

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE XII. 'DEFINITION OF TERMS' AND ARTICLE XVI. 'SUPPLEMENTARY STANDARDS' FOR SMALL CELL WIRELESS FACILITIES**

**WHEREAS**, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on July 9, 2026; voting 8-0 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 August 6, 2026, 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**, Session Law 2017-159 governs authority to standardize the deployment of small cell wireless facilities in North Carolina, and

**WHEREAS**, General Statute allows for small cell facilities to be regulated by design standards, and

**WHEREAS**, the City of Hendersonville aims to establish order, compatibility and safety in the deployment of small cell facilities across its jurisdiction, and

**WHEREAS**, City Council has conducted a public hearing as required by the North Carolina General Statutes on August 6, 2026,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, Article XII. 'Definition of Terms' And Article XVI. 'Supplementary Standards' for Small Cell Wireless Facilities

## **ZONING ORDINANCE**

### **ARTICLE VI – GENERAL PROVISIONS**

#### **Section 6-20. Small Wireless Facility Design and Placement Standards**

##### **Sec.6-20- 1. Purpose and Intent**

a) The purpose of this subsection is to:

1. Facilitate deployment of wireless infrastructure;
2. Protect the public health, safety, and welfare; and
3. Preserve the aesthetic character of the public realm.

b) These standards are intended to be:

1. Technologically neutral;
2. Non-discriminatory; and
3. Consistent with applicable federal and state law.

##### **2. Applicability**

a) This subsection applies to all small wireless facilities and associated support structures located within the public right-of-way or on publicly owned property with the exception of small wireless facility located in an interior structure or upon the site of any stadium or athletic facility.

b) These standards shall apply to:

1. New poles;
2. Replacement poles; and
3. Collocation on existing structures.

c) Where these standards conflict with state or federal law, such law shall control.

##### **3. Administrative Review and Approval**

a) Small wireless facilities shall be subject to administrative review.

b) Applications shall be approved if they meet all applicable standards of this Ordinance.

c) The City shall act on applications within the timeframes established by applicable law.

d) Applications shall not be denied for aesthetic reasons unless:

1. The standards are reasonable;
2. The standards are no more burdensome than those applied to other infrastructure deployments; and
3. The standards are published in advance.

#### **4. Placement and Location Standards**

##### **a) Preferred Location Hierarchy**

Small wireless facilities shall be located in the following order of preference:

1. Collocation on existing structures including telecommunication facilities;
2. Collocation on existing utility poles;
3. Collocation on existing streetlight poles;
4. Replacement of existing poles;
5. New poles, where no feasible alternative exists.

##### **b) Spacing**

New small wireless facility poles shall be separated by a minimum distance of three hundred (300) feet unless the applicant demonstrates that a lesser distance is necessary for service.

##### **c) Prohibited Locations**

Small wireless facilities shall not be located:

1. Where they would contribute to the obstruction of required sidewalks or ADA access;
2. Within a 10' x 70' sight triangle at intersections;
3. In a manner that interferes with traffic control devices or public safety operations;
4. To the maximum extent feasible, new standalone small cell poles must be aligned with the extension of intersecting side-property lines, rather than directly in front of a primary residential facade or storefront window.
5. On property listed on or eligible for listing on the National Register of Historic Places.
6. On property which a locally-designated historic landmark.
7. Within designated National Register or local historic districts unless no feasible alternative exists;

Note: For purposes of this section, the term "historic" shall refer to districts or landmarks which have been nominated to the National Register of Historic Places or designated pursuant to chapter 28 of the City Code

##### **d) Underground Districts**

In areas where utilities are underground, new poles shall be prohibited unless:

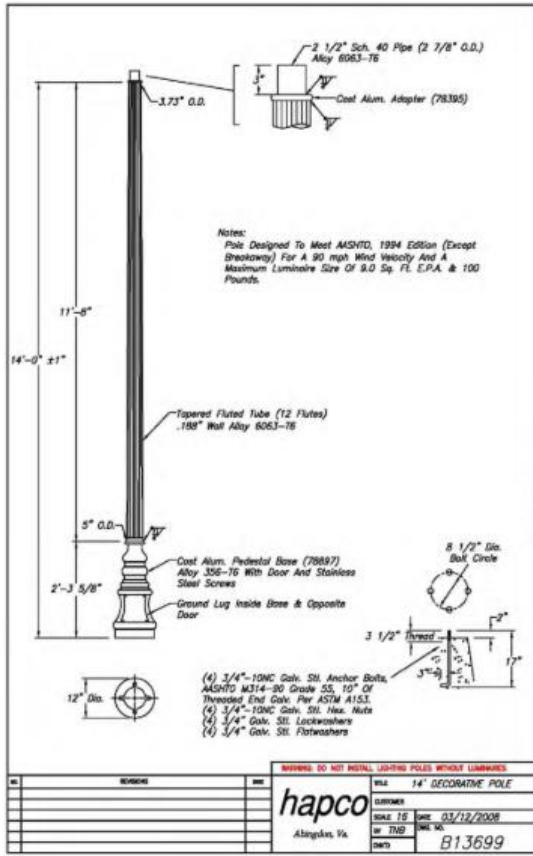
1. No feasible alternative exists; and
2. The facility is designed to minimize visual impact.

## 5. Design Standards

- a) Antennas shall not exceed a height of three feet (3').
- b) All facilities shall be designed and placed to minimize visual impact and be compatible with surrounding streetscape elements. Where no required lighting is included with the facility, locations adjacent to street trees shall be considered to assist with concealment.
- c) Equipment and wiring shall be fully concealed, shrouded, or integrated into the pole.
- d) All mounting hardware, bolts, and brackets must be hidden from public view using a tapered concealment shroud connecting the base of the radio shroud to the pole.
- e) All wiring, cabling, and hardware shall be concealed.
- f) No new ground disturbance shall be permitted that would exceed the depth and width of any previous ground disturbance (including footings and anchoring mechanisms). Except up to four lightning grounding rods up to 3/4-inch in diameter may be installed.

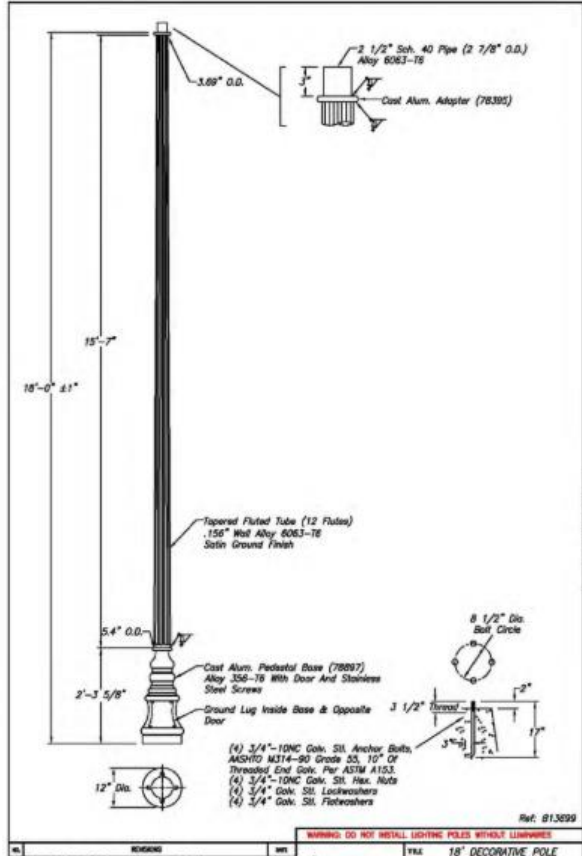
### f). Pole Design

1. Downtown Design Overlay. Per Sec. 5-28, when located within the Downtown Design Overlay Zoning District, poles shall be constructed according to City of Hendersonville specifications for Downtown District post shown below and coated in a color matching other City facilities as approved by the Public Works Director.



REVISION		DATE
1	LA-13	03/12/2008

**14' DECORATIVE LIGHT POLE**  
SCALE: 1/2" = 1'-0"



REVISION		DATE
1	LA-13	03/28/2009

**18' DECORATIVE LIGHT POLE**  
SCALE: 1/2" = 1'-0"

**NOTES:**

1. SEE LAYOUT PLAN. FOUR (4) 18' DECORATIVE LIGHT POLES AT CORNERS OF SEVENTH AVENUE AND LOCUST STREET ONLY.
2. 14' AND 18' DECORATIVE LIGHT POLES, TRAFFIC SIGNALS, AND PEDESTRIAN SIGNALS ARE BEING PURCHASED BY THE CITY. CONTRACTOR IS RESPONSIBLE FOR TRANSPORT FROM CITY OPERATIONS CENTER TO THE SEVENTH AVENUE PROJECT AREA AND FOR INSTALLATION OF LIGHTS.

Figure 1: Design Specifications for 14' & 18' Decorative Poles



*Figure 2: Photo example of 14' Decorative Pole*



*Figure 3: Photo example of 18' Decorative Pole*

2. Other Historic Districts. In designated historic districts (Local and National Register) outside of the Downtown Design Overlay, newly proposed facilities shall be reviewed by SHPO. New poles shall meet same specifications as above.
3. Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PRD, PMH, R-40, R-20, R-20, R-15, R-10, R-6 or any of these districts' Conditional Zoning District counterpart:
  - a) Facilities shall be:
    - i. Collocated on existing poles or
    - ii. Collocated on replacement poles that combine to serve as a streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.
  - b) Pole height shall not exceed twenty-five feet (25')

4. Non-Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PCD, RCT, C-2, C-3, I-1, PMD, PID or any of these districts' Conditional Zoning District counterpart:

1. Pole height shall not exceed:

- i. Fifty (50) feet for freestanding poles; or
- ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

2. Finish shall be non-reflective and made of material consistent with utility poles within the district.

e) Mixed Use Zoning Districts. Facilities shall meet the following requirements when located within areas zoned C-1, C-4, MIC, GHMU, HMU, UVCZD, URCZD, CHMU or any of these districts' Conditional Zoning District counterpart:

1. Facilities shall be:

- i. Collocated on existing poles or
- ii. Collocated in replacement poles that combine to serve as streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.

2. Pole height shall not exceed:

- i. Fifty (50) feet for freestanding poles; or
- ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

3. Finish shall be non-reflective and made of material consistent with utility poles within the district.

## **7. Equipment and Antennas**

a) Antennas shall be enclosed within a shroud integrated into the pole.

b) Equipment cabinets shall be internal or flush-mounted to the pole.

c) The following dimensional limits shall apply unless otherwise preempted by law:

1. Antenna enclosure diameter/height/width: fourteen (18) inches maximum;
2. Equipment cabinet diameter/height/width: twenty (20) inches maximum;

d) Color and finish shall match the supporting structure.

## **8 Foundations and Utilities**

- a) Foundations shall comply with applicable engineering and building code requirements.
- b) All conduit and utility connections shall be underground where feasible.
- c) Equipment shall be internally separated by ownership where applicable.

## **9. Noise and Ventilation**

- a) Facilities shall utilize passive ventilation where feasible.
- b) Noise from mechanical equipment shall not exceed:
  - 1. Thirty (30) dBA measured at one (1) meter; or
  - 2. Applicable local noise ordinance standards, whichever is more restrictive.

## **10 Identification and Safety**

- a) Facilities shall include required safety signage.
- b) Identification plates shall not exceed four (4) inches by six (6) inches and shall include:
  - 1. Provider name;
  - 2. Facility ID; and
  - 3. Emergency contact information.

## **11 Removal and Abandonment**

- a) Facilities that are abandoned or not in use for a period of twelve (12) months shall be removed.
- b) The City may require removal if the facility:
  - 1. Creates a safety hazard; or
  - 2. Is no longer maintained in accordance with this Section.

## **12 Nonconforming Facilities**

- a) Legally existing facilities that do not conform to these standards may continue.
- b) Modifications shall comply with applicable federal and state law regarding eligible facilities requests.

## **ARTICLE XII. DEFINITION OF TERMS**

**Small Cell Wireless Facility** - A wireless facility that meets the following qualifications:

- a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet.
- b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this sub-subdivision, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

**Micro Wireless Facility** - a telecommunication device no larger than 24 inches in length, 15 inches in width, and 12 inches in height, with an exterior antenna no longer than 11 inches A micro wireless facility is not considered a small cell wireless facility.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6<sup>th</sup> day of August, 2026.

Attest:

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

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Jill Murray, City Clerk

Approved as to form:

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Angela S. Beeker, City Attorney