



CITY OF HENDERSONVILLE PLANNING BOARD AGENDA ITEM SUMMARY

SUBMITTER: Alexandra Hunt, *Planner I*

MEETING DATE: January 10, 2021

AGENDA SECTION: New Business

DEPARTMENT: Community
Development

TITLE OF ITEM: Zoning Text Amendment: Addition and Definition of Micro-distilleries, Micro-Cideries, and Micro-wineries with Supplementary Standards and Additional Uses to Zoning Districts (P21-83-ZTA): *Alexandra Hunt, Planner I*

SUGGESTED MOTION(S):

1) For Recommending Approval:

I move Planning Board recommend City Council APPROVE an ordinance revising the definition, use and supplementary standards of Microbreweries to include Micro-distilleries, Micro-cideries, and Micro-wineries in the C-1, C-2, C-3, CMU, GHMU, HMU zoning districts and extending this amended use to the CHMU and Urban Village zoning districts as a Permitted Use subject to the Supplementary Standards, finding that the text amendment is **consistent** with the 2030 Comprehensive Plan Chapters 4, 7 and 8 as established by the Planning Board's adopted Comprehensive Plan Consistency Statement and that it is **reasonable** and in the **public's interest** to approve the application for the following reasons:

[Please state reasons describing why this zoning text amendment is good for the community.]

Example suggestions below or include your own]

- 1) It encourages infill development and redevelopment in areas planned for high intensity development. (Goal LU-1)
- 2) It contributes to downtown's role as the focal point of niche retailers within the city. (Goal CR-4)
- 3) It encourages mixed-use development that reduces the need to drive. (Goal TC-1)

1) For Recommending Denial:

I move Planning Board recommend City Council DENY an ordinance revising the definition, use and supplementary standards of Microbreweries to include Micro-distilleries, Micro-cideries, and Micro-wineries in the C-1, C-2, C-3, CMU, GHMU, HMU zoning districts and extending this amended use to the CHMU and Urban Village zoning districts as a Permitted Use subject to the Supplementary Standards, finding that the text amendment is **inconsistent** with the 2030 Comprehensive Plan (Chapters 4, 7 and 8) and that it is **not reasonable** and in the public's interest to approve the application for the following reasons:

[Please state reasons describing why this zoning text amendment is not good for the community. Example suggestions below or include your own]

- 1) The amendment is not consistent with the Comprehensive Plan [if applicable];
- 2) The amendment is not in the public interest because [state why if applicable]

<p>4) It will promote additional diversity of job opportunities within the City of Hendersonville.</p> <p>5) It encourages reinvestment in existing infrastructure and commercial real estate within the City of Hendersonville. [if applicable]</p> <p>6) It reflects adaptation by the City to changing market trends in retail and the craft beverage industry. [if applicable]</p>	
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SUMMARY:

The Planning Staff is in receipt of a Zoning Text Amendment (ZTA) application from M&T Distillery LLC. The applicant is requesting that "micro-distilleries" be added as a use in zoning districts that currently allow microbreweries as either a Permitted Use or Permitted Use subject to Supplementary Standards under Article 16 of the Zoning Ordinance.

In addition to the applicant's request, Staff is proposing three (3) recommendations. First, Staff is recommending that "micro-distilleries", "micro-cideries", "micro-wineries" be added to the use, definition, and supplementary standards for "Microbreweries". Second, Staff is proposing to add additional standards taken from the supplementary standards for Small Scale Manufacturing to the existing supplementary standards for Microbreweries. Third, Staff recommends adding two (2) additional zoning districts, CHMU and Urban Village, to the zoning districts that already permit microbreweries as a Permitted Use subject to Supplementary Standards. Currently, microbreweries are a Permitted Use in PCD CZD, I-1, and PMD CZD zoning districts and a Permitted Use subject to Supplementary Standards in C-1, C-2, C-3, CMU, GHMU and HMU.

The Legislative Committee reviewed this application and is recommending the following amendments to the zoning ordinance:

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

Microbreweries, Micro-distilleries, Micro-hard cideries and Micro-wineries. "An establishment that engages in the production of malt beverages or spirituous 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." (25,000 x 31 gal = 775,000 gal)

16-4-15 Microbreweries, Micro-distilleries, Micro-hard 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.

Please see the attached Staff Report for a review of the proposed text amendment and a recap of the actions of the Planning Board.

PROJECT/PETITIONER NUMBER: P21-83-ZTA

PETITIONER NAME: M&T Distillery LLC

ATTACHMENTS:

1) Staff Report

2) Legislative Committee Minutes

3) Draft Ordinance