

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, SECTION 5-24. ‘URBAN VILLAGE CONDITIONAL ZONING DISTRICT CLASSIFICATION (UV)’ AND SECTION 5-25. ‘URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT CLASSIFICATION (UR)’, AND CITY OF HENDERSONVILLE SUBDIVISION ORDINANCE, SECTION 1.07 - ‘RELATIONSHIP TO OTHER LAWS AND POLICIES’**

**WHEREAS**, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on September 12, 2024; voting **0-0** 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 October 3, 2024, 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**, City Council has conducted a public hearing as required by the North Carolina General Statutes on October 3, 2024,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-24. ‘Urban Village Conditional Zoning District Classification (UV)’ and Section 5-25. ‘Urban Residential Conditional Zoning District Classification (UR)’, and City of Hendersonville Subdivision Ordinance, Section 1.07 - ‘Relationship To Other Laws and Policies’.

**ZONING ORDINANCE**

**Sec. 5-24. - UV Urban Village Conditional Zoning District Classification**

**5-24-1 Procedure.**

The reclassification of property to UVCZD Urban Village Conditional Zoning District shall constitute an amendment of the zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. UVCZD Urban Village Conditional Zoning Districts shall be created only in locales designated in the Comprehensive Plan as Multi-Generational Living, Neighborhood Center, Mixed Use-Commercial, Mixed Use-Employment, and Downtown and may be considered in Focused Intensity Nodes regardless of Character Area Designation. ~~Medium-Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, and Business Center.~~ Notwithstanding the foregoing, an Urban Village District may be located on a lot(s) all or part of which fall within locales designated as Multi-Generational Living ~~Medium-Intensity Neighborhood~~ in the comprehensive plan only if any part of the boundary of the Urban Village Conditional Zoning District is located no more ~~100~~ 350 feet from the boundary of a zoning district having a non-residential zoning designation.

## **Sec. 5-25. - UR Urban Residential Conditional Zoning District Classification.**

### **5-25-2 Procedure.**

The reclassification of property to Urban Residential Conditional Zoning District shall constitute an amendment of the zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. Urban Residential Conditional Zoning Districts shall be created only in locales designated in the comprehensive plan as Multi-Generational Living, Neighborhood Center, Mixed Use-Commercial, Mixed Use-Employment, and Downtown and may be considered in Focused Intensity Nodes regardless of Character Area Designation. ~~Medium Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, and Business Center.~~ Notwithstanding the foregoing, an Urban Residential Conditional Zoning District may be located on a lot(s) all or part of which fall within locales designated as Multi-Generational Living ~~Medium Intensity Neighborhood~~ in the comprehensive plan only if any part of the boundary of the Urban Residential Conditional Zoning District is located no more than ~~100~~ 350 feet from the boundary of a zoning district having a non-residential zoning designation.

### **5-25-3 Permitted uses.**

The following uses are permitted within the UR Urban Residential Zoning District Classification.

Residential dwellings, multi-family

Residential dwellings, single-family subject to the stipulations provided in Section 5-25-6, below

Residential dwellings, two-family

### **5-25-6 Limitations to Single-Family Detached Dwellings**

Single-Family detached dwellings shall comprise no more than 50% of the total units of any development. The remaining balance of residential units may be any combination of single-family attached, two-family and multi-family residential dwellings.

## **SUBDIVISION ORDINANCE**

### **Sec. 1.07. Relationship to other laws and policies.**

- A. **Adopted policy guidance.** The administration, enforcement, and amendment of this ordinance shall be accomplished in accordance with the city's most-recently adopted policy guidance. The city's adopted policy guidance includes, but is not limited to:
1. The ~~2030~~ Comprehensive Plan;
  2. The Parks and Greenspace Plan;
  3. The Pedestrian Plan;
  4. The Bicycle Plan; and
  5. Any other applicable city-adopted policy language

Attest:

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Barbara G. Volk, Mayor, City of Hendersonville

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Jill Murray, City Clerk

Approved as to form:

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Angela S. Beeker, City Attorney