

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 WIRELESS FACILITIES

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on August 13th, 2026; voting 6-0 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 September 3rd, 2026, and

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

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

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

WHEREAS, state & federal laws provide that small wireless facility 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, and

WHEREAS, these standards are intended to be: 1) technologically neutral; 2) non-discriminatory; and 3) consistent with applicable federal and state law, and

WHEREAS, these standards are intended 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, 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 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 Wireless Facilities

ZONING ORDINANCE

ARTICLE IV – 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	PMDCZD	PIDCZD	GHMU	HMU	UVCZD	URCZD	CHMU
Small Wireless Facilities	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS

ARTICLE V – ZONING DISTRICT CLASSIFICATIONS

[Each Zoning District will include the following Permitted Use]:

[Small Wireless Facility](#), subject to the supplementary standards contained in Section 16-4, below.

ARTICLE XVI – SUPPLEMENTARY STANDARDS

Section 16-4-34 - Telecommunications towers and antennas.

Special application requirements, procedures, and permitting standards, as set forth herein, apply to telecommunication towers and antennas. [The following standards do not apply to Small Wireless Facilities \(see Section 16-4-35\).](#)

16-4-35 - Small Wireless Facility

16-4-35-1. Applicability

[a\) Special application requirements, procedures, and permitting standards, as set forth herein, apply to all small wireless facilities and associated support structures, including but not limited to:](#)

- [1. New poles;](#)
- [2. Replacement poles; and](#)
- [3. Collocation on existing structures.](#)

[b\) The following small cell installations are exempt from these standards:](#)

- [1. Small wireless facilities located in an interior structure, and;](#)

2. Small wireless facilities located upon the site of any stadium or athletic facility.

c) Small wireless facilities shall be subject to administrative review and shall be reviewed within the time limits established by applicable law.

d) Nothing in this section shall be construed to waive the requirements of additional permits, as applicable, including but not limited to Certificate of Appropriateness and Encroachment Permits.

e) Where these standards conflict with state or federal law, state and federal law shall control.

f) Applications shall include the owner/applicant and shall include documentation on the cellular service provider(s) who intend to locate wireless facilities on the proposed infrastructure.

16-4-35-2. Facility Location Standards

Applicants shall provide a service location analysis which demonstrates the following standards are being met in order to justify any proposed new locations for small wireless facilities. All facilities shall be located to minimize visual impact and integrate with their environs as established by these standards.

a) Facility Location Hierarchy

- 1) Small wireless facility locates shall be in the following order of preference:
 - a. Collocation on existing structures including telecommunication facilities;
 - b. Collocation on existing utility poles;
 - c. Collocation on existing streetlight poles;
 - d. Replacement of existing poles;
 - e. New Small Wireless Facility Poles, where no feasible alternative exists.
- 2) Small wireless facilities shall not be located within locally designated or National Register historic districts, or on properties containing locally designated or National Register historic landmarks, unless evidence presented in the location analysis indicates service cannot be provided from outside the district or property.
- 3) Small wireless facilities shall consider placement near street tree(s) to help screen the facility when feasible and where no detrimental impact to the tree(s) is found.

b) Spacing

1) Small wireless facilities shall be spaced at least three hundred (300) feet apart unless the applicant demonstrates that a shorter separation is necessary for service.

c) Prohibited Locations

1) Small wireless facilities shall not be located:

- a. Where they would obstruct sidewalks or ADA access;
- b. Within a 10' x 70' sight triangle at intersections;
- c. In a manner that interferes with traffic control devices or public safety operations;
- d. Directly in front of primary residential facades or primary commercial storefronts, new facilities shall align with the extension of side property lines running perpendicular to the primary right of way unless:
 - o No feasible alternative exists; and
 - o The facility is designed to minimize visual impact.
- e. On streets where utilities are underground, new poles shall be prohibited unless:
 - o No feasible alternative exists; and
 - o The facility is designed to minimize visual impact.

16-4-35-3. Facility Design Standards

Applicants shall apply the following design standards to all facilities located within the City of Hendersonville. All facilities shall be designed to minimize the visual impact and remain compatible with surrounding streetscape elements.

a) Antenna Design

- 1) Equipment and wiring shall be fully concealed, shrouded, or integrated into the pole.
- 2) All mounting hardware, bolts and brackets must be hidden from view using a tapered concealment shroud connecting the base of the antenna shroud to the pole.
- 3) Color and finish shall match the supporting structure.
- 4) The following dimensional limits shall apply unless otherwise preempted by law:
 - a. Antennas shall not exceed three feet (3') in height.
 - b. Antenna enclosure diameter/width: eighteen (18) inches maximum;
 - c. Equipment cabinet diameter/width: twenty (20) inches maximum;

b). Decorative Small Wireless Facility Pole Design Requirements

- 1) New and replacement Small Wireless Facility Poles located within the following areas shall comply with the City of Hendersonville Downtown Municipal Service District pole specifications shown in Figure 1 and shall be color-matched to existing City-approved facilities, as approved by the Public Services Director (Ex. Figures 2 and 3):
 - a. C-1 Central Business District
 - b. CMU Central Mixed-Use District
 - c. Locally designated historic districts
 - d. Nationally registered historic districts

