



MINUTES

May 1, 2025

REGULAR MEETING OF THE CITY COUNCIL

CITY HALL-2ND FLOOR MEETING ROOM | 160 6TH AVE. E. | 5:45 p.m.

Present: Mayor Barbara Volk; Mayor Pro Tem Dr. Jennifer Hensley and Council Members: Lyndsey Simpson, Melinda Lowrance and Gina Baxter

Staff Present: City Manager John Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Becker, Budget & Evaluation Director Adam Murr, Communications Director Allison Justus, Communications Coordinator Brandy Heatherly and others

1. **CALL TO ORDER**

Mayor Barbara Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag.

3. **PUBLIC COMMENT** *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

In Person:

Clifford Meek read the following letter to City Council: I come before my city council to ask for help in saving a Western North Carolina landmark. I am referring to Saluda Grade railroad tracks. Our local conservation group is about to obtain ownership of it and make it a 'hiking trail'. I am here tonight to save Saluda Grade railroad line AND to have the conservation group have their 'hiking trail' also. Truly a 'win'-'win' situation. Please allow me to explain. The conservation group in Hendersonville has already been to Raleigh and their local North Carolina state officials. They have obtained the capital needed by having the General Assembly allocate the needed monies for the purchase of this rail line. The state of North Carolina will be giving these monies to the Department of Natural Resources who in turn will turn these monies over to the Polk County Community Foundation who will 'let' out contracts to develop this 'rail to trails' project. They will take up the rails and ties and sell them off to raise monies. They will then grade the right of way for their new 'Saluda Grade Trail'. There is a federal program called 'Rails With Trails' where conservation groups can develop a 'trail' using the unused portion of a railroad right-of-way and still have railroad tracks in place for future use (if not currently being used). Why is this important? The rails in Hendersonville are a part of a railroad route from Spartanburg, SC and goes some 60+ miles to Asheville, NC. Currently, Spartanburg, SC has AMTRAK rail passenger service and Asheville, NC recently received federal Infrastructure funds

for studies to answer questions pertaining to future NCDOT/AMTRAK rail passenger service. This route to Asheville, NC will be on the NorfolkSouthern 'S' line traveling from Salisbury, NC some 130+ miles to Asheville, NC. The process going forward is to let NCDOT know of these plans and to have them purchase this rail line instead of the Department of Natural Resources. If NCDOT were to own this line, then the rails would remain in place for future AMTRAK rail passenger service. Future rail passenger service will be much different than current passenger train service. The states of Georgia and North Carolina have been developing a HIGH SPEED RAIL PASSENGER service between the cities of Atlanta, GA and Charlotte, NC since 1992 and the recent 'Bi-Partisan Infrastructure Bill' that passed Congress gave this route a much needed infusion of monies to drive this project forward. This route has already been defined as the chosen highspeed route of the six routes identified and will be traversing thru the upstate of South Carolina. The one and only rail passenger stop in the upstate will be at the Greenville-Spartanburg International airport in Greer, SC. These rails in Hendersonville, NC currently are able to go to Greer, SC once it gets to the bottom of the mountain. These rails need to stay in place for the time being until AMTRAK gets in to the new Greer, SC 'Multi-Modal Transportation Center', at which time this route would easily qualify for future AMTRAK passenger rail expansion. I have included a list of NC state officials who need to be notified immediately to get this project rolling on the 'rails'. Thank you. He handed City Council paperwork with the names and phone numbers of HNC Representative Jake Johnson, NC Senator Tim Moffitt and NCDOT Division 14 Dirk Cody.

4. CONSIDERATION OF AGENDA

Council Member Melinda Lowrance moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.

5. CONSENT AGENDA

Council Member Lyndsey Simpson moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

A. Adoption of City Council Minutes – Jill Murray, City Clerk

City Council Regular Monthly Meeting – April 3, 2025

City Council Second Monthly Meeting – April 23, 2025

B. Acceptance of an Emergency Bridge Loan Increase for Hurricane Helene Utility Damages – Adam Steurer, Utilities Director

Resolution #R-25-30

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT AN OFFER OF EMERGENCY BRIDGE LOAN FUNDING

WHEREAS, the North Carolina General Assembly has enacted Session Law 2024-53 to assist eligible units of government in meeting their Hurricane Helene disaster-related water infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Emergency Bridge Loan in the amount of \$9,467,000 to repair a wastewater and/or drinking water system, and

WHEREAS, the City of Hendersonville intends to perform said project in accordance with the terms of the Agreement with the NC Department of Environmental Quality.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City of Hendersonville does hereby accept the State Emergency Bridge Loan offer of \$9,467,000.
2. That the City of Hendersonville does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That Adam A. Steurer, Utilities Director, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

C. May 2025 Project Ordinances and Reimbursement Resolutions – Adam Murr, Budget & Evaluation Director

Resolution #R-25-31

**HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE 110 WILLIAMS STREET RENOVATION PROJECT (#25003), ORDINANCE #O-25-21 (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the grant revenue to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$500,000.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing. The Issuer may reimburse for all engineering, design, and studies ("soft costs") with no time constraints. The Issuer may reimburse construction, land, equipment, and other capitalized expenditures the latter of eighteen (18) months after expenditures, or eighteen (18) months after the project is placed in service but no more than three (3) years after the expenditures.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

Ordinance #O-25-21

**CAPITAL PROJECT ORDINANCE FOR
THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE 110 WILLIAMS
STREET RENOVATION PROJECT #25003**

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is a City project described as the 110 Williams Street Renovation Project, #25003.

Section 2: The following amounts are appropriated for the project(s):

Account Codes				Account Name	Total Budget
Fund	Dept	Account	Project		
460	1014	550103	25003	Capital Outlay- CIP	\$500,000
Total Project Appropriation					\$500,000

Section 3: The following revenues are anticipated to be available:

Account Codes				Account Name	Total Budget
Fund	Dept	Account	Project		
460	0000	470010	25003	Debt Proceeds (2025 Rev. Bond)	(\$500,000)
Total Project Appropriation					(\$500,000)

Section 4: The Finance Director is hereby directed to maintain within the Water & Sewer Fund, Water & Sewer Capital Reserve Fund, and Water & Sewer Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 5: Funds may be advanced from the Water & Sewer Fund, Water & Sewer Capital Reserve Fund, and Water & Sewer Capital Project Fund, as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 8: Copies of this capital project shall be furnished to the City Clerk, Finance Director, and City Manager for direction in carrying out this project.

Section 9: The City Manager, or designee, is authorized to declare the project completed, close the project ordinance, and distribute remaining project funds to the appropriate operating fund or reserve fund.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

Resolution #R-25-32

**HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE OPERATIONS CENTER ENERGY EFFICIENCY PROJECT (#G2505), ORDINANCE #O-25-22 (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the grant revenue to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$128,928.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing. The Issuer may reimburse for all engineering, design, and studies ("soft costs") with no time constraints. The Issuer may reimburse construction, land, equipment, and other capitalized expenditures the latter of eighteen (18) months after expenditures, or eighteen (18) months after the project is placed in service but no more than three (3) years after the expenditures.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

Ordinance #O-25-22

**GRANT PROJECT ORDINANCE FOR
THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE OPERATIONS
CENTER ENERGY EFFICIENCY PROJECT, #G2505**

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is a City project described as the Operations Center Energy Efficiency Project, #G2505

Section 2: The following amounts are appropriated for the project(s):

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
301	1565	550103	G2505	Capital Outlay – CIP	\$128,928
Total Project Appropriation					\$128,928

Section 3: The following revenues are anticipated to be available for the project(s):

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
301	0000	420050	G2505	Grant (2025 EECBG)	(\$128,928)
Total Project Appropriation					(\$128,928)

Section 4: The Finance Director is hereby directed to maintain within the General Fund, and the Governmental Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 5: Funds may be advanced from the General Fund, as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 8: Copies of this capital project shall be furnished to the City Clerk, Finance Director, and City Manager for direction in carrying out this project.

Section 9: The City Manager, or designee, is authorized to declare the project completed, close the project ordinance, and distribute remaining project funds to the appropriate operating fund or capital reserve fund.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 1st day May, of 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

D. Application for a NCDOT Comprehensive Bicycle Planning Grant – Blake Fulgham, Management Analyst II

Resolution #R-25-33

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
IN SUPPORT OF APPLICATION FOR
NCDOT BICYCLE AND PEDESTRIAN PLANNING GRANT**

WHEREAS, the North Carolina Department of Transportation has established a grant that provides funding to municipalities for the development of Comprehensive Municipal Bicycle and Pedestrian Plans; and

WHEREAS, the City of Hendersonville has a desire to provide its citizens with safe, convenient, and more complete bicycling infrastructure within the community; and

WHEREAS, the City of Hendersonville's last Bicycle Plan was adopted in 2018; and

WHEREAS, the City's financial and technical resources have limited its ability to update its Bicycle Plan; and

WHEREAS, the City of Hendersonville desires a Bicycle Plan update to obtain the following objectives:

1. Provide for multimodal forms of transportation.

2. Provide guidance for modifying infrastructure to safely accommodate cycling in appropriate locations.
3. Ensure that the North Carolina Department of Transportation (NCDOT) funded projects incorporate the City of Hendersonville's objectives.
4. Move towards an effective network for active transportation, recreation, and exercise.
5. Have an approved plan that will support funding from NCDOT for cycling transportation improvements.
6. Ensure land use decisions effectively incorporate multimodal objectives.

WHEREAS, the North Carolina Department of Transportation has announced a competitive Planning Grant Initiative to award funding for Comprehensive Bicycling Plans; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

4. The City hereby endorses the application for a Comprehensive Bicycle Planning Grant and, if the project is selected, agrees to provide matching funding up to 20%, and any staff assistance for the duration of the Project; and
5. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

E. Annexation: Certificate of Sufficiency – Upward Road (Quattlebaum Properties LLC (25-22-ANX) – Tyler Morrow, Current Planning Manager

Resolution #R-25-34

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the satellite area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hendersonville, North Carolina that:

Section 1. A public hearing on the question of annexation of the satellite area described herein will be held at City Hall located at 160 6th Ave E. Hendersonville NC, 28792 at 5:45 p.m. June 5th, 2025, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PIN 9588-40-7325 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9588-40-7325 being described by metes and bounds as follows:

Being a tract of land containing 2.65 acres, shown in Plat Slide Book 2025, Page 16149, Tax Parcel PIN 9588-40-7325, located on Upward Road, S.R. 1783, in Blue Ridge Township, Henderson County, North Carolina, surveyed by Jason Wall, PLS of Survey Pros PLLC, Project #24-160, January 17, 2025, with bearings relative to NC Grid, NAD 83. A metes and bounds description of the area to be annexed taken from said survey is as follows:

BEGINNING at a 5/8" rebar found in the southern margin of right of way for Upward Road, at

the northwestern corner of a 2.65 acre tract shown in Plat Slide Book 2025, Page 16149, having NC Grid coordinates of N: 580,589.02' E: 984,636.22', and said 5/8" rebar being located, South 78°26'59" East, a distance of 257.98 feet from a 5/8" rebar found, the northwestern corner of Deed Book 1178, Page 326; thence from the POINT OF BEGINNING, with the southern margin of right-of-way, and with a new city limits line, the following two courses: (1) South 69°57'19" East, 304.16 feet to a 5/8" iron set; (2) with a curve to the right, a chord bearing and distance of, South 68°12'29" East, 30.20 feet to a 5/8" iron set in the southern margin of right-of-way of Upward Road; thence continuing with a new city limits line, and with the 2.65 acre tract shown in Plat Slide Book 2025, Page 16149, the following 3 courses: (1) South 20°10'26" West, 344.34 feet to a 5/8" iron set; (2) North 69°54'45" West, 333.89 feet to a 5/8" iron set; (3) North 20°05'50" East, 345.01 feet to a 5/8" rebar found, the POINT OF BEGINNING, containing an annexation area of 2.65 acres, more or less.

Re: Petition for Satellite Annexation
Petitioner: Robert H. Quattlebaum, manager of Quattlebaum Properties F, LLC
File No. 25-22-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

CERTIFICATE OF SUFFICIENCY

Re: Petition for Satellite Annexation
Petitioner: Robert H. Quattlebaum, manager of Quattlebaum Properties F, LLC
File No. 25-22-ANX

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:
I, Jill Murray, City Clerk, being first duly sworn, hereby certify that:

1. A petition has been received for satellite annexation of properties consisting of +/- 2.65 acres located on Upward Road in Hendersonville, NC, being tax parcel PIN 9588-40-7325, and being more particularly described on Exhibit A, attached hereto and incorporated by reference, hereinafter "Petition."
2. An investigation has been completed as required by N.C.G.S. § 160A-58.2 of the Petition for compliance with the requirements of N.C.G.S. § 160A-58.1.

Based upon this investigation, I find that

1. The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
2. The nearest point on the proposed satellite corporate limit is approximately 8,577' from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
3. The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).
4. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville (Village of Flat Rock approximately 8,810').
5. The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
6. The area proposed for annexation is not subject to subdivision regulation as described N.C.G.S. § 160D-802.

7. The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
8. The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

Having made the findings stated above, I hereby certify the Petition appears to be valid.

In witness hereof, I have set my hand and the City Seal on this the 1st day of May, 2025.

