



CITY OF HENDERSONVILLE
PLANNING BOARD - LEGISLATIVE COMMITTEE
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Tuesday, April 19, 2022 – 3:30 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. Zoning Text Amendment: Supplementary Standards for Day Center (P22-29-ZTA) - *Matthew Manley, Planning Manager*
6. **OTHER BUSINESS**
7. **ADJOURNMENT**

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the Community Development Department no later than 24 hours prior to the meeting at 828-697-3010.



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

100 N. King St. ~ Hendersonville, NC ~ 28792
Phone (828) 697-3010 ~ Fax (828) 697-6185
www.cityofhendersonville.org

**ZONING ORDINANCE TEXT AMENDMENT
Sections 4-1 and 11-1 of the City Zoning Ordinance**

The following are required to constitute a complete application for a zoning text amendment:

~ This form.

~ Appropriate fee.

Applications for zoning text amendments are due at least 30 days prior to any Planning Board Meeting.

Date 04/01/2022

Section of Ordinance proposed to be changed 21-34

Proposed change

The parcel on which a day center is situated shall not be adjacent to a residential use. For purposes of this paragraph, parcels across the street right-of-way from a proposed day center shall be deemed to be adjacent.

The parcel on which a day center is situated shall not be within 200 feet of a residential district.

Reason for change

Proposed amendment which explains the purpose for the amendment: A day center may be adjacent to residential use in the case which a buffer is implemented. A Buffer must consist of twenty-five feet (25 ft) of landscaped separation or fifteen feet (15 ft) of separation with a vertical barrier of at least six feet (6 ft) in height.

Applicant Name The Tamara Peacock Company Architect

Address 104 First Ave East, Suite A Hendersonville, North Carolina 28792

Phone 828-696-4000

Fax

E-mail Moe@peacockarchitect.com

Signature

Official Use:

DATE RECEIVED: 4/7/22

BY

FEE RECEIVED \$ 175.00

Section 11-4 Standards The advisability of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

a) Comprehensive Plan Consistency. Consistency with the Comprehensive Plan and amendments thereto.
b) Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
Proposed amendment which explains the purpose for the amendment: A day center may be adjacent to residential use in the case which a buffer is implemented. A Buffer must consist of twenty- five feet (25 ft) of landscaped separation or fifteen feet (15 ft) of separation with a vertical barrier of at least six feet (6 ft) in height.
c) Changed conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
d) Public interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
e) Public facilities. Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
N/A
f) Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, stormwater management, streams, vegetation, wetlands and wildlife.
N/A



104 First Avenue East, Suite A
Hendersonville, North Carolina 28792
Office: 828.696.4000
Peacockarchitect.com

Date of application: 3/29/2022

Previously submitted: No

Number(s) and titles(s) of the section(s) proposed to be amended:

Ordinance No. 21-34

16-4-12 Day Center.

b) The parcel on which a day center is situated shall not be adjacent to a residential use. For purposes of this paragraph, parcels situated across a street right-of-way from a proposed day center shall be deemed to be adjacent.

c) The parcel on which a day center is situated shall not be within 200 feet of a residential district.

Proposed amendment which explains the purpose for the amendment:

A day center may be adjacent to residential use in the case which a buffer is implemented. A Buffer must consist of 25 feet of landscaped separation or 15 feet of separation with a vertical barrier of at least 6ft in height.

CONTACT INFORMATION

Applicant: Peacock Company Architects

Name: Moe Marks

Phone: 954-728-8000/828-696-4000

Address: 104 first Ave East, Suite A Hendersonville, North Carolina 28792