

**Henderson County
Technical Review Committee Minutes
November 4, 2008**

The Henderson County Technical Review Committee met on November 4, 2008 at 2:00 p.m. in the King Street Board Room at 211 First Avenue East, Hendersonville, NC. Members present were Anthony Starr, Chair; Seth Swift, Toby Linville, Marcus Jones, Rocky Hyder and Gary Lance. Committee member Natalie Berry was absent. Others present were Autumn Radcliff, Senior Planner, Matt Cable, Planner, and Kathleen Scanlan, Secretary.

Mr. Starr called the meeting to order and asked for the approval of the October 7, 2008 minutes. Toby Linville made a motion for approval of the minutes and all members voted in favor.

Land Development Code Fall 2008 Text Amendments (TX-2008-05) – Autumn Radcliff, Planning Department. Ms. Radcliff stated that amendments to both the Land Development Code (LDC) and the Henderson County Comprehensive Plan (CCP) are anticipated and that the LDC has already gone through two significant updates. Ms. Radcliff stated that these amendments will be referred to as the proposed fall 2008 text amendments to the LDC.

Ms. Radcliff reviewed these amendments and after discussion among the Committee members, the following are the list of the TRC changes to the LDC Fall 2008 Text Amendments:

List of TRC changes to LDC Fall 2008 Text Amendments – TX-2008-05

1. LDC Text Amendment A:
 - a. Changed the word 'and' to 'or' to read; Designation as public shall be presumed an offer of dedication to the public; **however, this does not guarantee that NCDOT will accept proposed public roads and or agree to assume the maintenance responsibility of the proposed public road.**
 - b. Add the wording 'of the design of the public road' to the last sentence in §200A-81(C) (1) as follows: Pursuant to G.S. 136-102.6(d) the *NCDOT* District Engineer's Office must sign a certificate of approval **of the design of the public road** provided on the face of the *final plat* for any *subdivision* where *public roads* are proposed prior to County approval of the *final plat*.
2. LDC Text Amendment E: Change the minimum threshold for lots that shall be accessed from a proposed road or series of proposed roads with a single entrance or accessed from a dead-end road, cul-de-sac or turnaround from 25 lots to 35 lots.
3. Remove LDC Text Amendment F to allow a two-lane road to be reduced to one-lane in circumstances where the topography, site stability, or traffic calming issues would warrant a reduction. This amendment should be discussed in more detail and should be included on the list of potential LDC amendments for the spring of 2009.
4. LDC Text Amendment L: Change the proposed definition of a water supply system for private well to include 15 connections and not 15 residences as follows: **Water Supply System, Private Well. A water supply water system furnishing potable water to less than 15 residences connections or 25 persons.**
5. LDC Text Amendment U: Include in the height restrictions for wind turbines (wind mills) that the in no case shall the height exceed 100 feet. Also add a number 5 to the SR requirements to address FCC regulations as follows:

(5) Compliance with FCC Regulations. Wind turbines must comply with applicable FCC regulations. Evidence of compliance or non-applicability shall be submitted to the *Zoning Administrator*.

Mr. Starr made a motion that the Technical Review Committee recommends that the Board of Commissioners approve the proposed fall 2008 text amendments to the Land Development Code subject to the changes in the amendments listed above. All members voted in favor.

Adjournment. The meeting was adjourned at 3:35 p.m.

Anthony Starr, Chairman

Kathleen Scanlan, Secretary