(City Seal)

/s/ Jill Murray

Jill Murray, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

Being all of that real property consisting of PIN 9588-40-7325 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9588-40-7325 being described by metes and bounds as follows:

Being a tract of land containing 2.65 acres, shown in Plat Slide Book 2025, Page 16149, Tax Parcel PIN 9588-40-7325, located on Upward Road, S.R. 1783, in Blue Ridge Township, Henderson County, North Carolina, surveyed by Jason Wall, PLS of Survey Pros PLLC, Project #24-160, January 17, 2025, with bearings relative to NC Grid, NAD 83. A metes and bounds description of the area to be annexed taken from said survey is as follows:

BEGINNING at a 5/8" rebar found in the southern margin of right of way for Upward Road, at the northwestern corner of a 2.65 acre tract shown in Plat Slide Book 2025, Page 16149, having NC Grid coordinates of N: 580,589.02' E: 984,636.22', and said 5/8" rebar being located, South 78°26'59" East, a distance of 257.98 feet from a 5/8" rebar found, the northwestern corner of Deed Book 1178, Page 326; thence from the POINT OF BEGINNING, with the southern margin of right-of-way, and with a new city limits line, the following two courses: (1) South 69°57'19" East, 304.16 feet to a 5/8" iron set; (2) with a curve to the right, a chord bearing and distance of, South 68°12'29" East, 30.20 feet to a 5/8" iron set in the southern margin of right-of-way of Upward Road; thence continuing with a new city limits line, and with the 2.65 acre tract shown in Plat Slide Book 2025, Page 16149, the following 3 courses: (1) South 20°10'26" West, 344.34 feet to a 5/8" iron set; (2) North 69°54'45" West, 333.89 feet to a 5/8" iron set; (3) North 20°05'50" East, 345.01 feet to a 5/8" rebar found, the POINT OF BEGINNING, containing an annexation area of 2.65 acres, more or less.

F. Approval of Fiscal Year 2025 Annual Audit Contract – Krystal Powell, Finance Director

Resolution#R-25-35

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AUTHORIZE A CONTRACT WITH GOULD KILLIAN CPA GROUP**

WHEREAS, the North Carolina General Assembly has enacted Chapter 159-34 of the North Carolina General Statutes which requires all local governments to have their accounts audited as soon as possible after the close of each fiscal year by a certified public accountant, or accountant certified by the Local Government Commission as qualified to audit local government accounts, selected by and reporting to the governing board; and

WHEREAS, City staff issued a Request for Proposal from qualified auditing firms on January 11, 2024 and four proposals were received; and

WHEREAS, staff reviewed the proposals based on the criteria outlined in the Request for Proposal;
And

WHEREAS, Gould Killian CPA Group scored the highest among the four proposals reviewed by staff.
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. City Council selects Gould Killian CPA Group as auditor for fiscal year 2025 for the amount of \$52,950 plus \$4,200 for each major Single Audit program.
2. City Council directs the Finance Director to submit the completed LGC-205 Contract to Audit Accounts to the Local Government Commission.
3. City Council authorizes the City Manager to sign the Gould Killian CPA Group Engagement Letter and the LGC-205 Contract to Audit Accounts for the fiscal year 2025 audit.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

G. May 2025 Budget Amendments – Adam Murr, Budget & Evaluation Director

TO MAYOR & COUNCIL
 APPROVAL: May 01, 2025

FISCAL YEAR 2025
 FORM: 05012025-01

BUDGET AMENDMENT

FUND 010 301					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-1502-534000	Non-Capital Equipment	40,000	-	8,000	32,000
010-0000-598901	Transfer Out (to 301, #G2403)	1,702,176	8,000	-	1,710,176
FUND 010	TOTAL REVENUES	-	-	-	-
General Fund	TOTAL EXPENDITURES	1,742,176	8,000	8,000	1,742,176
301-0000-470100-G2403	Transfer In (From 010, FY25)	-	8,000	-	8,000
301-0000-420050-G2403	Grant Revenue	40,000	-	-	40,000
301-7855-550102-G2403	Capital Outlay - Services and Fees	40,000	8,000	-	48,000
FUND 301	TOTAL REVENUES	40,000	8,000	-	48,000
Waste Reduction #G2403	TOTAL EXPENDITURES	40,000	8,000	-	48,000

An amendment to increase the Community Waste Reduction Grant Project #G2403 by \$8,000 for a grant match.

The City Manager and City Clerk certify budget ordinance amendment 05012025-01 was approved by City Council on May 01, 2025.

TO MAYOR & COUNCIL
 APPROVAL: May 01, 2025

FISCAL YEAR 2025
 FORM: 05012025-02

BUDGET AMENDMENT

FUND 010 410					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470900	Fund Balance Approp. (FY15)	150,000	-	-	150,000
010-0000-470900	Fund Balance Approp. (FY16)	58,000	-	-	58,000
010-0000-410001	Local Sales & Use Tax (Sales Tax, FY25)	6,117,500	124,835	-	6,242,335
010-0000-598901	Transfer Out (to 410, #15929, FY15)	150,000	-	-	150,000
010-0000-598901	Transfer Out (to 410, #15929, FY16)	58,000	-	-	58,000
010-0000-598901	Transfer Out (to 410, #15929, FY25)	-	124,835	-	124,835
FUND 010	TOTAL REVENUES	6,325,500	124,835	-	6,450,335
	TOTAL EXPENDITURES	208,000	124,835	-	332,835
410-0000-470010-15929	Transfer In (from 010, FY15)	150,000	-	-	150,000
410-0000-470010-15929	Transfer In (from 010, FY16)	58,000	-	-	58,000
410-0000-470010-15929	Transfer In (from 010, FY25)	-	124,835	-	124,835
410-0000-420050-15929	Reimbursements	832,000	-	832,000	-
410-0000-420050-15929	Grant Revenue (NCDOT)	-	260,154	-	260,154
410-1014-550103-15929	Capital - CIP	1,040,000	384,989	832,000	592,989
FUND 410	TOTAL REVENUES	1,040,000	384,989	832,000	592,989
Tracey Grove Bridge, #15929	TOTAL EXPENDITURES	1,040,000	384,989	832,000	592,989

An amendment to the Tracey Grove Bridge Project #15929, decreasing the total appropriation to \$592,989 from \$1,040,000. The decrease is attributed to NCDOT fully assuming work on the bridge construction portion of the project. The City is budgeting for only Duke and AT&T utility work, and previously completed work.

The City Manager and City Clerk certify budget ordinance amendment 05012025-02 was approved by City Council on May 01, 2025.

TO MAYOR & COUNCIL
APPROVAL: May 01, 2025

FISCAL YEAR 2025
FORM: 05012025-03

BUDGET AMENDMENT

FUND 410					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
410-0000-460090-18026	Contributions/Donations - Carolina Village	250,000	-	-	250,000
410-0000-460090-18026	Contributions/Donations - Blue Ridge Bicycle Club	10,000	-	-	10,000
410-0000-460090-18026	Contributions/Donations-WRDG	150,000	-	150,000	-
410-0000-460090-18026	Contributions/Dontaitons- PARTF 2020	376,000	-	-	376,000
410-0000-460090-18026	Contributions/Donations-STBG-DA	1,686,020	-	-	1,686,020
410-1014-550102-18026	Capitall Outlay- Fees and Services	306,620	-	-	306,620
410-1014-551000-18026	Capitall Outlay- Land,Easement,ROW	77,820	-	-	77,820
410-1014-550103-18026	Capital Outlat- CIP	2,087,580	-	150,000	1,937,580
FUND 010	TOTAL REVENUES	2,472,020	-	150,000	2,322,020
General Fund	TOTAL EXPENDITURES	2,472,020	-	150,000	2,322,020

An amendment to reduce the Clear Creek Greenway Project #18026 by \$150,000 due to an unsecured grant.

The City Manager and City Clerk certify budget ordinance amendment 05012025-03 was approved by City Council on May 01, 2025.

H. Construction Contract Award of the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction Project – *Michael Huffman, Stormwater Director*

Resolution #R-25-36

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE LOWER MUD CREEK FLOODPLAIN RESTORATION AND FLOOD RISK REDUCTION PROJECT

WHEREAS, the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction (DWI Project No. SRP-SW-ARP-0012) intends to reduce flooding and restore natural floodplain functions along Mud Creek in south Hendersonville. Spanning two City-owned parcels totaling 27 acres, the project will reconnect floodplains, restore over 2,000 linear feet of first-order streams, stabilize 1,500 linear feet of streambank, and enhance 20 acres of wetlands and riparian areas. These efforts will boost floodwater storage, mitigate chronic flooding, and improve water quality by addressing stormwater runoff and habitat degradation.

WHEREAS, bids were scheduled to be received at 2:00 p.m., April 17th 2025, for the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction Project but fewer than three bids were offered; and

WHEREAS, North Carolina General Statute (N.C.G.S.) 143-132(a) requires a minimum of three bids for formal construction and repair contracts and N.C.G.S. 143-129 authorizes the project to be re-advertised; and

WHEREAS, after proper re-advertisement, two bids were received and publicly opened by the City of Hendersonville at 1:00 p.m. on April 28th, 2025, and the following bids were received; and

Name of Contractor	Amount
1. Shamrock Construction and Remediation, LLC	\$2,584,074.90
2. Environmental Quality Resources	\$5,697,759.70

WHEREAS, Wildlands Engineering reviewed each bid for completeness and accuracy. Shamrock Construction and Remediation, LLC was the lowest responsive, responsible bidder in the total bid amount of \$2,584,074.90, and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City Manager is authorized to award and execute a contract for the construction of the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction (DWI Project No. SRP-SW-ARP-0012) to Shamrock Construction and Remediation, LLC, the lowest responsive and responsible bidder, in the total amount of \$2,584,074.90.
2. The City Manager's authority to award and execute the construction contract granted by this Resolution in paragraph 1 above is contingent upon the approval of the North Carolina Department of Environmental Quality and the North Carolina Local Government Commission.
3. The City Manager is authorized to approve change orders which, cumulatively, do not exceed 10% of the approved contract amount of \$2,584,074.90, provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval, and provided that such change orders are approved by the NCDEQ or the NCLCG if required by applicable laws or program regulations.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

I. 2025 Series Water & Sewer Revenue Bond Initial Resolution – Adam Murr, Budget & Evaluation Director

#R-25-37

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA
DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF
A WATER AND SEWER SYSTEM REVENUE BONDS AND CERTAIN RELATED MATTERS**

WHEREAS, the City Council (the "*City Council*") of the City of Hendersonville, North Carolina (the "*City*") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the "*Act*"), to issue, subject to the approval of the Local Government Commission of North Carolina (the "*LGC*"), at one time or from time to time, revenue bonds of the City for the purposes as specified in the Act; and;

WHEREAS, the City Council is considering the issuance of not to exceed \$11,500,000 Water and Sewer System Revenue Bonds, Series 2025 (the "*2025 Bonds*") to (1) finance improvements to the City's water and sewer system, including, without limitation (a) the replacement, improvement and maintenance of water and sewer mains, pipes and pump stations, (b) the expansion and improvement of its Water Treatment Facility to provide additional capacity to its residents and businesses, (c) the construction of the Wastewater Treatment Biosolids Thermal Dryer, (d) improvements to a water intake scour system, (e) payments to the North Carolina Department of Transportation related to improvements to Highland Lake Road of certain city-owned water and sewer lines completed by the North Carolina Department of Transportation and (f) the acquisition of a CCTV inspection truck (collectively, the "*2025 Projects*") and (2) to pay the costs of issuing the 2025 Bonds; and

WHEREAS, the 2025 Bonds would be issued under the General Trust Indenture dated as of December 1, 2019 between the City and The Bank of New York Mellon Trust Company, N.A., as trustee, (the "*Trustee*") and a series indenture between the City and the Trustee;

WHEREAS, the City Council wants to approve the retention of the financing team for the 2025 Bonds, including (1) Parker Poe Adams & Bernstein LLP, as bond counsel; (2) First Tryon Advisors, as financial advisor; (3) The Bank of New York Mellon Trust Company, N.A., as trustee, paying agent and registrar for the 2025 Bonds; (4) Robert W. Baird & Co., Incorporated, as underwriter of the 2025 Bonds (the "*Underwriter*"), and (5) Stantec Inc., as feasibility consultant (collectively, the "*Financing Team*"); and

WHEREAS, the City Council wants the Finance Director of the City to file with the LGC an application for its approval of the 2025 Bonds, on a form prescribed by the LGC, and (1) request in such application that the LGC approve (a) the negotiation of the sale of the 2025 Bonds to the Underwriter and (b) the City's use of the Financing Team and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2025 Bonds and to the City and its financial condition, as may be required by the LGC, and to take all other action necessary to the issuance of the 2025 Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA, AS FOLLOWS:

Section 1. The 2025 Bonds are to be issued by the City for the purpose of providing funds to (1) pay the costs of the 2025 Projects and (2) to pay the costs of issuing the 2025 Bonds. The use of the proceeds of the 2025 Bonds is necessary to meet the needs of the users of the City's water and sewer system and to assure that the City's water and sewer system remain in full compliance with all state and federal requirements for the provision of water and sewer services.

Section 2. The City Manager, the Assistant City Manager and the Finance Director, with advice from the City's financial advisor and bond counsel, is hereby authorized, directed and designated to file an application with the LGC for its approval of the issuance of the 2025 Bonds.

Section 3. The Financing Team is hereby approved in connection with the issuance by the City of the 2025 Bonds, and the City Manager, the Assistant City Manager and the Finance Director, are each hereby authorized to retain other professionals as may be necessary and appropriate to carry out the intentions of the City Council as set forth in this Resolution.

Section 4. The City Council finds and determines and asks the LGC to find and determine from the City's application and supporting documentation:

- (a) that the issuance of the 2025 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2025 Bonds will be sufficient but is not excessive, when added to other money available to the City's water and sewer system, to finance the 2025 Projects;
- (c) that the City's water and sewer system as now constituted, and as it will be constituted after the completion of the 2025 Projects, is feasible;
- (d) that the City's debt management procedure and policies are good; and
- (e) that the 2025 Bonds can be marketed at a reasonable interest cost to the City.

Section 5. The City Council requests that the LGC sell the 2025 Bonds at private sale without advertisement to the Underwriter at such prices as the LGC determines to be in the best interest of the City, but at a true interest cost not exceeding 6.00%.

Section 6. That the Mayor, the City Manager, the Assistant City Manager, the City Attorney, the Finance Director and the City Clerk, including anyone serving as such in an interim capacity, and their respective designees (the "*Authorized Officers*"), are each hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to complete the steps necessary for the issuance of the 2025 Bonds. All acts and doings of the Authorized Officers that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2025 Bonds shall be, and the same hereby are, in all respects approved and confirmed. Any provision in this Resolution that authorizes more than one officer of the City

to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

Section 7. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 8. This Resolution is effective on its adoption.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

J. Subrecipient Agreement for CDBG-NR Funding with Housing Assistance Corporation – Angela S. Beeker, City Attorney

Resolution #R-25-38

RESOLUTION APPROVING A SUBRECIPIENT AGREEMENT WITH HOUSING ASSISTANCE CORPORATION FOR CDBG-NR FUNDS FOR SCATTERED SITE REHABILITATION

WHEREAS, the City of Hendersonville City Council has previously approved the application for 2024 Community Development Block Grant Neighborhood Revitalization Funding (CDBG-NR), having held two public hearings as required; and

WHEREAS, the City has been awarded **\$1,312,710.50** in CDBG-NR funds by the NC Department of Commerce, Rural Economic Development Division, for the 2024 funding cycle; and

WHEREAS, the City wishes to enter into a subrecipient agreement with Housing Assistance Corporation to administer the use of these funds for rehabilitation of owner-occupied homes for persons having a household income at or below 80% of the area median income;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Hendersonville that:

1. The City Council hereby approves the subrecipient agreement with Housing Assistance Corporation for the administration of the City's 2024 funding from the NC Department of Commerce, Rural Economic Development Division, as presented.
2. The City Manager is authorized to execute the subrecipient agreement on behalf of the City of Hendersonville, with such modifications as he deems advisable in consultation with the City Attorney.
3. The City Manager and City staff are authorized to take such actions as are reasonably necessary to carry out CDBG-NR rehabilitation projects, in consultation with the City Attorney, including but not limited to entering into construction agreements for the home rehabilitation, and approving and signing loan documents with the homeowners of properties to be rehabilitated.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

K. Creation of Local Government Liaison Position – *John Connet, City Manager*

JOB TITLE: Local Government Liaison

PAY GRADE: NA – Volunteer Position

DEPARTMENT: City Manager's Office, City of Hendersonville

MAJOR DUTIES

JOB SUMMARY: This position is appointed by and reports directly to the City Manager. The position will work directly with the City Manager to advise the City Council and assist in the implementation of City strategic goals. Upon direction from the City Manager, the position may communicate and negotiate the City's position on strategic matters. However, this position shall not have authority to bind the City in any matters. All policy decisions and agreements must be approved by City Council or the City Manager as appropriate.

MAJOR DUTIES**ESSENTIAL:**

- Assist the City Council and staff in the development of strategic positions that facilitate the implementation of City goals and objectives.
- Represents the City Council and staff within the community and among local, state and federal officials to ensure lines of communication remain open and positive working relationships are maintained.
- Upon direction from the City Manager, assist with communicating of the City's position on strategic matters and advocating for this position in a manner that seeks a positive outcome for the City.
- Travels with the City Council and staff to local, state and federal events to represent the City and promote key strategic goals and objectives.
- Advises the City Manager on concerns within the community to ensure there is clear awareness of service issues and operational concerns.
- Serves at the will of the City Manager, and may be removed with or without cause.

QUALIFICATION:

Must have a positive relationship with local, state and federal elected officials.

Must generally support City strategic goals and objectives and represent the City Council's policy positions regardless of political philosophy.

Must support the Council-Manager Form of Government and understand the role of the City Manager in providing policy recommendations to the City Council.

Or

An equivalent combination of experience, knowledge, skills, abilities and other characteristics consistent with the required qualifications as determined by the job analysis.

COMPENSATION:

The position is a volunteer position and will not be compensated.

The position will be reimbursed for all actual travel, administrative, or subsistence expenses as provided by the City's Travel Policy.

The position will utilize their personal vehicle, and provide their own car insurance. However, the position shall be paid the federal mileage rate for business miles.

The position is not entitled to any City benefits

The position will be provided with a City email address to be used for all City related correspondence.

The position shall receive access to City facilities and parking in the same manner of the City Council to assist with the performance of duties.

6. PRESENTATIONS

A. **Quarterly MVP Recipients** – *John Connet, City Manager*

City Manager John Connet recognized and introduced the MVP recipients and Mayor Volk handed them their certificates.

Quarterly MVPs

January – March 2025

The Service Excellence Design Team voted on the 19 MVPs submitted and the following three received the highest votes.



Richard Burchell and Chad Kinman (Water/Sewer)

Matt McKirahan, Town of Mills River, called to tell The City of how Chad and Richard went out of their way providing great customer service to the Town of Mills River to assist in identifying a private side water issue quickly and professionally resulting in minimal disruptions to the Town's water service.





Travis Aldred, Alejandro Bernabe, Ricky Bradley, Eric Galloway, Randy Mellen, Kevin Rhodes (Public Works)

When the fire department caused some damage by sliding off a road during Hurricane Helene, I advised the landowner to let us know when he was ready, and we would repair the damage we had caused. The landowner waited several months before contacting us to allow time for us to calm down from the storm. I requested Kevin Rhodes' help in determining what we needed to do to repair the damaged area and said that he and his crew would repair the area for us since they had the knowledge and equipment to do the job correctly and because we are supposed to help each other within the City of Hendersonville family. On 3/26/2025 Kevin and his crew made the repairs which look professional done. The Fire department is grateful for the help and proud to be on the same team!



Ricky Bradley, Dorian Raines, Travis Aldred, Jerry Villars (Public Works), Brandy Heatherly (Admin)

Working along Clear Creek, Ricky, Dorian, and Travis in Property Maintenance found a muddy wedding pillow along the creek bed with a last name and wedding date. Recognizing its sentimental value and could be a remnant from Helene, they cleaned it up hoping to find its owner. Jerry Villars, in Building Maintenance, reached out to Brandy to see if the pillow could be reunited using the city's social media. Within a few minutes Brandy located the owners. Lindsey and Jack Googer received this pillow as a gift from Lindsey's grandmother in 2021. The couple lived in Hendersonville but lost their home from Hurricane Helene. Lindsey's grandmother had passed, but knowing that someone found and was returning their pillow made the couple emotional and grateful. The pillow has been shipped to the couple's new home in South Carolina.



B. Proclamation – Jewish Heritage Month – *Barbara G. Volk, Mayor*

Mayor Volk read the proclamation aloud. There was no one there to receive it in person, however, they were on Zoom to hear it.

Proclamation Jewish Heritage Month – May, 2025

WHEREAS, Jewish Americans have made significant and lasting contributions to the cultural, civic, and economic fabric of the United States, including the City of Hendersonville; and

WHEREAS, Jewish Heritage Month provides an opportunity to celebrate and honor the history, traditions, and achievements of the Jewish community while promoting awareness, education, and unity among all residents; and

WHEREAS, NECHAMA – Jewish Response to Disaster, a national nonprofit with an active presence in Western North Carolina, including Hendersonville, has exemplified the values of compassion, service, and community support by deploying 500 volunteers who have contributed more than 6,500 hours to 40 disaster relief projects since October 2024; and

WHEREAS, NECHAMA not only brings critical aid in times of crisis but also serves as a bridge to greater interfaith understanding, often representing the only Jewish organization that some clients will encounter, fostering dialogue and trust through direct service; and

WHEREAS, recent NECHAMA-led events such as Good Deeds Day and Yom HaShoah (Holocaust Remembrance Day) have united diverse communities across faiths to honor Holocaust survivors, combat antisemitism, and strengthen bonds through shared learning and service; and

WHEREAS, the City of Hendersonville is committed to recognizing and uplifting all communities that contribute to our vibrant, inclusive, and resilient city;

NOW, THEREFORE, I, Barbara G. Volk, Mayor of the City of Hendersonville, do hereby proclaim **May 2025** as

Jewish Heritage Month

in Hendersonville, North Carolina, and encourage all residents to reflect on the enduring contributions of Jewish Americans. Let us honor these contributions by embracing the values of tolerance, equity, and service. In recognition of organizations like NECHAMA – Jewish Response to Disaster, whose presence in our region exemplifies these values through hands-on relief and interfaith unity, I further invite residents to consider joining in their efforts to support and uplift communities in times of need.

PROCLAIMED this 1st day of May, 2025.

/s/Barbara G. Volk, Mayor

C. Human Trafficking Task Force – Christina Holtgreven, True Ridge

Mindy Denney with Henderson County Department of Social Services, Christina Holtgreven, Immigration Attorney for True Ridge and Michael Sutton, Social Worker with Henderson County Schools gave the following PowerPoint presentation.

HUMAN TRAFFICKING: AN OVERVIEW

Henderson County
Human Trafficking
Response Team

THANK YOU FOR BEING HERE!

The Henderson County Human Trafficking Response Team (HCHTRT) is a multidisciplinary team committed to human trafficking community education, prevention, and response.



MEET OUR TEAM

Det. Lance Easton, Hendersonville Police Dept.

Det. Juan Gonzalez, Fletcher Police Dept.

Det. Chris Ellis, Henderson County Sheriff's Office

Stephanie Barbosa, Henderson County Sheriff's Office

Emily Joyner, Safelight Child Advocacy Center

Angela Austin, Safelight Child Advocacy Center

Susan Huter, Safelight

Christine Gilmore, Safelight

Meredith Harding-Bremner, AdventHealth

Mariah Cassum, Blue Ridge Health

Yarinell Vasquez, Department of Social Services

Mindy Denney, Department of Social Services

Michael Sutton, Henderson County Public Schools

Christina Holtgreven, Tru Ridge

Whitney Crouse, Children and Family Resource Center

Andrea Robeles-Leon, Pisgah Legal

THE PROBLEM



WHAT IS HUMAN TRAFFICKING?

The U.S. Department of Justice defines Human Trafficking as:

A crime involving the exploitation of a person for labor, services, or commercial sex.

THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000 DEFINES TWO PRIMARY FORMS OF HUMAN TRAFFICKING:



Sex
Trafficking

Labor
Trafficking

Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act in which a commercial sex act is **induced by force, fraud, or coercion**, or in which the person induced to perform such act has not attained 18 years of age. (22 U.S.C. § 7102(11)(A)).

Forced labor is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, **through the use of force, fraud, or coercion** for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (22 U.S.C. § 7102(11)(B)).



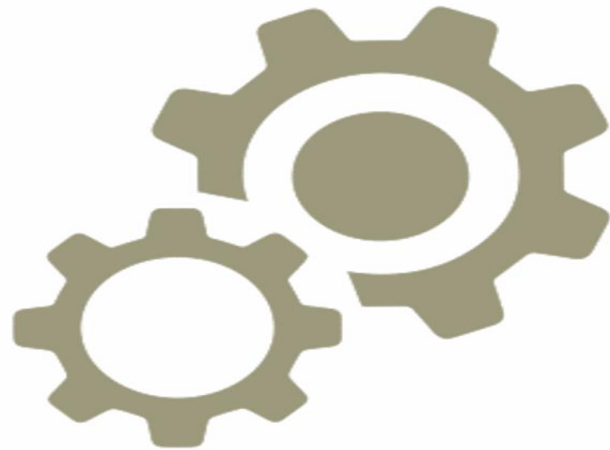
HOW BIG IS THE PROBLEM?

Let's look at the 2021 data from the National Human Trafficking Hotline:

Total Trafficking Situations
Reported: **10,359**

Total Likely Victims: **16,000+**

THE PROCESS



RECRUITMENT FOR SEX TRAFFICKING

1. Family
member

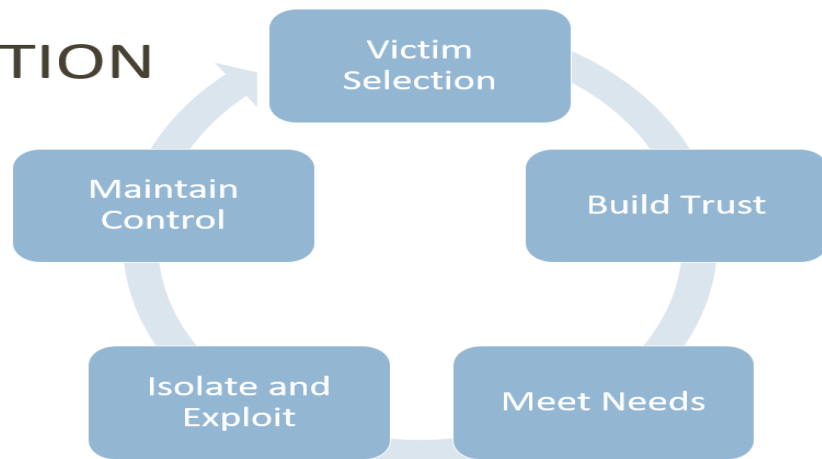
2. Intimate
partner

3. Friend,
acquaintance,
coworker

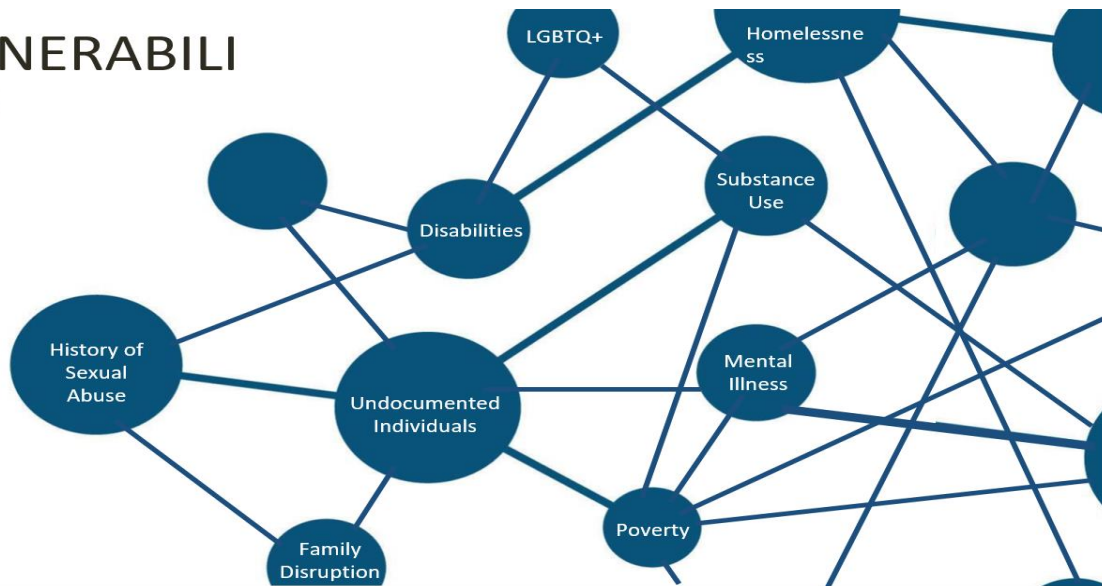
RECRUITMENT FOR LABOR TRAFFICKING



MANIPULATION



VULNERABILITIES



DISGUISES



Pretender

Boyfriend,
Friend,
Parent,



Provider

Take care of
basic needs



Protector

Physical stature,
Gang related,
weapons



Promiser

Promise of fame,
wealth, better
life



Punisher

Violence,
threats,
intimidation

EXAMPLE OF LABOR TRAFFICKING

Recruitment and grooming: A 25-year-old man from Mexico learns on social media about a job at a farm in the United States. The job comes with a legal, temporary visa and is well paid.

Coercion and control: He is told by the recruiter that it costs \$5,000 for the visa but the advertised wages make it worthwhile, so the worker borrows the money from his new employer. When he gets here, he is told he is working off the debt the business owner incurred bringing him here and will not be paid for the first several months of work. Soon, his boss begins charging him for water, lunch, and transportation to and from the work site. His debt is increasing at a rate that will be extremely difficult to pay back. If he leaves, he will have no way to pay back the money he borrowed. The boss tells him he will be barred from ever returning on a legal visa. Although there is no such thing as an official blacklist, the worker feels he has no choice but to stay and try to pay off the debt.

EXAMPLE OF SEX TRAFFICKING

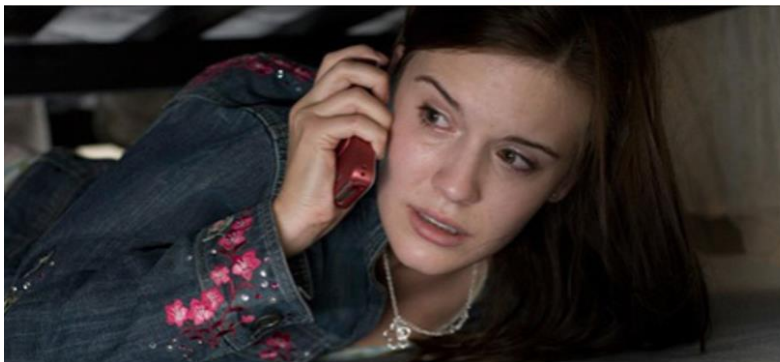
Recruitment and grooming: A lonely, insecure teen dreams of a modeling career and frequently posts pictures of herself striking a pose. She is contacted by someone who claims to be a modeling agent and sends her a plane ticket to come to his studio. When she arrives, he takes her out on the town and tells her she has to “be nice” to some people in the business to get contracts and sends her out to prostitute.

Coercion and control: She is far from home, didn’t tell her parents she was leaving, has no money and is ashamed. He tells her she is making a good impression, and that it will just take a little longer for her hard work to turn into modeling jobs.

THE PEOPLE



HOW SOCIETY THINKS OF VICTIMS





HOW TO IDENTIFY



NEXT STEPS



WHAT CAN YOU DO?

Educate
Yourself

Be Open

Be Present

Support

Report

WHO COULD
I CALL TO
MAKE A
REPORT?

Henderson County DSS

- 828-697-5500

Henderson County Sheriff's Office

- 828-697-4596

Hendersonville Police Department

- 828-697-3025

Fletcher Police Department

- 828-687-7922

Laurel Park Police Department

- 828-697-4911

RESOURCES



Polaris Project

<https://polarisproject.org/>



**National Human
Trafficking Hotline
Website**

<https://humantraffickinghotline.org/en>



**U.S. Department of
Justice**

<https://www.justice.gov/humantrafficking/what-is-human-trafficking>



**North Carolina
Department of
Administration**

<https://www.doa.nc.gov/divisions/council-women-youth/human-trafficking>



**Homeland Security-
Blue Campaign**

<https://www.dhs.gov/blue-campaign>

THANK YOU!

Curious how to reach our team?

Questions regarding today's presentation, available resources, or future training requests can be submitted to our team email at hendersoncountyhtrt@gmail.com



D. Hand's On Children's Museum and Science Center Annual Update – Joseph Knight, Executive Director

Joseph Knight, Director and CEO of the Children's Museum, thanked City Council for their support of the Children's Museum, People's Museum and Walk of Fame project. In 2021, the Hendersonville City Council made a significant commitment by unanimously agreeing to provide a five-year financial investment to Hand's On to develop, maintain and operate the People's Museum and Walk of Fame. As we enter our fifth year of the funding agreement, I respectfully request that the Hendersonville City Council approve a request for the annual funding of \$42,000 as indicated in our funding agreement to sustain the People's Museum and Walk of Fame. On behalf of the children that we serve, I thank you for your continued support. We are very excited about what the future holds as the museum enters its 20th anniversary in a couple of years.

Council Member Lyndsey Simpson moved that City Council approve the final commitment to Hand's On Children's Museum and Science Center. A unanimous vote of the Council followed. Motion carried.

E. Presentation: North Carolina Main Street Champion – Jamie Carpenter, Downtown Manager

Jamie Carpenter explained that every year they have the privilege of nominating a Main Street Champion and Hendersonville has been a Main Street Community since 1986 and the State of North Carolina has done the program since 2000 and we have the privilege of nominating Caroline Gunther. For two decades Caroline has been a steadfast leader and advocate for Downtown Hendersonville. As a member and chair of the Downtown Advisory Board, Caroline has championed transformative projects including our securing of an \$8.5 million dollar investment in parking infrastructure, establishing the Hendersonville Farmer's Market, spearheading a four million dollar plus 7th Avenue Streetscape Project and driving multiple policy updates to improve downtown operations and vitality. Caroline's fearless approach to advocacy is just one of her defining traits. She speaks candidly on key issues, listens thoughtfully to others and consistently pushes for strategic long term improvements that benefit the entire community. As the owner of WAG, A Unique Pet Boutique, Caroline has set a high standard for Main Street businesses known for offering quality products, delivering exceptional customer service and demonstrating an entrepreneurial spirit. She has successfully navigated the challenges of a changing retail environment as she approaches 15 years as a Main Street business owner, Caroline's deep

commitment to downtown Hendersonville remains evident in everything that she does. Jamie then presented Carolina with her award.

F. Proclamation – Professional Municipal Clerk’s Week – *Barbara G. Volk, Mayor*

Mayor Volk read the proclamation aloud and presented it to City Clerk Jill Murray.

**Proclamation
56th Annual Professional Municipal Clerks Week
May 4 – 10, 2025**

WHEREAS, the Office of the Professional Municipal Clerk is a time-honored and essential part of local government, serving communities throughout the world; and

WHEREAS, the Office of the Professional Municipal Clerk is one of the oldest public service positions, integral to the foundation and continuity of local governance; and

WHEREAS, Professional Municipal Clerks provide a vital link between citizens, local governing bodies, and various agencies at all levels of government; and

WHEREAS, Professional Municipal Clerks are committed to upholding principles of neutrality, impartiality, and equal service to all members of the community; and

WHEREAS, the Office of the Professional Municipal Clerk serves as the information hub for local government operations and community affairs; and

WHEREAS, Professional Municipal Clerks continuously strive to enhance the administration of their office by actively participating in educational programs, professional development opportunities, and the annual conferences of their state, provincial, county, and international associations; and

WHEREAS, it is fitting to recognize and celebrate the significant contributions and accomplishments of Professional Municipal Clerks.

NOW, THEREFORE, I, Barbara Volk, Mayor of the City of Hendersonville, do hereby proclaim the week of May 4 through May 10, 2025, as **Professional Municipal Clerks Week** and extend appreciation to our Professional Municipal Clerk, Jill Murray, along with all Professional Municipal Clerks, for their invaluable service and steadfast dedication to the communities they serve.

PROCLAIMED this 1st day of May, 2025.

/s/ Barbara G. Volk, Mayor

F. Communications Team Recognition – *Brian Pahle, Assistant City Manager*

Assistant City Manager Brian Pahle recognized Communications Director Allison Justus and Communications Coordinator II Brandy Heatherly for their numerous awards that were given at the North Carolina City/County Communicators Conference. Hendersonville was 1 of 27 jurisdictions recognized out of 179 entries. Allison and Brandy brought home four first place awards:

- Special Event - Construyendo Puentes: Building Bridges to Community Collaboration
- Citizen Participation - Listening to Lead: Affordable Housing Listening Sessions
- Writing Composition - Tortured Budget Department

- Crisis Communication - Hurricane Helene: What Happens When Everything Goes Dark?

G. Hurricane Helene Debris Update – Tom Wooten, Public Works Director

Tom asked Allen Cliff to come up with him as he is the crew leader of the Environmental Services Department and is one of the main driving factors in getting this material picked up. I just want to send out one last reminder that today is the deadline to have all of your material out for us to pick up and showed the following slide for information.



STORM SWEEP UPDATE

- We are almost finished with our second round of cleanup
 - 63 loads vegetation
 - 18 loads of construction & demolition debris
 - 3 loads of mixed material (vegetation & C&D)
 - 3 loads of HHW/electronics
 - 541 personnel hours, 275 equipment hours, 87 total loads
- **Storm Total** – 34,001 cy of vegetative debris
 - (1540 loads by COH, 887 loads by mutual aid)
- **Going Forward** – Monday we will start documenting piles.
 - Crews will continue to pick up and we will wrap up the collection process in May.

City Manager John Connet thanked Tom and Allen and the team for all that they do and have done.

6. PUBLIC HEARINGS

Council Member Jennifer Hensley asked if we could move the public hearing for Brevard Knoll Drive (Item C) to be the first public hearing as they have a small baby who needs to get to bed. Everyone agreed.

A. Rezoning: Standard Rezoning – 23 Brevard Knoll Dr (Cowan) (25-07-RZO) – Matthew Manley, Long-Range Planning Manager

Matt Manley explained that the City of Hendersonville is in receipt of a revised Zoning Map Amendment application from Lamott Cowan (owner) for 23 Brevard Knoll Dr (PIN: 9579-06-3217) totaling 0.43 Acres located at the corner of Signal Hill Road and Brevard Knoll Dr. The property is currently zoned R-20, Low Density Residential. The petitioner is requesting that the property be rezoned to CHMU, Commercial Highway Mixed Use. Development/redevelopment under the CHMU zoning is much more permissive than under R-20 in terms of the intensity of commercial uses permitted and the dimensional requirements.

CHMU allows for a wide range additional uses compared to R-20. Dimensional standards under CHMU are also significantly relaxed relative to those required under R-20. However, CHMU does provide site design and architectural standards. If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the site. All permitted uses within the CHMU district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site. The Planning Board voted 5 to 2 in favor of recommending approval of the rezoning.

23 BREVARD KNOLL DR (Cowan) R-20 to C-2

(25-07-RZO)

Standard Rezoning

City of Hendersonville City Council

May 1, 2025

Community Development | Planning Division

Matthew Manley | Long-Range Planning Manager



+ Location:

- + 23 Brevard Knoll
- + PIN: 9579-06-3217

+ Applicant/Owner:

- + Lamott & Meghan Cowan

+ Acreage: 0.43 Acres

+ Current Zoning: R-20

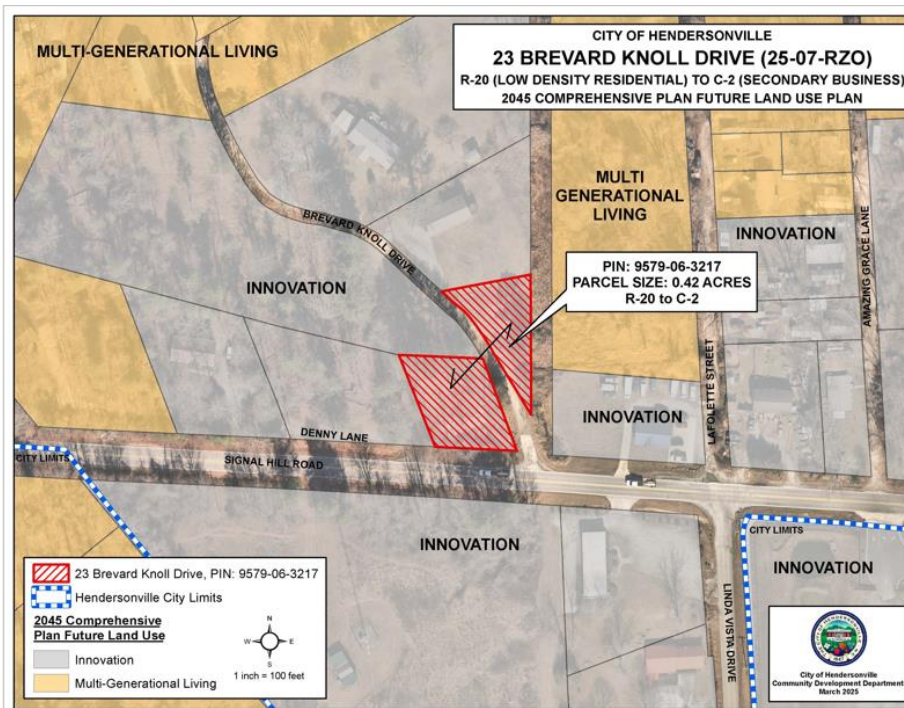
+ Proposed Zoning: C-2 CHMU

+ Future Land Use Designation:

- + Innovation

Project
Background

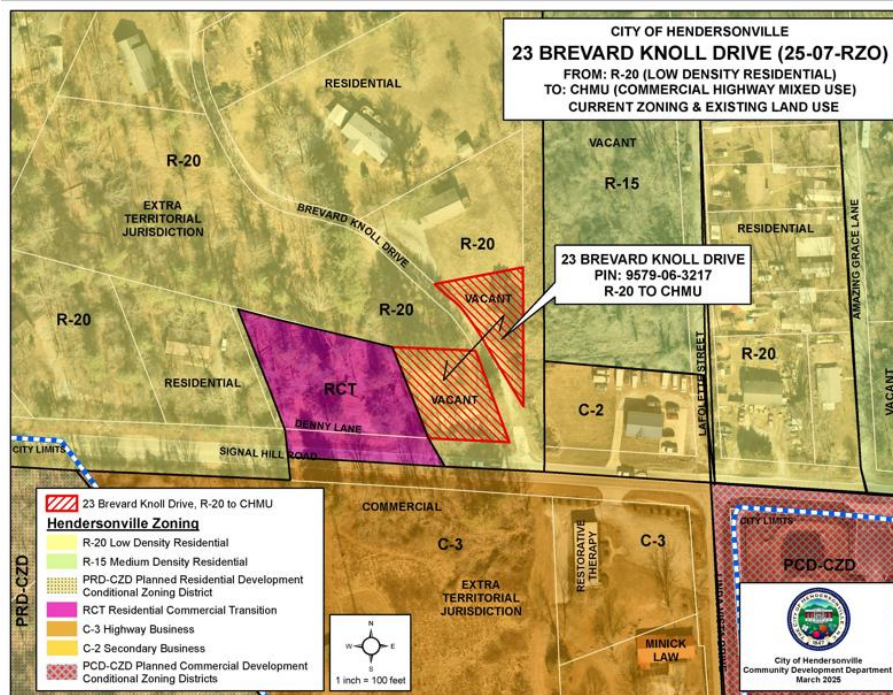




1) Comprehensive Plan Consistency: Future Land Use

- + Innovation
- + MGL

<p>General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY</p>	<p>LAND SUPPLY, SUITABILITY & INTENSITY</p>	<ul style="list-style-type: none"> The subject property is located on an Underutilized property in the Land Supply Map. It is ranked next to Least Suitability for Commercial uses and Industrial uses. It is Moderately Suitable for Residential uses. The subject property is located in an area designated as "Moderate" for Development Intensity. The subject property is <u>not</u> located in one the 5 Focus Areas. The subject property is located in a Focused Intensity Node clustered around Four Seasons Blvd @ I-26
	<p>FUTURE LAND USE & CONSERVATION MAP</p>	<ul style="list-style-type: none"> Designation: Innovation Character Area Description: Consistent Zoning Crosswalk: [needs review] Focus Area Map: N/A



Current Land Use & Zoning

+ RCT

+ R-15/R-20

+ C-3/PCD

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	CHMU Zoning is found to be compatible with the surrounding land uses	
	RELEVANT GEN H GOALS	C-2 Compatibility Vibrant Neighborhoods: Inconsistent Abundant Housing Choices: Inconsistent Healthy & Accessible Natural Environment: Inconsistent Authentic Community Character: Inconsistent Safe Streets and Trails: Inconsistent Reliable & Accessible Utility Services: Inconsistent Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: Inconsistent Accessible / Available Community Services: Consistent Resilient Community: N/A	CHMU Compatibility Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy & Accessible Natural Environment: Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Inconsistent Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: Consistent Accessible / Available Community Services: Consistent Resilient Community: N/A
	GEN H GUIDING PRINCIPLES	Mix of Uses: Inconsistent Compact Development: Inconsistent Sense of Place: Inconsistent Conserved/Integrated Open Spaces: Inconsistent Desirable & Affordable Housing: Inconsistent Connectivity: Inconsistent Efficient & Accessible Infrastructure: Inconsistent	Mix of Uses: Consistent Compact Development: Consistent Sense of Place: Consistent Conserved/Integrated Open Spaces: Consistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Inconsistent

General Rezoning Standards: 2) COMPATIBILITY	DESIGN GUIDELINES ASSESSMENT (Chapter V)	<u>N/A</u>
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General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none">• An adjoining property was recently rezoned from RCT to C-2• An adjoining property has submitted an application for a 50-unit single-family attached residential development• Two commercial uses were recently constructed on the Signal Hill Rd corridor.<ul style="list-style-type: none">1) Signal Hill Storage was constructed across the street from the subject property2) First Aid Collision body shop was recently constructed about ¼ mile from the subject property.• NCDOT has performed an Express Design of the Thompson St/Signal Hill/Berkley Rd corridor as an alternative to US64 and in light of the Balfour Parkway project's demise.
	4) PUBLIC INTEREST	<ul style="list-style-type: none">• CHMU provides design standards that provide some level of compatibility for new development

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none">• In its current configuration, the subject property would only be served by City water. Signal Hill is an NCDOT-maintained Secondary Road.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none">• There is no immediate development proposed on the subject properties. There are no existing trees nor environmentally-sensitive areas within the area proposed for rezoning. To the rear of the subject property is a large undeveloped tract which features some streams that feed Cherry Branch.

PLANNING BOARD: Comprehensive Plan Consistency Statement

The petition is found to be **Consistent** with the *City of Hendersonville Gen H Comprehensive Plan* based on the information from the staff analysis and the public hearing, and because:

The proposed zoning of CHMU aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Innovation'.

PLANNING BOARD: Reasonableness Statement

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:

[Rationale for Approval]

- CHMU Zoning would allow for greater economic use of the subject property given the wide range of permitted uses
- CHMU Zoning along this corridor could lead to additional opportunities for needed housing in close proximity to Commercial uses.
- CHMU Zoning ensure some level of compatibility through application of Design Standards.

DRAFT: Reasonableness Statement

We **do not** 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:

[Rationale for Denial]

- CHMU Zoning is found to be incompatible with the surrounding land uses
- CHMU Zoning would increase commercial activity along Signal Hill Rd and potentially lead to detrimental impacts on traffic flow and residential uses.

The applicant said that he is looking forward to improving the area over there and they like Hendersonville and plan for it to be their home.

The public hearing was opened at 7:05 p.m.

There were no public comments.

The public hearing was closed at 7:05 p.m.

City Council Member Jennifer Hensley moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9579-06-3217) from R-20, Low Density Residential to CHMU, Commercial Highway Mixed Use Zoning District, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning of CHMU aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Innovation'.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

- 1. CHMU Zoning would allow for greater economic use of the subject property given the wide range of permitted uses***
- 2. CHMU Zoning along this corridor could lead to additional opportunities for needed housing in close proximity to Commercial uses.***
- 3. CHMU Zoning ensure some level of compatibility through application of Design Standards.***

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-25

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBER 9579-06-3217) BY CHANGING THE ZONING DESIGNATION FROM R-20, LOW DENSITY RESIDENTIAL TO CHMU, COMMERCIAL HIGHWAY MIXED USE

IN RE: Parcel Numbers: 9579-06-3217
23 Brevard Knoll (Cowan) | File # 25-07-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on March 13, 2025; voting 5-2 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on May 1, 2025, and

WHEREAS, City Council has found that this zoning map 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 May 1, 2025,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9579-06-3217, by changing the zoning designation from R-20, Low Density Residential to CHMU, Commercial Highway Mixed Use
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

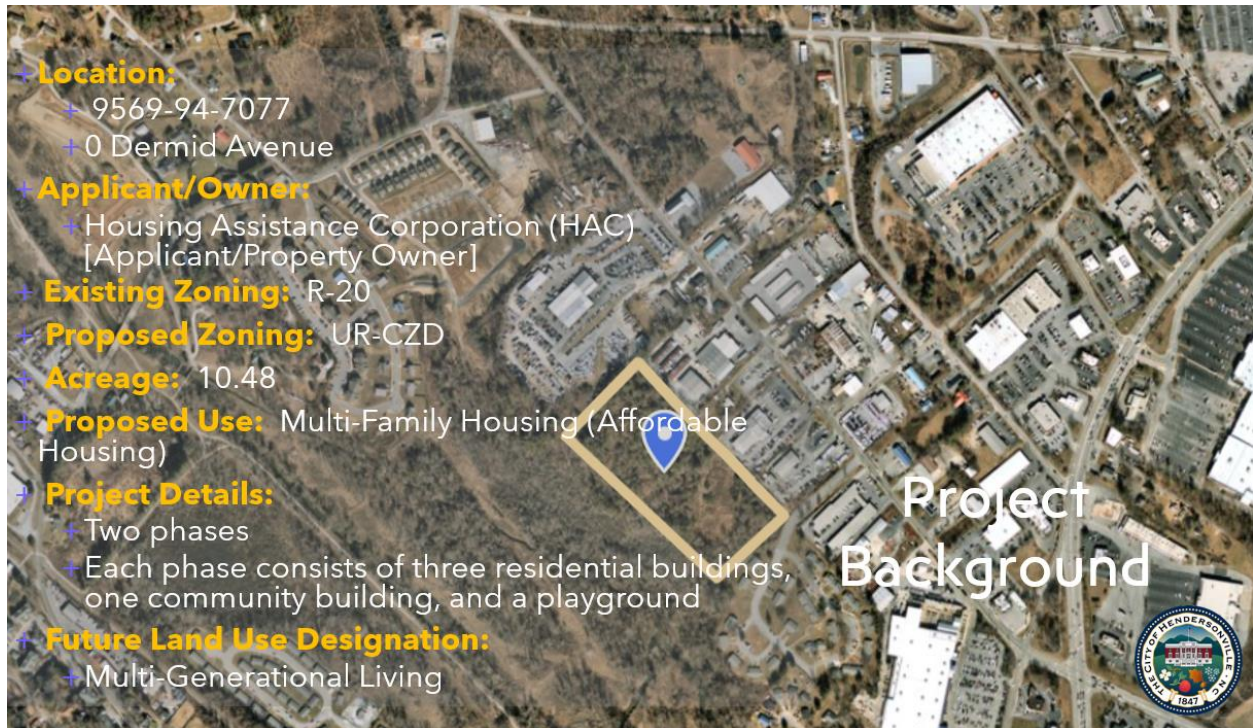
Approved as to form: /s/Angela S. Beeker, City Attorney

B. Rezoning: Conditional Zoning District – Meadowcrest (25-12-CZD) – Sam Hayes, Planner II

Sam Hayes explained that the City of Hendersonville received an application for a Conditional Zoning District from the Housing Assistance Corporation for the property located at 0 Dermid Avenue (PIN: 9569-94-7077). The property is currently zoned as Low Density Residential (R-20), and the applicant is requesting a rezoning to Urban Residential Conditional Zoning District (UR-CZD). The project is planned in two phases, with both phases featuring similar buildings and amenities. Each phase will include three apartment buildings, a community building, and a playground. Phase I will consist of 60 units, while Phase II will include 72 units. The streets within the development will be private; however, the applicant has agreed to establish a stub-out in the northwestern corner of the property to allow for future access. Additionally, the Housing Assistance Corporation has submitted an application to the state Housing Finance Agency for this year's round of Low Income Housing Tax Credits (LIHTC) to support Phase I of the project.

Sam gave the following PowerPoint presentation.







Neighborhood Compatibility Meeting

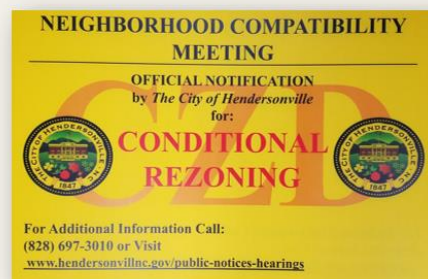
+ **Dates:** March 5th, 2025

+ **Attendees:**

- + In-person - 3 residents
- + Online - 1 residents

+ **Topics Discussed:**

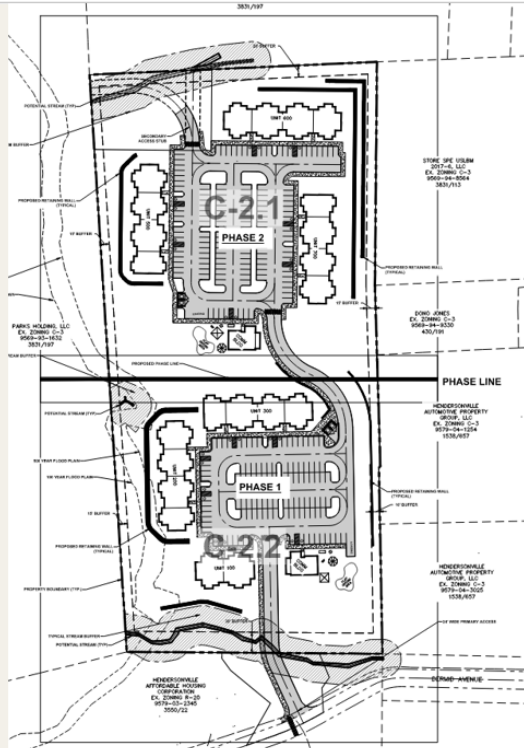
- + Questions pertaining to the floodplain and the encroachment into the 500 year floodplain.
- + Concerns regarding the impact of development on flooding in the adjacent neighborhoods.



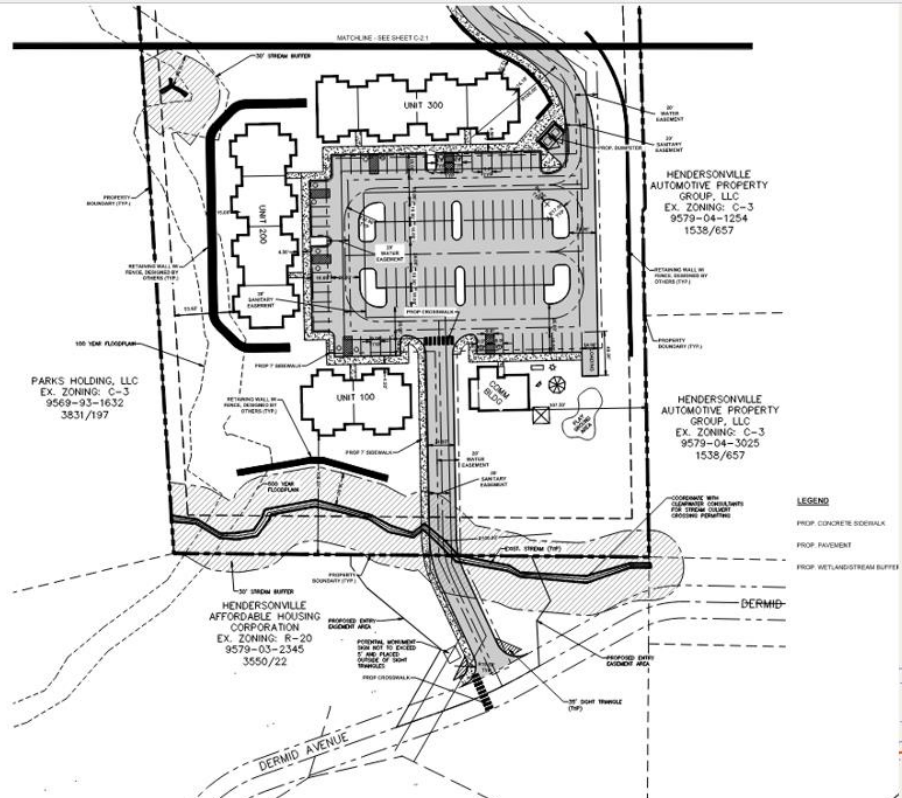
- + Questions regarding the uses in the adjacent area.
- + Questions regarding the blue line streams on the site.
- + Questions about the design of the building, the number of bedrooms, and the site plan.



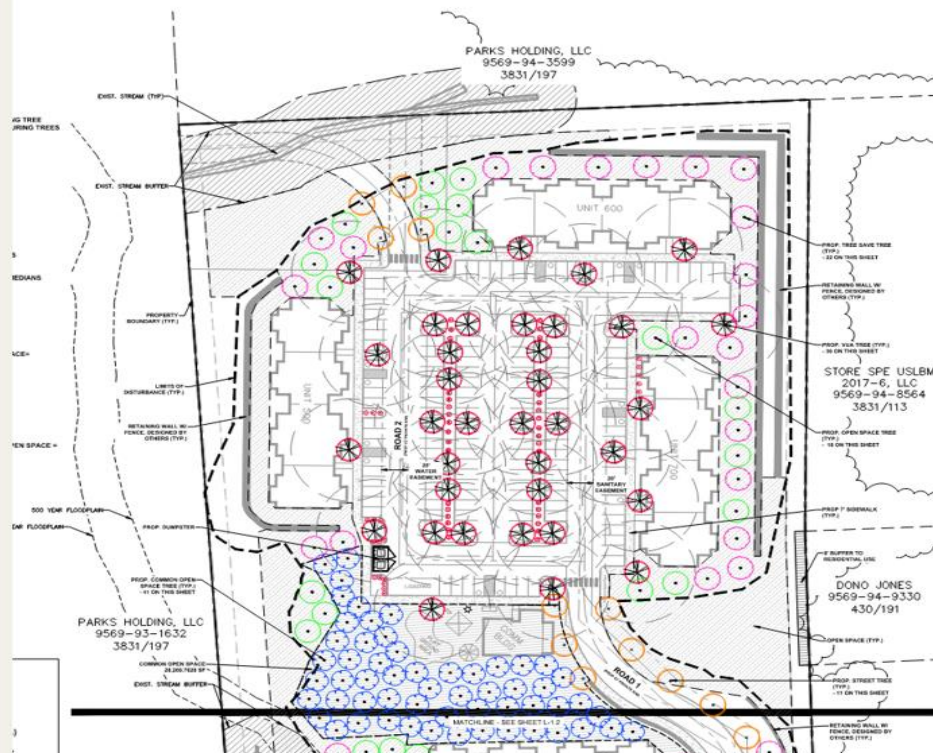
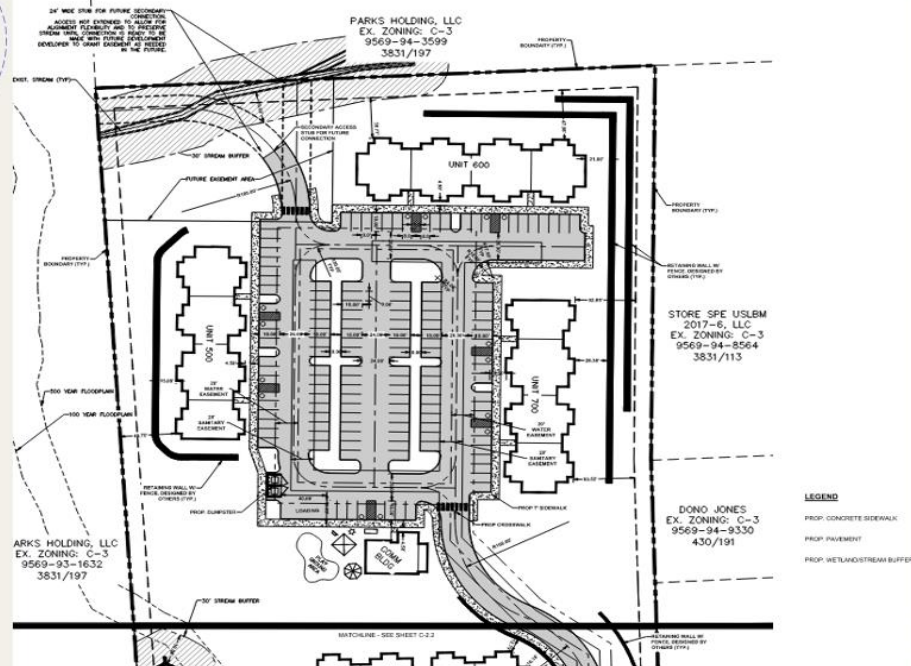
Site Plan

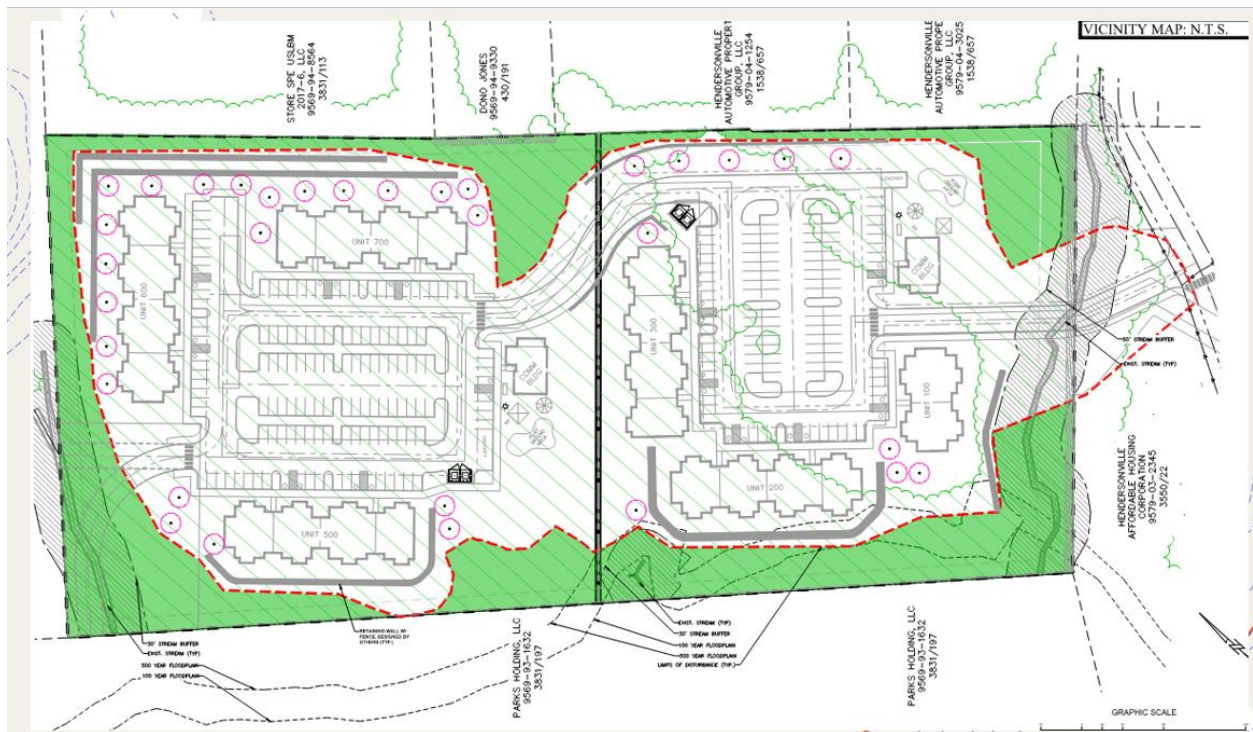
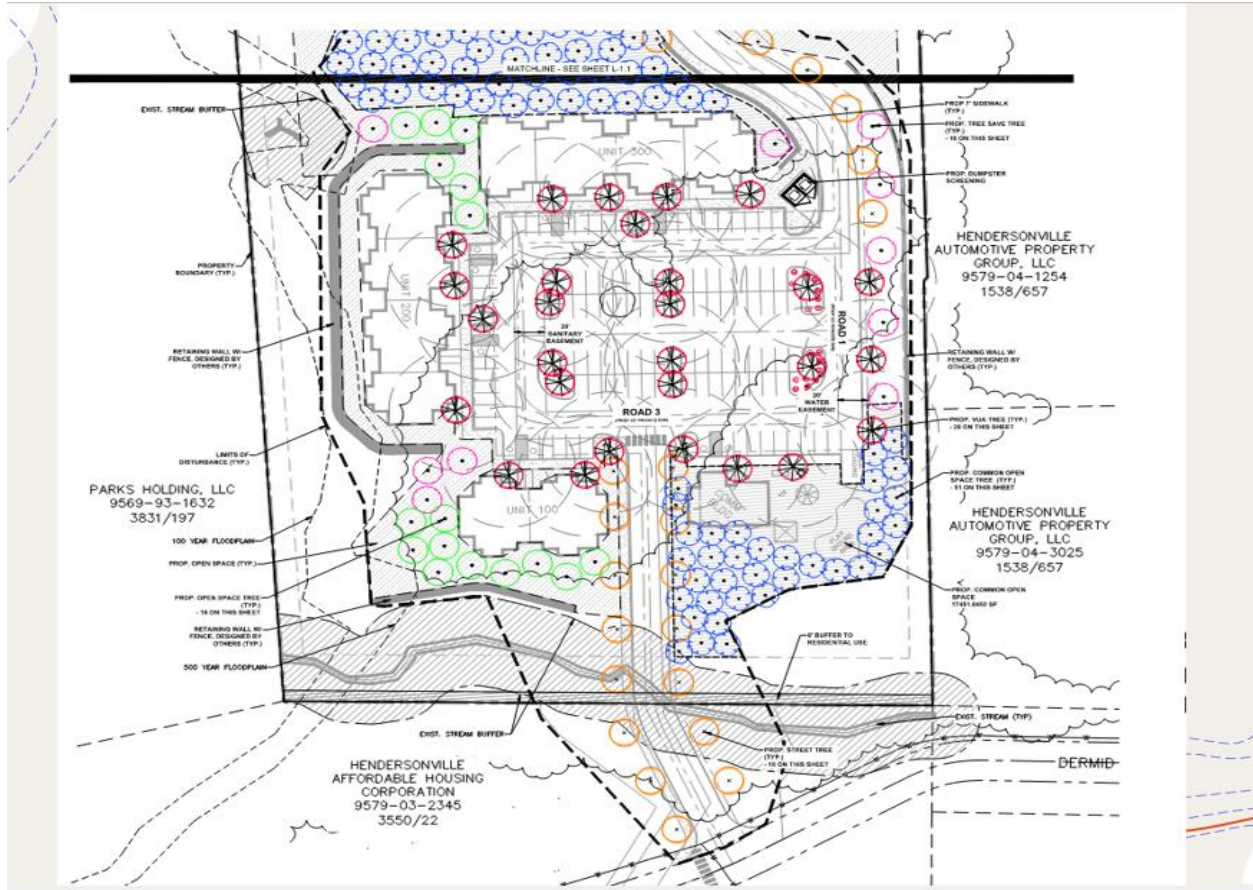


Site Plan



Site Plan





Proposed Conditions (Developer Agreed)

Developer Proposed Conditions :

1. Building Orientation Per Section 5-25-5.1: Applicant requests relief from Section 5-25-5.1 of the zoning code as it relates to the building orientation. While the proposed buildings do not directly front onto areas such as parks or plazas, each of the proposed multi-family buildings directly adjoins open space area being provided for the community. Additionally, the proposed community building, playground, picnic pavilion and outdoor spaces are intended to serve as a significant central gathering area and meeting space for the community.
2. Fire Sprinklers: Applicant shall equip all buildings, including non-residential occupancies with an approved automatic fire sprinkler system.
3. TIA (Traffic Impact Analysis): The developer request that the TIA be waived rather than deferred, granting relief from Sec. 5-25-2.3.1 of the zoning code. The proposed trip generation does not meet the threshold established under Article 6. Furthermore, as a LIHTC product, trip generation is expected to be below typical averages.
4. Secondary Access: While not required for fire service, the applicant agrees to grant a future easement in the Northwest Corner of Phase 2 for the extension and connection of adjacent developments in the future for secondary access. The alignment and extents of the easement will be determined in the future and will not impact any access, utilities, parking or structures proposed with this project.





BUILDING "A" FRONT ELEVATION
SCALE 1/8" = 1'-0"



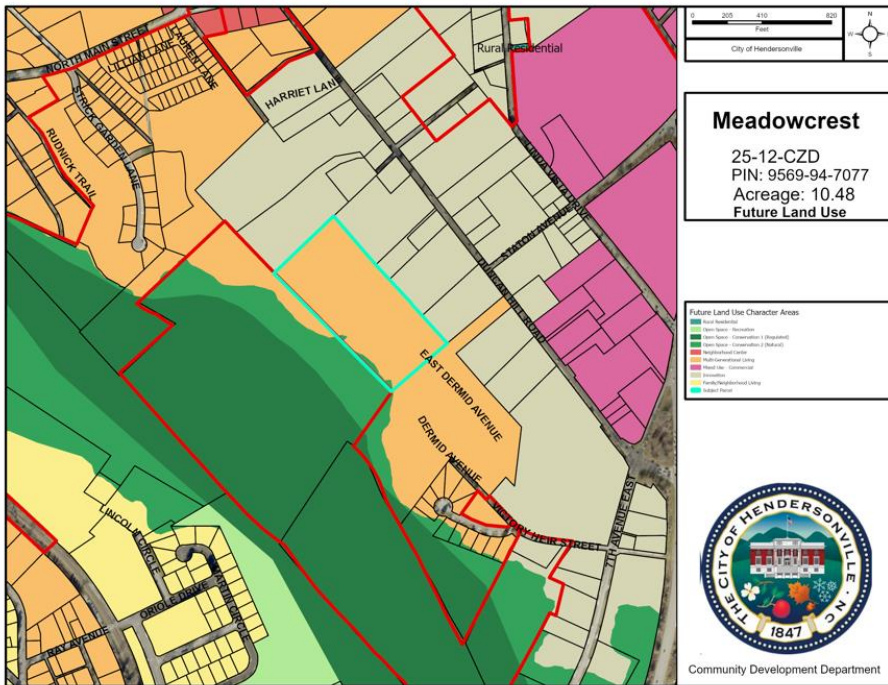
BUILDING "A" REAR ELEVATION
SCALE 1/8" = 1'-0"



BUILDING "B" FRONT ELEVATION
SCALE 1/8" = 1'-0"



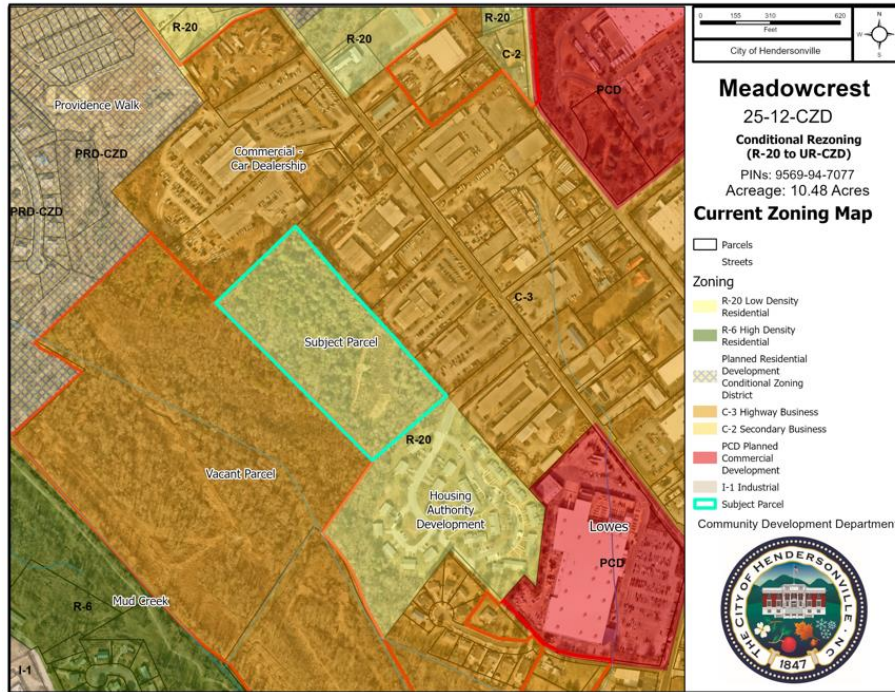
BUILDING "B" REAR ELEVATION
SCALE 1/8" = 1'-0"



Future Land Use

- + Multi-Generational Living
- + Innovation
- + Mixed Use - Commercial
- + Open Space

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none"> The subject property was excluded from the Land Supply Map analysis. The subject property was excluded from the Suitability Assessment analysis.
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none"> Designation: Multi-Generational Living Character Area Description: Consistent Zoning Crosswalk: Consistent



Current Land Use & Zoning

- + R-20
- + R-6
- + PRD-CZD
- + C-3
- + C-2
- + PCD
- + I-1

General Rezoning Standards	2) Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
		<ul style="list-style-type: none"> The subject property is currently vacant. A large portion of the property is wooded, with a clearing on the southern portion of the property. There are streams running along the southernmost and northernmost sides of the property. The adjacent properties have a mix of uses. Duncan Hill Road has several car dealerships, a grocery store, and other commercial businesses. Dermid Avenue is a residential development owned by the Housing Authority. To the southwest of the property is a large property that is currently wooded and largely sits within the flood plain. Within close proximity to the subject property is the Providence Walk development.
	3) Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
		<ul style="list-style-type: none"> The need for more affordable housing is an ongoing problem within the City of Hendersonville and the broader region.

General Rezoning Standards	4) Public Interest	<p>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.</p>
		<ul style="list-style-type: none">• The status of the region's affordable housing crisis is well documented from reports such as the Bowen Study. The City of Hendersonville is currently engaged in a Strategic Housing Plan to further address this issue.

General Rezoning Standards	5) Public Facilities	<p>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.</p>
		<ul style="list-style-type: none">• The subject property will be served by City of Hendersonville services. The subject property is located near one of the city's main entry corridors.

General Rezoning Standards	6) 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.
		<ul style="list-style-type: none">• Mature Trees: There are a number of mature trees and vegetation around the subject property. Much of the tree canopy will need to be removed, however, the applicant is seeking to preserve existing tree canopy.• Floodplain and Blue Line Streams: The subject property has a small portion of floodplain on the lower southwestern corner. The preliminary site plan shows the applicant is not impacting the 100 year floodplain. There are two blue line streams on the property. The applicant has shown they will take proper measures per the city's ordinance to protect the stream buffers.

Planning Board Recommendation

The City of Hendersonville Planning Board made a motion recommending **approval**, finding the petition to be consistent with the comprehensive plan and finding it to be reasonable and in the public interest based on the information from the staff analysis and the public comments presented at their meeting on April 10th, 2025.

The motion carried 6 to 0.

Meg Lebeck, Executive Director of the Housing Assistance Corporation gave the following PowerPoint presentation.







Danny Watson from the engineering firm of ESP Associates reviewed the proposed site plan and was ready to answer any questions Council may have.



The public hearing was opened at 7:22 p.m.

In Person:

Ken Fitch spoke in favor of the rezoning.

The public hearing was closed at 7:30 p.m.

City Council Member Gina Baxter moved City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning -designation of the subject property (PIN: 9569-94-7077) from R-20 (Low-Density Residential) to UR-CZD (Urban Residential - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant [dated 4/21/25], and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses:

- a) Residential, Multi-Family*
 - 132, 1-3 Bedroom Units*

2. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because:

The petition is consistent with a range of Goals, Guiding Principles, and the Future Land Use Designation of Multi-Generational Living as defined in Chapter IV of the Gen H Comprehensive Plan.

3. We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

- 1. The petition incorporates a mix of housing types into an existing urban neighborhood.*
- 2. The petition places residents within an area of existing city services and infrastructure.*
- 3. The petition places residents within an area of existing job opportunities.*
- 4. The petition will provide more housing to support existing and future residents of Hendersonville.*

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-23

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCELS POSSESSING PIN NUMBER: 9569-94-7077 BY CHANGING THE ZONING DESIGNATION R-20 (LOW-DENSITY RESIDENTIAL) TO UR-CZD (URBAN RESIDENTIAL - CONDITIONAL ZONING DISTRICT)

IN RE: Parcel Numbers: 9569-94-7077
Addresses: 0 Dermid Avenue
1st Ave Villas: (File # 25-12-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant and property owner, Housing Assistance Corporation, for the development of 132 multi-family residential units on Dermid Avenue; and

WHEREAS, the Planning Board took up this application at a special called meeting on April 10, 2025; voting 5-0 to recommend City Council approve an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on May 1st, 2025, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9569-94-7077, changing the zoning designation from R-20 (Low-Density Residential) to UR-CZD (Urban Residential - Conditional Zoning District)
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the site plan submitted by the applicant dated April 21, 2025, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant's execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Residential, Multi-Family - 132 Units
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:
 - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

C. Rezoning: Standard Rezoning – 2620 Chimney Rock Road (and other associated White Pine Villas parcels) (25-14-RZO) – Sam Hayes, Planner II

Sam Hayes explained that the City of Hendersonville is in receipt of an application for a Standard Rezoning from Nehemias Lopez and Rosalva Gomez, applicants and owners of 2620 and 2626 Chimney Rock Road. The applicants are requesting to rezone the subject property, PIN 9670-70-6498, from PRD-

CZD, Planned Residential Development Conditional Zoning District to HMU, Highway Mixed Use. Mr. Lopez and Mrs. Gomez own one of three parcels within the conditional zoning district. These parcels are associated with an inactive Low Income Housing Tax Credit project known as "White Pine Villas", which never received tax credits. The developer of this project has since obtained tax credits for a different project in the City, (The Lofts at Chadwick). If City Council rezones PIN 9670-70-6498, City staff also recommends rezoning PINS 9670-70-8607 and 9670-70-8864 to a base district, preferably HMU, as part of the same effort. Rezoning only one parcel within the conditional zoning district would leave the rest of the CZD unconstructable, necessitating a future rezoning anyways. All 3 parcels were zoned HMU prior to the establishment of the conditional zoning

2620 CHIMNEY ROCK ROAD REZONING (25-14-RZO)

Zoning Map Amendment (Standard Rezoning)

City of Hendersonville City Council
May 1st, 2025

Community Development | Planning Division
Sam Hayes | Planner II

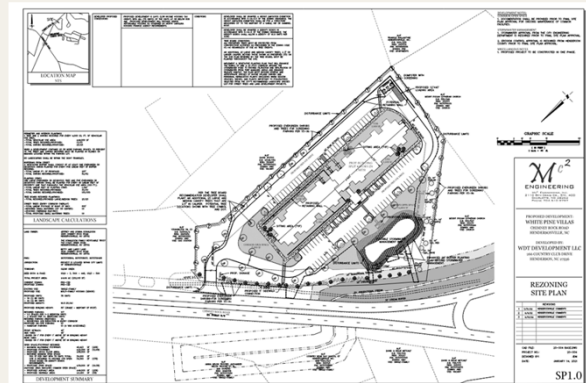


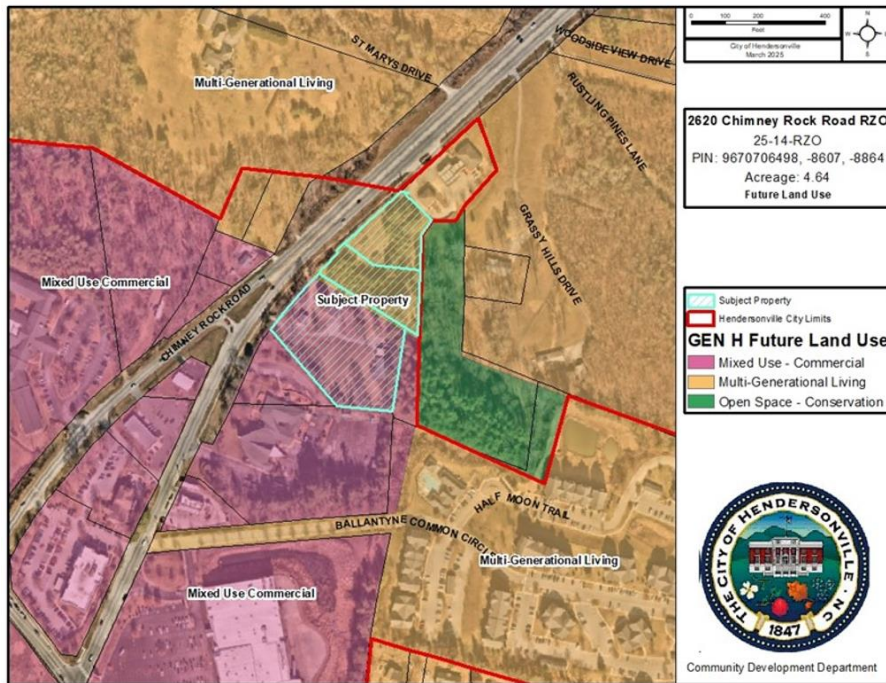
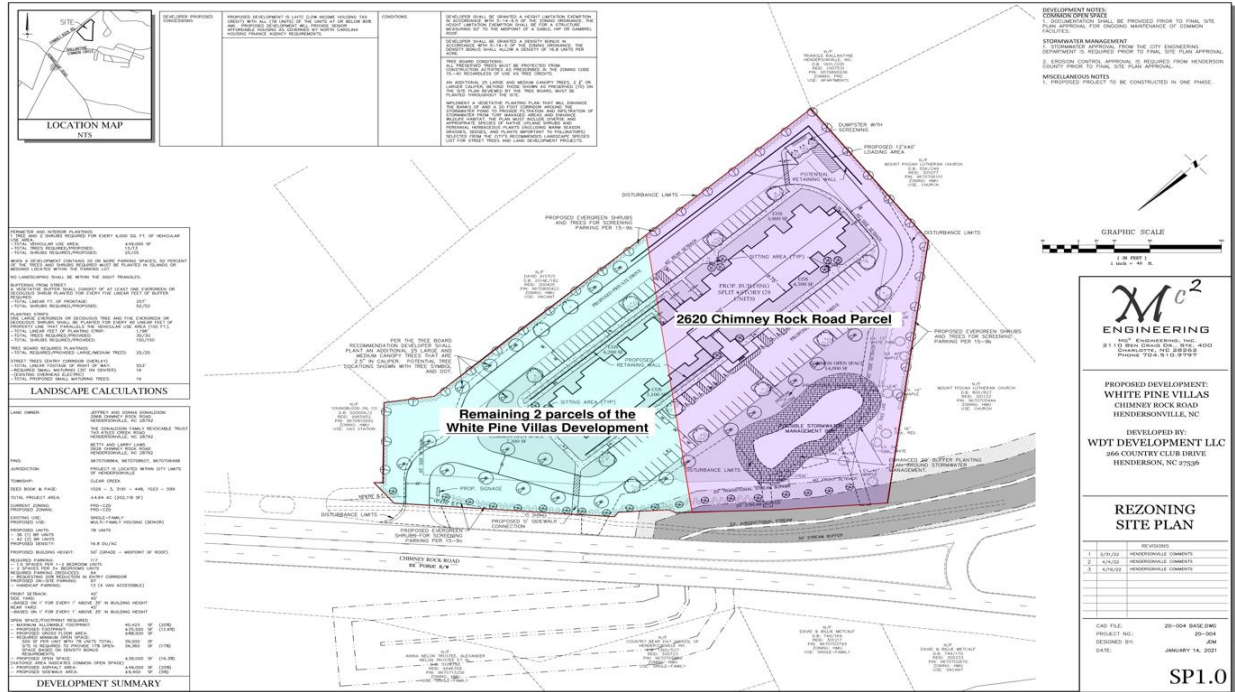


Rezoning History

+ Subject Property

- + Highway Mixed Use is established (December 9th, 2004)
- + White Pine Villas Version 1 (approved April 2, 2020)
 - + 3 story multi-family building consisting of 78 Low Income Housing Tax Credit units for seniors (55+)
- + White Pine Villas Version 2 (approved May 5th, 2022, current entitlement)
 - + 4 story multi-family building consisting of 78 Low Income Housing Tax Credit units for seniors (55+)

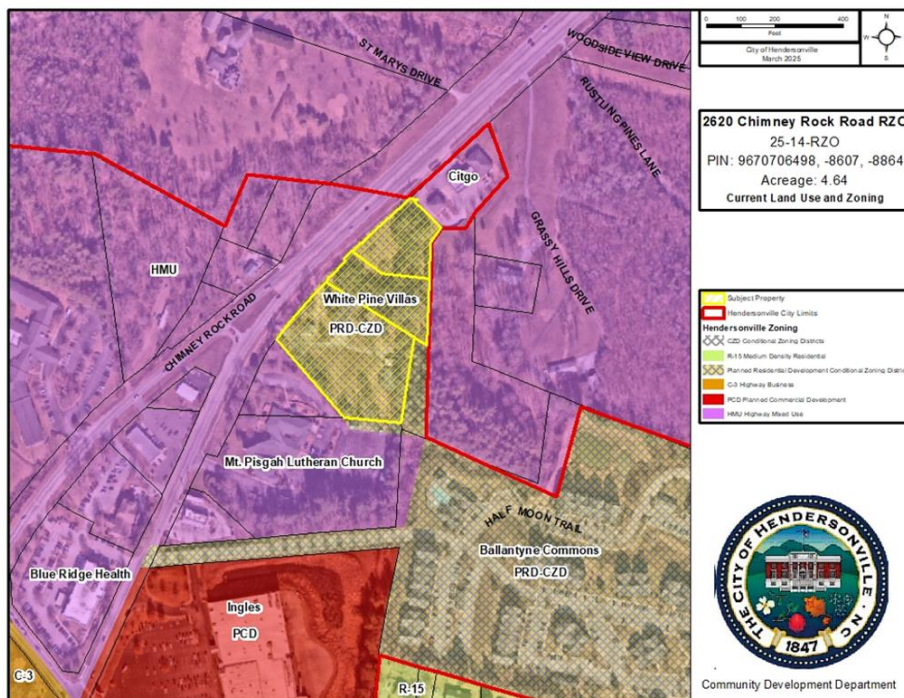




Future Land Use

- + Mixed Use Commercial
- + Multi-Generational Living
- + Open Space Conservation

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none"> All 3 properties are listed as underdeveloped on the land suitability map. All 3 properties are within the focused intensity node for US 64 and Howard Gap. All 3 properties are listed as underdeveloped on the land supply map.
	FUTURE LAND USE & CONSERVATION MAP	<p>Designation: Mixed Use Commercial (PIN- 9670-70-6498)</p> <p>Character Area Description: Consistent</p> <p>Zoning Crosswalk: Consistent</p> <p>Designation: Multi-Generational Living (PINs- 9670-70-8607 and 9670-70-8864)</p> <p>Character Area Description: Consistent</p> <p>Zoning Crosswalk: Inconsistent</p>



Current Land Use & Zoning

+ PRD-CZD

+ HMU

+ PCD

+ R-15

+ C-3

General Rezoning Standards	2) Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
		<ul style="list-style-type: none">Prior to the 2020 and 2022 rezonings to PRD-CZD, these parcels were zoned Highway Mixed Use. Highway Mixed Use was created for this corridor and all other adjacent properties are currently zone Highway Mixed Use.
	3) Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
		<ul style="list-style-type: none">The White Pine Villas project was a low-income housing tax credit project that did not receive the necessary tax credits to proceed. In discussions with Stephen Drake, the developer of White Pine Villas, he confirmed that he no longer has an option on the property and does not foresee moving forward with the project.
General Rezoning Standards	4) 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.
		<ul style="list-style-type: none">The City has focused on developing mixed-use districts, particularly along our corridors. This rezoning supports that initiative by designating these parcels to the <u>mixed use</u> zoning district established for this corridor.

General Rezoning Standards	5) Public Facilities	<p>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.</p>
		<ul style="list-style-type: none">• These parcels are located within the corporate City limits and will have access to all services associated with that.

General Rezoning Standards	6) Effect on Natural Environment	<p>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.</p>
		<p>Microsoft Search (Alt+Q) Just start typing here to bring features to your fingertips and get help. Tell me more</p> <p>Even if rezoned, any new development on the site will be required to follow all zoning and subdivision ordinance requirements concerning natural resources and the environment.</p>

Planning Board Recommendation

The City of Hendersonville Planning Board made a motion recommending **approval**, finding the petition to be consistent with the comprehensive plan and finding it to be reasonable and in the public interest based on the information from the staff analysis and the public comments presented at their meeting on April 10th, 2025.

The motion carried 7 to 0.

The public hearing was opened at 7:40 p.m.

There were no public comments.

The public hearing was closed at 7:40 p.m.

City Council Member Lyndsey Simpson moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9670-70-6498) from PRD-CZD, Planned Residential Development Conditional Zoning District to HMU, Highway Mixed Use as requested in the zoning map amendment application.

I further move City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of PINs 9670-70-8607 and 9670-70-8864 from PRD-CZD, Planned Residential Development Conditional Zoning District to HMU, Highway Mixed Use so that no unconstructable residual parcels of the White Pine Villas Development remain, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

a. The proposed map amendment seeks to return the parcels to their previous base zoning.

b. The proposed map amendment restores potential development opportunities on this property by permitting the same uses available to the other adjacent Highway Mixed Use properties.

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-24

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBER 9670-70-6498, 9670-70-8607, & 9670-70-8864) BY CHANGING THE ZONING DESIGNATION FROM PRD-CZD, PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT TO HMU, HIGHWAY MIXED USE.

IN RE: Parcel Numbers: 9670-70-6498, 9670-70-8607, & 9670-70-8864
2620 Chimney Rock Road Rezoning (File # 25-14-RZO)

WHEREAS, the Planning Board took up this application at its regular meeting on April 10th, 2025; voting 7-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on May 1st, 2025, and

WHEREAS, City Council has found that this zoning map 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 May 1st, 2025,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9670-70-6498, 9670-70-8607, & 9670-70-8864 from PRD-CZD, Planned Residential Development Conditional Zoning District to HMU, Highway Mixed Use Zoning District.
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 1st day of May, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

~Mayor Volk asked for a brief recess at 7:42 p.m. and returned to session at 7:48 p.m.~

D. Zoning Text Amendment: Reforms for Housing (25-01-ZTA) – Matthew Manley, AICP, Long-Range Planning Manager

Matt Manley explained that the City of Hendersonville has initiated an amendment to the City's Zoning Ordinance to make changes that would allow for the greater utilization of land for housing and improved clarity. The proposed changes address a range of issues that will relax standards, create additional

flexibility and establish new opportunities for needed infill housing. These proposed changes include: reductions in dimensional standards (minimum lot widths, setbacks, and minimum lot size for two-family dwellings) across the city's base residential and commercial zoning districts, scaling setbacks for corner lots, providing clarity with new and revised definitions, and incorporation of new permitted uses. The more impactful revisions include those to the Planned Residential Development (PRD) Conditional Zoning District which are designed to tailor PRD to single-family / two-family/three-family / four-family developments as opposed to large apartment developments. These changes also translate to greater flexibility for minor PRDs for infill projects. Additionally, there is a proposal to allow units that are under 1,200 Sq FT to count as .5 units in density calculations. This change aims to create more affordable housing options by removing disincentivizes that restrict the construction of smaller sized units. Lastly, changes in the size allowances for ADUs will allow for slightly larger units in some cases. The Planning Board voted unanimously to recommend adoption of the text updates.

REFORMS FOR HOUSING

(25-01-ZTA)

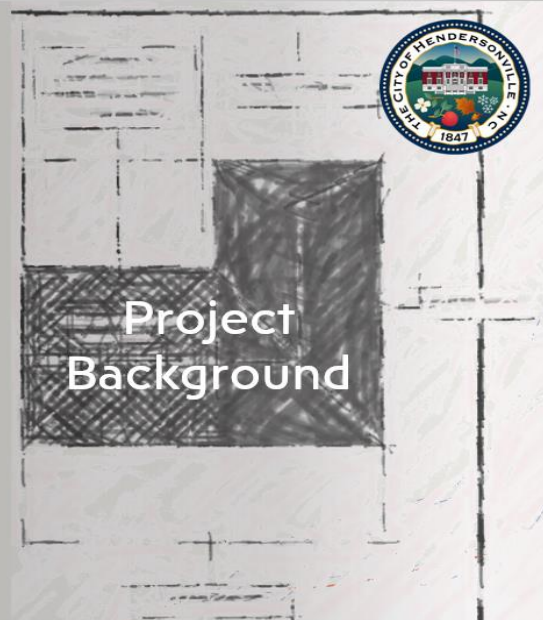
Zoning Text Amendment

City Council Meeting
May 1st, 2025

Community Development | Planning Division
Matthew Manley | Long-Range Planning Manager



- + **Project Name:**
 - + Reforms for Housing (25-01-ZTA)
- + **Applicant/Owner:**
 - + City of Hendersonville
- + **Articles Amended:**
 - + Zoning Ordinance
 - + Article IV
 - + Article V
 - + Article VI
 - + Article VIII
 - + Article XII
 - + Article XVI
- + **Zoning Districts Impacted:**
 - + R-40/R-20/R-15/R-10/R-6
 - + C-2/C-3/C-4/I-1
 - + MIC
- + **Future Land Use Designations:**
 - + Rural Residential
 - + Family Neighborhood Living
 - + Multi-Generational Living



+ "Housing Affordability"

- + 30% of Income or Less

+ "Attainable Housing" / "Workforce Housing"

- + Market Rate / 80%-120% AMI



Dedicated affordable housing are income-restricted units that are created through public assistance or market-based programs.



Naturally occurring affordable housing (NOAH) are units that may rent or sell at affordable levels, but do not have legally binding affordability requirements.

+ Housing Type Needs:

- + "Starter Home"
- + "Empty-Nester" Home
- + Missing Middle Housing

"Prospective homebuyers need to make at least \$120,000 to afford the median home for sale in Hendersonville."

- DFI Analysis

+ 2 Categories

+ "Low-hanging Fruit"

- + RPFLs/Small Lots - