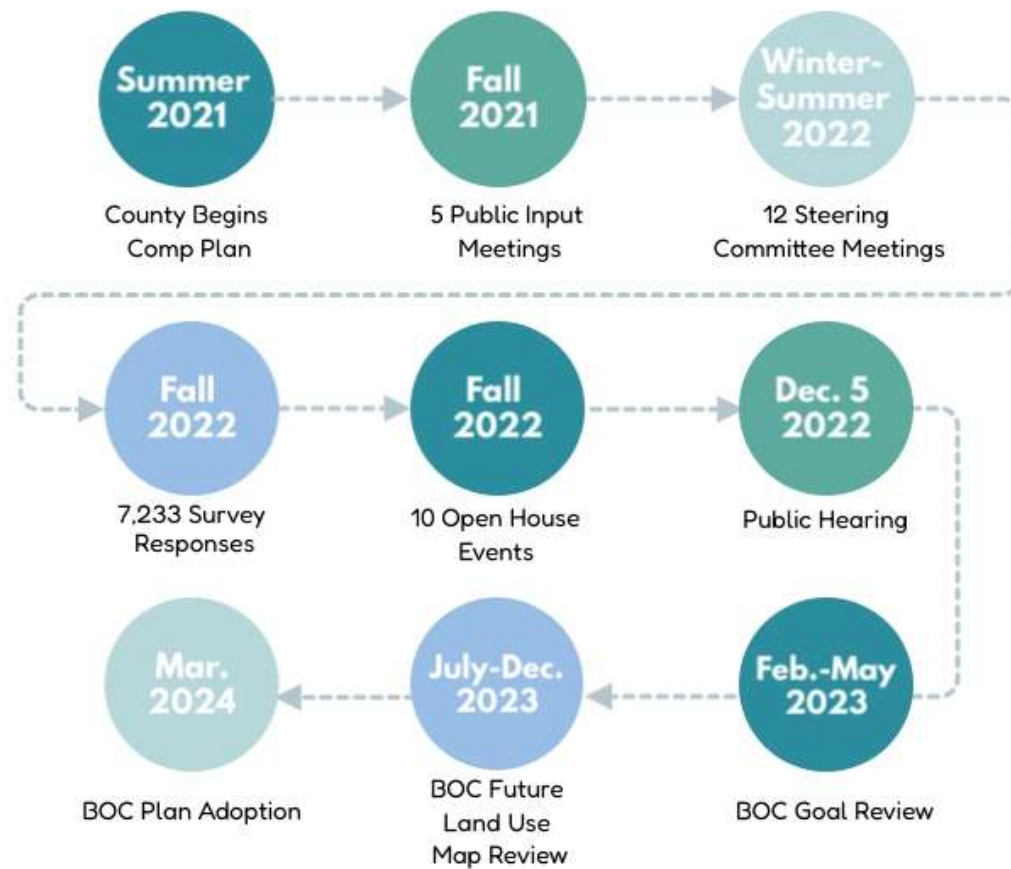
Land Development Code Rewrite

Planning Board Meeting
April 18, 2024

Road to Here

(3-year process)

PLANNING PROCESS



**It will take time
and work to
complete!**

Transparent Process

Meetings open to the public. Some meetings may be workshop style meetings with not public input.

Public Participation Opportunities and will include some targeted community input.

Planning Board is required to make a recommendation. Board of Commissioner is required to hold a Public Hearing before adopting.

Land Development Code Rewrite Includes:

- Align Residential Densities
- Examine the Use Table
- Reduce SUP's
- Update Processes and Procedures
- Review Federal & State General Statutes
- Ensure that the zoning districts reflect the 2045 Plan's prescribed densities and uses
- Add additional zoning districts as needed
- Clarify and add additional uses to the Table of Permitted Uses
- Review SR requirements and reduce the number of SUP's
- Amend zoning map districts
- Review other corresponding LDC sections

Schedule

LDC Rewrite and Zoning Map Update

12 Month Process to Final Draft

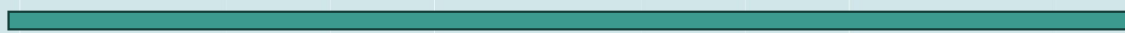
2024

2025

Apr May June July Aug Sep Oct Nov Dec Jan Feb Mar Apr May

LDC Rewrite

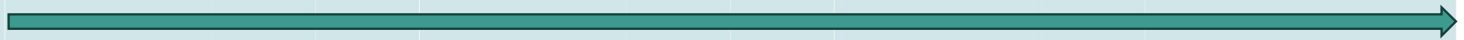
Draft LDC Changes



Draft Zoning Map



Community Involvement



Planning Board
Recommendation



Public Hearing Process
(BOC)



Rewrite Process Frist Steps

The Planning Board will be discussing the following items/tasks over the next several meetings.

1. Establishing Zoning Districts

- Additional zoning districts will be necessary to correspond with the character areas in the 2045 Plan
- Zoning district will have names to reflect their desired density and preferred location and to separate them from the current districts

2. Developing a new Table of Permitted and Special Uses

- Add uses not specifically listed in the current table or sperate out specific uses
- Review and limit the number of uses that require a special use permit

3. Revising the Supplemental Requirements

- Review the supplemental requirements so that uses may be permitted by right with specific standards

Reminders

- **2045 Comprehensive Plan Use:** All staff reports, and site plan reviews will be utilizing and referring to the adopted 2045 Comprehensive Plan. The 2020 CCP will no longer be used for determining plan consistency statements or during the review of projects.
- **Plan Reference Amendments in LDC:** The LDC was amended yesterday to ensure language and terminology are consistent with the newly adopted plan (band-aid amendments).
- **Current LDC verses LDC Rewrite:** The LDC is being reevaluated and rewritten to match the goals and recommendations in the 2045 Comprehensive Plan. It will have some similarities in overall layout, but it will have a new look.
- **Existing LDC is Valid:** Until the LDC rewrite is complete, including the associated zoning map amendments, and both have been adopted by the BOC, the current LDC will remain valid.

Questions