



**CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION**

SUBMITTER: Lew Holloway **MEETING DATE:** April 4th, 2024
AGENDA SECTION: Unfinished Business **DEPARTMENT:** Community Development
TITLE OF ITEM: Zoning Text Amendment: Tree Canopy Preservation & Enhancement (P24-08-ZTA)

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
<p>I move City Council <u>adopt</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article VII, Sections 7-3-3 and 7-3-4 and Article XV, Sections 15-4, 15-5, 15-6, 15- 9 and 15-9 and to add the new Section 15-14 and 15-15 to establish additional requirements for the provision and protection of trees:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with the Comprehensive Plan’s Strategies; NR-2.3. Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville’s identity, LU-3.5. Minimize negative impacts from growth and land use changes on existing land uses and LU-3.6. Update the Zoning Code to ensure conformance with the Comprehensive Plan.</p> <p>2. We [<u>find</u>] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">1. The proposed text amendment seeks to promote compatibility between new development on sites with surrounding existing development, by reducing the removal of existing site vegetation and</p>	<p>I move City Council <u>deny</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article VII, Sections 7-3-3 and 7-3-4 and Article XV, Sections 15-4, 15-5, 15-6, 15- 9 and 15-9 and to add the new Section 15-14 and 15-15 to establish additional requirements for the provision and protection of trees:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with the Comprehensive Plan’s Strategies; NR-2.3. Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville’s identity, LU-3.5. Minimize negative impacts from growth and land use changes on existing land uses and LU-3.6. Update the Zoning Code to ensure conformance with the Comprehensive Plan.</p> <p>2. We [<u>do not find</u>] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">1. The proposed text amendments decreases the flexibility available to property owners seeking to redevelop property within the City.</p> <p style="padding-left: 40px;">2. The proposed text amendment reduces the available property for new</p>

<p>tree canopy and enhancing the integration of new plantings in required open space.</p> <p>2. The proposed text amendment aligns with the public interest in that it seeks to offset some of the impacts of large scale development on adjacent properties and on existing natural resources.</p> <p>3. The proposed text amendment will offset a portion of the ongoing impacts of new development on the natural environment within the City.</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>development within the City, potentially increasing the costs associated with development and impacting affordability within the City.</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>
--	--

***SUMMARY:** The City Council held a public hearing regarding this proposed text amendment during its regular meeting on March 7, 2024. The City Council continued this matter to the April 4, 2024 meeting for further consideration.*

The City of Hendersonville is initiating a zoning text amendment to establish a standard for tree canopy preservation and to increase efforts to enhance canopy established by new development. The ordinance amendment was initiated at the request of the City of Hendersonville Tree Board and guided to this point by an Ad Hoc Tree Ordinance Committee. That committee has been meeting since late spring/early summer of 2023 to review the tree board request and develop the ordinance which is presented here. In May 2023, the Tree Ordinance Committee began the first of nine meetings to review recommendations from the tree board for amendments to the City’s Zoning Ordinance.

Primary recommendations found in the ordinance being presented for adoption are as follows; 1) the establishment of a canopy preservation standard. This standard would be applicable to lots which exceed 2 acres and establishes a baseline requirement to preserve 20% of the canopy with a requirement that an additional 10% (for a total of 30%) be preserved, allowing for alternative compliance approaches for the final 10%. 2) The establishment of additional canopy enhancement standards for new development. These can be broadly categorized by a) increased planting requirements for Vehicular Use Areas, b) the introduction of planting requirements to all “Open Space and Common Open Space” currently required by the code and c) the introduction of Street Tree requirements throughout the City’s Zoning Districts.

PROJECT/PETITIONER NUMBER:	P24-08-ZTA
PETITIONER NAME:	City of Hendersonville

ATTACHMENTS:

1. Staff Report
2. Legislative Committee Summary Report
3. Draft Ordinance Changes
4. Draft Ordinance Changes (Clean Version)