

**HENDERSON COUNTY PLANNING BOARD
MEETING SUMMARY
December 19, 2024, at 5:30 PM**

Planning Board Members Present:

Hunter Marks, Chair
Rick Livingston, Vice Chair
Jim Miller
Robert Griffin
Trey Ford
Linda Bradley
Bruce Hatfield
Jason Davis
Bill Lapsley, BOC Liaison

Planning Board Members Not Present:

Jared Ownbey

Staff Present:

Autumn Radcliff, Planning Director
Janna Bianculli, Senior Planner
Matt Champion, Code Enforcement Director/Zoning Administrator
Liz Hanson, Planner I
Russ Burrell, County Attorney

Meeting called to order: Mr. Hunter Marks called the meeting to order.

Roll Call: Roll call was taken.

Informal Public Comment: The Board heard one informal public comment related to an amendment request on drug rehab facilities and received a handout.

Adjustment of Agenda: No adjustments were made.

November 14, 2024, Special Called Meeting Summary: No change to the meeting summary was noted.

Rezoning Application #R-2024-06, Grandview Lane: Ms. Liz Hanson stated that rezoning application #R-2024-06, submitted on June 17, 2024, requests that the County rezone approximately 34.91 acres of land from the Estate Residential (R-40) zoning district to the Local Commercial (LC) zoning district. The zoning map amendment application is for all of PIN: 9640-87-2872 with access from Grandview Ln (SR 1310). The property owner is Mills River LLC, and the applicant is Grant James.

Staff mailed letters regarding the rezoning application to three adjacent property owners, to see if they were interested in joining the rezoning request. Staff received a response from one property owner who did not wish to join the rezoning request. Staff did not receive a response from the other two property owners.

The Technical Review Committee reviewed the application on December 17, 2024, and made a motion to forward to the Planning Board for their review and recommendation.

The Board heard from two members of the public who were in opposition to the rezoning application.

Following Board discussion, comments and questions, Mr. Rick Livingston made a motion to send the Board of Commissioners a recommendation to deny the rezoning request. Mr. Jim Miller seconded the motion. The motion passed 7-1 with Mr. Hunter Marks voting against the motion to deny.

LDC Text Amendment Discussion: Ms. Autumn Radcliff and Ms. Janna Bianculli updated the Board on Senate Bill 382 that is now law the impacts to items that the Board is working on including the implementation of the comprehensive plan recommendation related to zoning and LDC amendments. Both staff and the County Attorney explained how the new law does not allow local governments to implement changes to a zoning map or amendments without written consent of impacted property owners. This includes downzoning's, change in number of uses, and creating nonconformities in certain districts. Staff stated that this was impacting all local governments in the state and officials were looking for guidance. Staff anticipates that the local legislature will revisit the concerns when they get back in session in January. Ms. Radcliff stated that until a resolution is found, staff cannot move forward within a county wide rezoning or rewrite. She also stated that text amendments may not be able to be considered either.

Ms. Radcliff updated the Board on the Ecusta overlay and stated that the RTAC is working with staff on some recommendations, but that these amendments may also be on hold with the recent law.

Staff Updates: There were no additional updates.

Adjournment: The meeting was adjourned at 6:30 pm with no further business.