

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, SECTION 5-10-1. AND SECTION 5-12-1. PERMITTED USES; AND ARTICLE XII. – DEFINITION OF TERMS, SECTION 12.2 – DEFINITION OF COMMONLY USED TERMS AND WORDS OF THE CITY OF HENDERSONVILLE ZONING ORDINANCE TO ADDRESS STANDARDS ANIMAL HOPITALS & CLINICS**

**WHEREAS**, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on July 11, 2022; 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 August 4, 2022, 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 4, 2022,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hendersonville to amend Article V. – Zoning District Classifications, Section 5-10-1. and Section 5-12-1. 'Permitted Uses'; And Article XII. – 'Definition Of Terms', Section 12.2 – 'Definition of Commonly Used Terms And Words' be amended as follows to permit Animal Hospitals & Clinics in the MIC Zoning District and to make additional clarifications and corrections.

**ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS**

**Section 5-10. - Medical, Institutional and Cultural Zoning District Classification (MIC).**

**5-10-1. Permitted uses.**

The following uses are permitted by right in the MIC Medical Institutional Cultural Zoning District Classification, provided 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 uses and structures

Adult care centers registered with the NC Department of Health and Human Services (DHSS)

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

Animal hospitals and clinics as long as they contain no outdoor kennels

Banks and other financial institutions

Childcare centers subject to supplementary standards contained in section 16-4, below

Childcare 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

Congregate care facilities subject to supplementary standards contained in section 16-4, below

Home occupations

Hospitals

Laundries, coin-operated

Music and art studios

Neighborhood community centers

Nursing homes subject to supplementary standards contained in section 16-4, below

Offices, business, professional and public

Parking lots and parking garages

Parks

Personal services consistent with the purposes of this classification, such as barber and beauty shops, medical and dental labs and clinics, opticians and optical services and prosthetics & orthopedics

Planned residential developments (minor)

Progressive care facilities subject to supplementary standards contained in section 16-4, below

Public and semi-public buildings

Religious institutions

Residential care facilities subject to supplementary standards contained in section 16-4, below

Residential dwellings, single-family

Residential dwellings, two-family

Rest homes subject to supplementary standards contained in section 16-4, below

Retail stores consistent within the purposes of this classification, such as gift shops, florist shops and pharmacies

Schools, post-secondary, business, technical and vocational

Signs, subject to the provisions of article XIII

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

## **Section 5-12. - I-1 Industrial Zoning District Classification**

5-12-1. Permitted uses.

Animal hospitals and clinics ~~subject to supplementary standards contained in section 16-4, below~~ as long as they contain no outdoor kennels

## **ARTICLE XII. - DEFINITION OF TERMS**

### **Sec. 12-2. - Definition of commonly used terms and words.**

Animal boarding facility: A facility whose primary purpose is the boarding of household pets. This term includes animal kennels, which are commercial establishments where the grooming, boarding, training, and selling of animals may be conducted, and animal shelters, which are typically governmental or nonprofit organizations devoted to the welfare, protection and humane treatment of animals. ~~†~~The term shall not be construed to include facilities where the boarding of animals is an incidental use, such as animal hospitals or clinics and pet stores.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 4<sup>th</sup> day of August, 2022.

Attest:

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Barbara G. Volk, Mayor, City of Hendersonville

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Angela L. Reece, City Clerk

Approved as to form:

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Angela S. Beeker, City Attorney