

ZONING TEXT AMENDMENT:
TRANSPORTATION STANDARDS IN CHMU (P23-51-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY



- Project Name & Case #:
 - Transportation Standards in CHMU
 - P23-51-ZTA
- Applicant:
 - City of Hendersonville
- Articles Amended:
 - Section 5-27. – CHMU Commercial Highway Mixed Use Zoning District
- Applicable Zoning District(s):
 - CHMU
- Future Land Use Designation
 - Regional Activity Center
 - Neighborhood Activity Center
 - High Intensity Neighborhood
- Planning Board - Legislative Committee Meeting
 - June 20, 2023
- Summary Basics:
 - The petition proposes to supplement the existing CHMU standards with requirements related to transportation (multi-modal circulation, access management, cross access easements, etc.)
 - The proposed standards are based on those found in the HMU Zoning District and are based on the analysis found in the *US Highway 64 East Transportation Plan* (2005).

Summary of Amendment Petition:

The City of Hendersonville is initiating a zoning code text amendment to supplement the standards of the Commercial Highway Mixed Use (CHMU) Zoning District. This zoning district was established to address development along the Upward Road corridor.

In January 2011, the City established the Upward Road Planning Area to help plan for and direct sewer expansion in this southern portion of the City's surroundings. Given that the City's ETJ was not expanded to this area, the land in this area does not have City zoning, but rather is zoned by Henderson County. In anticipation of properties in the Upward Road Planning Area requesting annexation and connection to sewer service, the City established the CHMU to foster orderly development along this corridor.

One key attribute of orderly development along major thoroughfares are zoning regulations which address congestion management. A study performed in 2005 for the US64 East corridor helped to establish such standards in the Highway Mixed Use (HMU) zoning district - the zoning district established for US64 East/Chimney Rock Rd. Staff is proposing to expand these standards to the CHMU zoning district. Applying these same transportation-related standards from the HMU zoning district will help shape growth along the quickly-developing Upward Road corridor.

AMMENDMENT ANALYSIS – AMENDMENT OVERVIEW

Upward Road is a corridor experiencing significant growth. In the last three years, there have been no less than 9 development requests/approvals in the Upward Rd area alone. In addition to those development applications, there have been other development inquiries, some of which have been significant in scale. While other areas of Hendersonville are experiencing growth, no other specific area of town has seen this scale of development requests in recent years, especially when it comes to requests for commercial development.

Designated as a Boulevard in the City's 2030 Comprehensive Plan, Upward Rd features one of Hendersonville's primary interchanges with I-26. For these reasons, there are obvious comparisons between the Upward Road corridor and the Four Seasons Blvd/Chimney Rock Rd corridor (US 64 East). A Transportation Plan for the US 64 East corridor was drafted and ultimately adopted in February 2005. Aspects of the Transportation Plan's recommendations were included in the Highway Mixed Use (HMU) Zoning District - which was established to guide development along US 64 East. Similarly, the CHMU Zoning District was designed to shape development along Upward Rd. However, the CHMU Zoning District does not include standards for transportation circulation. Given the similarities between these two highway corridors, staff is proposing to take the standards for transportation circulation from the HMU Zoning District and apply them to the CHMU Zoning District. Given the growth that is occurring and is expected to continue along Upward Rd, the opportunity to mitigate vehicular congestion, plan for pedestrian and bicycle circulation, and create cross connections between developments is now.

LEGISLATIVE COMMITTEE RECOMMENDATION

The Legislative Committee of the Planning Board first met to discuss this petition at their recurring meeting on Tuesday, June 20, 2023. The members of the committee that were present were Jim Robertson and Neil Brown. In general, the Committee members were supportive of the proposed text revisions. Some items that were discussed included making clarifications to the text, consider strengthening some of the requirements and making sure the standards were in a coherent order.

PROPOSED STANDARDS

After additional review and consideration by the Staff and the Legislative Committee the following revisions to the zoning code are recommended:

Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

5-27-4 Design standards.

NOTE: "Building design element" sub-sections below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

These standards are intended to apply to all development and redevelopment within the CHMU Commercial Highway Mixed Use Zoning District Classification. Applicants for authorization to undertake development or redevelopment within such zoning district shall demonstrate compliance with these standards or shall undergo alternative design review as provided for in article XVIII, below.

5-27-4.1 Standards of general applicability. The following standards shall apply to all development in the CHMU Commercial Highway Mixed Use Zoning District Classification regardless of use or building type.

5-27-4.1.1 General site development. Site development shall not result in the removal of lateral support for adjoining properties. Furthermore, development shall not create hazardous or dangerous conditions or result in the creation of a nuisance as specified in section 6-13, below.

5-27-4.1.2 Physical integration of uses. Residential and commercial uses may be located within the same or adjoining structures provided appropriate health and safety regulations are followed.

5-27-4.1.3 Building orientation. Primary façades, which may or may not contain an entrance to the building, shall face primary vehicular access or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street.

5-27-4.1.4 Common space. ~~NOTE: Section 5-27-4.1.4 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Common space is intended to shape the design and character of a project through a connecting system of pedestrian areas that create a relationship among the various components of the built environment. It shall be designed to create areas where workers, residents and shoppers, as the case may be, are directly or indirectly invited to gather, browse, sit, interact or congregate. It shall be arranged as community space with open areas, landscaping, seating facilities and lighting fixtures which provide for safety and visual effects. Common spaces are intended to be places for social interaction and, thus, may include impervious surfaces.

Unless interior common space is approved by the reviewing authority, common space shall be out-of-doors. Common space design shall comply with the following:

- a) **Size.** At least ten percent of the acreage of a site shall be devoted to common space. Common space shall count toward meeting open space requirements for a project.
- b) **Trees.** One tree shall be planted for each 1,000 square feet of common space. Trees shall have a minimum caliper of three to three and one-half inches measured six inches above ground at the time of planting.
- c) **Utilities.** All utilities service lines and connections shall be underground.
- d) **Seating.** Seating shall be provided to accommodate workers, residents and/or shoppers. Seating may be accomplished in whole or in part using planters or other similar structures.
- e) **Amenities.** Common space for a development shall contain adequate amenities to animate and enliven the environment and to make it conducive for social interaction. Following is a list of such amenities: ornamental fountains, stairways, waterfalls, public art, arbors, trellises, planted beds, drinking fountains, clock pedestals, awnings, canopies, informational kiosks, and similar structures. This list is not intended to be exhaustive.

5-27-4.1.5 Architectural details. ~~NOTE: Section 5-27-4.1.5 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The appearance of all street side façades is important and shall be addressed in development design. Architectural elements like openings, sill details, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the applicant shall provide distinctive architectural elements at the corner of buildings facing the intersection. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned.

All buildings shall provide detailed design along all façades which are visible from a street or common space. Detailed design shall be provided by using at least three of the following architectural features:

Dormers.

Gables.

Recessed entries.

Covered porch, entries.

Cupolas or towers.

Pillars or posts.

Eaves (minimum 6-inch projection).

Off-sets in building face or roof.

Window trim (minimum nominal four inches wide).

Bay windows.

Balconies.

Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation).

Decorative cornices and roof lines (for flat roofs).

5-27-4.1.6 Building façades. ~~NOTE: Section 5-27-4.1.6 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Front, rear and side façades of buildings shall contain at least two building materials which shall contrast in color and texture. At least 15 percent of the façade, exclusive of windows, doors and trim, shall consist of stone, brick, decorative concrete or decorative block.

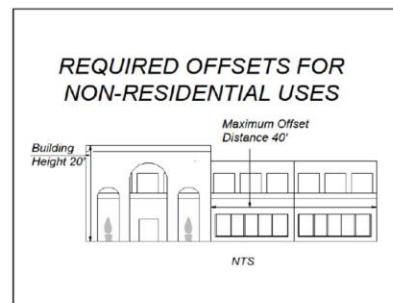
5-27-4.1.7 Windows. ~~NOTE: Section 5-27-4.1.7 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Windows shall either be (1) recessed a minimum of three inches from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.

5-27-4.1.8 Building scale. ~~NOTE: Section 5-27-4.1.8 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The scale of a building is a function of the size of the individual pieces of a building and their relationship to each other. The scale of a building is important in order to contribute to the overall diversity of building types, to give visual interest, and to maintain compatibility between buildings. These design standards regulate scale by means of offsets, that is, protrusions or breaks in the plane of façades.

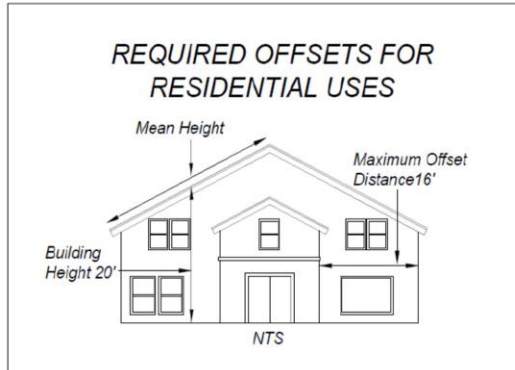
- a) **Scale, buildings containing nonresidential uses.** The following requirements apply to any building containing nonresidential uses, regardless whether the building also contains residential uses:
- 1) The distance between required offsets is related to the height of the building wall on a two-to-one basis. A building façade which is less than or equal to the height of the building shall not require an offset.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or for flat roofs, to the top of the parapet.
- 3) The depth or projection of the offset shall be 1/10th the length of the longest adjacent wall panel; provided, however, the minimum offset depth shall be one foot. By means of illustration, a building with a 20-foot wall panel

shall have a two-foot offset adjacent to such wall panel.

- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.
- b) **Scale, buildings containing only residential uses.** The following requirements apply to any building containing only residential uses:
 - 1) The distance between required offsets shall be related to the height of the building on a one-to-one basis; provided, however, no wall shall exceed 30 feet in length without an offset. A building façade which is less than or equal to the height of the building shall not require an offset. Provided, however, the provisions of this paragraph shall not be construed to require an offset for that portion of a façade containing a two-car garage.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or, for flat roofs, to the top of the parapet.
- 3) Offsets shall have a minimum depth or projection of two feet regardless of the length of adjacent wall façades.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.

5-27-4.1.9 Streets and sidewalks. Streets and sidewalks shall comply with the circulation and access requirements contained [in section 5-27-5 and](#) section 18-6-4.6, below.

5-27-4.1.10 Building materials. ~~NOTE: Section 5-27-4.1.10 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Building materials shall be used consistently on the exterior of the building and shall comply with the lists of prohibited materials contained herein.

Prohibited building materials. Unless authorized through alternative design compliance, the following building materials shall be prohibited within the CHMU Commercial Highway Mixed Use Zoning District Classification: plain concrete block (with or without paint); corrugated or ribbed metal siding; reflective glass; more than 50 percent glass on any façade; roll roofing; roll siding; plain unfinished concrete (painting does not constitute a finish); ~~aluminum~~; unpainted metal; exposed plain pipe columns; metal wall siding; [vinyl siding](#) and any other materials not customarily used in conventional construction.

5-27-4.2 General standards for residential developments. ~~NOTE: Section 5-27-4.2 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The following standards shall apply to developments containing only residential uses with the exception that multi-family buildings must comply with the general standards contained in section 5-27-5.3, below.

5-27-4.2.1 General appearance. Residential development shall contain a variation of façades and materials so that there shall not be a row or strip housing appearance. Means to accomplish this goal may include the use of dormers, gables, recessed entries, covered porch entries, bay windows, cupolas or towers, and a variation in the depth and height of walls, among others.

5-27-4.2.2 Architectural.

- a) Useable porches and/or stoops, at least eight feet in width, shall be located on the front and/or side of the home.

b) Front-loading garages and carports shall be offset from the front façade of the house and visually designed to form a secondary building volume. Developers are encouraged to turn garages and carports so the openings or doors are not visible from the street. At no time shall the width of an attached garage exceed 50 percent of the total building façade.

c) Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure.

d) Walls and fences located in the front yard shall be decorative and limited in height to no more than four feet above grade. Front-yard walls shall be of brick, stone or stucco. Front yard fences shall be wood, wrought iron or materials similar in appearance and durability. Side and rear yard fences may be chain link, wood, wrought iron, or similar material.

5-27-4.2.3 Configurations.

a) Main roofs on residential buildings shall be gables, hips or clerestory with a pitch between 5:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to a wall of the main building.

b) Foundation walls (except those under porches) shall be finished with brick, stucco or stone. If crawlspaces of porches are enclosed, they shall be enclosed with brick, stone, and lattice or any combination thereof.

5-27-4.3 General standards for nonresidential and multi-family buildings. The following standards shall apply to all buildings containing nonresidential uses and multi-family dwellings:

5-27-4.3.1 Storage, utility & service areas. Areas devoted to storage, garbage, recycling collection and utilities shall be enclosed and screened around their perimeter, and constructed of materials consistent with the principal building. Gas meters, electric meters, ground-mounted mechanical units, and any other similar structures shall be hidden from public view or screened with approved construction materials. Fences designed for screening shall be constructed of brick, stone, architectural stucco, concrete, wood or iron. Roof vents, mechanical units, utility equipment and telecommunication receiving devices located on the roof shall be screened from view. Solar technology components including solar panels and solar thermal collectors are exempt from this provision.

5-27-4.3.2 Parking and vehicular access. All vehicular use areas shall be set back a minimum of 20 feet from the right-of-way line of public right-of-way and shall be screened from view from such rights-of-way in accordance with article XV, below.

5-27-4.3.3 Encroachments. Balconies, stoops, chimneys and bay windows are permitted to encroach into any setback up to five feet.

5-27-4.3.4 Roofs. Parapets and decorative cornices are required for buildings with a flat roof. Eaves shall be provided with a pitched roof.

5-27-4.4 Specific standards for single-family and two-family detached dwellings.

Minimum setbacks:	Front: 15 feet
	Sides: 20% of lot width. The entire setback may be allocated to one side.
	Rear: 10 feet
Minimum lot width:	50 feet
Maximum height:	2½ stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet.
Accessory structures:	Side: 3 feet
	Rear: 3 feet

5-27-4.5 Specific standards for townhouses. The townhouse is a building with two or more residential units that are located side-by-side. When an entrance is provided at-grade, the townhouse may be used as a live-work unit.

Minimum setbacks:	Front: 8 feet
	Sides: 0 feet (Corner 8 feet). Buildings within a development must be separated by a minimum of 15 feet
	Rear: 15 feet from centerline of alley, if applicable.
Minimum lot width:	16 feet
Maximum height:	3 stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet. Upper story balconies may encroach into the right-of-way up to five feet with permission from the city.
Accessory structures	Side: 3 feet
	Rear: 3 feet
Maximum footprint:	400 square feet
Maximum no. of structures:	1

5-27-4.6 Specific standards for multi-family dwellings. Multi-family dwelling consists of three or more dwelling units vertically and/or horizontally arranged. The ground floor may be available for commercial uses.

Minimum setbacks:	Front: 10 feet
	Sides: 15 feet plus 5 feet for each floor above 2
	Rear: 15 feet plus 5 feet for each floor above 2
Parking:	Off-street parking shall be located in the rear or side yard only and shall be screened from view from public roadways. On-street parking is encouraged for private streets and drives.
Vehicular access:	Primary vehicular access from public roads shall be accomplished by means of a rear lane or alley only. No curb cuts or driveways are permitted along the frontage except for vehicular access to rear parking. These limitations shall not apply to parcels or buildings where primary vehicular access is by means of a private street or drive.
Maximum height:	4 stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet. Upper story balconies may encroach into the right-of-way up to five feet with permission from the city.
Accessory structures	Side: 0 feet
	Rear: 0 feet
Maximum footprint:	400 square feet

5-27-4.7 Specific standards for commercial and institutional buildings. Commercial buildings are structures which can accommodate a variety of uses mixed either horizontally (shopping center) or vertically (dwelling unit over a store). Office buildings, hotels and inns can be placed in commercial buildings. Buildings containing both commercial and residential uses shall be classified as commercial buildings for the purposes of this section. Institutional buildings are specialized public or semi-public buildings intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, hospitals, post offices, and nonprofit or charitable clubs and organizations. Note there are exceptions from the maximum height restrictions for steeples, cupolas and similar structures. These are contained in section 8-2, below.

Minimum height:	14 feet to the top of the parapet for buildings with flat roofs. There is no minimum height requirement for other buildings.
Maximum Height:	4 stories
Minimum setbacks:	Front: 10 feet
	Sides: 15 feet plus 5 feet for each floor above 2.
	Rear: 15 feet plus 5 feet for each floor above 2.
Minimum lot width:	None.
Encroachments:	Balconies, stoops, chimneys, roof overhangs and bay windows are permitted to encroach into any setback up to 5 feet.
Accessory structures	Side: 3 feet
	Rear: 3 feet

THE FOLLOWING SECTION IS PROPOSED TO BE ADDED TO CHMU. THE LANGUAGE IS IDENTICAL TO THAT FOUND IN HMU WITH THE EXCEPTION OF THE ~~RED~~/GREEN MARK-UPS PROVIDED BELOW. AS THIS WILL BE ALL NEW LANGUAGE FOR THE CHMU, THE FINAL RECOMMENDED MARK-UP, AS SHOWN IN THE ATTACHED ORDINANCE, WILL APPEAR IN GREEN. FOR NOW, THE ~~RED~~ VS GREEN IS BEING USED TO DISTINGUISH BETWEEN THE CURRENT LANGUAGE FOUND IN HMU VS THE LANGUAGE THAT IS BEING PROPOSED FOR CHMU AS PART OF THIS ZTA.

5-273-5 Transportation.

The section is intended to put in place regulations which will provide for a multi-modal transportation environment conducive to a pedestrian-friendly mixed-use community.

~~5-273-5.1 Corridor circulation plan.~~ If a corridor circulation plan has been adopted for the CHMU zoning district, all new development and redevelopment must demonstrate consistency with that plan.

~~5-273-5.2 Transportation plan submittals.~~ In addition to other submittal requirements for development review, applicants for development authorization within the CHMU zoning district shall submit the following documents:-

- a) ~~— Pedestrian circulation plan to include type of infrastructure (for example, sidewalk, multi-use path), and connections to adjacent pedestrian facilities.~~
- b) ~~— Vehicular circulation plan to include parking, loading, stubs to adjacent properties, and any cross-access easements.~~
- c) ~~— When required, a traffic impact analysis study (TIAS) shall be performed in accordance with Section 6-18 by a registered engineer in accordance with NCDOT standards for all developments that generate 100 peak hour trips or 1,000 daily trips in accordance with the Institute of Traffic Engineers current Trip Generation Manual. The community development director may also require a TIAS without regard to the expected trip generation of the development due to the existence of special circumstances including, without limitation, existing level of service deficiencies in the area of the proposed development or when available accident data and/or operational and geometric factors indicate safety concerns.~~

5-273-5.1 Pedestrian accommodations. Pedestrian accommodations, which may be sidewalks, multi-purpose paths, or other approved alternatives, shall be provided as a part of a development on ~~both~~ each sides of all public roadways and of all private roadways which the development directly abuts unless site constraints or proposed uses make it impractical or unnecessary. Pedestrian access and circulation shall be consistent with any and all adopted corridor circulation plans.

5-273-5.2 Vehicular access. It is the intent of these regulations to ~~encourage~~ create interconnectivity between development parcels in order to provide alternative transportation routes to existing thoroughfares. Accordingly, when development parcels have potential to provide access ~~to~~ between major arterial roadways and adjoining parcels, developers are encouraged to utilize public streets, rather than private streets or driveways, ~~for access to major arterial roadways~~. The regulations contained in this section shall apply to all new development and redevelopment within the district.

5-273-5.2.1 Driveways. Where permitted, driveways shall comply with the requirements of this section and, if applicable, the regulations of the North Carolina Department of Transportation.

- a) The number of driveways permitted for new development shall relate to the amount of linear frontage for the proposed development as depicted below:

LINEAR FRONTAGE	NUMBER OF PERMITTED
Less than 350 feet	1
Greater than 350 feet	2
Greater than 1,000 feet	3 ¹

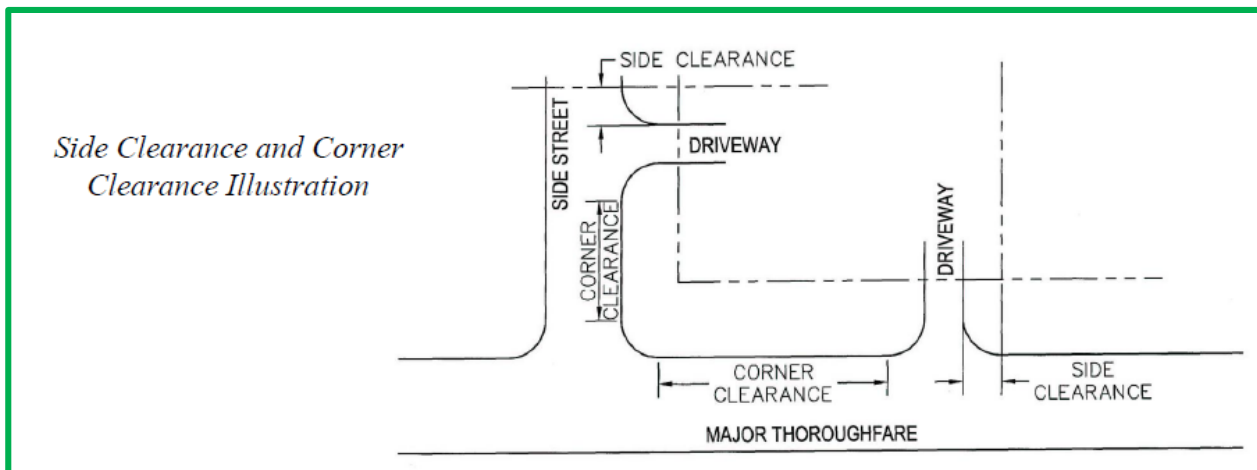
¹ With approval of the city after demonstration of need in the required TIAS.

- b) All driveway approaches for both mid-block and corner lots along major thoroughfares shall have both minimum corner and side clearances as below:

CLEARANCE TYPE	ALONG MAJOR THOROUGHFARE	ALONG SIDE STREET
Corner clearance ²	250 feet	100 feet
Side clearance ³	30 feet	10 feet

² Corner clearance shall be measured from the point of tangency of the radius curvature of the intersection streets.

³ Side clearance shall represent the distance from the driveway to the side property line.



- c) No driveways shall be allowed along a major thoroughfare within 250 feet of any intersection, as measured from the intersection of the projected right-of-way lines, except for properties which cannot meet this restriction due to limited frontage within the desired corner clearance.
- d) One-way driveways are not considered full-movement driveways therefore, two, one-way driveways may be considered as a single driveway provided that:
 - 1) The minimum spacing between the two driveway segments is 60 feet.
 - 2) The driveway segments are clearly signed and marked as one-way driveways, using pavement arrows and directional signs.
 - 3) The maximum combined pavement width of both driveway segments at the right-of-way line is 40 feet and the minimum width of a single segment is 14 feet.

5-273-5.2.2 Outparcels. Access to development outparcels shall be oriented to the interior of the development site, not to the roadway.

5-273-5.2.3 Cross-access easements. Cross-access easements between parking areas on adjacent developments are an effective way to improve corridor circulation and to reduce vehicle trips. For each adjoining property with accessible parking areas, applicants for development authorization shall provide either (1) a cross-access easement or (2) confirmation that the applicant has attempted to negotiate a cross-access easement with that property owner and has not been able to reach agreement thereon.

5-273-5.2.4 Street Connectivity. In an effort to improve and promote overall street connectivity, public streets and private drives constructed within the CHMU zoning district shall provide connections to existing adjacent public streets and adjacent parcels. Primary access from major arterials should be provided by public streets.

When no off-site street stub-outs are present, the following connections shall be provided to undeveloped adjacent properties at the appropriate rate indicated below.

- a) All new development with fewer than 100 dwelling units are required to provide at least one stub-out street to extend and connect with future streets or drives. In the event that adjacent land is already developed with stub-outs present, the developer shall build streets to connect to the existing stub-out(s).

- b) Residential developments containing 100 or more dwelling units shall include street connections or stub-outs at a ratio of one stub-out/connection per 100 dwelling units. In the event adjacent land is already developed with ~~streets~~ stub-outs present, the developer shall connect to the existing stub-out(s). Required collector street connections are included in this calculation.
- c) Non-residential developments shall provide one stub-out to each adjoining parcel where, considering topography, land use compatibility and future development or redevelopment potential, it is deemed feasible and appropriate.

5-27-~~56~~ CHMUCZD Commercial Highway Mixed Use Conditional Zoning District Classification.

The purpose, requirements and standards of this classification are identical to the CHMU Commercial Highway Mixed Use Zoning District Classification except that a rezoning to CHMU Conditional Zoning District as provided for in article VII herein, is required as a prerequisite to any use or development. The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Conditional Zoning District Classification upon rezoning to CHMUCZD, regardless of the square footage or number of residential units for the use:

Telecommunications towers, subject to supplementary standards contained in section 16-4, below.

Permitted uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

Special uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	Goal LU-7 - High Intensity Neighborhood: Encourage low-maintenance, high density housing that supports Neighborhood & Regional Activity Centers and downtown and provides a transition between commercial and single-family development. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods. [CONSISTENT]
	Strategy LU-7.4. Development guidelines: <ul style="list-style-type: none"> • Encouragement of walkable neighborhood design, as described under Goal PH-3 in Chapter 2 [CONSISTENT]
	Goal LU-9. - Regional Activity Center: Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects. [CONSISTENT]
	Strategy LU-9.4. Development guidelines: <ul style="list-style-type: none"> • Provision of pedestrian connections to parking and other buildings and properties [CONSISTENT] Activity Nodes: Improved pedestrian connections to surrounding neighborhoods [CONSISTENT]
Land Use & Development	Strategy LU-3.4 Promote fiscal responsibility for the City with the expansion of infrastructure and services. Action LU-3.5.1 Continue to require adequate public facilities for new development projects. Require developers to offset increased public costs when existing public infrastructure is inadequate. [CONSISTENT]
	Strategy LU-3.6. - Update the Zoning Code to ensure conformance with the <ul style="list-style-type: none"> • Comprehensive Plan. The Zoning Code is the City's primary regulatory tool in implementing the Comprehensive Plan. Amendments to the Zoning Code and Map will be necessary to reflect Comprehensive Plan recommendations and ensure orderly growth and development. [CONSISTENT]
Population & Housing	Strategy PH-3.1. Establish neighborhood design guidelines that promote safe, walkable and bikeable neighborhoods while accommodating the automobile.
	Strategy PH-3.2 - Encourage mixed land use patterns that place residents within walking distance of services.
Natural & Environmental Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Cultural & Historic Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Community Facilities	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Water Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Transportation & Circulation	Strategy TC-1.1. Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.
	Strategy TC-1.2. Identify and prioritize needed pedestrian connections within the community.

	<p><i>Strategy TC-1.3. Incorporate Complete Streets concepts into future roadway improvements in order to create multi-modal streets.</i></p>
	<p><i>Strategy TC-1.4. Encourage pedestrian connections between dead end streets and adjacent neighborhoods.</i></p>
	<p>Goal TC-3. Provide a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.</p>
	<p><i>Strategy TC-3.1. Continue to develop and require a connected street grid.</i> <i>Action TC-3.1.1. Require stub streets and connections to existing stubs in new subdivisions.</i></p>
	<p><i>Strategy TC-3.3. Implement local policies and practices that complement and expand upon the State's access management standards.</i> <i>Action TC-3.3.1. Adopt local access management regulations and roadway classifications that mirror the State standards</i> <i>Action TC-3.3.2. Incorporate zoning regulations that encourage shared parking and cross-access easements.</i> <i>Action TC-3.3.3. Encourage the use of shared service drives to consolidate access points.</i> <i>Action TC-3.3.4. Utilize redevelopment projects as opportunities to correct access management problems.</i></p>

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	<i>The management of congestion and planning for circulation and access are critical considerations for a commercial corridor.</i>
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	<i>Upward Road is a corridor experiencing significant growth. In the last three years, there have been no less than 9 development requests/approvals in the Upward Rd area alone. In addition to those development applications, there have been other development inquiries, some of which have been significant in scale. While other areas of Hendersonville are experiencing growth, no other specific area of town has seen this scale of development requests in recent years, especially when it comes to requests for commercial development.</i>
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	<i>The proposed amendment will help to mitigate vehicular congestion and plan for pedestrian and bicycle circulation.</i>
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	<i>The CHMU Zoning District is in an urban location that is well served by public facilities.</i>
Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	<i>Reduction in vehicular congestion and improvements in pedestrian and bicycle facilities can have a net positive impact on the natural environment in comparison to current conditions.</i>

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be [consistent] with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition aligns with Goal TC-3 of the Transportation and Circulation Chapter of the Comprehensive Plan which calls for providing a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.

In conjunction with the recommendations from Staff, we [find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- The text amendment would help address access management, congestion management and transportation circulation in the Upward Rd corridor.*
- The text amendment will impact a rapidly growing area of the City.*

DRAFT [Rational for Denial]

- The text amendment would place a burden on private development*