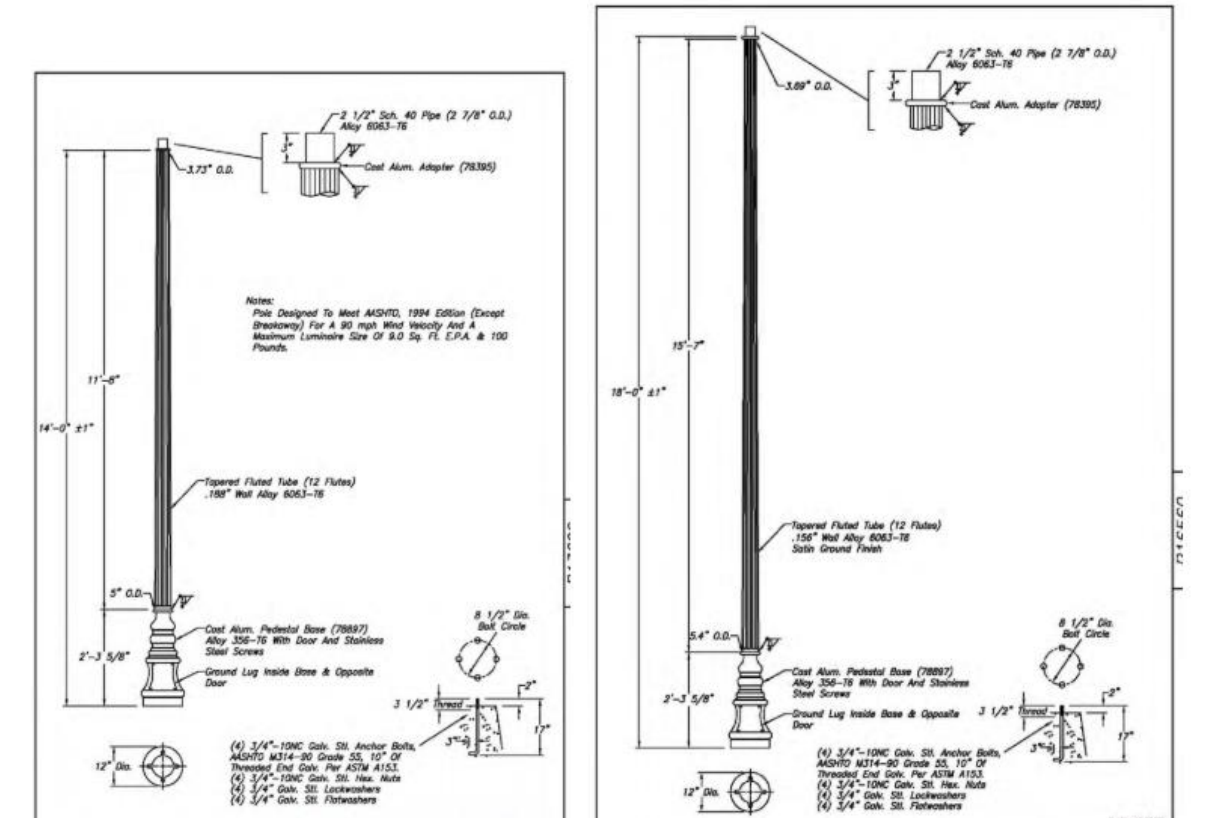


Figure 1: Design Specifications for 14' & 18' Decorative Poles



Figure 2: Photo example of 14' Decorative Pole



Figure 3: Photo example of 18' Decorative Pole

- 2) New and replacement Small Wireless Facility Poles located outside the areas listed above shall:
 - a) Not exceed:
 - Fifty (50) feet including antennae for freestanding poles; or
 - Ten percent above pre-existing height of the existing structure as a result of the collocation of new antenna facilities.
 - b) Have a non-reflective finish and be made of material consistent with surrounding utility poles.

c) Foundations and Utilities

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

- 4) For collocations and replacement poles, no new ground disturbance shall be permitted that would exceed the 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.

d) Noise and Ventilation

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

e) Identification and Safety

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

16-4-35-4. Facility Maintenance Standards

a) Removal and Abandonment

- 1) Facilities that are abandoned or not in use for a period of six (6) months shall be removed. Failure to remove will result in City removal and removal cost recovery.
- 2) The City may require removal if the facility:
 - a. Creates a safety hazard; or
 - b. Is no longer maintained in accordance with this Section.

b) Nonconforming Facilities

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

ARTICLE XII. DEFINITION OF TERMS

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 wireless facility.

Small Wireless Facility: A wireless telecommunications 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; and
- b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet.

Small Wireless Facility Pole: A wireless support structure, which is 50 feet or less in height, including antennae, which only supports or incorporates, or is intended to only support or incorporate, small wireless facilities.

Telecommunications tower: A tower, pole, or similar structure, exceeding 20 feet in height, which supports or incorporates, or is intended to support or incorporate, one or more telecommunications antennas that is not a small wireless facility, and is operated for commercial or public purposes above ground, whether freestanding, guyed, or affixed to a building. The term shall include mobile towers but shall not include Small Wireless Facility Poles.

Utility pole: A structure that is designed for and used to carry lines, cables, or wires for telephone, cable television, or electricity, small wireless facilities to provide wireless services, or to provide lighting.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September, 2026.

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

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney