



CITY OF HENDERSONVILLE
PLANNING BOARD - REGULAR MEETING
Operations Center|Assembly Room|305 Williams St.| Hendersonville NC 28792
Thursday, July 09, 2026 – 4:00 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - A. Minutes of June 11, 2026
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. Rezoning: Standard Rezoning – Ironwood Square | 26-43-RZO – *Sam Hayes, Planner II*
 - B. Zoning Text Amendment: Small Cell Wireless Facilities (26-47-ZTA) – *Matthew Manley, AICP*
– *Long-Range Planning Manager*
6. **OTHER BUSINESS**
 - A. Zoning Text Amendment: Downtown Design Overlay District (26-23-ZTA) – *Matthew Manley, AICP*
– *Long-Range Planning Manager*
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.

**Minutes of the Planning Board
Regular Meeting
June 11, 2026**

Members Present: Donna Waters, Bob Johnson, Mark Russell, David McKinley, Kyle Gilgis, Tamara Peacock (Vice-Chair),

Members Absent: Jim Robertson, (Chair), Lauren Rippy, Betsey Zafra

Staff Present: Matthew Manley, Long Range Planning Manager, Lew Holloway, Community Development Director, Sam Hayes, Planner II

I Call to Order. *The Chair called the meeting to order at 4:00 pm. A quorum was established.*

II Approval of Agenda. *Ms. Gilgis moved to approve the agenda. The motion was seconded by Mr. Russell and passed unanimously.*

III Approval of Minutes for the meeting of May 14, 2026. *Ms. Gilgis moved to approve the Planning Board minutes of the meeting of May 14, 2026. The motion was seconded by Ms. Waters and passed unanimously.*

IV Old Business

V New Business

V(A) Site Plan Review – Sheetz – Upward Road (26-01-SPR) Mr. Manley gave the following background:

Mr. Manley went over the process for administrative reviews. This was included in the staff report and presentation.

Mr. Manley stated this application is a site plan review submitted from Quattlebaum Properties, LLC., and Wes Hall of Sheetz Convenience Store is the applicant, along with Jesse Hanlin of Blue Ridge Engineering, who's been assisting them with the site plan. The property is zoned CHMU, and the site is 2.65 acres. It's proposed to be a 6,139 square foot convenience store.

The Current Land Use and Zoning Map was shown and discussed and is included in the staff report and presentation. Mr. Manley stated this is a satellite annexation, which means it is property that was annexed into the city, but it is not contiguous with the city limits, the municipal boundaries.

Site photos were shown and discussed and are included in the staff report and presentation.

The preliminary site plan was shown and discussed and is included in the staff report and presentation. Mr. Manley stated the proposal does include not just the parcel and the development, but also an access road that would provide access to Sheetz, but also the additional land around it, which could be developed in the future and it ties in to Upward Road at Ballinger Road. There will be a new signalized intersection on Upward Road.

Mr. Manley stated another requirement under NCDOT is that they reserve or dedicate right-of-way for a future roundabout at this location. whatever new development ties into this intersection, it will be required to build the roundabout.

Mr. Manley pointed out the details of the site plan and discussed those. They are required 31 parking spaces, but they are providing 44. I didn't mention this earlier, but because of the fact that they have 30 or more parking spaces, that is what requires the administrative review with Planning Board.

The building elevations were shown and discussed. They're not required at the preliminary site plan stage.

The outstanding site plan comments were shown and discussed and are included in the staff report and presentation. Mr. Manley explained each comment.

Mr. Manley stated so that really leaves you with an option, two options. One, you could deny it and say it is non-compliant, come back and see us when you have a compliant plan, or you can approve it with the condition that they come into compliance, and that they address the deficiencies, by either meeting the standard or getting relief granted to them through a variance process through the Board of Adjustment. And then it would just kick it to us as staff to review it. It would extend it to the final site plan review phase, which we're going to have to do anyway. And so staff is totally comfortable with that route so they don't have to come back here, for, essentially what is a technicality. We've met the role here, which is to create transparency about this project, and so I think that's been sufficiently achieved.

There were no questions for staff.

Vice-Chair asked if the applicant would like to speak.

Wes Hall, 119 Maltlin Drive, Cary, North Carolina stated he is with Sheetz.

Devon Staley with Blue Ridge Engineering stated he is one of the civil engineers for the project, and his address is 166 Twelve Oaks Lane, Wilkesboro.

Mr. Hall stated we just wanted to speak to a few of those. I know quite a few of these, at the beginning are landscape-related. We're happy to make those changes to the plan to come into compliance with those. I know there was a few there, especially with the street trees and just accounting correctly for those trees. We're happy to do that, just kind of moving through the list there. The corner clearance, we are going to be pursuing the variance there. There's just a few hardships with this one, as Mr. Manley indicated. He stated where you come in on this right-in only is designed to allow free-flow traffic in to make the decision of going to the store or going to get gas. What we don't want to get into is shifting this down to meet the corner clearance, and then you got somebody coming in the right in only having to come to a stop condition to make a left or right decision and potentially backing up and impacting into that drive. So that's kind of the thought process there for that. The sidewalk extension on the bottom of the access road, we're happy to extend that down to come into compliance, and that also extends to the stub-out mentioned to the adjacent property, here in the northwest corner.

Mr. Staley stated there has been discussion about a future roundabout there. Of course, that's not a funded project, not in design, so exactly where that right-of-way line will be is really undetermined. I mean, what you saw previously in the previous slide was a sketch idea of the size of the roundabout, but until there are actual plans, it would be really difficult to dedicate right-a-way. Now, I think we're all on board with reserving the space needed, and we can even show that on the plans, that the area is reserved for that future roundabout. But, DOT may change their mind three, four or five years from now, and decide to go with some other alternative to handle the traffic there instead of a roundabout. But we are willing to remove

those trees and shrubs from that area, count that open space, take that out of our calculations for counted open space or common area, and find another place for those.

Discussion was made on planting the trees in some of the islands. They will get with staff to work this out.

Vice-Chair stated so you're in agreement to work with staff on the remaining items, so that you don't have to come back to the board. And then, are you aware of the criteria for a variance? Do you feel like you'll be able to meet that criteria? I know that one thing would be that you have some grade issues. I would cite that, because that's not something you controlled. Mr. Hall stated we're at a bit of a disadvantage because of the size of the radius, so that measurement is taken from this point, to this point, which is the start of the radius for each of these driveways. If we lessened this radius, then the measurement would be potentially further toward Upward Road. Vice-Chair stated but you're not allowed to do that, right? Mr. Hall stated we need this radius for delivery truck traffic to the Sheetz, so I guess you could say we're at a bit of a disadvantage because of the type of traffic, but if the measurement were from the edge of Upward to the edge of our driveway, we would exceed it.

There were no further questions for the applicant.

Vice-Chair asked if anyone from the public would like to speak.

Ken Fitch, 1046 Patton Street stated is a payment in lieu an option for any of these issues? That's one question. And of course, the zero address thing, at what time would that be resolved? Is this site plan going to cause problem for other developments in the parcels that are adjacent? And obviously, the roundabout situation is going to cause problems for the site plan as it is, and if you have that, then what happens to this site plan? Because the different distances and the turnaround, all those things then become issues if that happens, and so what happens then? The roundabout creates a whole other series of issues that would cause problems for this property and elsewhere.

Vice-Chair stated I know that when DOT funds something, they're at least seven years out, so if they're not anywhere near it, well, I think we're quite a ways from getting a roundabout. Mr. Manley stated it could be triggered by new development and privately funded.

Discussion was made on the variance. Mr. Manley stated that would be for the Board of Adjustment to decide.

Ms. Waters moved the Planning Board grant preliminary site approval based on the requirements of the City of Hendersonville Zoning Ordinance, with primary consideration of Sections 5-27 Commercial Highway Mixed-Use Zoning District and 7-3-3 Review of Preliminary Site Plans for the Sheetz gas station and convenience store development on Upward Road. Conditions: 1. The applicant shall either be granted a variance by the Board of Adjustment or demonstrate compliance with the seven deficiencies outlined in the staff report and markup exhibit. Ms. Gilgis seconded the motion which passed unanimously.

- VI **Other Business** – Mr. Manley discussed the Bike Plan input session scheduled for June 25th. He also discussed the survey.
- VII **Adjournment** – *The meeting was adjourned at 4:35 pm.*

Jim Robertson, Chair

SUMMARY: The City of Hendersonville has initiated a Zoning Map Amendment application for three properties located at 831, 835, 837 Case Street, Pins 9577-79-2337, 9577-79-3365, and 9577-79-4384 totaling 0.87 Acres. The property is currently Henderson County Community Commercial. The subject properties were recently annexed into the City limits at the July 2nd City Council meeting. Because of this, the City has 60 days to zone the properties.

The City is requesting initial zoning of the properties to C-3 Highway business, which aligns with other adjacent properties in the City limits.

If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the site. All permitted uses within the CHMU district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

PROJECT/PETITIONER NUMBER:	26-43-RZO
PETITIONER NAME:	o City Initiated
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Comprehensive Plan Consistency & Criteria Evaluation Worksheet3. Draft Ordinance4. Proposed Zoning Map5. Application

STANDARD REZONING: IRONWOOD SQUARE (26-43-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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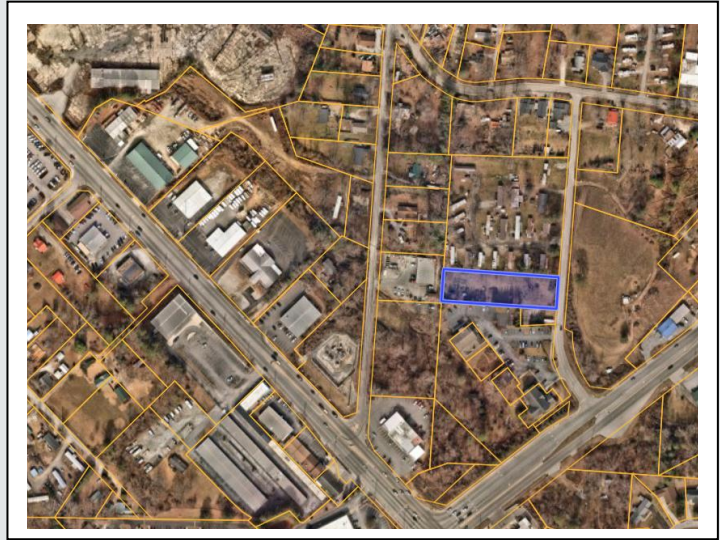
REZONING STANDARDS ANALYSIS & CONDITIONS..... **Error! Bookmark not defined.**

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT
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PROJECT SUMMARY

- Project Name & Case #:
 - Ironwood Square Initial Zoning
 - 26-47-RZO
- Applicant & Property Owner:
 - City Initiated Initial Zoning
- Property Address:
 - 831, 835, and 837 Case Street
- Project Acreage:
 - .87 Acres
- Parcel Identification (PINS):
 - 9577-79-2337
 - 9577-79-3365
 - 9577-79-4384
- Current Parcel Zoning:
 - Henderson County community Commercial
- Proposed Zoning District:
 - C-3 Highway Commercial
- Future Land Use Designation:
 - Mixed Use Commercial



SITE VICINITY MAP

The City of Hendersonville has initiated a Zoning Map Amendment application for three properties located at 831, 835, 837 Case Street, Pins 9577-79-2337, 9577-79-3365, and 9577-79-4384 totaling 0.87 Acres. The property is currently Henderson County Community Commercial. The subject properties were recently annexed into the City limits at the July 2nd City Council meeting. Because of this, the City has 60 days to zone the properties.

The City is requesting initial zoning of the properties to C-3 Highway business, which aligns with other adjacent properties in the City limits.

If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the site. All permitted uses within the C-3 district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

SITE IMAGES



View of subject property from Case Street.

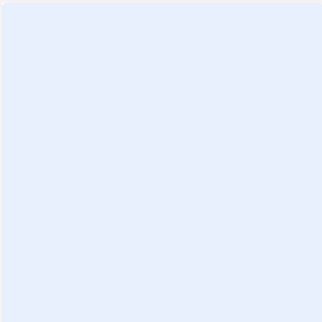


View looking east into subject property. The subject property is currently a mix of trees and open field.

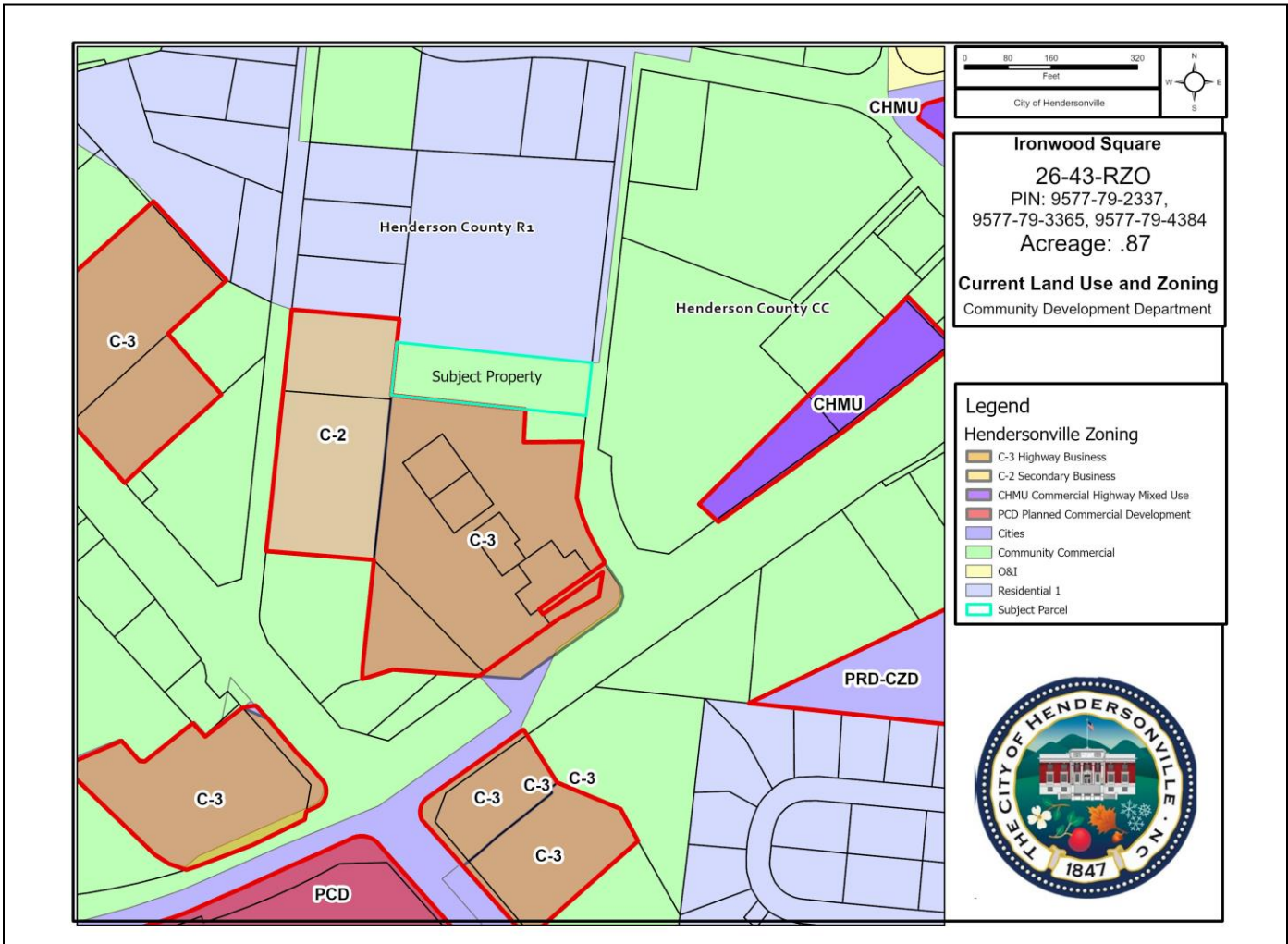
SITE IMAGES



View further to the east of subject property.



EXISTING ZONING & LAND USE

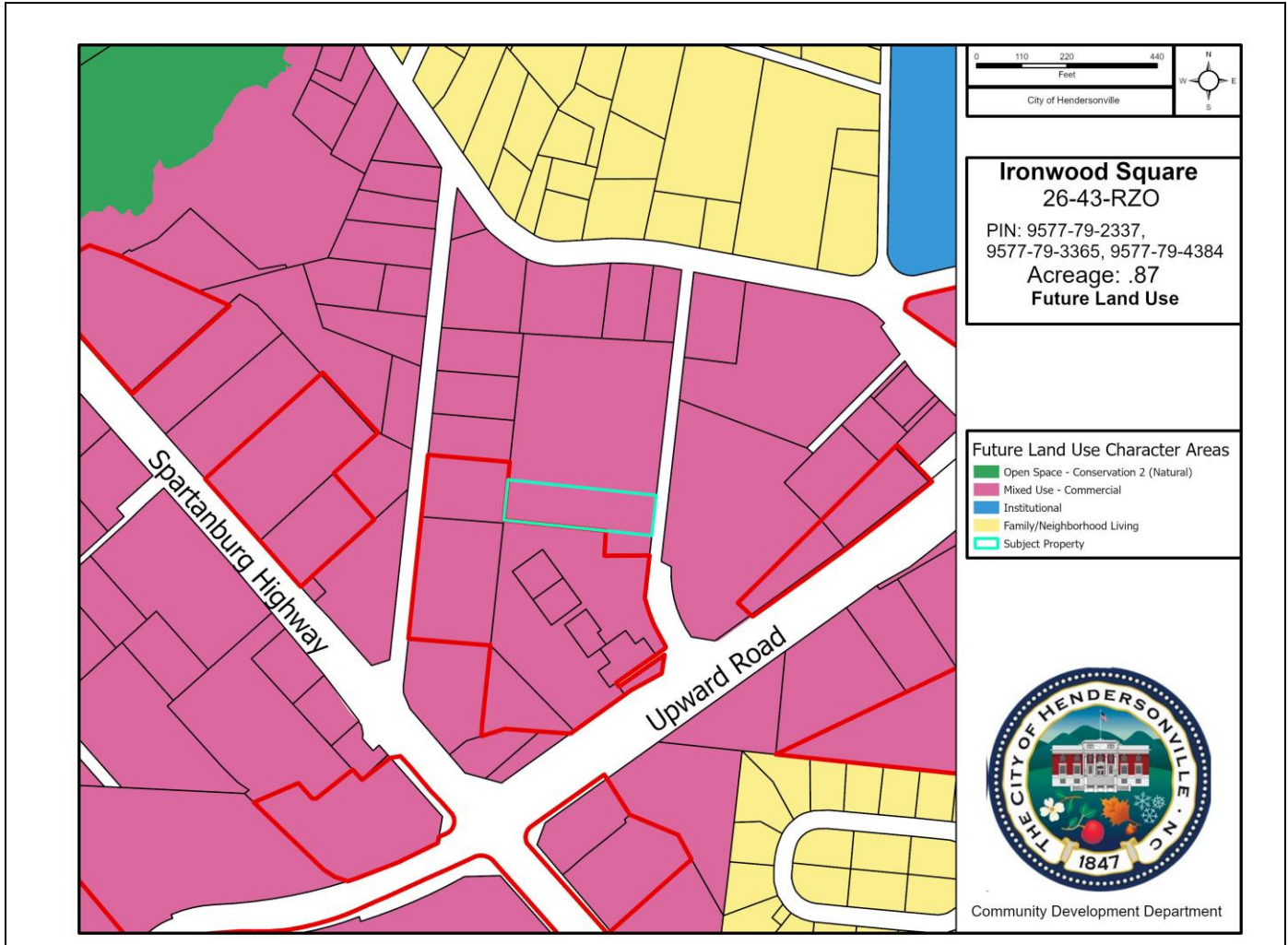


Existing Zoning & Current Land Use Map

The subject property is currently outside the municipal limits and the City’s ETJ and is zoned Henderson County Community Commercial. The property is made up of a vacant 0.87 acre lot that fronts on Case Street. The adjacent parcel within City Limits is zoned C-3 Highway Commercial.

The land uses in this area are typical of an urban-rural transition area ranging from vacant and low density residential to higher intensity commercial uses. Immediately to the properties north is a manufactured home park, and to the east across Case Street is a vacant parcel. To the south is an office development.

FUTURE LAND USE



Future Land Use & Conservation Map

The City’s Gen H 2045 Comprehensive Plan designates the subject property as “Mixed Use - Commercial” in the Future Land Use & Conservation Map. The adjacent properties all fall within this district. The description of the district is:

These areas are centers of activity with a mix of retail, restaurant, service, office, and civic uses, as well as various residential housing types. The mix can be horizontal or vertical, with changes in use between floors of the same building. Buildings of two or more stories are common, and streets feature short block lengths and pedestrian facilities. Open spaces include plazas, formal greens, and pocket parks. This activity center is intended to be the City’s most intense district outside of the Downtown character area.

REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<p>LAND SUPPLY, SUITABILITY & INTENSITY The subject property is not included in the Land Supply Map or the Land Suitability Map. The subject property is located in an area designated as “High Intensity” for Development Intensity. The subject property is <u>not</u> located in one the 5 Focus Areas. The subject property <u>is</u> located in a Focused Intensity Node.</p>
	<p>FUTURE LAND USE & CONSERVATION MAP Character Area Designation: Mixed Use – Commercial Character Area Description: Consistent Zoning Crosswalk: Inconsistent Focus Area Map: NA</p>
2) COMPATIBILITY	<p>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</p>
	<p>EXISTING CONDITIONS The subject property is surrounded by commercial office space to its south. Other properties in city limits in the immediate vicinity are zoned C-3 and C-2, as well as CHMU. To the north in the County’s jurisdiction, the uses are predominantly residential. To the immediate north is a manufactured home park. The subject property is vacant and undeveloped.</p>
	<p>GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Somewhat Consistent Healthy and Accessible Natural Environment: Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: Consistent Accessible & Available Community Uses and Services: Consistent Resilient Community: N/A</p>
	<p>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) Mix of Uses: Consistent Compact Development: Consistent Sense of Place: Somewhat Consistent Conserved & Integrated Open Spaces: Somewhat Inconsistent Desirable & Affordable Housing: Inconsistent Connectivity: Somewhat Consistent Efficient & Accessible Infrastructure: Somewhat Consistent</p>
	<p>DESIGN GUIDELINES ASSESSMENT – N/A</p>
3) Changed	<p>Whether and the extent to which there are changed conditions,</p>

<p>Conditions</p>	<p>trends or facts that require an amendment -</p> <p>This area is seeing gradual change over time from a residential area to a commercial node. The Gen H comprehensive plan calls out this area specifically because of the intersection of Spartanburg Highway and Upward Road.</p>
<p>4) Public Interest</p>	<p>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 -</p> <p>The expansion of C-3 in this area does provide for one of the most robust commercial zoning districts in the City. However, there are limitations with this district because it does not offer many housing opportunities. Additionally, there are no design standards associated with this district.</p>
<p>5) Public Facilities</p>	<p>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</p> <p>The subject property was annexed by the City, and therefore, will connect to city utilities and will utilize other city services.</p>
<p>6) Effect on Natural Environment</p>	<p>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, storm water management, streams, vegetation, wetlands and wildlife -</p> <p>The project will be required to meet any natural resource protection standards that are triggered through the development of the project.</p>

Project Addresss - Rezoning Request Project Number		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 80, Figure 4.4.2)	NA	NA
LAND SUITABILITY MAP (Pg. 83-85, Figure 4.5-4.7)	NA	NA
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Somewhat Consistent	NA
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12.1)	Mixed Use - Commercial	
Character Area Description (Pg. 124-131)	Consistent	NA
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	NA	Inconsistent

Chapter 4 - The Vision for the Future	Consistent
GOALS	
<u>Vibrant Neighborhoods (Pg. 93)</u>	
Promote lively neighborhoods that increase local safety.	Consistent
Enable well-maintained homes, streets, and public spaces.	Consistent
Promote diversity of ages (stage of life), income levels, and a range of interests.	Consistent
The design allows people to connect to nearby destinations, amenities, and services.	Consistent
<u>Abundant Housing Choices (Pg. 93)</u>	
Housing provided meets the need of current and future residents.	Somewhat Consistent
Range of housing types provided to help maintain affordability in Hendersonville.	
Housing condition/quality exceeds minimum standards citywide	Somewhat Consistent
<u>Healthy and Accessible Natural Environment (Pg. 94)</u>	
Recreational (active and passive) open spaces are incorporated into the development.	Somewhat Consistent
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	Consistent
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	Consistent
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	Consistent
<u>Authentic Community Character (Pg. 94)</u>	
Downtown remains the heart of the community and the focal point of civic activity	Consistent
A development near a gateway sets the tone, presenting the image/brand of the community.	Somewhat Consistent
Historic preservation is utilized to maintain the city's identity.	Consistent
City Centers and neighborhoods are preserved through quality development.	Consistent
<u>Safe Streets and Trails (Pg. 95)</u>	
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	S
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent
Design embraces the principles of walkable development.	Consistent
<u>Reliable & Accessible Utility Services (Pg. 95)</u>	
Wastewater treatment (service and capacity) adequately serves existing and future development	Consistent
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.	Consistent
<u>Satisfying Work Opportunities (Pg. 96)</u>	
The development promotes quality job options.	Consistent

The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	Consistent
Welcoming & Inclusive Community (Pg. 96)	
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	Consistent
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	Somewhat Consistent
Accessible & Available Community Uses and Services (Pg. 97)	
Private development is plentiful, meeting the demands of current and future populations.	Consistent
GUIDING PRINCIPALS (pg. 98)	
Mix of Uses (Pg. 98)	
Revitalization of Outdated Commercial Areas	Consistent
New business and office space promotes creative hubs.	Consistent
Compact Development (Pg. 100)	
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	Consistent
The infill project is context sensitive [Small Infill Site].	Consistent
Sense of Place (Pg. 102)	
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]	Somewhat Consistent
Conserved & Integrated Open Spaces (Pg. 106)	
A diverse range of open space elements are incorporated into the development.	S
Desirable & Affordable Housing (Pg. 108)	
Missing middle housing concepts are used in the development.	
Connectivity (Pg. 112)	
The development encourages multimodal design solutions to enhance mobility.	Somewhat Consistent
Efficient & Accessible Infrastructure (Pg. 114)	
The development utilizes existing infrastructure	Somewhat Consistent

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBER 9577-79-2337, 9577-79-3365, AND 9577-79-4384) BY CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY COMMUNITY COMMERCIAL, TO CITY OF HENDERSONVILLE C-3 HIGHWAY BUSINESS

IN RE: Parcel Numbers: 9577-79-2337, 9577-79-3365, and 9577-79-4384
Ironwood Square | File # 26-43-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on July 9th, 2026 voting [redacted] to recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on August 6th, 2026, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on August 6th, 2026,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9577-79-2337, 9577-79-3365, and 9577-79-4384, by changing the zoning designation from Henderson County Community Commercial to City of Hendersonville C-3 Highway Business
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

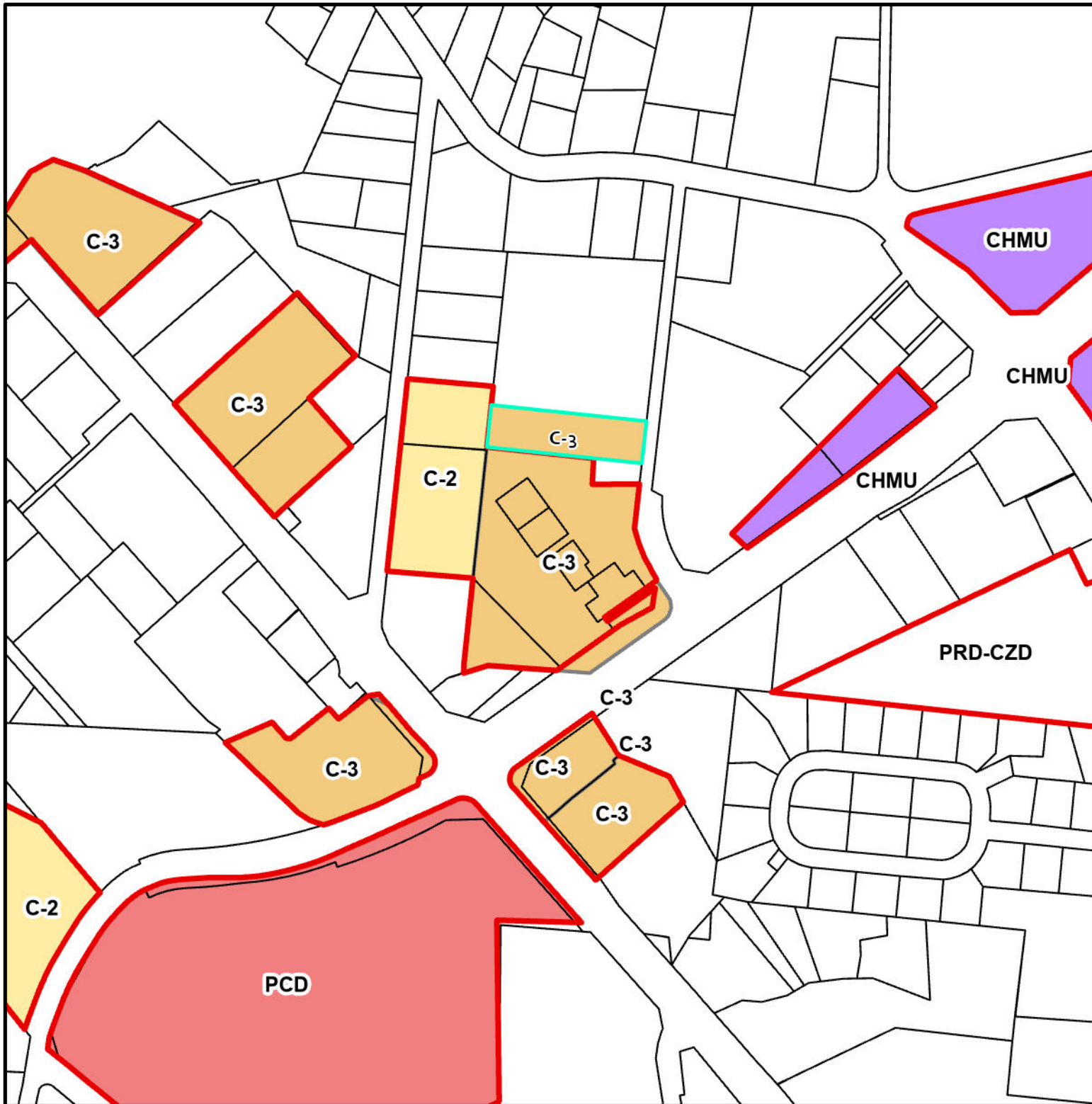
Adopted this 6th day of August 2026.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



Ironwood Square
26-43-RZO
 PIN: 9577-79-2337,
 9577-79-3365, 9577-79-4384
Acreage: .87
Proposed Zoning
 Community Development Department

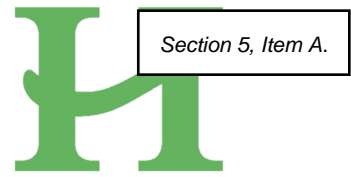
Legend

Proposed Zoning

Hendersonville Zoning

- C-3 Highway Business
- C-2 Secondary Business
- CHMU Commercial Highway Mixed Use
- PCD Planned Commercial Development





WORKSPACE INFORMATION

Application number
26-43-RZO

Category
Standard Rezoning

Workspace state
Application complete

Workspace created
05/28/2026, 1:04:27 PM EDT

Application submitted
06/08/2026, 10:20:40 AM EDT

Assignee
Sam Hayes

Package generation date
06/29/2026, 4:11:47 PM EDT

LOCATION INFORMATION

Address
847 CASE STREET, Hendersonville, NC

Property information
9577792337,

PARTIES

NAME AND COMPANY	CONTACT DETAILS	ROLES
Sam Hayes	160 6th Avenue E Hendersonville +1 8282030307	Applicant
Emily Balcken Children and Family Resource Center	851 Case Street Hendersonville [REDACTED]	Property owner
Kieran Roe Conserving Carolina	847 Case Street Hendersonville [REDACTED]	Property owner
Sam Hayes	160 6th Avenue E Hendersonville [REDACTED]	Applicant

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Property Information

Current Zoning County - Community Commercial	Proposed Zoning C-3
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Adjacent Parcel Numbers and Uses

PIN: 9577794384	Use:
PIN: 9577793365	Use:
PIN: 9577792337	Use:
PIN:	Use:
PIN:	Use:

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.
The site is designated mixed use - commercial on the future land use map of the comprehensive plan, which aligns with the C-3 designation.
- 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. (Also, see NCGS 160-601 (d) Down-Zoning
Surrounding properties within the city are zoned C-3.
- c) Changed Conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment. (Also, see NCGS 160D-601 (d) Down-Zoning)
The City Council is hearing the annexation petition at its July 2nd meeting.
- 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. (Also, see NCGS 160D-601 (d) Down-Zoning)
The surrounding properties within the city limits are all zoned C-3.
- 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. (Also, see NCGS 160D-601 (d) Down-Zoning)
The property will be served by City water/sewer.
- 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, storm water management, streams, vegetation, wetlands and wildlife
No significant impact on the natural environment, however, any development will be required to conform to the City's natural environment protection standards.



Zoning-Applicant (Developer) Company Information

Section 5, Item A.

Applicant (Developer) Company Information	
Authorized Representative Name:	Company Name (if applicable, check corresponding box below)
Company Type:	If other:
<input type="checkbox"/> Corporation:	<input type="checkbox"/> Limited Liability Company:
<input type="checkbox"/> Partnership:	<input type="checkbox"/> Trust:
	<input type="checkbox"/> Other:
Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)	



Property Owner Company Information (if different from Applicant)

Authorized Representative Name:	Company Name (if applicable, check corresponding box below)
Company Type:	If other:
<input type="checkbox"/> Corporation:	
<input type="checkbox"/> Limited Liability Company:	
<input type="checkbox"/> Partnership:	
<input type="checkbox"/> Trust:	
<input type="checkbox"/> Other:	
Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)	



Project Description			
Project Description Initial zoning of 847 and 851 Case street. Three properties, pins: 9577792337, 9577793365, 9577794384.			
Total Project Area (acres) 0.87	Total Lots/Units 3	Proposed building square footage: 0.0 sq.ft.	Gen H Future Land Use Designation: mixed-use commercial
Current Zoning District Community Commercial	Proposed Zoning District C-3	Proposed Meeting Date Option 1 05/28/2026	Proposed Meeting Date Option 2 05/29/2026
Proposed Meeting Time Option 1 10:00 AM			Proposed Meeting Time Option 2 10:00 AM



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** August 6, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: Zoning Text Amendment: Small Cell Wireless Facilities (26-47-ZTA) – Matthew Manley, AICP – Long-Range Planning Manager

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
<p>I move Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance Article XII. ‘Definition of Terms’ And Article XVI. ‘Supplementary Standards’ for Small Cell Wireless Facilities based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The proposed amendments aligns with the Gen H Comprehensive Plan Goals & Guiding Principles</p> <p>2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The proposed amendment aligns with state law and federal guidelines 2. The proposed amendment allows for the installation, expansion, and improvement of telecommunications infrastructure 3. The proposed amendment establishes standards for order, compatibility and safety in the deployment of small cell facilities. <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>I move Planning Board recommend City Council deny an ordinance amending the official City of Hendersonville Zoning Ordinance, Article XII. ‘Definition of Terms’ And Article XVI. ‘Supplementary Standards’ for Small Cell Wireless Facilities based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The proposed amendments aligns with the Gen H Comprehensive Plan Goals & Guiding Principles</p> <p>2. We [do not find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The proposed amendment is overly restrictive and hinders improvements to the local telecommunications network 2. The proposed amendment is overly relaxed and does not go far enough in protecting the public from the impacts of widespread deployment of small cell facilities. <p style="text-align: center;">[DISCUSS & VOTE]</p>

***SUMMARY:** The City of Hendersonville has initiated a zoning text amendment to address the deployment of small cell wireless telecommunications facilities across the city. The proposed updates to this zoning ordinance are precipitated by state and federal laws on this same topic. These existing laws limit what can be done to address these facilities at the local level. The proposed ordinance is based upon model policies that reflect conformance with state and federal regulations.*

Small cell wireless facilities are a type of infrastructure that helps improve cell phone and wireless internet service—especially in areas where signals are weak or overloaded. They are small, low-powered antennas that transmit data within the larger cellular network. They are much smaller than the traditional cell towers. These facilities are typically found on standalone poles in the right-of-way but can be mounted to) existing structures such as streetlights, utility poles, traffic signals, and buildings.

The proposed standards provide guidance for the installation of small cell facilities in much the same way that the City’s existing telecommunication zoning standards guide where and how traditional towers are installed. Because small cell facilities are and will continue to be located along public rights-of-way, aesthetic standards are a principal focus for certain areas of town (downtown + historic districts) to address concerns over appearance and visual clutter

PROJECT/PETITIONER NUMBER:	26-47-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Draft Ordinance Changes 3. Comprehensive Plan Consistency & Evaluation

ZONING TEXT AMENDMENT:
SMALL CELL WIRELESS (TELECOMMUNICATIONS) FACILITIES
(26-47-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT
STAFF REPORT

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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS
STATEMENT 21



PROJECT SUMMARY

- Project Name & Case #:
 - Small Cell Wireless Telecommunications Facilities
 - 26-47-ZTA
- Applicant:
 - City of Hendersonville
- Articles Amended:
 - Zoning Ordinance
 - Article XVI or VI
 - City Code of Ordinances
- Zoning Districts Impacted:
 - All
- Relevant Future Land Use Designations:
 - Downtown

Summary

The City of Hendersonville has initiated a zoning text amendment to address the deployment of small cell wireless telecommunications facilities across the city. The proposed updates to this zoning ordinance are precipitated by state and federal laws on this same topic. These existing laws limit what can be done to address these facilities at the local level. The proposed ordinance is based upon model policies that reflect conformance with state and federal regulations.

Small cell wireless facilities are a type of infrastructure that helps improve cell phone and wireless internet service—especially in areas where signals are weak or overloaded. They are small, low-powered antennas that transmit data within the larger cellular network. They are much smaller than the traditional cell towers. These facilities are typically found on standalone poles in the right-of-way but can be mounted to) existing structures such as streetlights, utility poles, traffic signals, and buildings.

The proposed standards provide guidance for the installation of small cell facilities in much the same way that the City's existing telecommunication zoning standards guide where and how traditional towers are installed. Because small cell facilities are and will continue to be located along public rights-of-way, aesthetic standards are a principal focus for certain areas of town (downtown + historic districts) to address concerns over appearance and visual clutter.

AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS

Legal preemptions, intended to reduce local oversight and allow for the speedy deployment of small cell facilities, were first introduced in 2015-2016 at the Federal level; with the State of North Carolina ultimately adopting their own standards in mid-2017. The NC law that passed ([Session Law 2017-159](#)) allowed for some local oversight by allowing for the enforcement of objective aesthetic design standards. Design standards have to be adopted locally in order to be enforceable.

Over the first several years after the adoption of SL2017-159, the City of Hendersonville received minimal interest from the various wireless communication providers for local deployment of small cell facilities - with only a few inquiries and permit requests. However, in recent months, small cell wireless facilities (and/or their associated poles and underground wiring) have been deployed in the city and/or have sought permitting approval from the City. With this recent uptick in activity and installation of facilities within rights-of-way across various locations in Hendersonville, the City is past due for adopting standards to guide their deployment.

The proposed standards are organized and summarized as follows:

Purpose: The purpose of the proposed changes to address Small Cell Wireless Facilities can be categorized as follows:

1. To facilitate deployment of wireless infrastructure;
2. To protect the public health, safety, and welfare; and
3. To preserve the aesthetic character of the public realm

Placement: The preferred location hierarchy is as follows:

1. Collocation on existing structures including telecommunication facilities;
2. Collocation on existing utility poles;
3. Collocation on existing streetlight poles;
4. Replacement of existing poles;
5. New poles, where no feasible alternative exists.

Spacing: They are to be spaced a minimum of 300' apart.

Prohibitions: Facilities may not impede on ADA required spaces, obstruct sight distance triangles, interfere with traffic controls, be placed directly in front of residences or storefronts, be located on historic properties, and can only locate within a historic district or where utilities are all underground when no other feasible location exists.

Design Standards:

Facilities shall be designed to minimize visual impact and to be compatible with surroundings, equipment shall be concealed/shrouded, new pole, in some cases, should serve another function such as street lights or traffic lights and poles shall be designed according to the

Zoning District in which they are located:

- a) Downtown Design Overlay & Historic Districts – 14'-18' max height with decorative pole with green coating.
- b) Residential Zoning - 25' max height. Collocate on existing pole or collocate on a new pole which serves another function.
- c) Non-Residential Zoning – 50' max. with non-reflective finish
- d) Mixed-Use Zoning - 50' max height. Collocate on existing pole or collocate on a new pole which serves another function.

Foundations & Utilities: Foundations shall meet code requirements and have underground utility connections.

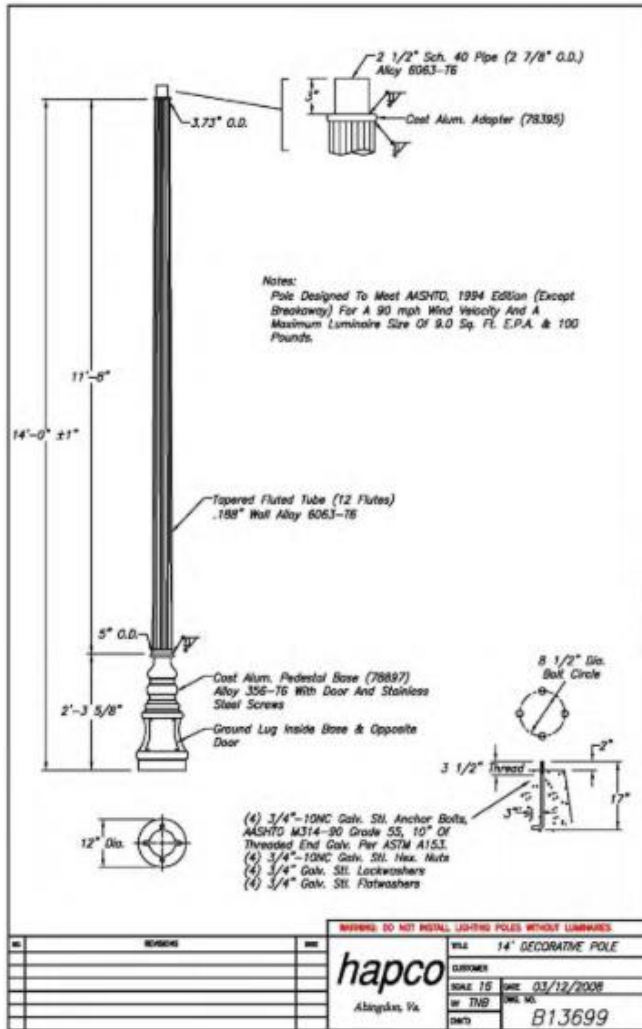
Noise & Ventilation: Facilities will use passive ventilatin and shall be below 30 dBA.

Identification & Safety: Facilities shall include safety signate with 4"x6" max identification plates.

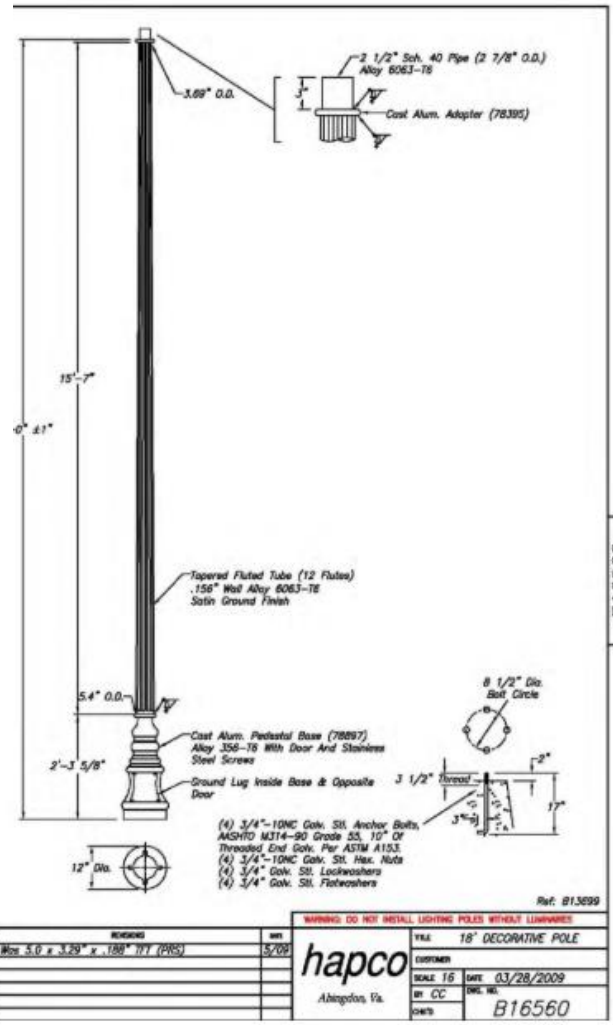
Removal & Abandonment: Facilities abandoned for 12 months shall be removed and the City may remove any facilities which are a safety hazard or no longer maintained.

Nonconforming Facilities: Legally established facilities may continue.

DESIGN SPECIFICATIONS OF DOWNTOWN DESIGN OVERLAY & HISTORIC DISTRICT POLES



14' DECORATIVE LIGHT POLE
SCALE: 3/4" = 1'-0"



18' DECORATIVE LIGHT POLE
SCALE: 3/4" = 1'-0"

NOTES:
1. SEE LAYOUT PLAN, FOUR (4) DECORATIVE LIGHT POLES AT CORNERS OF SEVENTH AVENUE AND LOCUST STREET ONLY.
2. 14' AND 18' DECORATIVE LIGHT POLES, TRAFFIC SIGNALS, AND PEDESTRIAN SIGNALS ARE BEING PURCHASED BY THE CITY. CONTRACTOR IS RESPONSIBLE FOR TRANSPORT FROM CITY OPERATIONS CENTER TO THE SEVENTH AVENUE PROJECT AREA AND FOR INSTALLATION OF LIGHTS.

EXAMPLES OF EXISTING DOWNTOWN POLES



EXAMPLES OF SMALL CELL POLES



Source: [Jeffrey Beall](#), [CC BY 4.0](#), via Wikimedia Commons

Stealth Small Cell Pole

Equipment hidden inside the pole structure



Source: Comments of Crown Castle, WT Docket No. 15-180, at 14 (filed September 28, 2015)

Small Cell on a Lamp Post

Small facility deployed in historic Pittsburgh, PA

Small Cell on Utility Poles



Source: Comments of PCIA - Attachment, WT Docket No. 15-180, at 23 (filed September 28, 2015).

COMMITTEE RECOMMENDATION

The proposed amendment was only briefly reviewed by the Downtown Design Overlay Committee.

PROPOSED TEXT REVISIONS

The following revisions to the zoning code are presented for your consideration. The following language in **red** will be removed and language in **green** will be added to the current zoning district language, shown in black, as illustrated below.

ZONING ORDINANCE

ARTICLE VI. GENERAL PROVISIONS

ARTICLE VI – GENERAL PROVISIONS

Section 6-20. Small Wireless Facility Design and Placement Standards

Sec.6-20- 1. Purpose and Intent

a) The purpose of this subsection is to:

- i. Facilitate deployment of wireless infrastructure;
- ii. Protect the public health, safety, and welfare; and
- iii. Preserve the aesthetic character of the public realm.

b) These standards are intended to be:

- i. Technologically neutral;
- ii. Non-discriminatory; and
- iii. Consistent with applicable federal and state law.

2. Applicability

a) This subsection applies to all small wireless facilities and associated support structures located within the public right-of-way or on publicly owned property with the exception of small wireless facility located in an interior structure or upon the site of any stadium or athletic facility.

b) These standards shall apply to:

- i. New poles;
- ii. Replacement poles; and
- iii. Collocation on existing structures.

c) Where these standards conflict with state or federal law, such law shall control.

3. Administrative Review and Approval

a) Small wireless facilities shall be subject to administrative review.

b) Applications shall be approved if they meet all applicable standards of this Ordinance.

c) The City shall act on applications within the timeframes established by applicable law.

d) Applications shall not be denied for aesthetic reasons unless:

1. The standards are reasonable;
2. The standards are no more burdensome than those applied to other infrastructure deployments; and
3. The standards are published in advance.

4. Placement and Location Standards

a) Preferred Location Hierarchy

Small wireless facilities shall be located in the following order of preference:

- 1) Collocation on existing structures including telecommunication facilities;
- 2) Collocation on existing utility poles;
- 3) Collocation on existing streetlight poles;
- 4) Replacement of existing poles;
- 5) New poles, where no feasible alternative exists.

b) Spacing

New small wireless facility poles shall be separated by a minimum distance of three hundred (300) feet unless the applicant demonstrates that a lesser distance is necessary for service.

c) Prohibited Locations

Small wireless facilities shall not be located:

- 1) Where they would contribute to the obstruction of required sidewalks or ADA access;
- 2) Within a 10' x 70' sight triangle at intersections;
- 3) In a manner that interferes with traffic control devices or public safety operations;
- 4) To the maximum extent feasible, new standalone small cell poles must be aligned with the extension of intersecting side-property lines, rather than directly in front of a primary residential facade or storefront window.
- 5) On property listed on or eligible for listing on the National Register of Historic Places.
- 6) On property which a locally-designated historic landmark.

7) Within designated National Register or local historic districts unless no feasible alternative exists;

Note: For purposes of this section, the term "historic" shall refer to districts or landmarks which have been nominated to the National Register of Historic Places or designated pursuant to chapter 28 of the City Code

d) Underground Districts

In areas where utilities are underground, new poles shall be prohibited unless:

- 1) No feasible alternative exists; and
- 2) The facility is designed to minimize visual impact.

5. Design Standards

- a) Antennas shall not exceed a height of three feet (3').
- b) All facilities shall be designed and placed to minimize visual impact and be compatible with surrounding streetscape elements. Where no required lighting is included with the facility, locations adjacent to street trees shall be considered to assist with concealment.
- c) Equipment and wiring shall be fully concealed, shrouded, or integrated into the pole.
- d) All mounting hardware, bolts, and brackets must be hidden from public view using a tapered concealment shroud connecting the base of the radio shroud to the pole.
- e) All wiring, cabling, and hardware shall be concealed.
- f) No new ground disturbance shall be permitted that would exceed the depth and width of any previous ground disturbance (including footings and anchoring mechanisms). Except up to four lightning grounding rods up to 3/4-inch in diameter may be installed.

f). Pole Design

- 1) Downtown Design Overlay. Per Sec. 5-28, when located within the Downtown Design Overlay Zoning District, poles shall be constructed according to City of Hendersonville specifications for Downtown District post shown below and coated in a color matching other City facilities as approved by the Public Works Director.

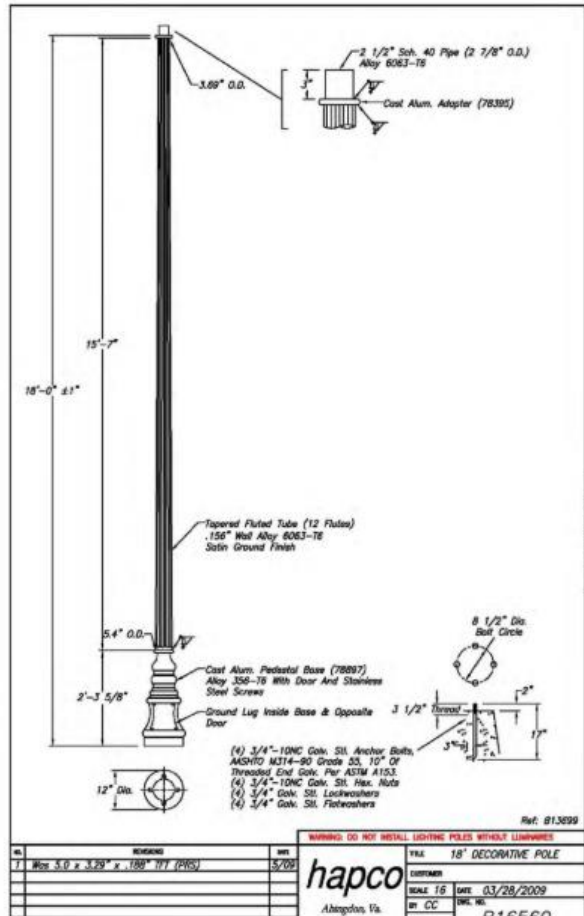
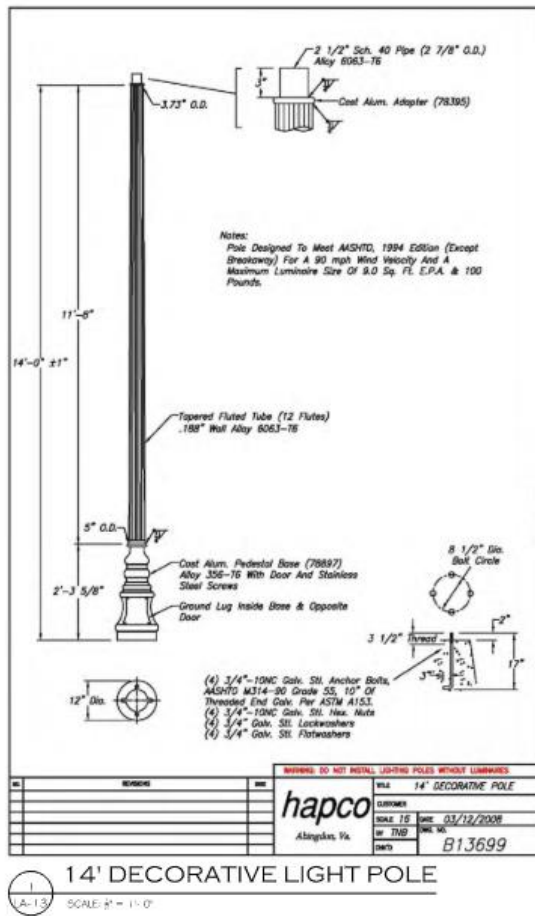


Figure 1: Design Specifications for 14' & 18' Decorative Poles



Figure 2: Photo example of 14' Decorative Pole

Figure 3: Photo example of 18' Decorative Pole

- 2) Other Historic Districts. In designated historic districts (Local and National Register) outside of the Downtown Design Overlay, newly proposed facilities shall be reviewed by SHPO. New poles shall meet same specifications as above.
- 3) Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PRD, PMH, R-40, R-20, R-20, R-15, R-10, R-6 or any of these districts' Conditional Zoning District counterpart:
 - a. Facilities shall be:
 - i. Collocated on existing poles or
 - ii. Collocated on replacement poles that combine to serve as a streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.
 - b. Pole height shall not exceed twenty-five feet (25')
- 2) Non-Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PCD, RCT, C-2, C-3, I-1, PMD, PID or any of these districts' Conditional Zoning District counterpart:

1. Pole height shall not exceed:

- i. Fifty (50) feet for freestanding poles; or
- ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

2. Finish shall be non-reflective and made of material consistent with utility poles within the district.

e) Mixed Use Zoning Districts. Facilities shall meet the following requirements when located within areas zoned C-1, C-4, MIC, GHMU, HMU, UVCZD, URCZD, CHMU or any of these districts' Conditional Zoning District counterpart:

- 1. Facilities shall be:
 - i. Collocated on existing poles or
 - ii. Collocated in replacement poles that combine to serve as streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.
- 2. Pole height shall not exceed:
 - i. Fifty (50) feet for freestanding poles; or
 - ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.
- 3. Finish shall be non-reflective and made of material consistent with utility poles within the district.

7. Equipment and Antennas

- a) Antennas shall be enclosed within a shroud integrated into the pole.
- b) Equipment cabinets shall be internal or flush-mounted to the pole.
- c) The following dimensional limits shall apply unless otherwise preempted by law:
 - 1) Antenna enclosure diameter/height/width: fourteen (18) inches maximum;
 - 2) Equipment cabinet diameter/height/width: twenty (20) inches maximum;
- d) Color and finish shall match the supporting structure.

8 Foundations and Utilities

- a) Foundations shall comply with applicable engineering and building code requirements.
- b) All conduit and utility connections shall be underground where feasible.
- c) Equipment shall be internally separated by ownership where applicable.

9. Noise and Ventilation

- a) Facilities shall utilize passive ventilation where feasible.
- b) Noise from mechanical equipment shall not exceed:
 - 1) Thirty (30) dBA measured at one (1) meter; or
 - 2) Applicable local noise ordinance standards, whichever is more restrictive.

10 Identification and Safety

- a) Facilities shall include required safety signage.
- b) Identification plates shall not exceed four (4) inches by six (6) inches and shall include:
 - 1. Provider name;
 - 2. Facility ID; and
 - 3. Emergency contact information.

11 Removal and Abandonment

- a) Facilities that are abandoned or not in use for a period of twelve (12) months shall be removed.
- b) The City may require removal if the facility:
 - 1. Creates a safety hazard; or
 - 2. Is no longer maintained in accordance with this Section.

12 Nonconforming Facilities

- a) Legally existing facilities that do not conform to these standards may continue.
- b) Modifications shall comply with applicable federal and state law regarding eligible facilities requests.

ARTICLE XII. DEFINITION OF TERMS

Small Cell Wireless Facility - A wireless facility that meets the following qualifications:

- a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet.
- b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this sub-subdivision, the

following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

Micro Wireless Facility - a telecommunication device no larger than 24 inches in length, 15 inches in width, and 12 inches in height, with an exterior antenna no longer than 11 inches A micro wireless facility is not considered a small cell wireless facility.

AMENDMENT STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<p><u>LAND SUPPLY, SUITABILITY & INTENSITY</u> Supply: N/A Suitability: N/A Intensity: N/A</p>
	<p><u>FUTURE LAND USE & CONSERVATION MAP</u> Character Area Designations: Downtown (primarily) Character Area Descriptions: Somewhat Consistent Zoning Crosswalk: N/A Focus Area: N/A</p>
2) COMPATIBILITY	<p><i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i></p>
	<p><u>Existing Conditions:</u> The conditions of rights-of-way throughout the City of Hendersonville vary. However, within much of the city, it is characteristic to have numerous utility poles which contribute to an appearance of visual clutter, especially along thoroughfares. The preemptions allowing for the addition of new poles for small cell facilities has the potential to add to the visual clutter and create safety concerns as a result. Standards which require safe placement and construction and first require collocation on existing poles can assist in stabilizing the visual appearance and safety of rights-of-way in the City.</p> <p><u>GEN H COMPREHENSIVE PLAN GOALS</u> (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: N/A Healthy & Accessible Natural Environment: Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: N/A</p>

	<p>Welcoming & Inclusive Community: Consistent Accessible & Available Community Uses and Services: Consistent Resilient Community: N/A</p> <p><u>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES</u> (Chapter IV) Mix of Uses: Consistent Compact Development: Consistent Sense of Place: Consistent Conserved & Integrated Open Spaces: Inconsistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Consistent</p> <p><u>DOWNTOWN MASTER PLAN:</u> RELIABLE & ACCESSIBLE UTILITY SERVICES - Infrastructure and utilities within downtown should be positioned to support existing development and future redevelopment opportunities. ACCESSIBLE & AVAILABLE COMMUNITY USES AND SERVICES - Downtown should be the center for exceptional public facilities and services. DESIGN STANDARDS - Pedestrian-friendly environments should be expanded and clear of obstacles. Lighting should be pedestrian-scaled. Use trees, shrubs, and other landscaping elements to conceal service areas, utilities, and parking spaces.</p>
<p>3) Changed Conditions</p>	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</p> <p>Recent installation of small cell facilities, application of permits to install underground wiring for small cell facilities, and permit applications for above ground small cell facilities have prompted City staff to prioritize the initiation of these proposed code standards.</p>
<p>4) Public Interest</p>	<p>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 -</p> <p>The proposed amendment would allow for the installation of facilities that are designed to improve communication infrastructure and do so in an orderly fashion which is safe and minimizes visual impacts.</p> <p>Some claims have been made to suggest that radiofrequency (RF) used by these facilities are a public health concern. However, major health organizations state that the RF emissions fall well within strict guidelines and pose no known health risk.</p>

5) 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
	The proposed text amendment would not directly impact the provision of publicly-provided services but may enhance communication technology needed to effectively and efficiently provide public services.
6) 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, storm water management, streams, vegetation, wetlands and wildlife -
	Some research suggest that the wireless spectrum or radiofrequency (RF) used by these facilities have an impact on local flora and fauna including tree damage, absorption of radiation in honeybees and impacts to circadian rhythms and migration patterns. Small cell wireless facilities transmit data using mid- and high-band spectrum vs the traditional low-band spectrum. However, major health organizations state that the RF emissions fall well within strict guidelines and pose no known health risk.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

1. Comprehensive Plan Consistency - Staff finds the proposed text amendment to be consistent with the *Gen H Comprehensive Plan*.
2. Compatibility - The proposed text amendment is designed to prioritize compatibility within the constraints of federal and state law.
3. Changed Conditions - The text amendment is a timely response to emerging demand for new small cell facilities.
4. Public Interest – The text amendment proposes to allow for the orderly deployment of small cell facilities which will help to enhance communications infrastructure.
5. Public Facilities – The deployment of small cell facilities proposes to enhance the communication network.
6. Effect on Natural Environment – No known impacts at this time.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed text amendment aligns with the Gen H Comprehensive Plan Goals and Guiding Principles

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The proposed amendment aligns with state law and federal guidelines*
- *The proposed amendment allows for the installation, expansion, and improvement of telecommunications infrastructure*
- *The proposed amendment establishes standards for order, compatibility and safety in the deployment of small cell facilities.*

DRAFT [Rational for Denial]

- *The proposed amendment is overly restrictive and hinders improvements to the local telecommunications network*
- *The proposed amendment is overly relaxed and does not go far enough in protecting the public from the impacts of widespread deployment of small cell facilities.*

Small Cell Wireless Facilities (26-47-CZD)		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	N/A	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	N/A	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	N/A	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Downtown	
Character Area Description (Pg. 122-131)	Somewhat Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	N/A	
Focused Intensity Node (Pg. 119)	Somewhat Consistent	
Focus Area Map (Pg. 134-159)	N/A	

Small Cell Wireless Facilities (26-47-CZD)		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
GOALS		
<u>Vibrant Neighborhoods (Pg. 93)</u>		
Promote lively neighborhoods that increase local safety.	Consistent	
Enable well-maintained homes, streets, and public spaces.	Consistent	
Promote diversity of ages (stage of life), income levels, and a range of interests.	N/A	N/A
The design allows people to connect to nearby destinations, amenities, and services.	Consistent	
<u>Abundant Housing Choices (Pg. 93)</u>		
Housing provided meets the need of current and future residents.	N/A	N/A
Range of housing types provided to help maintain affordability in Hendersonville.	N/A	N/A
Housing condition/quality exceeds minimum standards citywide	N/A	N/A
<u>Healthy and Accessible Natural Environment (Pg. 94)</u>		
Recreational (active and passive) open spaces are incorporated into the development.	N/A	N/A
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	N/A	N/A
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	N/A	N/A
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent	
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	N/A	N/A
<u>Authentic Community Character (Pg. 94)</u>		
Downtown remains the heart of the community and the focal point of civic activity	Consistent	
A development near a gateway sets the tone, presenting the image/brand of the community.	Consistent	
Historic preservation is utilized to maintain the city's identity.	N/A	
City Centers and neighborhoods are preserved through quality development.	Consistent	
<u>Safe Streets and Trails (Pg. 95)</u>		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	N/A	N/A
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	N/A	N/A
Design embraces the principles of walkable development.	Consistent	
<u>Reliable & Accessible Utility Services</u>		

Wastewater treatment (service and capacity) adequately serves existing and future development		
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.	Consistent	
Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	N/A	N/A
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	N/A	N/A
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	Consistent	
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	Consistent	
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	Consistent	
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas		Inconsistent
New business and office space promotes creative hubs.	N/A	N/A
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	N/A	N/A
The infill project is context sensitive [Small Infill Site].	N/A	N/A
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]	Somewhat Consistent	Somewhat Consistent
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.	N/A	N/A
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.	N/A	N/A
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.	N/A	N/A
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	

Ordinance #

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE XII. ‘DEFINITION OF TERMS’ AND ARTICLE XVI. ‘SUPPLEMENTARY STANDARDS’ FOR SMALL CELL WIRELESS FACILITIES

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on July 9, 2026; voting 8-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on August 6, 2026, and

WHEREAS, City Council has found that this zoning text amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, Session Law 2017-159 governs authority to standardize the deployment of small cell wireless facilities in North Carolina, and

WHEREAS, General Statute allows for small cell facilities to be regulated by design standards, and

WHEREAS, the City of Hendersonville aims to establish order, compatibility and safety in the deployment of small cell facilities across its jurisdiction, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on August 6, 2026,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, Article XII. ‘Definition of Terms’ And Article XVI. ‘Supplementary Standards’ for Small Cell Wireless Facilities

ZONING ORDINANCE

ARTICLE VI – GENERAL PROVISIONS

Section 6-20. Small Wireless Facility Design and Placement Standards

Sec.6-20- 1. Purpose and Intent

a) The purpose of this subsection is to:

1. Facilitate deployment of wireless infrastructure;
2. Protect the public health, safety, and welfare; and
3. Preserve the aesthetic character of the public realm.

b) These standards are intended to be:

1. Technologically neutral;
2. Non-discriminatory; and
3. Consistent with applicable federal and state law.

2. Applicability

a) This subsection applies to all small wireless facilities and associated support structures located within the public right-of-way or on publicly owned property with the exception of small wireless facility located in an interior structure or upon the site of any stadium or athletic facility.

b) These standards shall apply to:

1. New poles;
2. Replacement poles; and
3. Collocation on existing structures.

c) Where these standards conflict with state or federal law, such law shall control.

3. Administrative Review and Approval

a) Small wireless facilities shall be subject to administrative review.

b) Applications shall be approved if they meet all applicable standards of this Ordinance.

c) The City shall act on applications within the timeframes established by applicable law.

d) Applications shall not be denied for aesthetic reasons unless:

1. The standards are reasonable;
2. The standards are no more burdensome than those applied to other infrastructure deployments; and
3. The standards are published in advance.

4. Placement and Location Standards

a) Preferred Location Hierarchy

Small wireless facilities shall be located in the following order of preference:

1. Collocation on existing structures including telecommunication facilities;
2. Collocation on existing utility poles;
3. Collocation on existing streetlight poles;
4. Replacement of existing poles;
5. New poles, where no feasible alternative exists.

b) Spacing

New small wireless facility poles shall be separated by a minimum distance of three hundred (300) feet unless the applicant demonstrates that a lesser distance is necessary for service.

c) Prohibited Locations

Small wireless facilities shall not be located:

1. Where they would contribute to the obstruction of required sidewalks or ADA access;
2. Within a 10' x 70' sight triangle at intersections;
3. In a manner that interferes with traffic control devices or public safety operations;
4. To the maximum extent feasible, new standalone small cell poles must be aligned with the extension of intersecting side-property lines, rather than directly in front of a primary residential facade or storefront window.
5. On property listed on or eligible for listing on the National Register of Historic Places.
6. On property which a locally-designated historic landmark.
7. Within designated National Register or local historic districts unless no feasible alternative exists;

Note: For purposes of this section, the term "historic" shall refer to districts or landmarks which have been nominated to the National Register of Historic Places or designated pursuant to chapter 28 of the City Code

d) Underground Districts

In areas where utilities are underground, new poles shall be prohibited unless:

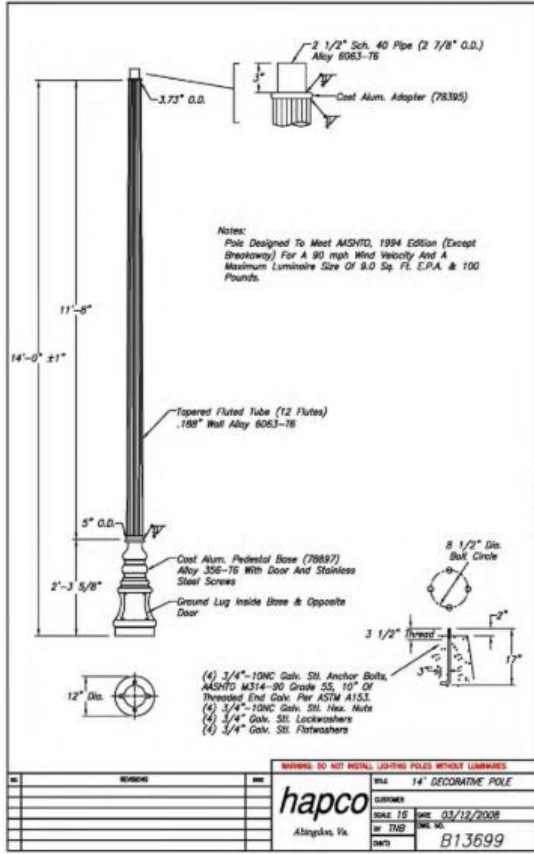
1. No feasible alternative exists; and
2. The facility is designed to minimize visual impact.

