

ZONING TEXT AMENDMENT: SMALL-SCALE MULTI-FAMILY TO R-6 ZONING
DISTRICT (26-44-ZTA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY



- Project Name & Case #:
 - Small-Scale Multi-Family to R-6
 - 26-44-ZTA
- Applicant:
 - Nicolle Robello, The Tamara Peacock Company
- Articles Amended:
 - Zoning Ordinance
 - Article IV
 - Article V
- Zoning Districts Impacted:
 - R-6
- Future Land Use Designations:
 - Multi-Generational Living
 - Family Neighborhood Living

Summary

The Tamara Peacock Company (architects) have petitioned the City of Hendersonville to amend the City's Zoning Ordinance to add 'Small-Scale Multi-Family Residential' as a permitted use in the R-6, High Density Residential Zoning District. 'Small-scale multi-family residential' allows up to 8 units on any parcel and includes a series of architectural and site design standards that must be adhered to, though structures with 4 dwellings or less are exempt from architectural design standards per state statute.

City staff developed the "small-scale multi-family" land use as the City's first "missing middle" housing strategy. It became permissible in the MIC Zoning District in 2023. The use was also recently extended by being made permissible in the C-4, Zoning District. No developments have utilized the provisions to date. The proposal to further expand this use to R-6 would add 'small-scale multi-family' to an additional 4% of the land area of the City's Zoning Jurisdiction. R-6 Zoning is located entirely within city limits and is close to the center of the City. In its proximity to downtown, R-6 is similarly located to the MIC Zoning District, which makes up 1.1% of the City's land area, and the C-4 Zoning District, which makes up just 0.3% of the land area.

The proposal come on the heels of recent housing-related zoning code reforms which overhauled all residential districts to permit more infill development. These reforms specifically maintained an allowance of 8.5 units/acre in Minor Planned Residential Developments in R-6, but allowed units <1,200 Sq Ft GFA to count as 0.5 units – thus doubling allowable densities.

AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS

The City of Hendersonville has been petitioned with an application requesting to amend the City's Zoning Ordinance to allow "Small-Scale Multi-Family" residential uses in the R-6, High Density Zoning District. In 2023, City Staff developed a new use for the zoning ordinance called "Small-Scale Multi-Family". This city-initiated ZTA was the City's very first housing-focused text amendment in response to the covid-era housing crisis. This residential district allows for up to 8 units on any lot. Rather than be density based, the district uses height and setback limitations and landscaping and site design standards to limit the scale of development. The use was initially applied to the MIC district and was more recently expanded to the C-4 zoning district. There have been no Small-Scale Multi-Family developments to date.

Development allowances currently permitted in R-6 under Minor PRD were part of a series of sweeping housing-related zoning reforms that were adopted in the Spring of 2025. These reforms relaxed a range of density and dimensional standards in order to increase housing stock. These reforms simultaneously stiffened site design and transportation standards in order to ensure quality development outcomes. Revisions specifically overhauling the Planned Residential Development Conditional Zoning District (PRD), and Minor PRD as a result, were designed to tailor the district to new mixed housing type neighborhoods and infill developments in existing neighborhoods by allowing duplexes, triplexes and quadplexes in addition to single-family detached homes and townhomes. These changes were further complimented by the new 0.5 unit provision for units under 1,200 Sq Ft – allowing density calculations to double for smaller sized units. These change were designed to create naturally-affordable housing options by removing disincentivizes that restricted the construction of smaller sized units.

Major differences between Minor PRD and Small-Scale Multi-Family include Minor PRD being a density based development option that allows 8.5 / 17 units per acre in R-6. While small-scale multi-family is not density based, but rather allows up to 8 units on any parcel within the constraints of max height, setbacks, parking, landscaping, etc. Another major difference between these two approaches is that the Minor PRD standards require 40% Open Space while small-scale multi-family has no open space requirement.

R-6 zoning districts are located entirely in the City Limits (unlike other residential zoning districts which extend to the ETJ) and they are located in close proximity to downtown. R-6 districts are located in areas that are comparable to MIC (1.1 acres) and C-4 (0.3 acres), which combine to make up 1.4 % of the City's land area - compared to R-6 which makes up approximately 4% of the land area.

LEGISLATIVE COMMITTEE + PLANNING BOARD RECOMMENDATION

The proposed amendment was reviewed by the Legislative Committee at their meeting July 28th. The Legislative Committee provided feedback to Planning Staff with suggestions for considering 'Small-Scale Multi-Family' as a *Special Use* rather than a *Permitted Use* and questioned whether or not there should be some Open Space requirements for SSMF.

