

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND ARTICLE 5 - ZONING DISTRICT CLASSIFICATIONS: SECTION 5-6-1, SECTION 5-7-1, SECTION 5-8-1, SECTION 5-12-1, SECTION 5-15-2, SECTION 5-19-1, SECTION 5-22-1; SECTION 5-23-1; ARTICLE 6 – GENERAL PROVISIONS: SECTION 6-5; ARTICLE 12 - DEFINITION OF TERMS: SECTION 12-2; AND ARTICLE 16 - SUPPLEMENTARY STANDARDS FOR CERTAIN USES: SECTION 16-4 OF THE CITY OF HENDERSONVILLE ZONING ORDINANCE TO ADD AND DEFINE MICRO-DISTILLERIES, MICRO-CIDERIES, AND MICRO-WINERIES TO ZONING DISTRICT CLASSIFICATIONS C-1, C-2, CMU, GHMU, HMU, CHMU AND URBAN VILLAGE.**

**WHEREAS**, the City of Hendersonville’s Downtown Advisory Board and Planning Board have reviewed and recommended for adoption a zoning text amendment adding, defining, and providing Supplementary Standards for Micro-distilleries, Micro-cideries, and Micro-wineries in the City of Hendersonville Zoning Ordinance; and

**WHEREAS**, City Council desires to promote the efficient use and reuse of commercial space within City limits by permitting compatible development and redevelopment; and

**WHEREAS**, City Council desires to promote a diverse local economy which promotes and supports small business job creation; and

**WHEREAS**, the addition of Micro-distilleries, Micro-cideries, and Micro-wineries as a use represents a response to changing trends and opportunities within the craft beverage industry and economic development in the City of Hendersonville.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hendersonville, North Carolina that Article 5 - Zoning District Classifications: Section 5-6-1, Section 5-7-1, Section 5-8-1, Section 5-12-1, Section 5-15-2, Section 5-19-1, Section 5-22-1; Section 5-23-1; Article 6 – General Provisions: Section 6-5; Article 12 - Definition of Terms: Section 12-2; & Article 16 - Supplementary Standards for Certain Uses: Section 16-4 of the City of Hendersonville Zoning Ordinance to add, define and provide Supplementary Standards for Micro-distilleries, Micro-cideries, and Micro-wineries for Zoning District Classifications C-1, C-2, C-3, CMU, GHMU, HMU, CHMU and Urban Village:

**ARTICLE V ZONING DISTRICT CLASSIFICATIONS**

**Section 5-6 C-1 Central Business Zoning District Classification**

**5-6-1 Permitted Uses**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

**Section 5-7 C-2 Secondary Business Zoning District Classification**

**5-7-1 Permitted Uses**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-8 C-3 Highway Business Zoning District Classification**

##### **5-8-1 Permitted Uses**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

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

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-15 PCD Planned Commercial Development Conditional Zoning District Classification**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-19 CMU Central Mixed Use Zoning District Classification**

##### **5-19-1 Permitted Uses**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-22 GHMU Greenville Highway Mixed Use Zoning District Classification**

##### **5-22-1 Permitted Uses**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-23 HMU Highway Mixed Use Zoning District Classification**

##### **5-23-1 Permitted Uses**

*Micro-breweries, **Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-24 UV Urban Village Conditional Zoning District Classification**

##### **5-24-2 Permitted Uses**

***Micro-breweries, Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

#### **Section 5-27 CHMU Commercial Highway Mixed Use Zoning District Classification**

##### **5-27-1 Permitted Uses**

***Micro-breweries, Micro-distilleries, Micro-cideries, and Micro-wineries**, subject to the Supplementary Standards contained in Section 16-4, below*

## ARTICLE XI GENERAL PROVISIONS

### Section 6-5 Off-Street Parking.

Table 6-5-2: Microbreweries, Micro-distilleries, Micro-cideries, and Micro-wineries: 1 per each 3 seats or stools plus 1 per each 2 employees on the shift with the largest employment

## ARTICLE XII DEFINITION OF TERMS

### Section 12-2 Definition of Commonly Used Terms and Words

Micro-breweries, Micro-distilleries, Micro-cideries, and Micro-wineries: An establishment that engages in the production of malt beverages or spiritous liquors or hard cider or wine as defined in North Carolina General Statute 18B-101. Annual production shall be less than ~~25,000 barrels~~ 775,000 gallons per calendar year of final product.

## ARTICLE XVI SUPPLEMENTARY STANDARDS FOR CERTAIN USES

### Section 16-4 Standards

#### 16-4-15 Micro-breweries, Micro-distilleries, Micro-cideries, and Micro-wineries

- a) Shall include one or more accessory uses such as a tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other uses incidental to the brewery, distillery, hard cidery, or winery and open and accessible to the public.
- b) Storage of materials used in the manufacturing, processing, and for distribution shall be located entirely within the building.
- c) Shall be designed such that all newly constructed loading and unloading facilities are internal to the site, in service alleys or at the back of the building.
- d) The sides and rear yard or setback requirement shall be increased to 25 feet for the C-2 Secondary Business, C-3 Highway Business, GHMU Greenville Highway Mixed Use and HMU Highway Mixed Use Zoning District Classifications.
- e) Shipping and receiving needs shall not exceed the equivalent of (1) FHW A Class 8 truck per week.
- f) Reuse of an existing building shall not exceed 20,000 square feet of building floor space.
- g) New construction shall not exceed 10,000 square feet of all building floor space.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 10<sup>th</sup> day of February 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