



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** November 13, 2025

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: Zoning Text Amendment: C-4 Upzoning Update (25-76-ZTA) – *Matthew Manley, AICP – Long-Range Planning Manager*

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
<p>I move Planning Board recommend City Council <u>adopt</u> an ordinance amending the official City of Hendersonville Zoning Ordinance Article V. – ‘Zoning District Classifications’ and Article XVI. ‘Supplementary Standards’ to update the C-4, Neighborhood Commercial Zoning District based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The proposed amendments aligns with the Gen H Comprehensive Plan Future Land Use Map & Guiding Principles</p> <p>2. We [find] 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> <ol style="list-style-type: none">1. The proposed amendment creates an opportunity to accommodate neighborhood commercial infill development2. The proposed amendment allows for greater utilization of existing infrastructure3. The proposed amendment increases opportunities for additional housing in key locations in the city <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>I move Planning Board recommend City Council <u>deny</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – ‘Zoning District Classifications’ and Article XVI. ‘Supplementary Standards’ to update the C-4, Neighborhood Commercial Zoning District based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The proposed amendments aligns with the Gen H Comprehensive Plan Future Land Use Map & Guiding Principles</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> <ol style="list-style-type: none">1. The proposed amendment would allow for incompatible rezonings from residential to neighborhood commercial2. The proposed amendment includes permitted land uses that are not compatible with neighborhood commercial zoning. <p style="text-align: center;">[DISCUSS & VOTE]</p>

SUMMARY: The City of Hendersonville has initiated a zoning text amendment to modify the uses and the dimensional standards of the C-4, Neighborhood Commercial Zoning District. The proposed updates to this zoning district are precipitated by changes to state law, specifically the ‘downzoning’ law which went into effect late last year. This law eliminated the City’s authority to rezone property at its discretion. It requires property owner consent for any rezoning that would be deemed a “downzoning” according to the definition provided in the law. More information on this law and its impact on City zoning authority can be found here: <https://canons.sog.unc.edu/2024/12/limits-on-down-zoning/>

While it may seem logical and intuitive that rezoning from residential to neighborhood commercial would be an ‘upzoning’, it is not according to the State’s definition of ‘downzoning’. Therefore, to ensure that rezoning from residential to neighborhood commercial is an upzoning, all uses allowed under the City’s residential zoning districts must also be allowed in C-4. Similarly, the dimensional standards may not be more restrictive in C-4 than in a residential district in order to avoid a downzoning.

Staff is proposing to add 4 new permitted uses and 4 new special uses to C-4 that are currently allowed in the City’s Residential Zoning Districts. Additionally, staff proposes to move 4 currently permitted uses to special uses under C-4 and to add minor setback requirements under the Supplementary Standards for these uses. Dimensional standards are proposed to be reduced to align with R-6, the City’s least restrictive residential zoning district.

PROJECT/PETITIONER NUMBER:	25-76-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Draft Ordinance Changes3. Zoning District Comparison4. Comprehensive Plan Consistency & Evaluation