PROPOSED TEXT REVISIONS

The following revisions to the zoning code are presented for your consideration. Items underlined in green text are new additions to the ordinance. The Supplementary Standard for Small-Scale Multi-Family are included for reference as are the standards for a Minor PRD in comparison.

ZONING ORDINANCE

ARTICLE IV - ESTABLISHMENT OF DISTRICTS

Sec. 4-5. Classification of uses

USE	R-40	R-20	R-15	R-10	R-6	PRDCZD	PMHCZD	RCT	MIC	C-1	C-2	C-3	C-4	CMU	PCDCZD	I-1	PMDZD	PIDCZD	GHMU	HMU	UVCZD	URCZD	CHMU
Residential dwellings, small-scale multi-family	-	-	-	-	<u>P</u>	-	-	-	P	-	-	-	P	-	-	-	-	-	-	-	-	-	-

ARTICLE V - ZONING DISTRICT CLASSIFICATIONS

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

This zoning district classification is intended for areas in which the principal use of land is to permit high-density residential development.

5-5-1. Permitted uses. The following uses are permitted by right in the R-6 High Density Residential Classification, provided that they meet all requirements of this section and all other requirements established in this appendix:

Accessory dwelling units subject to supplementary standards contained in section 16-4, below
Accessory structures

Adult care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

Camps

Child care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

Home occupations

Neighborhood community centers

Parks

Planned residential developments (minor), subject to the requirements of article VII, below

Religious institutions containing no more than 50,000 square feet of gross floor area

Residential dwellings, single-family

Residential dwellings, two-family

Residential dwellings, small-scale multi-family subject to supplementary standards contained in section 16-4, below

Signs, subject to the provisions of article XIII

Telecommunications antennas, subject to supplementary standards contained in section 16-4, below

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:

Bed and breakfast facilities

Public utility facilities

Residential care facilities

Schools, primary and secondary, containing no more than 50,000 square feet of gross floor area

5-5-3. Dimensional requirements.

Minimum lot area in square feet:	6,000
Minimum lot width at building line in feet:	45
Minimum yard requirements in feet:	
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

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.

ARTICLE XVI. SUPPLEMENTARY STANDARDS

16-4-27 Residential dwellings, small-scale multi-family.

a) For the purposes of these standards, small-scale multi-family shall include all developments not subject to the N.C. Residential Code for One- and Two-Family Dwellings including triplexes, quadplexes, and other small apartment buildings. Any of the architectural design standards below may be implemented voluntarily for single-family attached (townhomes) and multiple detached units on a single parcel (detached multi-family) constructed subject to N.C. Residential Code for One- and Two-Family Dwellings.

b) Maximum height for any structure shall be 42 feet.

c) Maximum footprint for any principal structure shall be 4,000 square feet.

d) All street-facing sides of a corner lot are considered fronts.

e) Building placement.

- Buildings shall be situated as close to the minimum front setback as practicable.
- Buildings shall be situated to provide off-street parking to the rear and/or side of the building(s).
- Buildings shall be situated to protect and accentuate important mountain vistas and views of significant historic sites.
- Buildings shall be situated to provide well-defined, street-facing entrance(s) with a connecting walkway with a direct, safe, pedestrian connection to the street.

i. For buildings on corner lots, an entrance may be placed at the corner, thereby eliminating the need for side entrances.

Buildings shall offset front-loading garages and carports, if provided, behind the front façade by a minimum of ten feet.

i. Front-loading garages and carports shall be visually designed to form a secondary building volume.

ii. The width of an attached garage shall not exceed 50 percent of the total building façade.

Canopies, awnings, cornices, balconies, front-facing covered porches and stoops and similar architectural accents are permitted to extend from the building up to five feet into a required minimum setback and/or required common open space.

f) Architectural design standards.

The following standards apply to all façades (front, rear and side) of buildings:

i. No wall shall exceed 16 feet in length without an offset. A building façade which is less than 16 feet in length shall not require an offset.

ii. Offsets shall have a minimum depth or projection of one and one-half feet.

iii. Each façade shall use fenestration and do so in a manner which is proportional to the overall scale of the building.

iv. All building façades shall contain at least two building materials which shall contrast in color and texture.

v. When multiple wall materials are combined on one façade, the designer is encouraged to place the heavier material(s) below.

vi. Building materials shall be used consistently on the exterior of the building. The following building materials are prohibited for exterior façade application:

Plain concrete block (with or without paint);

Reflective glass;

More than 50 percent glass on any façade;

Vinyl siding; and

Any other materials not customarily used in conventional construction.

vii. Exposed foundations shall consist of stone, stucco, brick or decorative block. If crawlspaces of porches are enclosed, they shall be enclosed with similar materials or lattice or any combination thereof.

viii. Windows. Windows shall either be (1) recessed a minimum of three inches from the façade, or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.

