

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
AND CORRECT ORDINANCE #O-22-08 TO AMEND THE PERMITTED LIST OF USES
FOR PARCEL 9578-24-9710 C-2 CZD SECONDARY BUSINESS CONDITIONAL ZONING
DISTRICT**

WHEREAS, the City Council adopted Ordinance #18-070749, An Ordinance Amending the Official Zoning Map of the City of Hendersonville which rezoned Parcel Number 9578-24-9710 (previously, 9578-24-8681) from City of Hendersonville R-15 Medium Density Residential to C-3 CZD, Highway Business Conditional Zoning District; and

WHEREAS, the City adopted Ordinance #20-0427, An Ordinance Amending the Official Zoning Map of the City of Hendersonville which rezoned Parcel Number 9578-24-9710 9710 (previously, 9578-24-8681) from City of Hendersonville C-3 CZD Highway Business Conditional Zoning District to C-2 CZD, Secondary Business Conditional Zoning District; and

WHEREAS, on January 6th, 2022 the City adopted Ordinance #O-22-08, An Ordinance Amending the Official Zoning Map of the City of Hendersonville which rezoned Parcel Number 9578-24-9710 (previously, 9578-24-8681) from City of Hendersonville C-2 CZD, Secondary Business Conditional Zoning District to C-2 CZD, Secondary Business Conditional Zoning District; and

WHEREAS, the application from William A. Pace, Jr. (Applicant) and William A. Pace Jr. LLC (Property Owner) for rezoning the subject parcel, requested the addition of Automotive Paint & Body and certain permitted uses in the C-2 Secondary Business Zoning District to the approved list of uses for the Conditional Zoning District at the subject property, and

WHEREAS, in reviewing this application the City Council considered the list of permitted uses in the C-2 , Secondary Business Conditional Zoning District and, specifically the Special Use of Automotive Paint and Body and moved to adopt an ordinance the Official Zoning Map of the City of Hendersonville to include these uses; and

WHEREAS, the ordinance adopted mistakenly left Automotive Paint and Body off the list of permitted uses.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that:

1. The list of permitted uses included in Ordinance #O-22-08 shall be amended, effective February 8th, 2023, as follows:

Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be based on the site plan submitted by the applicant and subject to the following:

a) Permitted Uses shall include:

- i. Accessory uses & structures
- ii. Animal hospitals & clinics so long as the use contains no outdoor kennels
- iii. Automobile car washes
- iv. Automobile sales & service establishments
- v. Banks and other financial institutions
- vi. Bed & breakfast facilities
- vii. Cultural arts buildings
- viii. Dance and fitness facilities
- ix. Dry cleaning and laundry establishments containing less than 6,000 ft² square feet of floor area
- x. Farm equipment sales & service
- xi. Funeral homes
- xii. Laundries, coin-operated
- xiii. Microbreweries, subject to special requirements Supplementary Standards contained in Section 16-4, below
- xiv. Mobile food vendors, subject to special requirements Supplementary Standards contained in Section 16-4, below
- xv. Music and art studios
- xvi. Neighborhood community centers
- xvii. Newspaper offices and printing establishments
- xviii. Offices, business, professional and public
- xix. Parking lots and parking garages
- xx. Parks
- xxi. Progressive care facilities subject to special requirements Supplementary Standards contained in Section 16-4, below
- xxii. Restaurants
- xxiii. Retail stores
- xxiv. Schools, post-secondary, business, technical and vocational
- xxv. Schools, primary & secondary
- xxvi. Signs, subject to the provisions of Article XIII
- xxvii. Theaters, indoor
- xxviii. Automotive Paint and Body

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8th day of February, 2023.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney