

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, SECTION 5-10-1. PERMITTED USES; SECTION 5-10-3. DIMENSIONAL REQUIREMENTS; AND SECTION 5-14-7. MINOR PLANNED RESIDENTIAL DEVELOPMENTS TO INCLUDE MULTI-FAMILY RESIDENTIAL USES AND TO REDUCE DIMENSIONAL STANDARDS**

**WHEREAS**, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on August 8, 2022; voting 0-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

**WHEREAS**, City Council took up this application at its regular meeting on September 1, 2022, and

**WHEREAS**, City Council has found that this zoning text amendment is consistent with the City's comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

**WHEREAS**, City Council has conducted a public hearing as required by the North Carolina General Statutes on September 1, 2022,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hendersonville to amend Article V. – Zoning District Classifications, Section 5-10-1. Permitted Uses; Section 5-10-3. Dimensional Requirements; And Section 5-14-7. Minor Planned Residential Developments to include multi-family residential uses and to reduce dimensional standards.

**ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS**

**Section 5-10. - Medical, Institutional and Cultural Zoning District Classification (MIC).**

**5-10-1. Permitted uses.**

The following uses are permitted by right in the MIC Medical Institutional Cultural Zoning District Classification, provided they meet all requirements of this section and all other requirements established in this appendix:

Accessory dwelling units subject to supplementary standards contained in section 16-4 below

Accessory uses and structures

Adult care centers registered with the NC Department of Health and Human Services (DHSS)

Adult care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

Banks and other financial institutions

Child care centers subject to supplementary standards contained in section 16-4, below

Child care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

Congregate care facilities subject to supplementary standards contained in section 16-4, below

Home occupations

Hospitals

Laundries, coin-operated

Music and art studios

Neighborhood community centers

Nursing homes subject to supplementary standards contained in section 16-4, below

Offices, business, professional and public

Parking lots and parking garages

Parks

Personal services consistent with the purposes of this classification, such as barber and beauty shops, medical and dental labs and clinics, opticians and optical services and prosthetics & orthopedics

~~Planned residential developments (minor)~~

Progressive care facilities subject to supplementary standards contained in section 16-4, below

Public and semi-public buildings

Religious institutions

Residential care facilities subject to supplementary standards contained in section 16-4, below

Residential dwellings, single-family

Residential dwellings, two-family

**Residential dwellings, multi-family**

Rest homes subject to supplementary standards contained in section 16-4, below

Retail stores consistent within the purposes of this classification, such as gift shops, florist shops and pharmacies

Schools, post-secondary, business, technical and vocational

Signs, subject to the provisions of article XIII

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

**5-10-3. Dimensional requirements.**

Minimum lot area in square feet:	<del>8</del> 6,000
Lot area per dwelling unit in square feet:	<del>10</del> 6,000 for the first; 5,000 square feet for each additional dwelling unit in one building.
Minimum lot width at building line in feet:	<del>7</del> 50
Minimum yard requirements in feet:	Front: <del>30</del> <b><u>10 (Front yards may be reduced to 0 feet along Major &amp; Minor Thoroughfares in cases where parking is located only in the rear yard).</u></b>
	Side: <del>10</del> <b><u>5</u></b>
	Rear: <del>20</del> <b><u>10</u></b>
Maximum height in feet:	50 (No building shall exceed 50 feet in height unless the depth of the front and total width of the

	side yards required herein shall be increased by one foot for each two feet, or fraction thereof, of building height in excess of 50 feet.)
--	---

### **5-10-3.1 Development Standards.**

Off-street parking lots shall be provided at the side or rear of buildings or the interior of a block of buildings and not closer to the street than the edge profile of the structures. For corner lots, all sides fronting a street shall be considered the front.

**5-10-3.2 Residential density.** The number of residential dwellings permitted on any development tract varies with regard to the open space ratio provided as noted on the following table.

<b><u>Open Space Ratio</u></b>	<b><u>Maximum Dwelling Units/Acre</u></b>
<u>0.40</u>	<u>8</u>
<u>0.50</u>	<u>10</u>
<u>0.60</u>	<u>12</u>

### **5-14-7. Minor planned residential developments.**

An applicant may elect to have a development processed as a minor planned residential development so long as the proposed development, including all phases, does not exceed 50 dwelling units and so long as no accessory commercial development is requested for the project. A minor planned residential development may be located in one or more of the following zoning district classifications: R-40, R-20, R-15, R-10, R-6, MIC, RCT, C-2, C-3, I-1.

**5-14-7.1 Density.** The maximum number of dwelling units which may be constructed in a minor planned residential development shall be 50 or a number computed on the basis of the following table, whichever is less:

<b>Use District</b>	<b>Dwelling Units Per Acre</b>
R-40	1.0
R-20	2.5
R-15	3.75
R-10	5.5
R-6	8.5
<del>MIC</del>	<del>5.5</del>
RCT	5.5
C-2	8.5
C-3	8.5
I-1	8.5

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1<sup>st</sup> day of September, 2022.

Attest:

\_\_\_\_\_  
Barbara G. Volk, Mayor, City of Hendersonville

\_\_\_\_\_  
Angela L. Reece, City Clerk

Approved as to form:

\_\_\_\_\_  
Angela S. Beeker, City Attorney