2) The following standards apply to all street-facing façades (fronts) of buildings:

i. Detailed design shall be provided by using at least two of the following architectural features on all elevations.

Dormers.

Gables.

Recessed entries.

Cupolas or towers.

Pillars, columns or posts.

Corbels.

Bay windows.

Balconies.

Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation).

Parapets/Decorative cornices and roof lines (required for buildings with flat roofs).

Wood siding with two and one-half inch to four and one-half inch reveal.

3) Pitched roofs on residential buildings shall have a pitch between 5:12 and 12:12. Eaves (with a minimum 12-inch projection) shall be provided with a pitched roof.

4) Useable porches and/or stoops, at least eight feet in width and six feet in depth, shall be located on the front and/or side of the home. Porches and stoops may encroach into front setback up to five feet.

5) Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure and with similar roof pitch.

6) Walls and fences located in the front yard shall be no more than four feet above grade. The use of chain link fencing is prohibited in front yards. For corner lots, both street-facing sides shall be considered fronts. Rear yard and side yard fences are not subject to these standards.

g) On-street parking. On-street parking is encouraged for all local streets and thoroughfares.

1) On-street parking abutting the development parcel shall count toward meeting the off-street parking requirements for the district.

2) On-street parking may take the form of parallel or angle parking and shall be built according to city or state standards as applicable in order to count towards minimum parking requirements.

h) Off-street parking.

1) All off-street parking lots shall be provided at the side or rear of buildings or the interior of a block of buildings and not closer to the street than the edge profile of the structures.

2) Off-street parking shall not be adjacent to street intersections.

EXAMPLES OF MISSING MIDDLE HOUSING DEVELOPMENT



Figure 4.11 Density Intensity vs. Conservation Diagram

GEN H COMPREHENSIVE PLAN -DESIREABLE & AFFORDABLE HOUSING (p.110-111)

OPPORTUNITY: Missing Middle Housing

Dynamic neighborhoods are those that offer a high quality of life, diverse and affordable housing options, and easy access to amenities such as parks, schools, shopping, entertainment, and employment opportunities. In many communities throughout the country, local initiatives are focused on creating or supporting “missing middle” housing options for residents.

“Missing middle” housing refers to small- to medium-sized homes that are available at various price points and are compatible in scale and character with the surrounding neighborhood. These homes can be built as part of infill development projects or used to transition between land uses and densities in a new activity center. Examples of missing middle housing include duplexes, triplexes, quadplexes, courtyard apartments, live-work units, cottage courtyards, townhomes, and small-scale apartments.

Having more missing middle housing in Hendersonville would provide more diverse housing options for both renters and owners and help to foster socioeconomic diversity in the community. It would be a welcome change compared to the large-scale, standalone garden apartment complexes that have been built in Hendersonville over the last decade.

In order to accommodate unique conditions or circumstances in different neighborhoods, exceptions or alternative design treatments and standards for infill development opportunities in existing neighborhoods may be necessary in the future.

To promote missing middle housing in existing neighborhoods, some general considerations include ensuring that new home building architecture is compatible with existing adjacent homes, addressing potential flooding issues, and providing adequate parking provisions.



Townhome examples with varying architecture styles | AARP

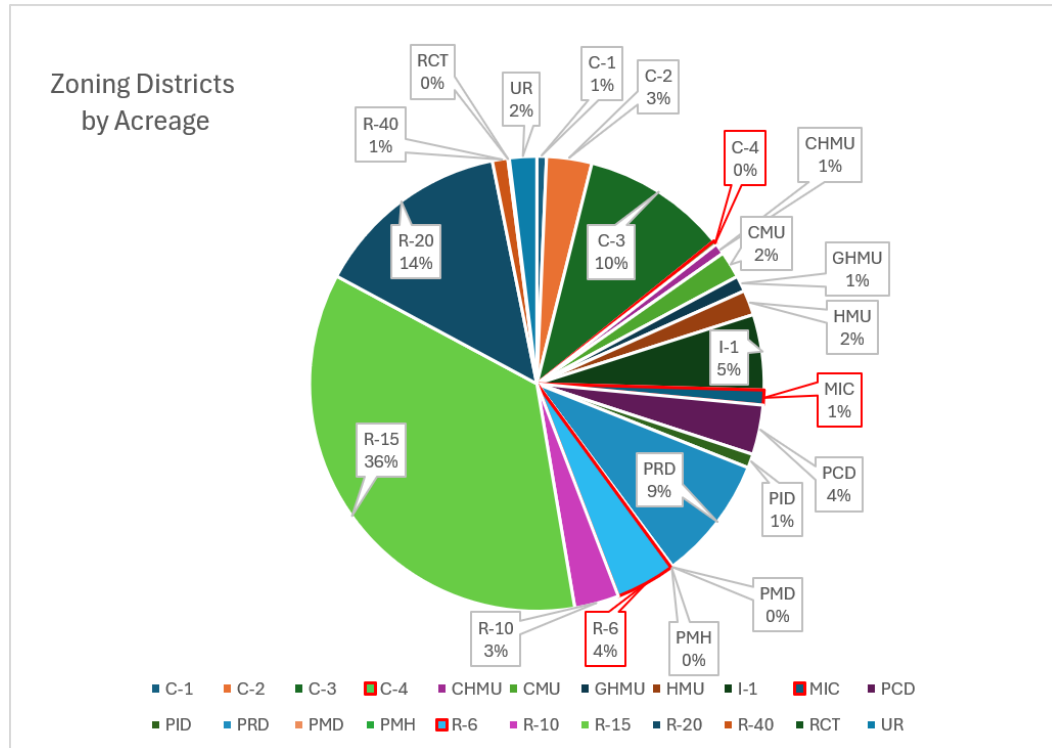


Kirkland Danielson Grove cottage court | Cottage Company and Missing Middle Housing



Live/work units | Missing Middle Housing

ZONING DISTRICTS BY ACREAGE



GEN H COMPREHENSIVE PLAN -CHARACTER AREA PERCENTAGES

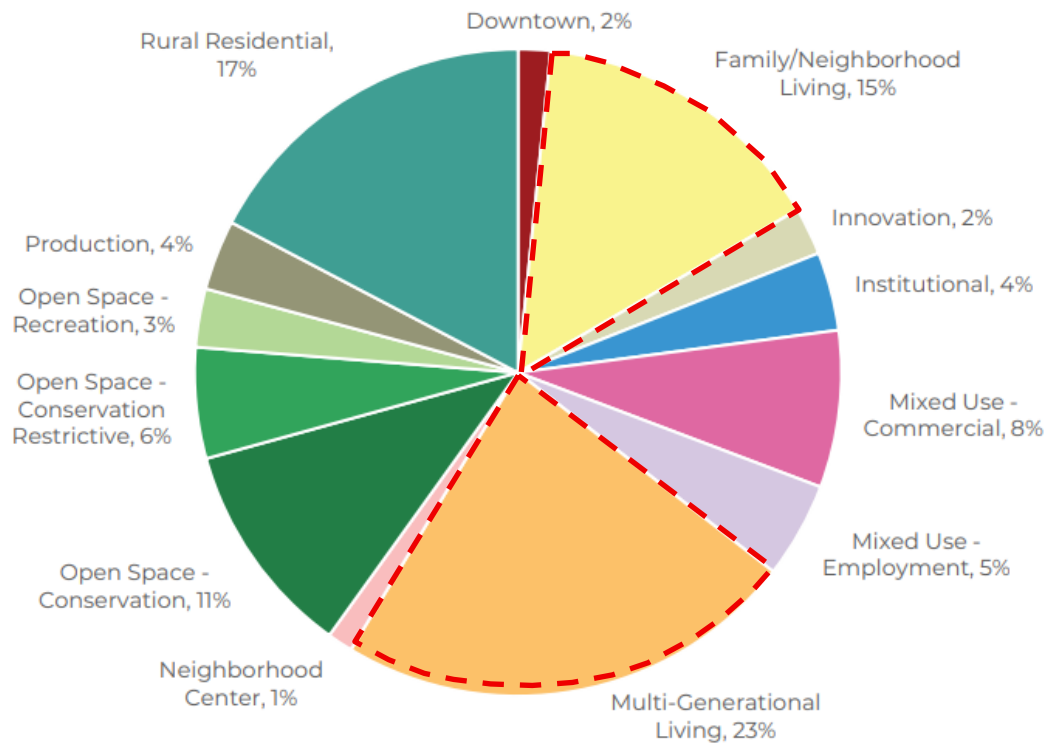
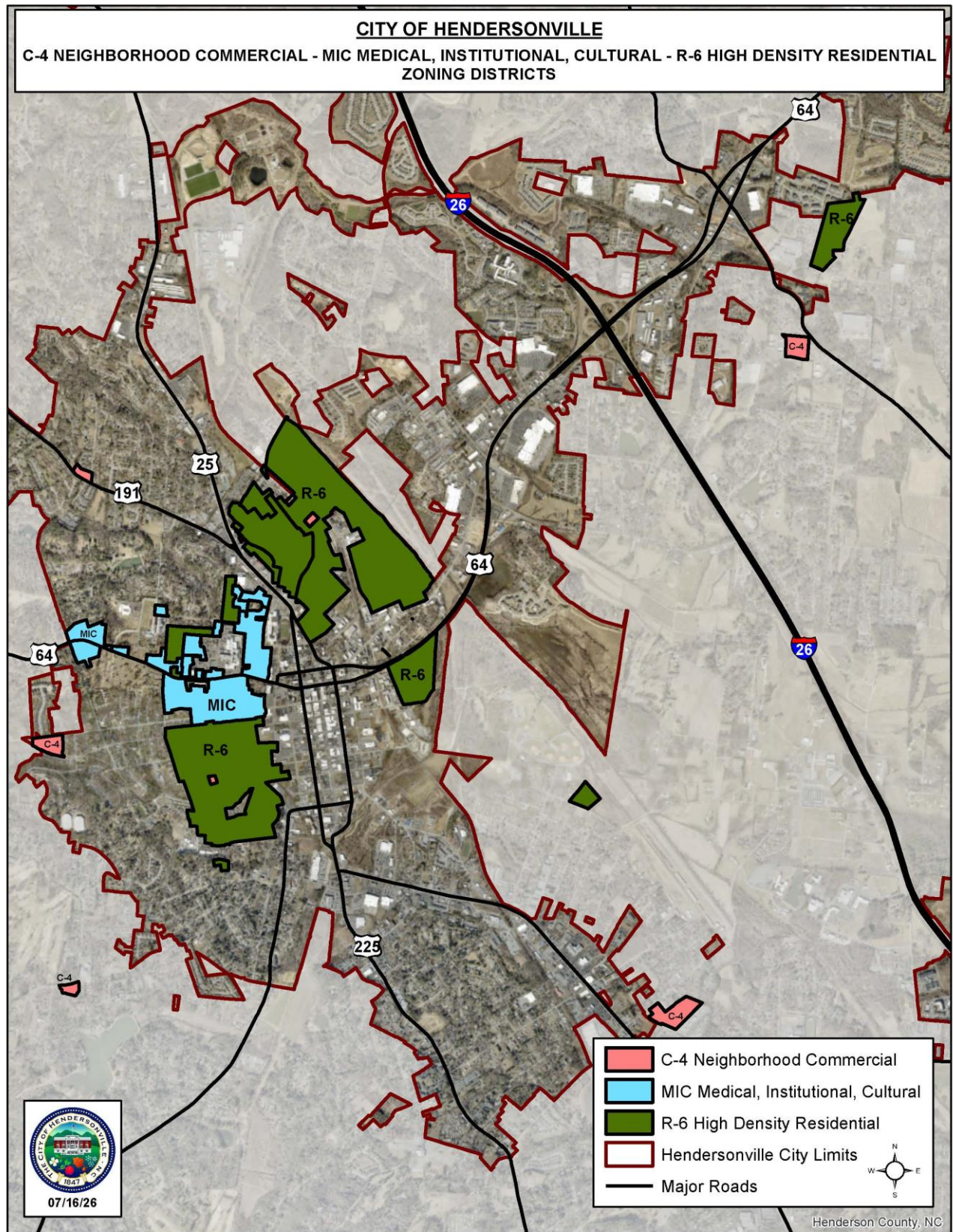


Figure 4.13.1 - Character Area percentages (rounded to whole percent) for study area. ROW is not included acreage percentages.

LOCATION MAP OF R-6, MIC, & C-4 ZONING DISTRICTS



GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<u>LAND SUPPLY, SUITABILITY & INTENSITY</u> Supply: The Land Supply Map shows some but not an abundance of opportunities for development/redevelopment of “Undeveloped” & “Underdeveloped” land in the City’s R-6 zoning districts. Suitability: Land Suitability Maps show that a majority of R-6 land include in the land supply is ‘moderately suitable’ to ‘most suitable’ for Residential development. Intensity: The proposal aligns with the development pattern of Option 2 in Figure 4.9 – Alternative Growth Map
	<u>FUTURE LAND USE & CONSERVATION MAP</u> Character Area Designations: Family Neighborhood Living & Multi-Generational Living Character Area Descriptions: MGL = Consistent FNL = Inconsistent (Regarding FNL: The character description of FNL does not accommodate multi-family residential. While the majority of R-6 districts are designated as Multi-Generational Living (which does accommodate small-scale multi-family infill housing, the specific R-6 neighborhoods of Hyman Heights and Green Meadows are designated as “Family Neighborhood Living” in the Future Land Use map. These designation were made as a means of highlighting the desire to preserve the existing character of those neighborhoods and to combat gentrification. Of note is that Hyman Heights is a as a locally-designated historic district and therefore better protected from the impacts of new development. Zoning Crosswalk: Consistent Focus Area Map: N/A
I) COMPATIBILITY	<i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i>
	<i>In addition to a general analysis, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating the zoning text amendment’s compatibility. The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan. Those items that are directly addressed have been starred*.</i> <u>EXISTING CONDITIONS</u> The City’s Strategic Housing Plan has a Supply Goal as follows: Goal I To promote affordable household Housing & Transportation expenses, the City will grow its percentage of households to 18% of Henderson County’s Total Households over the next 5 years. To achieve this, the City will accommodate <u>3,047 units</u> of the projected additional 4,300 Units needed. [the total units needed from 2020-2030 is <u>7,086 units</u>] The City currently has 1,184 units completed, 1,744 under construction, and 3,688 more units entitled (-173 inactive units). This leaves a

	<u>remaining housing gap of 3,726 units needed.</u>
	GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy & Accessible Natural Env.: Somewhat Inconsistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: N/A Accessible & Available Community Uses and Services: N/A Resilient Community: Consistent
	GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) Mix of Uses: N/A Compact Development: Consistent Sense of Place: Consistent Conserved & Integrated Open Spaces: Inconsistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Consistent
2) Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	In the last 18 months, the City adopted significant housing-related zoning reforms. Specifically, setbacks for R-6 were reduced and R-6 allows 8.5 units/acre under the standards of a Minor PRD. While this density is unchanged from previous standards, the most significant change is the allowance that units <1,200 Sq Ft GFA count as 0.5 units in a density calculation – thus doubling the density for smaller sized residential dwellings.
3) 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 -
	By allowing up to 8 units and requiring design standards, the proposed amendment would allow for a compatible infill development with a mix of housing types and increased “gentle density” of market-rate naturally-occurring affordable housing.
4) 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 allow for greater utilization of existing infrastructure.

5) 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 -
	There is no immediate development proposed. However, there is the potential for some loss of trees where new units are placed on existing undeveloped land.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

1. Comprehensive Plan Consistency - Staff finds the proposed text amendment to be split in its consistency with the Gen H Comprehensive Plan. While the majority of R-6 districts are designated as MGL – which is consistent with the addition of Small-Scale Multi-Family - Hyman Heights and Green Meadows, are R-6 neighborhoods designated as ‘Family Neighborhood Living’ - which is inconsistent with the proposal. Hyman Heights is protected as a local historic district.
2. Compatibility – The proposal allows for “gentle density” and the integration of small-scale multi-family housing with design standards that encourage compatibility with neighboring traditional single-family homes.
3. Changed Conditions - The text amendment is a response to the need for additional “attainable housing” in the city.
4. Public Interest – Increased housing stock and expanded utilization of existing land provides benefits to those in need of housing.
5. Public Facilities - Allows for greater utilization of existing infrastructure
6. Effect on Natural Environment – Potential for some mature tree loss on existing lots.

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 2045 Comprehensive Plan Goals & 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 creates an opportunity to address the need for additional missing middle housing.*
- *The proposed amendment establishes standards to encourage walkable neighborhoods.*
- *The proposed amendment would allow development that complements the architecture of existing traditional single-family homes.*

DRAFT [Rational for Denial]

- *The proposed amendment is incompatible with existing residential districts*
- *The proposed amendment will create traffic congestion*
- *The proposed amendment will result in substantial loss of privacy*