

**Minutes of the Planning Board – Legislative Committee  
Virtual Meeting  
November 16, 2021**

**Members Present:** Neil Brown, Bob Johnson, Peter Hanley

**Staff Present:** Tyler Morrow, Planner II, Lew Holloway, Community Development Director, Matt Manley, Planning Manager, Alexandra Hunt, Planner and Terri Swann, Administrative Assistant III

**Start Time: 3:30PM**

**Adjourned: 4:30PM**

**Legislative Committee Meeting:**

**Lighting Ordinance Update:**

Lew Holloway, Community Development Director, provided an update on the lighting ordinance. Mr. Holloway stated that the major changes to the lighting ordinance at this point have been simplifying the number of lighting zones to just three zones:

1. Natural Resource Zone
2. Residential Transition Zone
3. Commercial Zone

Mr. Holloway stated that all properties located within the City & ETJ would be assigned to a lighting zone that will have lighting allowances that scale up and down depending on the intensity of the development. Mr. Holloway stated that the goal is to simplify the review process for staff. Mr. Holloway talked about the two review methods – performance method and prescriptive method. Mr. Holloway stated that staff will be proposing to use the prescriptive method rather than the performance method because it is a more straightforward review process. Mr. Holloway discussed the timeline for adoption of the ordinance. Mr. Hanley asked whether upcoming developments should be taken into consideration as far as the timing of passing this ordinance. Mr. Johnson asked whether Planning Board should hold off on hearing this matter until the January 2022 meeting because of the new members what will be on the Board. Mr. Holloway stated that the proposed ordinance language would not be ready for the December 2021 Planning Board meeting anyways. Mr. Manley stated that in the meantime to continue using lighting as conditions until the ordinance is passed. Mr. Brown agreed with Mr. Manley unless the developer on a proposed project does not agree to the lighting conditions it will have an impact on Mr. Brown's vote. Mr. Holloway stated that staff prefers to have a conversation with the developer on the front end before reaching Planning Board about any issues such as lighting.

**Zoning Text Amendment – I-1 CZD District Zoning Text Amendment**

Lew Holloway, Community Development Director, reviewed a proposed zoning text amendment to the I-1 CZD, Industrial Conditional Zoning District (P21-76-ZTA). Mr. Holloway stated that this is a City initiated zoning text amendment to Article V of the Zoning Ordinance. Mr. Holloway explained that the purpose of this amendment is to allow certain uses which exceed 50,000 square feet to proceed without having to go through the CZD process. Mr. Holloway further explained that the intent is to eliminate obstacles for businesses that are looking to come to Hendersonville. Both staff and committee members reviewed all of the permitted uses in I-1. Mr. Holloway then reviewed the proposed exceptions or proposed allowed uses that would not trigger the CZD process:

- Bottling plants
- Breweries
- Cideries
- Cideries, hard
- Distilleries
- Food processing establishments, limited to dairy products, bakery products, canneries, and beverage products
- Greenhouses and commercial nurseries
- Microbreweries
- Wineries
- Manufacturing (selected industries)

Mr. Manley commented on whether paper manufacturing would be included and if so, to consider that they produce a lot of smell. Mr. Manley also confirmed for the committee members that the proposed permitted uses would still go through Planning Board and City Council review – they would not have to go through a NCM. Mr. Holloway reviewed the city zoning map for current I-1 districts with the committee members. Mr. Johnson inquired whether changing the 50,000 sq ft requirement to 100,000 sq ft would change anything – basically instead of creating the list of uses to just change the number. Both staff and committee members discussed that direction. Mr. Manley looked up the square footage of some existing larger manufacturers in the City and they were well over 100,000 sq ft. Mr. Holloway stated that staff is still working on the language but wanted to see if anything jumped out at the committee members as far as the proposed permitted uses. Mr. Holloway further explained that staff is still working on this draft.

**Notice:** This meeting was noticed to the public in accordance with all requirements. The meeting was also attended by one local resident and a member of the media.