5. Design Standards

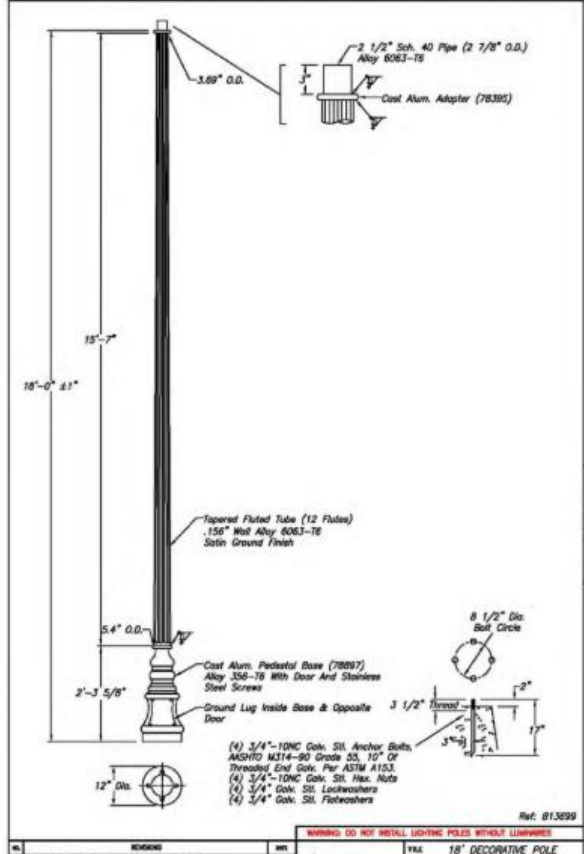
- a) Antennas shall not exceed a height of three feet (3').
- b) All facilities shall be designed and placed to minimize visual impact and be compatible with surrounding streetscape elements. Where no required lighting is included with the facility, locations adjacent to street trees shall be considered to assist with concealment.
- c) Equipment and wiring shall be fully concealed, shrouded, or integrated into the pole.
- d) All mounting hardware, bolts, and brackets must be hidden from public view using a tapered concealment shroud connecting the base of the radio shroud to the pole.
- e) All wiring, cabling, and hardware shall be concealed.
- f) No new ground disturbance shall be permitted that would exceed the depth and width of any previous ground disturbance (including footings and anchoring mechanisms). Except up to four lightning grounding rods up to 3/4-inch in diameter may be installed.

f). Pole Design

1. Downtown Design Overlay. Per Sec. 5-28, when located within the Downtown Design Overlay Zoning District, poles shall be constructed according to City of Hendersonville specifications for Downtown District post shown below and coated in a color matching other City facilities as approved by the Public Works Director.



1 14' DECORATIVE LIGHT POLE
SCALE: 1/8" = 1'-0"



2 18' DECORATIVE LIGHT POLE
SCALE: 1/8" = 1'-0"

- NOTES:
1. SEE LAYOUT PLAN. FOUR (4) 18' DECORATIVE LIGHT POLES AT CORNERS OF SEVENTH AVENUE AND LOCUST STREET ONLY.
 2. 14' AND 18' DECORATIVE LIGHT POLES, TRAFFIC SIGNALS, AND PEDESTRIAN SIGNALS ARE BEING PURCHASED BY THE CITY. CONTRACTOR IS RESPONSIBLE FOR TRANSPORT FROM CITY OPERATIONS CENTER TO THE SEVENTH AVENUE PROJECT AREA AND FOR INSTALLATION OF LIGHTS.

Figure 1: Design Specifications for 14' & 18' Decorative Poles



Figure 2: Photo example of 14' Decorative Pole



Figure 3: Photo example of 18' Decorative Pole

2. Other Historic Districts. In designated historic districts (Local and National Register) outside of the Downtown Design Overlay, newly proposed facilities shall be reviewed by SHPO. New poles shall meet same specifications as above.
3. Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PRD, PMH, R-40, R-20, R-20, R-15, R-10, R-6 or any of these districts' Conditional Zoning District counterpart:
 - a) Facilities shall be:
 - i. Collocated on existing poles or
 - ii. Collocated on replacement poles that combine to serve as a streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.
 - b) Pole height shall not exceed twenty-five feet (25')

4. Non-Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PCD, RCT, C-2, C-3, I-1, PMD, PID or any of these districts' Conditional Zoning District counterpart:

1. Pole height shall not exceed:

- i. Fifty (50) feet for freestanding poles; or
- ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

2. Finish shall be non-reflective and made of material consistent with utility poles within the district.

e) Mixed Use Zoning Districts. Facilities shall meet the following requirements when located within areas zoned C-1, C-4, MIC, GHMU, HMU, UVCZD, URCZD, CHMU or any of these districts' Conditional Zoning District counterpart:

1. Facilities shall be:

- i. Collocated on existing poles or
- ii. Collocated in replacement poles that combine to serve as streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.

2. Pole height shall not exceed:

- i. Fifty (50) feet for freestanding poles; or
- ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

3. Finish shall be non-reflective and made of material consistent with utility poles within the district.

7. Equipment and Antennas

a) Antennas shall be enclosed within a shroud integrated into the pole.

b) Equipment cabinets shall be internal or flush-mounted to the pole.

c) The following dimensional limits shall apply unless otherwise preempted by law:

1. Antenna enclosure diameter/height/width: fourteen (18) inches maximum;
2. Equipment cabinet diameter/height/width: twenty (20) inches maximum;

d) Color and finish shall match the supporting structure.

8 Foundations and Utilities

- a) Foundations shall comply with applicable engineering and building code requirements.
- b) All conduit and utility connections shall be underground where feasible.
- c) Equipment shall be internally separated by ownership where applicable.

9. Noise and Ventilation

- a) Facilities shall utilize passive ventilation where feasible.
- b) Noise from mechanical equipment shall not exceed:
 - 1. Thirty (30) dBA measured at one (1) meter; or
 - 2. Applicable local noise ordinance standards, whichever is more restrictive.

10 Identification and Safety

- a) Facilities shall include required safety signage.
- b) Identification plates shall not exceed four (4) inches by six (6) inches and shall include:
 - 1. Provider name;
 - 2. Facility ID; and
 - 3. Emergency contact information.

11 Removal and Abandonment

- a) Facilities that are abandoned or not in use for a period of twelve (12) months shall be removed.
- b) The City may require removal if the facility:
 - 1. Creates a safety hazard; or
 - 2. Is no longer maintained in accordance with this Section.

12 Nonconforming Facilities

- a) Legally existing facilities that do not conform to these standards may continue.
- b) Modifications shall comply with applicable federal and state law regarding eligible facilities requests.

ARTICLE XII. DEFINITION OF TERMS

Small Cell Wireless Facility - A wireless facility that meets the following qualifications:

- a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet.
- b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this sub-subdivision, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

Micro Wireless Facility - a telecommunication device no larger than 24 inches in length, 15 inches in width, and 12 inches in height, with an exterior antenna no longer than 11 inches A micro wireless facility is not considered a small cell wireless facility.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



For use by Principal Authority / Para uso de la Autoridad Principal
Cloudpermit application number / Número de solicitud de Cloudpermit US-NC30720-P-2026-99
PIN / Número de rollo 9568881652
Application submitted to / Solicitud presentada a Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte

Description of Subject Property
Address / Dirección 160 6TH AVE E
Municipality / Municipio Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte
PIN / Número de rollo 9568881652

Purpose of Application
Application type / Tipo de solicitud Text Amendment — Zoning Text Amendment

Applicant, Property owner		
Last name / Apellido Manley	First name / Nombre de pila Matthew	Corporation or partnership / Corporación o sociedad City of Hendersonville
Street address / Dirección de la calle 160 SIXTH AVENUE EAST HENDERSONVILLE NC 28792	Unit number / Número de unidad	Lot / Con.
Municipality / Municipio Hendersonville	State / Provincia NC	ZIP code / Código postal 28792
Other phone / Otro teléfono	Mobile phone / Teléfono móvil +1 8286740168	
Fax	Email / Correo electrónico	

Applicant-Company Information		
Applicant Name: Matthew Manley	Company Name: City of Hendersonville	Authorized Representative Title (if applicable) Long-Range Planning Manager

Property Owner-Company Information

Section 5, Item B.

Property Owner Name:
Matthew Manley

Company Name (if applicable, check
corresponding box below)
City of Hendersonville

Authorized Representative
(if applicable)
Long-Range Planning Manager

Declaration and Signatures

Applicant

I, Matthew Manley (The Applicant), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Applicant is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.

Signature of the applicant acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Digitally signed on 06/23/2026, 8:58:28 AM EDT by Matthew Manley with an authorization letter from Matthew Manley. / Firmado digitalmente el 23/6/26 8:58:28 EST por Matthew Manley con una carta de autorización de Matthew Manley.

Property owner

I, Matthew Manley (The Property owner), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Property owner is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.

Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Digitally signed on 06/23/2026, 8:58:44 AM EDT by Matthew Manley with an authorization letter from Matthew Manley. / Firmado digitalmente el 23/6/26 8:58:44 EST por Matthew Manley con una carta de autorización de Matthew Manley.

Information		
Applicable Sections of Zoning Code to be changed: Article V and Article XVI	Description of Proposal: Add standards for the design and deployment of Small Cell Wireless Facilities	Reason for change Currently have outdated standards designed for previous generations of telecommunications facilities.

Section 5, Item B.

Section 11-1 Standards

The advisability of amending the text of the Zoning Ordinance 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 the Ordinance, the City Council shall consider the following factors among others:

a) Comprehensive Plan Consistency – Consistency with the Comprehensive Plan and amendments thereto.	Complete Aligns with Downtown Master Plan and the Goal Area "RELIABLE & ACCESSIBLE UTILITY SERVICES" - Objective: "Broadband is expanded to all parts of the city, helping residents and business owners keep pace with an everchanging world"
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	Complete The installation of small cell facilities must be done in coordination with other public utilities.
c) Changed Conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.	Complete The installation of small cell facilities must be done in coordination with other public utilities.
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.	Complete The installation of small cell facilities must be done in coordination with other public utilities.
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.	Complete The installation of small cell facilities must be done in coordination with other public utilities.
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, storm water management, streams, vegetation, wetlands and wildlife	Complete Some research claims that the wireless spectrum has an impact on local flora and fauna including tree damage, absorption of radiation in honeybees and impacts to circadian rhythms and migration patterns. Small cell wireless facilities transmit data using mid- and high-band spectrum vs the traditional low-band spectrum.

Applicant (Developer) Company Information

Authorized Representative Name: Matthew Manley	Company Name (if applicable, check corresponding box below) City of Hendersonville
Company Type: <input type="checkbox"/> Corporation: <input type="checkbox"/> Limited Liability Company: <input type="checkbox"/> Trust: <input type="checkbox"/> Partnership: <input checked="" type="checkbox"/> Other:	If other: Municipality
Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.) Long-Range Planning Manager	

Property Owner Company Information (if different from Applicant)

Section 5, Item B.

Authorized Representative Name:

Matthew Manley

Company Name (if applicable, check correspo

City of Hendersonville

Company Type:

Corporation:

Limited Liability
Company:

Trust:

Partnership:

Other:

If other:
Municipality

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)

Long-Range Planning Manager



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** July 9, 2026

AGENDA SECTION: Other Business **DEPARTMENT:** Community Development

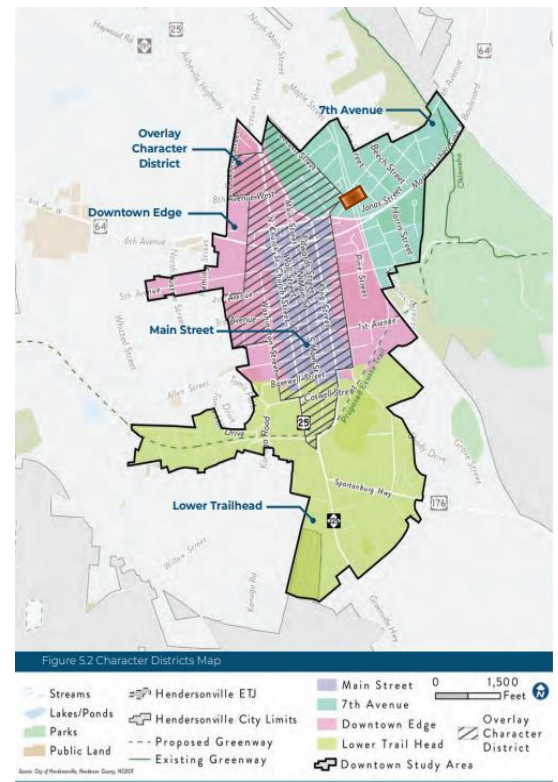
TITLE OF ITEM: Zoning Text Amendment: Downtown Design Overlay District (26-23-ZTA) – Matthew Manley, AICP – Long-Range Planning Manager

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
N/A	N/A

***SUMMARY:** The City of Hendersonville has initiated a zoning text amendment to create a new Overlay Zoning District for the Downtown area. Overlay Districts have special standards that are in addition to/supersede the underlying zoning district’s standards. The Downtown Design Overlay District standards are based on the Downtown Master Plan (Chapter 5 of the Gen H Comprehensive Plan). The boundaries of the district are based on the character area boundaries also established in the Downtown Master Plan. There are 4 distinct character areas within the overlay district boundaries as depicted on the map.*

The rationale for creating the DDO is due to the fact that the current base zoning districts that govern and guide development in the city core (C-1, C-2, CMU, C-3, MIC, I-1, R-15, & R-6 + various CZDs) contain little-to-no design standards. This leaves the confined footprint of the Main Street Local Historic District and its associated Design Standards as the only tool regulating design in a meaningful way within the DDO boundaries. Hendersonville’s Downtown is notable for the special character of its built form. Main Street, 7th Avenue, the Ecusta Trail corridor and the areas surrounding these locations are an attractive location for private investment. New developments and the potential threat of demolition of historic structures can detract from the prized character of Hendersonville’s Downtown districts. Adoption of strengthened Design Standards and/or additional historic protections can optimize new development in a way that is compatible with the existing form and empower existing property owners with new assurances. Adoption of additional local Historic District Design Standards and Districts is being explored by the HPC separate from but adjacent to the effort to establish the Downtown Design Overlay.



Related Gen H Implementation Projects: [*=Direct ^=Indirect]

- *^Project 2.01: Utilize existing Mixed Use Zoning Districts to introduce multi-family housing in commercial corridors and redevelopment areas (phase II of this process)*
- **Project 4.02: Codify Downtown Design Guidelines with UDO updates*
- *^Project 4.03: Study entry corridors and other areas as needed for the development of appropriate Design Guidelines in new UDO (phase II of this process)*
- *^Project 4.04: Update development standards in new UDO (Project 4.01) to catalyze aging commercial redevelopment; consider developing form-based code standards for activity centers (phase II of this process)*
- *^Project 4.05: Explore additional Municipal Service Districts (MSDs) and consider merging or expanding current MSDs or using other mechanisms to catalyze downtown redevelopment in the 7th Avenue, Downtown Edge, Lower Trail Head districts, and other key nodes and commercial corridors*
- **Project 4.06: Provide incentives for activation/ redevelopment of upper floors in downtown*

Directly Related Gen H Goals & Objectives:Authentic Community Character –

- *Downtown remains the heart of the community and gathering spaces, like a central community park, are the focal point of civic activity and celebration.*
- *Gateways set the tone, presenting the image/brand of the community to all who enter.*
- *Historic preservation is key to maintaining the city's identity.*
- *Arts and cultural activities enhance the community while conveying its history and heritage.*
- *City Centers and neighborhoods are preserved through quality development.*
- *Local businesses and entrepreneurs are supported by the community.*

Vibrant Neighborhoods –

- *Through design, the places where people live are connected to nearby destinations, amenities, and services*

Efforts to Date:

1. **8** – Collaborative Staff Workshops – April + May
2. **5** - Workshops with Special DDO Committee of the Planning Board - March 31st, April 9th, 16th, 23rd, 30th, & May 14th
3. **1** – Workshop with Downtown Advisory Board - May 12^t
4. **1** – Workshop with Economic Vitality Committee of DAB - June 8th
5. **1** – City Council Workshop - June 24th

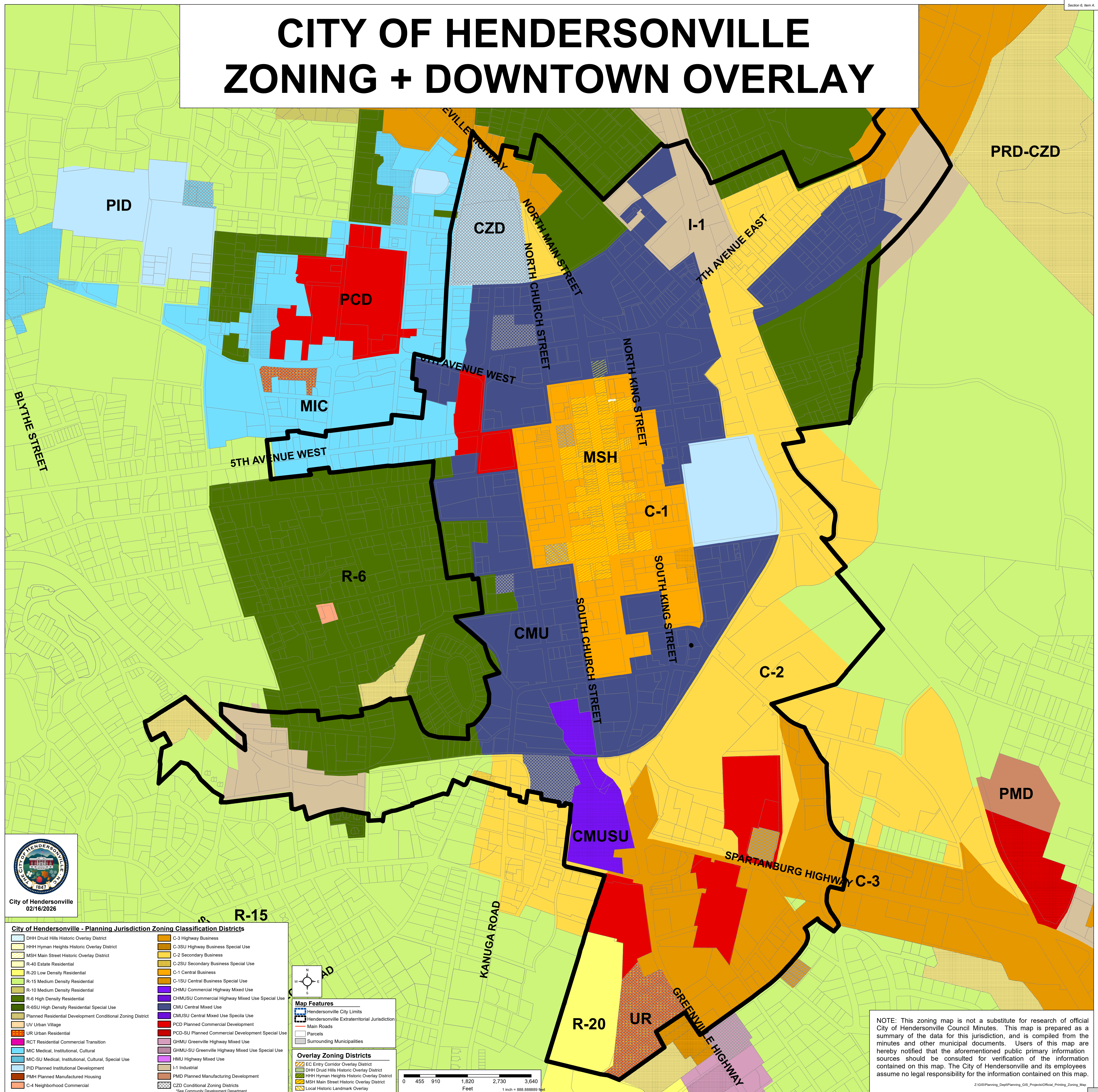
Next Steps to Adoption:

1. **Planning Board Workshop** – July 9th

- 2. *Business Advisory Committee* – July 13th
- 3. *Downtown Advisory Board recommendation* – July 14th
- 4. *Planning Board recommendation* – August 13th
- 5. *City Council adoption* – September 2nd

PROJECT NUMBER:	25-23-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ul style="list-style-type: none">1. Draft language2. Zoning + DDO Overlay Map3. Link to Interactive DDO Map: https://experience.arcgis.com/experience/1de8b3df63fe429192409bcc041b6827

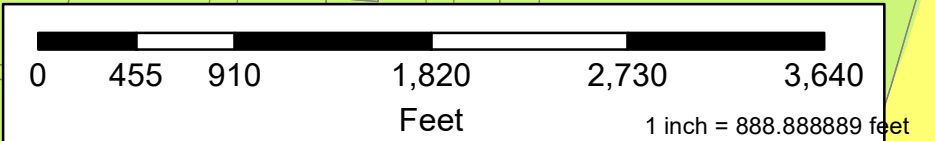
CITY OF HENDERSONVILLE ZONING + DOWNTOWN OVERLAY



City of Hendersonville - Planning Jurisdiction Zoning Classification Districts	
[Light Blue Box]	DHH Druid Hills Historic Overlay District
[Light Green Box]	HHH Hyman Heights Historic Overlay District
[Yellow Box]	MSH Main Street Historic Overlay District
[Light Yellow Box]	R-40 Estate Residential
[Light Green Box]	R-20 Low Density Residential
[Medium Green Box]	R-15 Medium Density Residential
[Dark Green Box]	R-10 Medium Density Residential
[Dark Green Box]	R-6 High Density Residential
[Dark Green Box]	R-6SU High Density Residential Special Use
[Light Green Box]	Planned Residential Development Conditional Zoning District
[Light Green Box]	UV Urban Village
[Light Green Box]	UR Urban Residential
[Light Green Box]	RCT Residential Commercial Transition
[Light Blue Box]	MIC Medical, Institutional, Cultural
[Light Blue Box]	MIC-SU Medical, Institutional, Cultural, Special Use
[Light Blue Box]	PID Planned Institutional Development
[Light Blue Box]	PMH Planned Manufacturing Housing
[Light Blue Box]	C-4 Neighborhood Commercial
[Orange Box]	C-3 Highway Business
[Orange Box]	C-3SU Highway Business Special Use
[Orange Box]	C-2 Secondary Business
[Orange Box]	C-2SU Secondary Business Special Use
[Orange Box]	C-1 Central Business
[Orange Box]	C-1SU Central Business Special Use
[Orange Box]	CHMU Commercial Highway Mixed Use
[Orange Box]	CHMUSU Commercial Highway Mixed Use Special Use
[Orange Box]	CMU Central Mixed Use
[Orange Box]	CMUSU Central Mixed Use Special Use
[Orange Box]	PCD Planned Commercial Development
[Orange Box]	PCD-SU Planned Commercial Development Special Use
[Orange Box]	GHMU Greenville Highway Mixed Use
[Orange Box]	GHMU-SU Greenville Highway Mixed Use Special Use
[Orange Box]	HMU Highway Mixed Use
[Orange Box]	I-1 Industrial
[Orange Box]	PMD Planned Manufacturing Development
[Orange Box]	CZD Conditional Zoning Districts <small>*See Community Development Department</small>
[Orange Box]	C-3 Highway Business
[Orange Box]	C-3SU Highway Business Special Use
[Orange Box]	C-2 Secondary Business
[Orange Box]	C-2SU Secondary Business Special Use
[Orange Box]	C-1 Central Business
[Orange Box]	C-1SU Central Business Special Use
[Orange Box]	CHMU Commercial Highway Mixed Use
[Orange Box]	CHMUSU Commercial Highway Mixed Use Special Use
[Orange Box]	CMU Central Mixed Use
[Orange Box]	CMUSU Central Mixed Use Special Use
[Orange Box]	PCD Planned Commercial Development
[Orange Box]	PCD-SU Planned Commercial Development Special Use
[Orange Box]	GHMU Greenville Highway Mixed Use
[Orange Box]	GHMU-SU Greenville Highway Mixed Use Special Use
[Orange Box]	HMU Highway Mixed Use
[Orange Box]	I-1 Industrial
[Orange Box]	PMD Planned Manufacturing Development
[Orange Box]	CZD Conditional Zoning Districts <small>*See Community Development Department</small>

Map Features	
[Black Outline]	Hendersonville City Limits
[Dashed Outline]	Hendersonville Extraterritorial Jurisdiction
[Red Line]	Main Roads
[Thin Grey Line]	Parcels
[Grey Box]	Surrounding Municipalities

Overlay Zoning Districts	
[Orange Box]	EC Entry Corridor Overlay District
[Light Green Box]	DHH Druid Hills Historic Overlay District
[Light Green Box]	HHH Hyman Heights Historic Overlay District
[Yellow Box]	MSH Main Street Historic Overlay District
[Yellow Box]	Local Historic Landmark Overlay



NOTE: This zoning map is not a substitute for research of official City of Hendersonville Council Minutes. This map is prepared as a summary of the data for this jurisdiction, and is compiled from the minutes and other municipal documents. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The City of Hendersonville and its employees assume no legal responsibility for the information contained on this map.

ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS

Sec. 5-28. – Downtown Design Overlay Zoning District

5-28-1 Purpose and Intent

5-28-1.1. Purpose

- a) The purpose of this Section is to establish design standards governing development within downtown districts in order to:
 - i. Promote pedestrian-oriented development.
 - ii. Preserve the traditional urban form and character of downtown by expanding upon locally-designated historic districts.
 - iii. Ensure compatibility of new construction with existing development patterns.
 - iv. Encourage high-quality architectural and site design.
 - v. Support active ground-floor uses and vibrant public spaces.

5-28-1.2. Intent

- a) Development within the overlay district shall reinforce the historic block pattern, pedestrian environment, and traditional architectural rhythm typical of the downtown area in order to create and expand a walkable, economically-vibrant, and aesthetically-interesting built environment.
- b) Development within the overlay district will be consistent with the Downtown Master Plan adopted August 1, 2024. References to the Downtown Master Plan in this ordinance are specific to the 2024 plan.
- c) New construction, additions, and exterior renovations shall be designed to complement surrounding development while maintaining contemporary architectural integrity.
- d) While properties within the locally-designated historic districts are subject to certain architectural regulations and review, the following standards primarily target properties outside of historic districts to ensure they complement the character of Hendersonville's historic core.

5-28-1.3. Applicability

- a) The standards of this Section shall apply to:
 - i. New development including additions to existing buildings
 - ii. Site redevelopment involving parking reconfiguration or new structures
 - iii. Exterior renovations affecting street-facing façades.

- iv. Existing structures which do not conform to the standards of this ordinance may voluntarily comply with this ordinance as would be required under Section 6-2.

- b) **Property Location.** The following districts and street types are maintained on the Downtown Design Overlay map. Standards will be applied based on a property's location along streetscape types, character districts, and building height districts.
<https://experience.arcgis.com/experience/1de8b3df63fe429192409bcc041b6827>
 - i. **Streetscape Character Types.** Each public street right-of-way within the district is assigned a Streetscape Character Type. The Streetscape Character Type includes characteristics that are required to achieve the desired future condition as improvements are made to each street. The Streetscape Character Types are established in the Downtown Design Overlay Standards Map and Streetscape Character Type tables below. The fields in the Streetscape Character Type tables reflect a desired future condition within the public rights-of-way as established in the Downtown Master Plan. Each street type has corresponding standards for Public Realm (Sec. 5-28-6.1) and Site Design (Sec. 5-28-6.2). These standards shall be applied based on the Streetscape Character Type(s) which a property abuts.

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	STREET NAME	FROM	TO	STREETSCAPE CHARACTER	ROW WIDTH	TRAVEL LANE WIDTH	ON-STREET PARKING	SIDEWALK WIDTH	STREET TREE SPACING	PLANTING STRIP/ AMENITY ZONE WIDTH*	BICYCLE FACILITIES
	N Main St	Asheville Hwy	Locust St	Main St*	60'	11'	Angled/Parallel	10'	30'	Tree Grates 4.5'	Sharrows
	N Main St	Allen St	N King St	Main St*	100'	11'	Angled/Parallel	15'	30'	Tree Grates 4.5'	Sharrows
	S Main St	Spartanburg Hwy	S King St	Main St*	100'	11'	None	10'	30'	Tree Grates 4.5'	Multi-Use Path
	S Main St	Allen St	S King St	Festival Street	50'-100'	10'	Parallel/None	6'	30'	Tree Grates 4.5'	Sharrows
	Whited St	Dale St	Ecusta Trail	Festival Street	50'	10'	Parallel/None	6'	30'	Tree Grates 4.5'	Sharrows
	Whited St	Ecusta Trail	Lennox Park Dr+	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Maple St	9th Ave	8th Ave	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Maple St	8th Ave	4th Ave	Festival Street	40***	10'	Parallel/None	6'	30'	Tree Grates 4.5'	Sharrows
	Asheville Hwy	N Main St	Oakland St	Boulevard	100'	11'	None	12'	40'	10'	Multi-Use Path
	Greenville Hwy	Chadwick Ave	Spartanburg Hwy	Boulevard	80'	11'	None	12'	40'	10'	Multi-Use Path
	Spartanburg Hwy	Nelson St	S Main St	Boulevard	110'	11'	None	12'	40'	10'	Multi-Use Path
	MLKJ Blvd (US64)**	N Grove St	Dana Rd	Boulevard*	60'-125***	11'	None	12'	40'	10'	Multi-Use Path
	Church St	S Main St	Asheville Hwy	Downtown One Way	60'	11'	Parallel Both	7.5'	30'	Tree Grates 4.5'	Multi-Use Path
	King St/N Main St	S Main St	Asheville Hwy	Downtown One-Way	60'	11'	Parallel Both	7.5'	30'	Tree Grates 4.5'	Multi-Use Path
	5th Ave	Oak St	Walnut Tree Cr	Downtown	60'	11'	Parallel One	6'	30'	Tree Grates 4.5'	Sharrows
	6th Ave	Fleming St	Buncombe St	Downtown	60'	11'	Parallel One	6'	30'	Tree Grates 4.5'	Sharrows
	6th Ave	Buncombe St	N Grove St	Downtown One-Way	50'	11'	Parallel One	7.5'	30'	Tree Grates 4.5'	Multi-Use Path
	7th Ave	N Grove St	Buncombe St	Downtown One-Way	50'	11'	Parallel One	7.5'	30'	Tree Grates 4.5'	Multi-Use Path
	7th Ave	Ashe St	N Grove St	Downtown	60'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	7th Ave	Dana Rd	Ashe St	Downtown	70'	11'	Parallel One	6'	30'	Tree Grates 4.5'	Sharrows
	8th Ave E	Maple St	N Grove St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Barnwell St	S Grove St	S Washington St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Bearcat Blvd	Locust St	Oakland St	Downtown	60'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Boxcar St	Jonas St	7th Ave	Downtown	40***	11'	Parallel One	6'	30'	Tree Grates 4.5'	Sharrows
	Caswell St	S Grove St	S Main St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Copper Penny St	Greenville Hwy	Ingles	Downtown	40'	11'	Parallel One	6'	30'	Tree Grates 4.5'	Sharrows
	Grove St	Shady Drive	Bearcat Blvd	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Jbel Wright Dr	Greenville Hwy	Ingles	Downtown	40'	11'	Parallel One	6'	30'	Tree Grates 4.5'	Sharrows
	Kanuga Rd	S Main St	Willow Rd	Downtown	60'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Locust St	7th Ave	N Main St	Downtown	60'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Oakland St	6th Ave	Asheville Hwy	Downtown	60'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Washington St	Kanuga Rd	5th Ave	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	1st Ave	Williams St	Washington St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	1st Ave	Washington St	Buncombe St	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	2nd Ave	N Grove St	Washington St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	3rd Ave	N Grove St	Washington St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	3rd Ave	Washington St	Buncombe St	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	4th Ave	Harris St	Washington St	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	4th Ave	Washington St	Buncombe St	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Allen St	1st Ave	Lilly Pond Rd	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Fleming St	Powers Alley	Elks Alley	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	N Justice St	Powers Alley	Elks Alley	Downtown	50'	11'	Parallel Both	6'	30'	Tree Grates 4.5'	Sharrows
	Ashe St	MLKJ Blvd (US64)	Woodcock Dr	Connector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Chadwick Ave	Greenville Hwy	S Grove St	Connector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Hillview Blvd	Nelson St	Shady Dr	Connector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Lilly Pond Rd	Kanuga Rd	W Allen Dr	Collector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Nelson St	Spartanburg Hwy	Hillview Blvd	Connector	60'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Shady Dr	Hillview Blvd	S Grove St	Connector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Spring St	Spring Village Ln	W Allen Dr	Connector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	White St	Davis St	Greenville Hwy	Connector	60'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Willow Rd	Greentree Ln	Kanuga Rd	Connector	60'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Harris St	4th Ave	MLKJ Blvd (US64)	Connector	45'	12'	Parallel One	7.5'	40'	6'	Sharrows
	Buncombe St	1st Ave	4th Ave	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Buncombe St	4th Ave	Bearcat Blvd	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Lenox Park Dr	S Whitted St	Palmetto Way	Residential 1	45'	12'	Intermittent	6'	30'	4.5'	Sharrows
	N Oak St	Powers Alley	Elks Alley	Residential 1	40'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Rhodes St	1st Ave	3rd Ave	Residential 1	40'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Robinson Ter	7th Ave	Woodcock Dr	Residential 1	50'	12'	Intermittent	6'	30'	4.5'	Sharrows
	Woodcock Dr	Robinson Terrace	Ashe St	Residential 1	50'	12'	Intermittent	6'	30'	4.5'	Sharrows
	9th Ave E	Maple St	Locust St	Residential 2	30'	10'	None	5'	30'	5'	None
	B St	Harris St	Williams St	Residential 2	25'	10'	None	5'	30'	5'	None
	Barker St	Jonas St	7th Ave	Residential 2	40'	10'	None	5'	30'	5'	None
	Beech St	MLKJ Blvd (US64)	7th Ave	Residential 2	40'	10'	None	5'	30'	5'	None
	Cherry St	MLKJ Blvd (US64)	7th Ave	Residential 2	40'	10'	None	5'	30'	5'	None
	Dairy St	Willow Rd	Spring St	Residential 2	30'	10'	None	5'	30'	5'	None
	Dale St	Spring St	Dead End	Residential 2	40'	10'	None	5'	30'	5'	None
	Davis St	White St	Yarborough St	Residential 2	33'	10'	None	5'	30'	5'	None
	Elm St	MLKJ Blvd (US64)	7th Ave	Residential 2	30'	10'	None	5'	30'	5'	None
	Greentree Ln	Greentree Ln	Willow Rd	Residential 2	30'	10'	None	5'	30'	5'	None
	Jonas St	Cherry St	Jonas St	Residential 2	40'	10'	None	5'	30'	5'	None
	Pace St	Elm St	Barker St	Residential 2	40'	10'	None	5'	30'	5'	None
	Pine St	4th Ave	5th Ave	Residential 2	30'	10'	None	5'	30'	5'	None
	Rose St	Ecusta Trail	Dale St	Residential 2	40'	10'	None	5'	30'	5'	None
	Walnut Tree St/Cr	Dead End	Dead End	Residential 2	40'	10'	None	5'	30'	5'	None
	Summit Cir	Toms Hill Dr	Toms Park Cr	Residential 2	25'	10'	None	5'	30'	5'	None
	Toms Hill Dr	Kanuga Rd	N Cottage Ct	Residential 2	20'	10'	None	5'	30'	5'	None
	Toms Park Cr	Summit Cir	Summit Cir	Residential 2	20'	10'	None	5'	30'	5'	None
	Williams St	1st Ave	MLKJ Blvd (US64)	Residential 2	30'	10'	None	5'	30'	5'	None
	Edwards St	E Allen St	6th Ave East	Alley	20'	15****	None	5'	None	None	None
	Elks Aly	Justice St	Fleming St	Alley	20'	15****	None	5'	None	None	None
	Israel St	Davis St	Kanuga Rd	Alley	20'	15****	None	5'	None	None	None
	Lawn Ave/Lawn Ln	Chadwick Ave	Chadwick Ave	Alley	20'	15****	None	5'	None	None	None
	Lynn St	Locust St	Maple St	Alley	20'	15****	None	5'	None	None	None
	Powers Aly	Justice St	Fleming St	Alley	20'	15****	None	5'	None	None	None
	Short St	Kanuga Rd	Willow Rd	Alley	20'	15****	None	5'	None	None	None
	Track St	Maple St	Locust St	Alley	30'	15****	None	5'	None	None	None
	Wall St	W Allen St	6th Ave West	Alley	20'	15****	None	5'	None	None	None

* Coordination among proposed street trees, lighting, and pedestrian amenities should take place to ensure an appropriate quantity and spacing of each

** The right-of-way for US Hwy 64/4 Season Blvd ranges due to the elevated portion and separation of travel lanes

*** Boxcar St and Maple St have wider actual rights-of-way to accommodate the railroad

**** 1 Travel Lane Private Streets: Kennedy Hill Ln, Kevin Ln, Kimbrell Farm Ln, Journey Ln, Jumping Jack Ln, and Walnut Tree Cr

Table 1: Future Streetscape Character Type

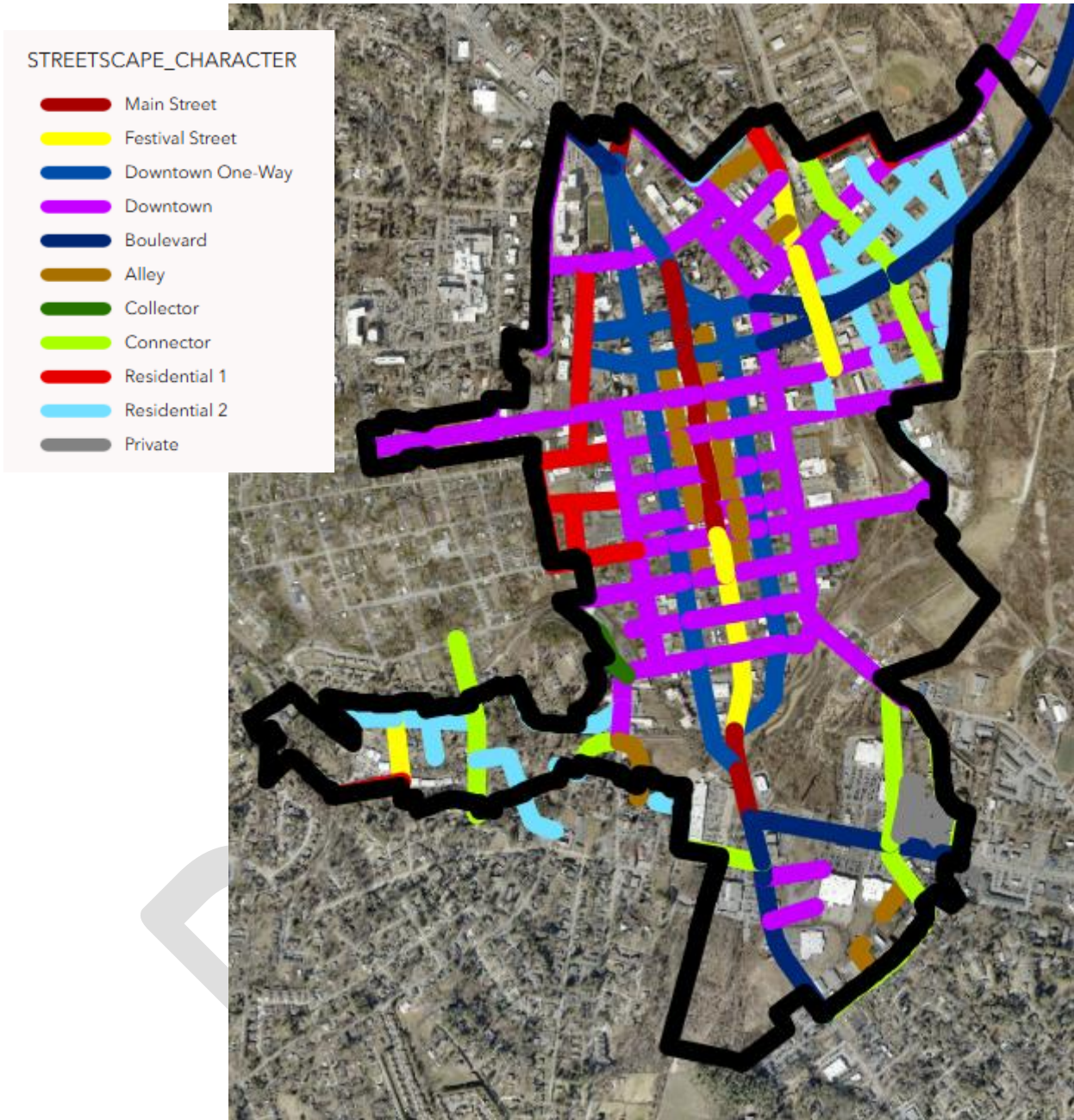


Figure 1: Streetscape Character Map

- ii. **Character Districts.** Within the Downtown Design Overlay there are four distinct Character Districts, the boundaries of which are established on the Downtown Design Overlay Standards Map. Standards for Site Design and Building Design will vary depending on the Character Area in which a property is located. Alignment with the conceptual vision for each Character Area, as established in the focus areas featured in the Downtown Master Plan, is encouraged.

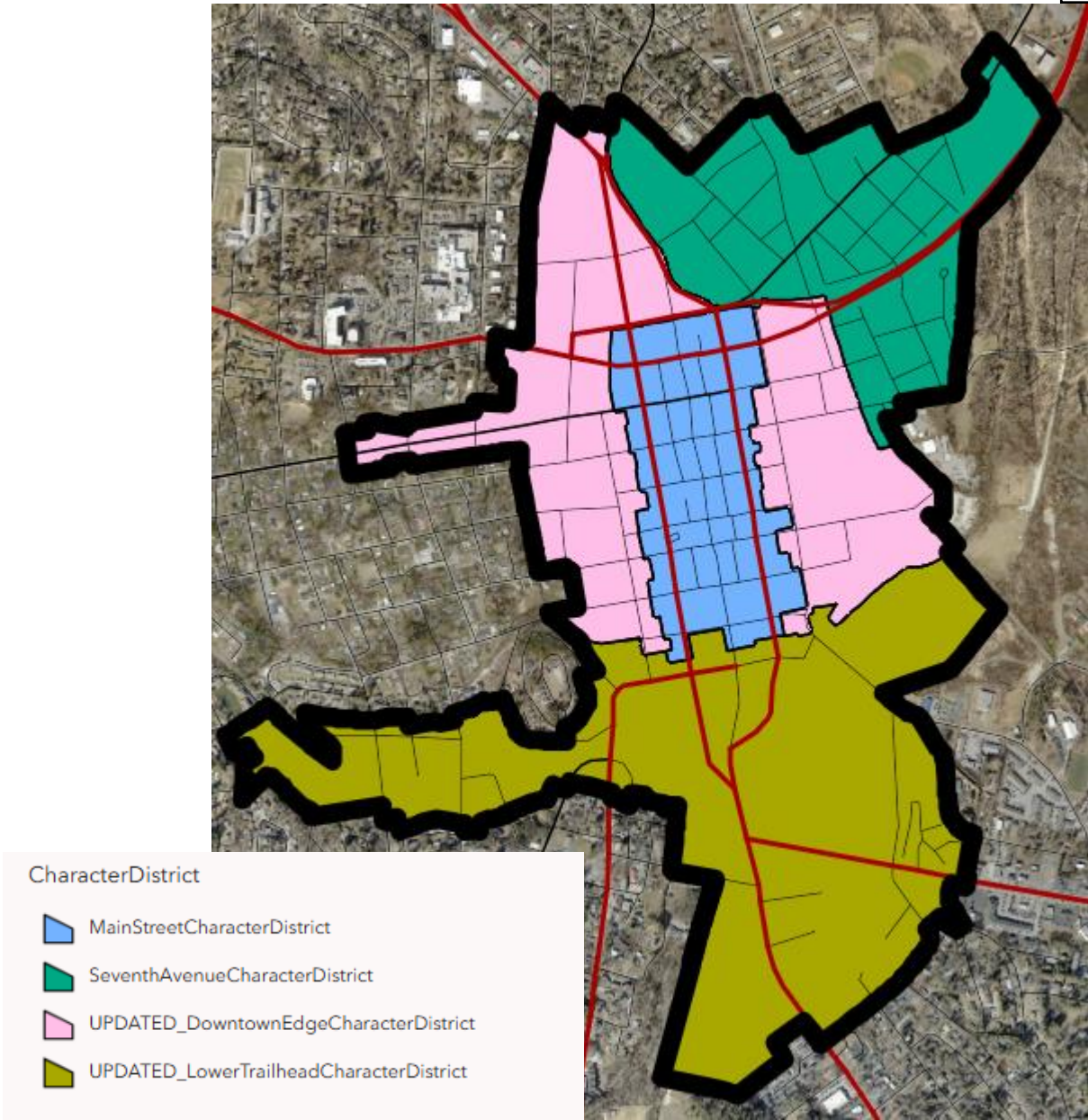


Figure 2: Downtown Design Overlay Character Districts Map

- iii. **Building Height.** Maximum building heights within the Downtown Design Overlay are based on the boundaries established in the Downtown Design Overlay Standards Map.

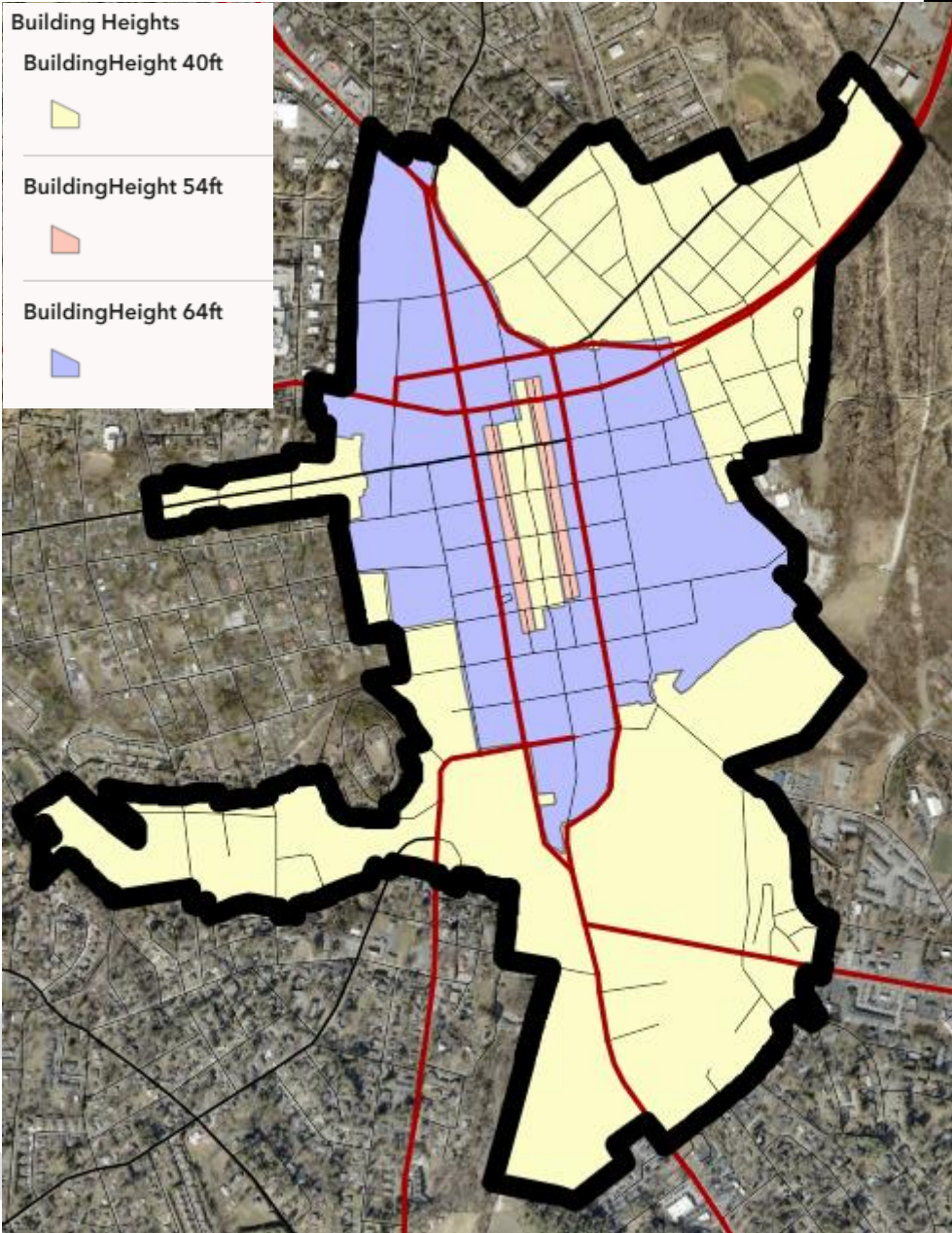


Figure 3: Building Height Districts Map

- c) **Local Historic District.** Properties located within both a locally-designated historic district overlay and the Downtown Design Overlay District are subject to both sets of development standards. If a provision of the Downtown Design Overlay District standards are inconsistent with local-designated historic district design standards, the local-designated historic district design standards shall govern.
- d) **Zoning Standards.** If a provision of the Downtown Design Overlay District standards is inconsistent with another provision found in the Zoning Ordinance, the more restrictive provision shall govern, unless the terms of the more restrictive provision specify otherwise.

e) Routine maintenance and interior renovations shall be exempt.

5-28-3 – Permitted Uses.

Structured Parking Lots in accordance with Sec. 5-28-6.2.3 b)

Same as for underlying zoning district(s)

5-28-4. – Special Uses.

Same as for underlying zoning district(s)

5-28-5. – Prohibited Uses

- Same as underlying zoning district(s)
- Surface Parking Lots with exceptions outlined in Sec. 5-28-6.2.3 a)

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5-28-6. – Development Standards

5-28-6.1 – Public Realm - Development shall contribute positively to the public realm through the provision of pedestrian-oriented design features and streetscape improvements.

5-28-6.1.1. Blocks. New development shall maintain and improve upon the urban block pattern within downtown.

- a) Urban blocks shall be 300'-500' in length & width where feasible and in no case greater than 700'.
- b) New connections, both through the provision of new public streets & alleys and private streets & drives, shall be required to extend the historic block pattern throughout the entire district as illustrated in the Downtown Master Plan.
- c) Where vehicular connections cannot be made at minimum of five hundred feet (500'), pedestrian connections shall be implemented through the provision of mid-block walkways, passages, etc.

5-28-6.1.2. Alleys - New development shall utilize alleys for vehicular access to parking and service areas.

- a) Existing alleys shall be preserved.
- b) When located adjacent to an existing improved or unimproved public alley rights-of-way, new development shall utilize the existing right-of-way.
- c) Where no alley right-of-way is present, new development shall incorporate new public or private alleys.

5-28-6.1.3. Sidewalks and Pedestrian Circulation

- a) Sidewalks shall be provided on both sides along all public street frontages.
 - i. The placement and width of the required sidewalk shall be based on the cross-sections established in the Streetscape Character Type Table (Table 1 & **Error! Reference source not found.**) based on the corresponding Street Type(s) abutting the property.
 - ii. The placement of the pedestrian facilities within the required right-of-way will be based on cross-sections established in the Downtown Master Plan. Sufficient spacing shall be provided for planting strips needed to satisfy Street Tree standards (Sec. 5-28-6.1.6).

Downtown: 30'-60'



Figure 4: Example of Cross-Section from Downtown Master Plan for Streetscape Character Type “Downtown”. Descriptions and cross-sections for each streetscape character type are found on pages 68-84 in the Downtown Master Plan.

- b) External sidewalks shall connect building entrances to the public sidewalk system and to abutting multi-use trails, parks, and greenways.
- c) Pedestrian circulation routes shall remain unobstructed and shall maintain clear travel widths per City Code Sec. 46-81.
- d) Internal sidewalk connections should be provided between buildings and from buildings to all on-site facilities including parking areas, bicycle facilities, open spaces, and amenities.

5-28-6.1.4. Trails, Greenways & Bicycle Facilities

- a) New construction abutting a proposed greenway/off-street trail, as established in the City’s adopted plans and streetscape character type cross-sections, shall be platted and/or constructed or improved to City standards along the portion of the facility abutting the development. New facilities will be dedicated to the City.
 - i. The following alternatives are also provided for with approval authority granted to the City Manager:
 - a. A fee-in-lieu of construction can be requested by an applicant. The fee shall be based on a cost estimate by a licensed engineer.
 - b. Further, the public improvement standards, cost, scope, etc. may be adjusted by the City Manager when such public

improvements are not proportional (in cost, scope, etc.) to the impact created by a development due to its scale (ex. Proposed construction of 1 new duplex on a 6,000 SF parcel would not be proportional to require construction of 100 LF of a 14' wide off-street trail/greenway, but it would be proportional to require the installation of shared lane markings 'sharrows' along the street frontage).

- c. The requirement of 5-28-6.1.4. a) may be reduced / waived if the proposed trail/bicycle project has already received partial / full funding.
- b) For developments which abut public amenities, new access points to parks, greenways and open space shall be provided at a minimum of every 1,000' when authorized access is granted by approving authority.

5-28-6.1.5. Streetscape Elements (Amenity Zone)

- a) Streetscape elements shall include an amenity zone featuring the coordinated placement of Street Trees (in accordance with Sec. 5-28-6.1.5 below) and additional pedestrian-scaled amenities based on the Streetscape Character Type (Figure 4). An amenity zone improvement plan illustrating quantity and placement of chosen elements must be reviewed and approved by the City's Public Works Department:
 - i. Residential 1 & 2 and Connector Streets (Choose 1 per 50' of frontage)
 - a. Pedestrian lighting
 - b. Additional Landscape Features in Planting Strip
 - c. Bulb-outs with landscape features for on-street parking/improved pedestrian crossings where appropriate
 - ii. Downtown, Boulevard, (Choose 2 per 50' of frontage)
 - i. Benches or seating areas
 - ii. Bicycle racks in accordance with 5-28-6.2.3. f)
 - iii. Planters or landscaping features
 - iv. Bulb-outs with landscape features for on-street parking/pedestrian crossings where appropriate
 - v. Bioretention planting strips
 - iii. Main Street, Festival Street, and Off-Street Trails (Choose 3 per 50' of frontage)
 - i. Benches or seating areas
 - ii. Bicycle racks in accordance with 5-28-6.2.3. f)
 - iii. Planters or landscaping features
 - iv. Bulb-outs with landscape features for on-street parking/pedestrian crossings where appropriate
 - v. Plazas or gathering spaces

- vi. Public Art in accordance with City policies
- b) Streetscape elements shall be installed in the Amenity Zone based on the Street Type abutting the property in accordance with the adopted Downtown Master Plan Streetscape Zone.
- c) Public amenities will be provided in a manner consistent with City-approved designs, specifications and installation standards.
- d) Other “Placemaking” elements may be proposed in accordance with the City’s Downtown Master Plan.
- e) ADD STANDARD FOR MAINTENANCE (CAN WE SHIFT SOME TO PRIVATE? ENSURE BUY-IN FROM PUBLIC WORKS)

5-28-6.1.6. Street Trees

- a) Street trees shall be planted at regular 30’-40’ intervals along all public street frontages based on corresponding Street Type(s) abutting the property.
- b) A minimum of 70% of Street Trees shall be large-maturing trees (>50’ in height) with the remaining to be medium-maturing trees (25-50’ in height).
- c) Where streetscape improvement plans have been developed by the City, Street Trees will be planted according to those plans.
- d) Where bulb-outs are provided, Street Trees will be planted in the bulb-outs if the bulb out is not otherwise used for public art/monument, seating or similar public amenity.
- e) Outside of bulb-outs or other defined landscaping beds that may be planned within the Downtown Overlay District, Street trees shall be planted in tree wells with grates or appropriately-sized planting strips which correspond with the width and locations depicted for the cross-section for the Street Type(s) abutting the property.
- f) Tree wells or planting areas shall be designed to protect root systems and ensure long-term viability.
- g) Tree species shall be selected from the City’s approved street tree list.

5-28-6.1.7. Outdoor Seating and Gathering Areas

- a) Public outdoor seating areas, plazas, and gathering spaces shall be permitted and encouraged within downtown developments.
- b) Such spaces shall remain accessible from the public sidewalk and shall not impede pedestrian circulation in accordance with City Code of Ordinances Sec. 46-86.

5-28-6.2 – Site Design.

5-28-6.2.1. Frontage

- a) Frontage types are either Primary, Primary-Other, Secondary or Tertiary. The standards for Setback Line, Build-to-Zone, and Build-to-Percentage are based on the Frontage Type.
 - i. **Primary** – property frontage abutting the following Street Types: Main, Downtown One-Way, and Boulevard.
 - ii. **Primary-Other** – property frontage abutting existing or future public trails and open spaces such as parks, plazas, or path. Future public spaces refers to those indicated in a City-adopted plan.
 - iii. **Secondary** - property frontage abutting the following Street Types: Downtown and Festival.
 - iv. **Tertiary** – property frontage on all other streets within downtown that are not considered primary and include: Connector, Residential 1, and Residential 2
 - v. In cases where a lot has multiple frontage types, at least one frontage type must be designated as primary.
- b) Primary building façades shall face a public street or public trail / open space. Buildings shall maintain a strong visual relationship with the street, trail or open space with parking situated to the side or rear.

5-28-6.2.2. Building Placement

- a) Minimum Setback Line. The minimum setback line is based off of the edge of right-of-way in accordance with Streetscape Character Type. To establish the edge of right-of-way, first refer to the “ROW Width” column of the Streetscape Character Type table for the street segment which fronts the subject property. Then measure half of the stated ROW width from a point at the centerline of the existing right-of-way where it fronts the subject property.
 - i. The required Minimum Setback distance is established based on the Frontage Type of the property in accordance with the dimensional requirements table (Table 2) below.
 - a. Exception: When located adjacent to existing development which does not meet the minimum required setback line, the setback line for proposed development may be reduced to create cohesive pattern of development in alignment with the setbacks of existing buildings within a block. Adjusted setbacks shall not be detrimental to the other standards and objectives of this ordinance. Should the setback of existing adjacent buildings vary, Community

Development Director shall determine minimum setback line of infill development.

- b) Maximum Setback Line. The Maximum Setback is measured from the required frontage type setback line and establishes a range with a maximum setback as established in the table below.
 - i. Exceptions: For Primary frontages, a maximum setback of 10' is permitted only in cases where outdoor dining and/or other public outdoor space amenity is proposed.
- c) Minimum Build-to-Percentage. The Build-to-Percentage refers to the proportion of lot width frontage that must be occupied by the building façade. Ground-floor designs such as arcades, galleries, colonnades, outdoor plazas, or outdoor dining areas which are incorporated into the building façade are considered in meeting required build-to percentages. The minimum percentage is established in the table below.

Minimum Setback (From future edge of ROW established in Streetscape Table, measured from future centerline in ft)			
A	Frontage Type	Primary	0
		Primary-Other	0
		Secondary	0
		Tertiary	16
Maximum Setback (From setback line, measured in ft)			
B	Frontage Type	Primary*	0/ 10*
		Primary-Other	10
		Secondary	10
		Tertiary	20
Minimum Build-To-Percentage			
C	Frontage Type	Primary	80%
		Primary-Other	80%
		Secondary	80%
		Tertiary	60%
D	Side Setback Line (ft)	None, unless abutting singlefamily residential zoning, then 10'	
E	Rear Setback Line (ft)	None, unless abutting singlefamily residential zoning, then 20'	

* Max. Setback of 10' is permitted if outdoor dining or other public open space amenity is proposed along frontage. To be approved by the Community Development Director

Table 2: Dimensional Requirements Table

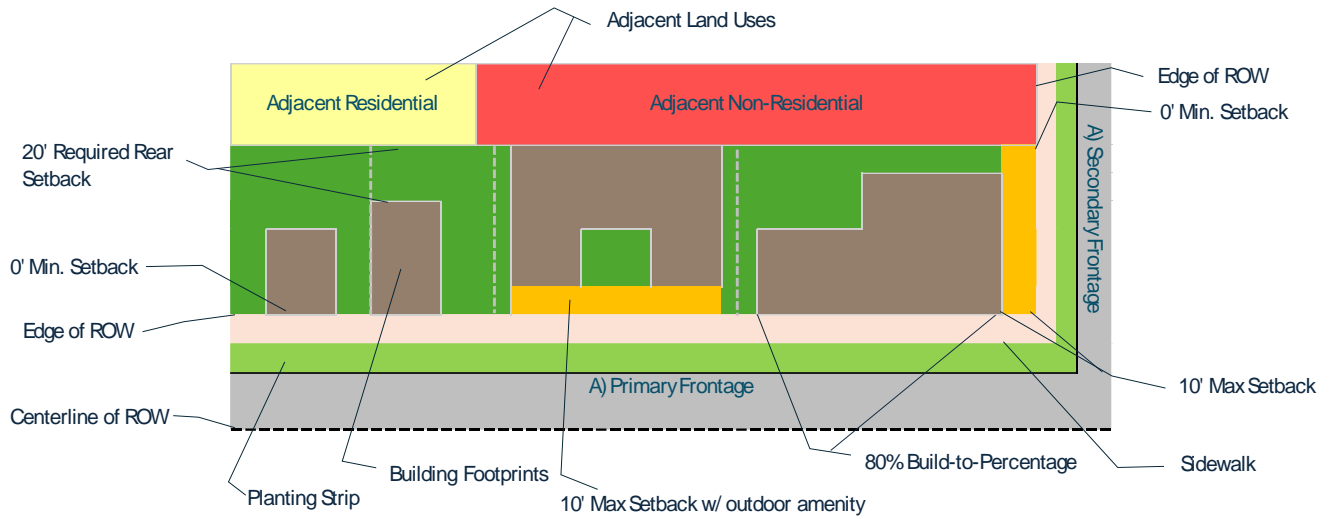


Figure 5: Example of building placement according to frontage type



Figure 6: Example of flexibility within max. setback. Allowing for range in maximum setback allows for the inclusion of public spaces and other features that add to the public realm.

5-28-6.2.3. Parking

a) Surface Parking

- i. Surface Parking areas are permitted as a standalone use only in the 7th Ave and Lower Trailhead Character Districts to serve as trailhead parking in accordance with 5-28-6.2.3 d), below.

- ii. Standalone Surface Parking for public use is permitted for governmental entities.
 - iii. In association with a multi-family residential and/or non-residential principal uses, surface parking areas shall be screened from public streets using at least one of the following methods:
 - a. Landscaping in accordance with Section 15-9
 - b. Decorative masonry walls a minimum of 5' in height
 - c. Buildings or liner structures.
 - iv. Surface parking shall not be located between the principal building and the primary street frontage.
 - v. Parking areas shall be located:
 - a. Behind buildings, or
 - b. To the side of buildings where rear placement is infeasible.
 - vi. With approval from the Stormwater Administrator, surface parking areas shall incorporate low-impact stormwater management methods such as pervious paving, bioretention, and vegetated landscape islands.
- b) Structured Parking
- i. Parking structures are encouraged within the downtown districts to reduce the footprint of surface lots.
 - ii. Developments requiring 150 vehicular parking spaces or more shall utilize structured and/or shared parking.



Figure 7: Structured Parking screened by activated liner buildings

- iii. Parking structures wrapped with liner buildings which accommodate active uses.
 - a. When adjacent to primary frontage, parking structures with over 50 parking spaces shall include liner building(s) along 80% of the ground floor building length excluding areas of required vehicular and pedestrian egress, and utility rooms.
 - b. When adjacent to secondary frontage, parking structures with over 50 parking spaces shall include liner building(s) along at least 60% of the ground floor building length excluding areas of functionally necessary vehicular and pedestrian egress, and utility rooms.
 - c. When adjacent to multiple frontage types, liner buildings are required on the primary frontage and at least one secondary frontage at the rates listed above.
 - iv. Vertical and horizontal architectural elements should be designed in a manner to approximate the window openings on adjacent buildings including liner portions of a parking structure.
 - v. All non-vehicular and/or non-pedestrian ground floor openings on or visible from a frontage shall be screened with architectural louvers and/or panels.
 - vi. Refer to Section 6-5-5 for minimum parking space and drive aisle design requirements.
 - a. Exception: Compact Vehicle Parking
 - 1. Reduced-width 8' wide parking spaces are permissible at a rate of 1 reduced-width parking space per every 50 standard-width parking spaces (1:50).
 - 2. Reduced-width parking spaces are permissible in single-level subterranean parking lots and on upper levels of multi-story parking structures.
 - 3. Reduced-width parking spaces shall be signed and designated for the parking of motorcycles and compact vehicles.
- c) Parking Space Requirements
- i. Parking Minimums.

- a. Within the Downtown Edge, 7th Avenue, and Lower Trailhead character districts, minimum parking space requirements are per the uses established in Section 6-5-2.
- b. Within the Main Street character district, minimum parking spaces may be provided or a fee-in-lieu of parking may be paid to the City's Parking Enterprise fund at a rate established in the City's fee schedule.
- c. On-Street Parking.
 - 1. Eligible on-street parking spaces may be utilized to meet parking requirements. To be eligible, an on-street parking space shall be:
 - a. An existing delineated parking space within the right-of-way directly abutting the frontage of the development or a newly-delineated on-street parking space within the right-of-way directly abutting the frontage of the development subject to the following:
 - 1) Newly-delineated on-street parking spaces shall meet MUTCD Standards.
 - 2) Proposed newly-delineated on-street parking shall be illustrated in a site plan in accordance with Article VII and reviewed and approved by NCDOT (for state-maintained roads) or the City of Hendersonville Public Works Department (for locally-maintained streets).
 - 3) Installation of newly-delineated on-street parking spaces shall be the responsibility of the developer.
 - ii. Parking Maximums. The following off-street parking maximums apply to properties within each of the character districts.

Maximum Vehicle Parking Requirements	Main Street Character District	Downtown Edge Character District	7th Avenue Character District	Lower Trailhead Character District
Single-Family Attached & Detached	No Limit	No Limit	No Limit	No Limit
Multi-Family	1 / bedroom	1 / bedroom	1 / bedroom	2 / bedroom
Commercial Use	3 / 1,000 sf GSF	3 / 1,000 sf GSF	3 / 1,000 sf GSF	4 / 1,000 sf GSF
Civic Use	2 / 1,000 sf GSF	2 / 1,000 sf GSF	2 / 1,000 sf GSF	3 / 1,000 sf GSF

a. Exceptions:

- 1) Proposed structured parking may exceed parking maximums in conjunction with shared parking objectives.
- 2) If minimum parking requirements exceed maximum parking requirements, the maximum parking shall apply.

d) Trailhead Parking

- i. Trailhead parking is not permitted within a National Register or locally-designated historic district.
- ii. Trailhead parking lots must be spaced a minimum 350' from each other.
- iii. These parking lots shall hold 10 spaces or fewer, including ADA spaces.
 - a. Exception: Properties which contain portions of a floodplain may utilize area within the floodplain for parking spaces and may exceed the limitation of 10 spaces when pervious surfaces are utilized and all other provisions of the floodplain damage prevention ordinance and natural resource projection standards are met.
- iv. Trailhead parking lots may incorporate amenities such as water fountains, trash/recycling receptacles, and benches.
- v. Regardless of size of vehicular use area, all parking lots shall be screened from the trail and any public street other than an alley in accordance with Article 15-9 c).
- vi. Trailhead parking is encouraged to be constructed of pervious surfaces.

e) Shared Parking

- i. Shared parking allows for the reduction of required on-site parking in order to meet minimum parking space requirements.

- ii. Shared parking between private property owners is encouraged and permitted in accordance with Sec. 6-5-3 of the Zoning Ordinance.
 - iii. Shared parking which proposes to utilize spaces within public parking lots shall be permitted through a formal parking agreement. The City of Hendersonville City Manager shall review and approve all public-private parking agreements.
 - iv. For commercial and institutional/semi-public uses with 50 or more parking spaces within the Downtown Design Overlay District, a minimum of 10% of the total parking spaces should allow for public use during off-peak business hours.
- f) Bicycle Parking
- i. For multi-family uses, bicycle parking/storage shall be provided at a ratio of 1 bicycle storage space per every 5 dwelling units. These spaces may be provided in internal or external storage areas as long as they are secure from theft and weather. (see example below)



Figure 8: Example of bicycle storage by BikeDockSolutions

- ii. For each commercial use, bicycle racks shall be provided at a rate of 2 bicycle parking spaces per 5,000 square feet of gross floor area and/or outdoor seating area with a maximum requirement of 4 bicycle spaces per commercial use.
 - a. Bicycle racks may be placed in the public right-of-way if feasible.

- b. Bicycle racks placed in the public right-of-way shall meet City designs and specifications.
- c. Private bicycle racks placed near the public right-of-way are encouraged to provide two-points of contact and to meet other City designs and specifications.



Figure 9: Example City of Hendersonville "leaf" bike rack. Bike racks of this nature provide two points of contact and accommodate two bicycle parking spaces each

5-28-6.2.4 Access and Driveways

- a) As may be required by other codes and ordinances, minimum driveway widths shall also serve as maximum widths to reduce pedestrian conflicts.
- b) There shall be a maximum of 1 driveway per three hundred and fifty feet (350') of linear feet of frontage
- c) Where off-street parking is provided, shared driveways, stub outs and/or cross-access easements between adjacent properties shall be required.
 - i. Exception: Where no future access is feasible, the Community Development Director may waive this requirement.
- d) Developments abutting existing unimproved public rights-of-way shall prioritize, utilize and improve the rights-of-way to accommodate pedestrian and bicycle circulation in addition to or in lieu of vehicular use. Improvements include pavement, signage, markings, etc.

5-28-6.2.5. Service Areas

- a) Loading docks, solid waste containers, and service areas shall be located to the rear of buildings or, where multiple frontage are present, the non-primary street frontage side.
- b) Service areas shall be screened from public view using masonry walls, landscaping, or architectural features.

5-28-6.2.6. On-Site Open Space

- a) All proposed developments are required to provide on-site open space except for developments on parcels one-quarter acre (10,890 square feet) or less in size.
- b) Amount of On-Site Open Space. A percentage of the development site shall be dedicated to on-site open space in accordance with the Character District location:
 - i. Main Street: 5%
 - ii. Downtown Edge: 10%
 - iii. 7th Avenue: 10%
 - iv. Lower Trailhead: 15%
- c) Public Use of On-Site Open Space. Development in the Downtown Overlay District shall provide a minimum public use of on-site open space in accordance with the following table based on the proposed land use:
 - i. Commercial– 50% of required on-site open space shall be publicly accessible
 - ii. Mixed-Use - 25% of required on-site open space shall be publicly accessible
 - iii. Residential – not required
- d) On-Site Open Space shall be provided in the following types per Character District. Descriptions of on-site open space types are included in the adopted Downtown Master Plan.

	MAIN STREET			DOWNTOWN EDGE			7TH AVENUE			LOWER TRAILHEAD		
	Commercial	Residential	Mixed-Use	Commercial	Residential	Mixed-Use	Commercial	Residential	Mixed-Use	Commercial	Residential	Mixed-Use
ON-SITE OPEN SPACE												
Plazas	●		●	●		●	●		●	●		●
Courtyards	●	●	●	●	●	●		●			●	
Greens	●		●	●		●		●	●		●	●
Close	●	●	●	●	●							
Pocket Parks						●	●		●	●		●
Linear Parks	●	●	●	●	●	●		●			●	
Greenways	●	●	●	●	●	●	●	●	●	●	●	●
Outdoor Amenities and/or Recreation Spaces	●	●	●	●	●	●		●			●	
Outdoor Dining	●		●	●		●	●		●	●		●
Rooftops	●	●	●	●	●	●	●	●	●	●	●	●

Table 3: On-Site Open Space Types

Section 5-28-6.3 Building Design Standards

5-28-6.3.1 Building Height Standards

a) Intent

- i. Reinforce the character of downtown districts.
- ii. Maintain pedestrian scale.
- iii. Ensure appropriate transitions between areas.

b) Height Limits by District (reference Figure 3: Building Height Districts Map = **Sec. 5-28-1 c) 4.** Generally, 22' represents 2-stories, 40' represents 3-stories, 54' represents 4-stories, and 64' represents 5-stories as well as alignment with Senate Bill 649.

<u>District</u>	<u>Minimum Height</u>	<u>Maximum Height</u>
<u>Main Street*^</u>	<u>22'</u>	<u>64' / 40' / 54'</u>
<u>Downtown Edge</u>	<u>22'</u>	<u>64'</u>
<u>7th Avenue^</u>	<u>22'</u>	<u>40'</u>
<u>Lower Trailhead</u>	<u>22'</u>	<u>40'</u>

*With the exception of buildings facing Main Street within the Main Street Historic District. Building frontages along Main St are not to exceed 3 stories (40') to the midpoint between Main St and the alley to the rear where rear portion of buildings may extend up to a height of 54' (see Figure 12 below).

^ Architectural features may extend up to 5 feet above height limit. For corner buildings, prominent architectural features at the corner may exceed the maximum height by an additional 20% of the proposed building height.

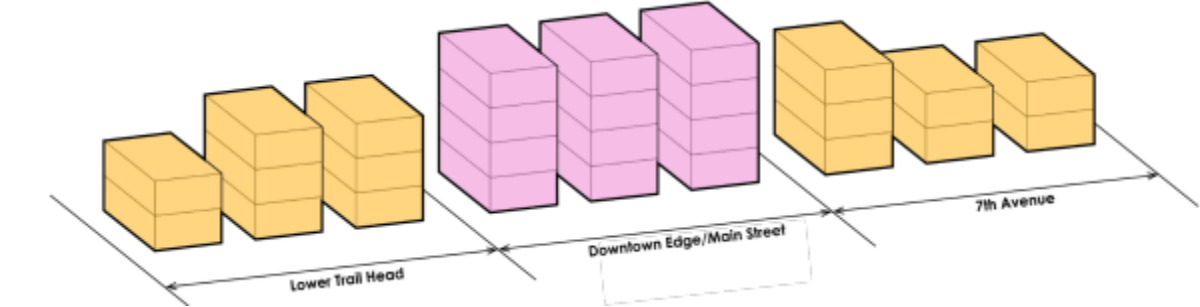


Figure 10: Building Heights by Character Area

c) Height Measurement

- i. Measured in accordance with the definition of 'height of building' found in Article XII.

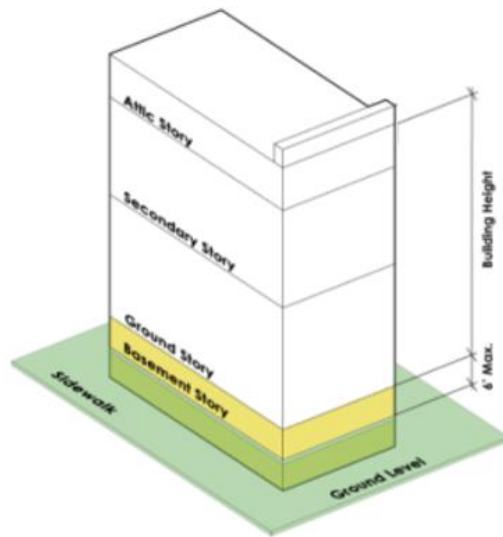


Figure 11: Calculating Building Height

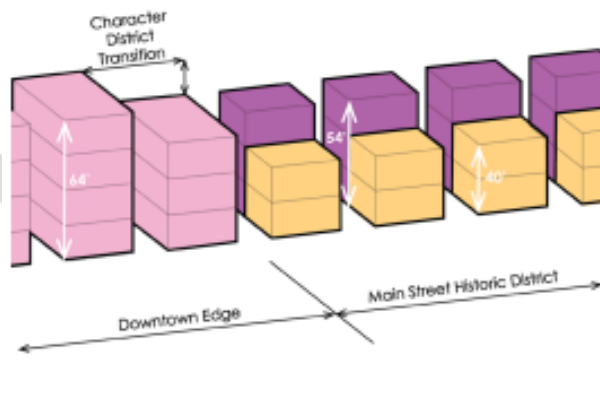


Figure 12: Building Height Transitions – examples of character area transition and Main St Historic District frontage transition

d) Upper Story Step-backs

- i. Character District Transitions – When the location of a proposed development, subject to these standards, abuts a property located in a building height district with a lower maximum height, the height of the proposed development shall not exceed the height maximum of the abutting district for the first fifty feet (50') measured from the shared property line. This may be achieved by separating a structure(s) a minimum of fifty-feet (50') from the property line or stepping back the height of the structure if built within 50' of the property line. See Figure 13 below.
- ii. Residential Transitions - When the location of a proposed development, subject to these standards, abuts a property with a single-family/two-family residential zoning district and/or uses, the proposed development shall have no more than twelve feet (12') height differential for the first fifty feet (50') measured from the shared property line. This may be achieved by separating a structure(s) a minimum of fifty feet (50') from the property line or stepping back the height of the structure if built within fifty feet (50') of the property line. See Figure 13 below.

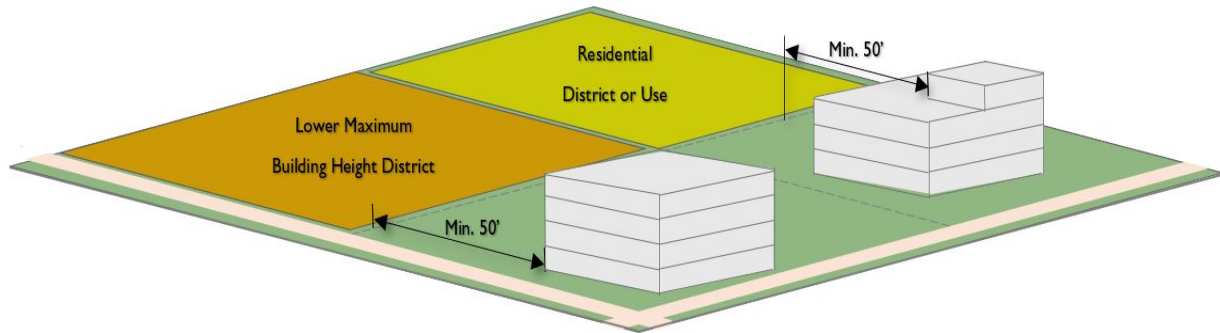


Figure 13: Building Step-backs / Residential Transitions

5-28-6.3.2 Façade Articulation

- a) Buildings over one hundred feet (100') in length shall include façade modulation to help distribute mass and scale.
- b) Facades shall be divided into segments with modulation occurring in intervals of no more than forty feet (40') with offsets that are a minimum depth of two foot (2').
- c) Buildings over one hundred and fifty feet (150') in length shall include a courtyard, with a minimum width and depth of fifty feet (50'), which shall be visible from the street on primary frontages.

- d) Ground-floor designs such as arcades, galleries, colonnades, outdoor plazas, or outdoor dining areas shall be incorporated into the building façade and are considered in meeting required build-to percentages.
- i. The first two floors above the street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment.
 - ii. Special interest to the ground-floor of the building shall be provided by incorporating elements such as corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base.
- e) Buildings on a corner or at an axial terminus should be designed with additional height or architectural embellishment. Examples include:
- i. Chamfered or rounded corners
 - ii. Projecting and recessed balconies and entrances
 - iii. Enhanced window designs
- f) No building shall be longer than three hundred feet (300')

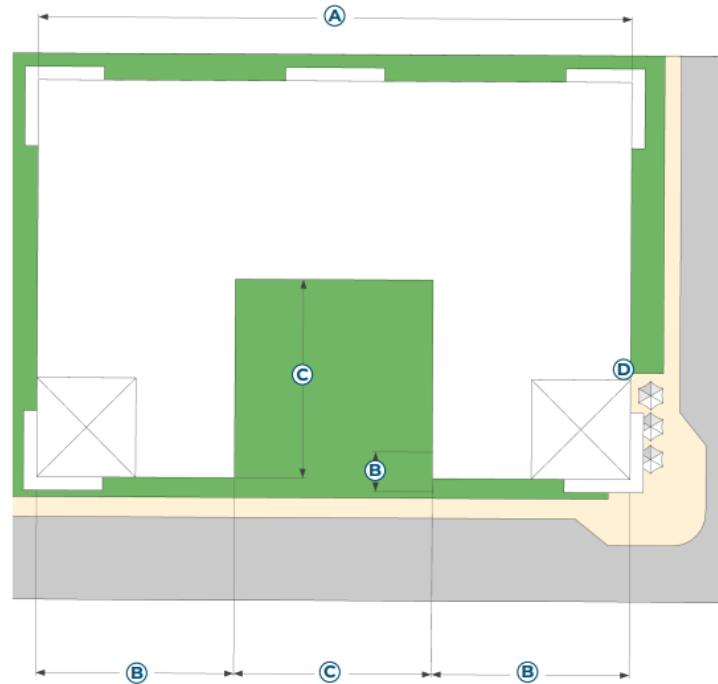


Figure 14: Diagram of façade articulation. Letters A-D correspond with standards found in 5-28-5.3.3

5-28-6.3.3 Building Elements

- a) Entrances.
- i. The primary pedestrian entrance shall be located on the primary frontage.
 - ii. Entrances shall be architecturally prominent and clearly identifiable.
 - iii. Corner buildings shall provide either:
 - a. A corner entrance; or
 - b. Entrances on both frontages.
- b) Windows.

- i. Upper floor windows shall be vertically proportioned (ex. A window that is 3 feet wide and 5 feet tall would be vertically proportioned. A window that is 5 feet wide and 3 feet tall would be horizontally proportioned and would not meet this requirement).
 - ii. Windows shall be consistent with the architectural style of the building.
 - iii. Windows shall be recessed a minimum of four (4) inches and a maximum of six (6) inches from the façade.
 - iv. Minimum façade transparency (window coverage) requirements:
 - a. Main Street : 60%
 - b. Downtown Edge: 60%
 - c. 7th Avenue District: 40%
 - d. Lower Trailhead: 40%
- c) Roofs.
- i. Main Street District: Flat roofs or barrel roofs which present as flat roofs in conjunction with a rectangular facade, shall be required.
 - ii. 7th Ave District: Flat roofs shall be required for non-residential and mixed-use buildings fronting on 7th Ave only.
 - iii. Other districts: Flat or pitched roofs are permitted.
- d) Doors.
- i. Doors shall not swing into the public sidewalk or pedestrian zone.
 - ii. Recessed doorways are encouraged. When utilized, recessed doorways shall not exceed five (5) feet in depth.

5-28-6.3.4 Ground Floor Activation

A. Ground floor design shall promote pedestrian activity and transparency.

B. Ground floor façades shall:

- 1. Be composed primarily of transparent glass; and
- 2. Provide visual access into active interior uses.

C. Ground floor design shall incorporate at least two (2) of the following:

- 1. Display windows
- 2. Outdoor seating
- 3. Planters or landscaping
- 4. Awnings or canopies
- 5. Public art

D. Residential entries outside of the Main Street Character Area shall include features such as stoops or porches.

5-28-6.3.5 Building Materials

A. Materials shall be compatible with surrounding development but not identical.

B. Permitted primary façade materials include:

1. Brick
2. Stone
3. Wood
4. Concrete-based stucco
5. Architectural metal panels
6. Horizontal wood siding
7. Wood shingles

C. Main Street and Downtown Edge Districts:

- a) Brick shall constitute a minimum of fifty percent (50%) of non-glazed façade surfaces.

D. The following materials are prohibited:

1. EIFS
2. Concrete block (unfinished)
3. Corrugated metal panels
4. Vinyl siding
5. Fiber cement board (as primary façade material)

5-28-6.3.6 Franchise Architecture

A. Standardized corporate franchise architecture shall be prohibited.

B. Buildings associated with national brands shall:

1. Be modified to conform to district character; and
2. Comply with all provisions of this Section.

5-28-6.3.7 Drive-Throughs

A. Where permitted, Drive-through windows shall meet the following requirements:

1. Shall not be located along primary frontages; and
2. Shall be located to the side or rear of buildings.

B. Walk-up service windows are permitted and encouraged.

5-28-7 Signs. Signage in the Downtown Design Overlay shall comply with standards found in Article XIII of this Zoning Ordinance.

Additional revisions for:

ARTICLE V. ZONING DISTRICT CLASSIFICATIONS

Sec. 5-3. - R-15 Medium-Density Residential Zoning District Classification.

5-3-2. - Special uses.

The following uses shall be permitted in the R-15 Medium Density Residential Zoning District Classification only upon issuance of a special use permit pursuant to article X and shall be subject to special use requirements contained in [section 16-4](#), below:

- [Bicycle Retail and/or Service Shops](#)
- [Personal or Professional Office](#)
- [Surface Parking Lots](#)
- [Residential, Small-Scale Multi-Family](#)
- [Specialty services such as bicycle rental, shuttle services, guided tours](#)

5-3-3. Dimensional requirements.

Minimum lot area in square feet:	15,000
Minimum lot width at building line in feet:	70
Minimum yard requirements in feet:	
Principal structure	Front: 15. Any portion of a building envelope featuring a front-facing garage shall set back the garage portion a minimum of 25 feet.
	Side: 8
	Rear: 15
Accessory structures	Front: To side or rear of principal structure.
	Side: 5
	Rear: 5
Maximum height in feet:	35

Exceptions:

- a) [For properties located in the Downtown Design Overlay District, dimensional requirements dictated under Section 5-28 rule.](#)
- b) Subject to the zoning district's permitted uses, accessory dwelling units (ADU), single-family dwellings and two-family dwellings may be developed using alternative dimensional requirements. See article VIII, exceptions and modifications, section 8-4, reduced flag pole lots and small lots.

Sec. 5-5. - R-6 High-Density Residential Zoning District Classification

5-5-2. - Special uses.

The following uses shall be permitted in the R-6 High Density Residential Zoning District Classification only upon issuance of a special use permit pursuant to article X and shall be subject to special use requirements contained in [section 16-4](#), below:

- [Bicycle Retail and/or Service Shops](#)
- [Personal or Professional Office](#)
- [Surface Parking Lots](#)
- [Residential, Small-Scale Multi-Family](#)
- [Specialty services such as bicycle rental, shuttle services, guided tours](#)

5-5-3. Dimensional Standards

Minimum lot area in square feet:	6,000
Minimum lot width at building line in feet:	45
Minimum yard requirements in feet:	
Principal structure	Front: 8. Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet.
	Side: 5
	Rear: 10
Accessory structures	Front: Located to side or rear of principal structure.
	Side: 5
	Rear: 5
Maximum height in feet:	35

Exceptions:

- a) [For properties located in the Downtown Design Overlay District, dimensional requirements dictated under Section 5-28 rule.](#)

Sec. 5-6. - C-1 Central Business Zoning District Classification.

5-6-1. - Permitted uses

- ~~Parking lots and p~~ Parking garages
- Residential dwellings, single-family, subject to Supplementary Standards contained in this section
- Residential dwellings, two-family, subject to Supplementary Standards contained in this section
- Residential dwellings, multi-family, subject to Supplementary Standards contained in this section

5-6-3. ~~Development standards.~~ Residential Dwellings.

In conjunction with Sec. 5-28, residential dwellings shall be limited to upper floors only for properties in the Main Street Character District with buildings fronting on Main Street (including corner buildings). For properties fronting on all other streets, residential uses are permitted in upper floors, non-street level basements, and the rear half of a street-level floor according to the following:

- Access: Access points to ground floor residential spaces may be located at any point on the front, side, or rear of a building. This may include an access point, leading to a space dedicated to a street-level floor residential use, located adjacent to an access point that is dedicated for a street-level floor non-residential space.

- Frontage: A building's primary street frontage on a street-level floor shall be reserved for non-residential uses. Residential dwellings shall only front upon an alley and/or private open spaces or non-street public spaces. Frontage upon private property shall provide a permanent access easement to the closest public right-of-way.

- Use Area: No more than 50% of the gross floor area of a street-level floor may be used for residential uses.

~~The following standards shall apply to development within the C-1 Central Business Zoning District Classification and Central Business Conditional Zoning District Classification in addition to all other applicable standards contained in this appendix.~~

~~**5-6-3.1. Parking and Loading.** For non-residential developments and residential developments containing fewer than five dwelling units, no off-street parking is required. For residential developments containing five or more dwelling units, off-street parking of one space per dwelling unit shall be provided.~~

~~As far as practicable, off-street parking, when provided, shall be accessed by means of east-west streets or alley ways and shall be designed so that it is screened, as far as practicable, to minimize motor vehicles and parking areas from view from Main, Church and King Streets. This provision is not intended to require that buildings be screened from view.~~

~~**5-6-3.2. Dimensional requirements:**~~

Minimum lot area in square feet:	None
Lot area per dwelling unit in square feet:	N/A
Minimum lot width at building line in feet:	85
Minimum yard requirements in feet:	Front: None
	Side: None
	Rear: None
Maximum height in feet:	64 feet

~~5-6-3.3. Streetscape design.~~ The relationship between a building and areas for pedestrian or vehicular circulation shall be carefully planned in order to avoid negative impacts of one upon the other. All buildings and uses developed in this zoning district classification shall meet the following minimum standards; provided, however, buildings undergoing renovation and rehabilitation, in which the footprint of existing structures is not being increased or altered, may be exempted from regulations regarding street walls and urban open spaces if site conditions make compliance therewith impractical.

a) ~~Street walls.~~ The first floors of all buildings, including structured parking, shall be designed to encourage and complement pedestrian-scale interest and activity.

To the extent practicable, in consideration of the nature of the uses proposed, this is to be accomplished in part by the use of transparent windows and doors arranged so that the uses are visible from and/or accessible to the street on the first floor street frontage.

In addition, a combination of design elements shall be used on the building facade and/or in relationship to the building at street level to animate and enliven the streetscape. These design elements may include, but are not limited to, the following: ornamentation, molding, changes in material or color, architectural lighting, works of art, fountains and pools, street furniture, landscaping and garden areas, and display areas.

Any design elements which extend into the public right of way on city or state maintained streets require an encroachment agreement with the City of Hendersonville Department of Public Works or the NC Department of Transportation (NCDOT), as appropriate.

Where expanses of blank wall are necessary, they may not exceed 20 feet in length. A blank wall is a facade which does not add to the character of the streetscape and does not contain transparent windows or doors or sufficient ornamentation, decoration or articulation as listed in the above paragraph.

The first floor and street level shall be designed with attention to adjacent public or private open spaces and existing streetscape improvements. The provision of multiple entrances from the public sidewalk or open spaces is encouraged.

b) ~~Structured parking facilities.~~ In addition to the above requirements, in the event that any openings for ventilation, service, or emergency access are located at the first floor level in the building facade, then they shall be an integral part of the overall building design. These openings as well as pedestrian and vehicular entrances shall be designed to minimize visibility of parked cars. The remainder of the street level frontage shall be either commercial space or an architecturally articulated facade designed to minimize the visibility of parked cars.

All levels of a structured parking facility shall be designed and screened in such a way as to minimize visibility of parked cars. In no instance will rails or cabling alone be sufficient to meet this screening requirement.

The design requirements of paragraph (b) apply to all building facades which are visible from any public right-of-way.

c) ~~Screening.~~ All structures and facilities for trash, loading, outdoor equipment, and storage, including the storage of inventory, shall be screened so as not to be visible from the street and pedestrian circulation areas. Solar technology components including solar panels and solar thermal collectors used for on-site private

purposes are exempt from this provision provided that no other functional location exists for optimized performance that is not visible from the street and pedestrian circulation areas. This determination may be made either by the community development director or a designee.

Solid walls shall be faced with brick, stone or other decorative finish with the decorative side adjacent to the public right of way. Fences shall be opaque and either painted or stained with the decorative side adjacent to the public right of way. In no instance will a chain link or barbed wire fence be acceptable.

Trees used to fulfill this requirement shall be located on private property in planters, a planting strip, berm or tree lawn, any of which shall be at least eight feet wide and at least two feet deep. The trees shall be of a small maturing evergreen variety and be at least ten feet tall at the time of planting. All shrubs shall be between 24 inches and 36 inches tall at time of planting. All plant material shall conform to the American Standard for Nursery Stock published by the American Association of Nurserymen. Trees employed to meet the screening requirement may not be counted toward the street tree planting or urban open space tree requirements.

Any lot which becomes vacant through the removal of a structure for any reason shall be screened from all abutting public street rights of way in accordance with the provisions of this section or cleared of rubbish and debris and seeded with grass. However, if the lot is to be used for parking either as a transitional or permanent use, it shall meet all the minimum requirements for that use as established by this appendix.

Maintenance of screening required under these provisions shall conform to the requirements of article XV of this appendix, including the requirement to promptly replace dead vegetation with healthy, living plantings.

d) — **Street trees.** In addition to all other requirements of this section, at least one tree of three to three and one-half inches caliper minimum, measured six inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire building lot which abuts any public street right of way with a minimum of one tree required for any distance up to 35 feet. Trees shall not be planted closer than two feet, nor more than ten feet, from the back of the curb. Street trees shall not be required within the boundaries of the Downtown Municipal Services District.

For the purposes of this paragraph, all specifications for measurement and quality of trees shall be in accordance with the American Standard for Nursery Stock published by the American Association of Nurserymen. All trees planted to meet this requirement shall be well-matched specimen grade and shall be limbed up six feet. Trees used to fulfill this requirement may be located on public or private property. Maintenance of street trees required under these provisions shall conform to the requirements of section 15-5 of this appendix, including the requirement to promptly replace dead vegetation with healthy, living plantings.

e) — **Reflective surfaces.** No development subject to these provisions may have exterior walls with a reflectivity value in excess of 36 percent, as measured under the applicable provisions of ASTM-C-1036. No reflective surfaces may be used on street level exterior facades.

f) — **Urban open spaces.** Open spaces for public congregation and recreational opportunities are required for non-residential developments and shall be equipped or designed to allow pedestrian seating and to be easily observed from the street or pedestrian circulation areas. All urban open spaces shall comply with the minimum required design standards of this ordinance. In light of the requirement for urban open space, development in the C-1 Central Business Zoning District Classification is excused from complying with the requirements for common open space contained in section 6-16 of this appendix.

1) — **Urban open space size.** Buildings shall be provided with public open space behind the required setback and on private property on the basis of five square feet of urban open space per 100 square feet of gross floor area (5/100). A maximum of 30 percent of this required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all other requirements of these provisions.

2) — **Accessibility to the street.** Urban open space shall be designed so that it is accessible to and visible from the street.

- 3) ~~**Trees.** Within the open space area(s), one tree shall be planted for each 500 square feet. Trees shall have a minimum caliper of three to three and one-half inches measured six inches above ground at the time of planting.~~
- 4) ~~**Amenities.** The following amenities are permitted within an urban open space area: ornamental fountains, stairways, seating, waterfalls, sculptures, arbors, trellises, planted beds, drinking fountains, clock pedestals, public telephones, awnings, canopies, and similar structures.~~
- 5) ~~**Maintenance.** The building owner, lessee, management entity or authorized agent are jointly and severally responsible for the maintenance of the urban open space area including litter control and care and the replacement of trees and shrubs, as required by section 15-4.~~
- 6) ~~**Utilities.** All utilities service lines and connections shall be underground.~~
- g) ~~**Exceptions for single family and two-family residences.** Single family and two-family residential dwellings shall not be required to comply with the streetscape design regulations contained in subsection 5-6-4.3.~~

Sec. 5-7. - C-2 Secondary Business Zoning District Classification

5-7-3. Dimensional requirements.

Minimum lot area in square feet:	8,000 (6,000 for residential use).
Minimum lot width at building line in feet:	None except for structures containing dwelling units which shall have a minimum lot width at building line of 50 feet.
Minimum yard requirements in feet:	Front: 15
	Side: 5 (Side yards are not required, but when provided must be a minimum of five feet. Common wall construction is permitted in the C-2 Zoning District Classification. On all corner lots, a ten-foot side yard setback is required.)
	Rear: None except for structures containing dwelling units which shall have a minimum setback of ten feet. Otherwise, rear yards are not required unless the C-2 Zoning District Classification abuts an established residential district. In this case, the rear

	yard setback requirement shall be a minimum of ten feet.
Maximum height in feet:	48

Exceptions:

- a) [For properties located in the Downtown Design Overlay District, dimensional requirements dictated under Section 5-28 rule.](#)

Section 5-8. C-3 Highway Business

5-8-3. Dimensional requirements.

<i>For lots containing only residential uses</i>	
Minimum lot area in square feet:	6,000
Minimum lot width at building line in feet:	50
Minimum yard requirements in feet:	Front: 20
	Side: 8
	Rear: 10
Maximum height in feet:	35
<i>For lots containing other uses</i>	
Minimum lot area in square feet:	10,000
Lot area per dwelling unit in square feet:	N/A
Minimum lot width at building line in feet:	80
Minimum yard requirements in feet:	Front: 35 (Front yard requirements may be reduced to ten feet for an accessory canopy structure for a commercial building or use, provided the primary structure or use conforms to the established setback requirements.)
	Side: 15
	Rear: 20
Maximum height in feet:	48

Exceptions:

- a) [For properties located in the Downtown Design Overlay District, dimensional requirements dictated under Section 5-28 rule.](#)

Section 5-10.

5-10-3. Dimensional requirements.

Minimum lot area in square feet:	6,000
Minimum lot width at building line in feet:	45
Minimum yard requirements in feet:	Front: 8
	Side: 15 total for lot; may be allocated amongst all sides with a minimum of 5 on any side
	Rear: 10

Accessory structure minimum setbacks	Front: Shall be located to the side or rear of principal structure
	Side and rear: 5
Maximum height in feet:	50

Exceptions:

- a) For properties located in the Downtown Design Overlay District, dimensional requirements dictated under Section 5-28 rule.
- b) Subject to the zoning district's permitted uses, accessory dwelling units (ADU), single-family dwellings and two-family dwellings may be developed using alternative dimensional requirements. See article VIII, exceptions and modifications, section 8-4, reduced flag pole lots and small lots.

Sec. 5-19. - CMU Central Mixed Use Zoning District Classification.

5-19-1 - Permitted uses.

~~Parking lots & p~~ Parking garages

Residential dwellings, single family with exception for in Downtown Edge Character District of Downtown Design Overlay (Sec. 5-28) where residential uses on ground floors are prohibited except for townhomes, brownstones, and upper floor entry foyers.

Residential dwellings, multi-family, with exception for in Downtown Edge Character District of Downtown Design Overlay (Sec. 5-28) where residential uses on ground floors are prohibited except for townhomes, brownstones, and upper floor entry foyers.

Residential dwellings, two-family, with exception for in Downtown Edge Character District of Downtown Design Overlay (Sec. 5-28) where residential uses on ground floors are prohibited except for townhomes, brownstones, and upper floor entry foyers.

5-19-2 - Special uses.

Surface Parking Lots

5-19-3 - Development standards.

The following standards shall apply to development within the CMU Central Mixed Use Zoning District Classification in addition to all other applicable standards contained in this ordinance. For properties also located in the Downtown Design Overlay Zoning District, if a provision of the CMU Zoning District standards are inconsistent with the Downtown Design Overlay District Design Standards, standards and allowances dictated under Section 5-28 rule.

ARTICLE VI. - GENERAL PROVISIONS

Sec. 6-6. Off-street loading and unloading space.

Development and redevelopment projects in all districts except ~~the C-1 Central Business~~ within the Downtown Design Overlay District shall provide space as indicated herein for the loading and unloading of vehicles off the street or public alley. Such space shall have access to an alley or, if there is no alley, to a street. For the purposes of this section, an off-street loading space shall have a minimum dimension adequate to accommodate the largest vehicles expected to be served and, in any event, no less than 12 feet by 40 feet and an overhead clearance of 14 feet in height above the alley or street grade.

Sec. 6-20. Small Wireless Facility Design Standards *(housed in Separate Ordinance (26-47-ZTA))*

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ARTICLE XIII. - SIGN REGULATION, MAINTENANCE, AND ENFORCEMENT

13-1-8 ~~Supplementary standards for signs in Downtown Special Tax District.~~ Standards for signs in Downtown Design Overlay Signage

- a) Signage for properties located within the Downtown Design Overlay, as established under Section 5-28, is subject to the following standards.
- b) Signs shall be integrated into the building architecture and contribute to streetscape character.
- c) Prohibited signs include:
 - 1) Flashing or digital message signs
 - 2) Freestanding signs where buildings are present
 - 3) Internally illuminated box signs
 - 4) Roof-mounted signs
 - 5) Businesses shall not paint over awning signs;
- d) Permitted signs include:
 - 1) Wall-mounted Projecting Signs
 - a) Shall be hung perpendicular to the building wall
 - b) Shall be scaled for pedestrians
 - c) Shall be hung below the second floor providing no less than 8' of clearance from sidewalk.
 - 2) Hanging Signs
 - a) Shall be hung parallel to the building façade
 - b) Shall be hung from a second-floor arcade or balcony or within a first-floor entry alcove.
 - 3) Window signs
 - 4) Awning or canopy signs
 - a) Existing awnings must be replaced or professionally redone so there is no remnant of old signs on the fabric awning.
 - 5) Painted wall signs
 - a) Shall be compatible with architectural style
 - b) Shall not be painted on architectural features such as windows, doors, or cornices;
- e) Landmark signs that contribute to the historical or cultural character of the area or the community, shall be preserved. Landmark signs are subject to City Council approval.

1) Landmark signs may include historic painted wall signs on a building façade; even if that business or product is no longer on site, the sign adds character to the area, and should be considered a landmark sign.

f) Sign Lighting

1) Externally illuminated signs

a) Shall be downward directed and shielded

b) White or colored halo lighting, with opaque letters/symbols are displayed in front of a background which reflects a hidden light source, is permitted.

c) Lighting shall be less than or equal to 3000 kelvin

g) Sidewalk signs

1) Permitted during business hours.

2) Sidewalk signs shall be placed in accordance with City Code Sec. 46-81 and shall not block the pedestrian zone

The following supplementary standards apply to signs in the Downtown Special Tax District.

~~a) — Only one projecting sign per business is allowed.~~

~~b) — The maximum projection of a sign over the sidewalk shall be no greater than seven feet, but shall not project nearer than 18 inches to the front or side curb line and shall be at least ten feet above the level of any walkway it may overhang.~~

~~c) — Should lighting be provided, signs shall be lit in such a way as to prevent direct lighting from shining onto streets or adjacent properties. Lighting shall not interfere with the possible residential use of upper floors. No flashing, rotating or intermittent illumination shall be permitted.~~

~~d) — No permit for a sign shall be issued until it has been reviewed by the, community development director or a designee following the guidelines set forth in the section 13-1-9, below. In order to review the design, the applicant shall submit a drawing of the sign indicating materials, color, message and dimensions; a drawing or photograph of the building facade and proposed sign location on the building, and a drawing or photograph of the site and adjoining properties' existing graphics. The community development director or a designee shall have ten days to review the sign; if it has not been reviewed within this time, then it shall be considered to have been reviewed.~~

13-1-9 ~~Design guidelines for signs in Downtown Special Tax District.~~ RESERVED

~~The following design guidelines shall guide decisions of the community development director, or a designee appointed by the community development director, regarding applications for signs in the Downtown Special Tax District.~~

- ~~a) — Signs should be regarded as an integral and complimentary element of the overall architectural and streetscape composition and should be integrated with the buildings and landscape design.~~
- ~~b) — Signs should not obscure distinctive architectural features, such as cornices and windows.~~
- ~~c) — Signs should be placed so they fit into the originally designated areas on the building, such as above the first floor lintel, or on the transom, or on the wall space above the storefront.~~
- ~~d) — Signs projecting out from the building should be hung just above the lintel.~~
- ~~e) — Signs should not be so large that they overwhelm the building.~~
- ~~f) — Signs on a single building should provide a coherent and harmonious appearance.~~
- ~~g) — Signs are encouraged to be at a consistent height along the street, so they respect the existing "sign line" established by signs on adjacent stores.~~
- ~~h) — Signs are encouraged to coordinate with neighboring store fronts, so that the sign relates well to its own storefront as well as to other signs and storefronts along the block.~~
- ~~i) — The community development director or a designee shall judge signs according to style, color, location, ornamentation, materials, and the architecture of the building on which it is to be placed. In order to review the design, the applicant shall submit a drawing or photograph of the site and adjoining properties' existing graphics.~~

ARTICLE XV. - BUFFERING, SCREENING AND LANDSCAPING**Sec. 15-9. Landscaping for vehicular use areas.**

- b) Planting strips. When a vehicular use area lot is located within 100 feet of an abutting property, including trails/greenways, and no bufferyard is required, a planting strip which is a minimum of five feet wide shall be planted between the

vehicular use area and the abutting property, except along approved driveway openings which run perpendicular to the planting strip. One large evergreen or deciduous tree and five evergreen or deciduous shrubs shall be planted for every 40 linear feet of property line that parallels the vehicular use area. Fifty percent of these trees and shrubs may be counted toward the parking lot trees and shrubs required in paragraph a), above, if the planting strip is located within 20 feet of the vehicular use area. Adjacent businesses on separate lots which share parking or driveways shall be exempt from this requirement provided that the required planting strip would interfere with the reasonable use of the shared parking or driveway. Vehicular use areas located behind buildings and screened from view from public rights-of-way shall be exempt from this requirement.

- c) **Buffering from street and/or trail/greenway.** Vehicular use areas greater than 4,000 square feet any portion of which is located within 50 feet of the right-of-way of a street or trail/greenway must be buffered from the street. The buffer shall be at least three feet high at maturity and can consist of plant material alone, or berms, fences, walls, or grade changed combined with plant material. A vegetative buffer shall consist of at least one evergreen or deciduous shrub planted for every five linear feet of buffer required. If a fence or wall is used, it must be constructed of wood, brick, stone or other masonry and be architecturally compatible with the proposed structure. Seventy-five percent of the fence or wall must be opaque with any spaces evenly distributed. The finished side of the fence or wall shall face the street. At least one shrub shall be planted on the street side for each eight linear feet of fence or wall. Berms and grade changes must be completely covered with vegetation. All shrubs planted can count toward the parking lot landscaping requirements.

ARTICLE XVI. - SUPPLEMENTARY STANDARDS FOR CERTAIN USES

Sec. 16-4. - Standards.

- **16-4-31 - Residential dwellings, small-scale multi-family.**

- a) Shall only be permitted within residential zoning districts for properties located within the Downtown Design Overlay Zoning District (Sec. 5-28) and directly abutting a trail/greenway right-of-way.

- 16-4-32 - Bicycle Retail and/or Service Shops

- a) Shall only be permitted within residential zoning districts when located within the Downtown Design Overlay Zoning District (Sec. 5-28) and directly abutting a trail/greenway right-of-way.
 - b) Shall not exceed 2,000 Square Feet in Gross Floor Area
- 16-4-33 - Personal or Professional Office
 - a) Shall only be permitted within residential zoning districts when located within the Downtown Design Overlay Zoning District (Sec. 5-28) and directly abutting a trail/greenway right-of-way.
 - b) Shall be located within a former residential structure
 - c) The essential residential character of the structure shall be maintained.
 - d) Shall not exceed 1,200 Square Feet in Gross Floor Area
- 16-4-34 – Surface Parking Lots (Trailhead Parking)
 - a) Standalone surface parking lots are only permissible within the Lower Trailhead & 7th Ave Character Areas of the Downtown Design Overlay Zoning District (Sec. 5-28).
 - b) Shall be developed in accordance with Sec. 5-28-6.2.3 d) & Article XV
- 16-4-35 - Specialty services such as bicycle rental, shuttle services, guided tours
 - a) Shall only be permitted within residential zoning districts when located within the Downtown Design Overlay Zoning District (Sec. 5-28) and directly abutting a trail/greenway right-of-way.
 - b) Shall not exceed 1,200 Square Feet in Gross Floor Area.

Proposed Fee Schedule Updates:

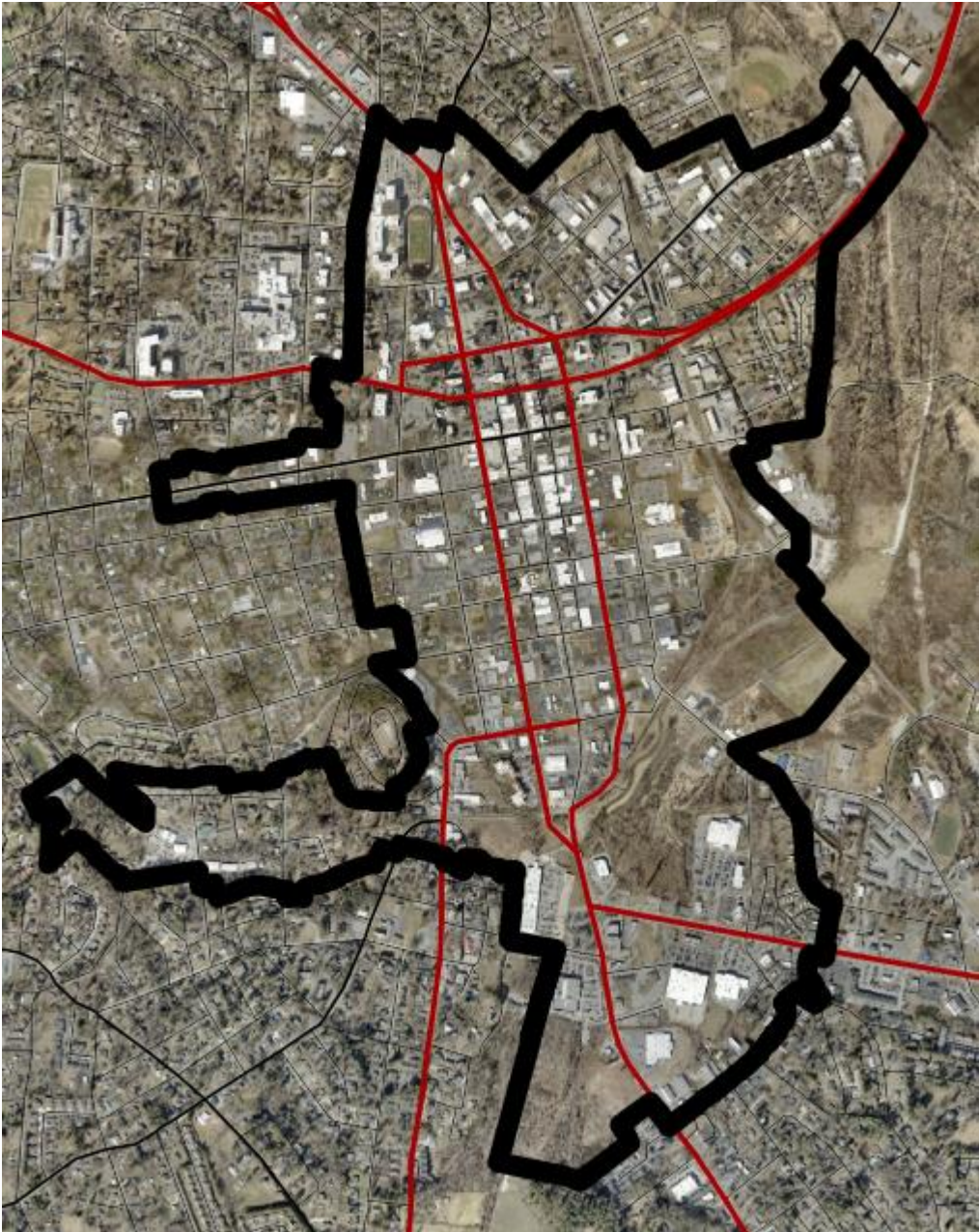
The Fee-in-Lieu of Sidewalks rate shall be updated to be based per square foot rather than per linear foot in order to allow for it to be applied to varying sidewalk widths. The current linear foot rate assumes a 5' sidewalk. By way of example, the current fee is \$130/LF. The new fee would be \$26/SF.

A Fee-in-Lieu of Greenways rate should be established for the Downtown Design Overlay. The Subdivision Ordinance requires an engineered estimate based on actual cost to build a proposed greenway within the boundaries of a proposed subdivision when the subdivision is located adjacent to a proposed greenway. For the purposes of the DDO, a set rate of \$26/SF would be a more effective approach.

For the City Council Ordinance:

The Official Zoning Map of the City of Hendersonville is hereby amended to create a Downtown Design Overlay for all properties located within the boundaries depicted in the map below as modified from the Downtown Master Plan in the Gen H Comprehensive Plan adopted August 1, 2024.

Furthermore, within the Downtown Design Overlay District there are various standards for properties based on their location in corresponding maps which depict Streetscape Character Types, Character Districts, and Building Height Districts. These mapped features are maintained by the City of Hendersonville GIS Department in the interactive “Downtown Design Overlay” web-based map.



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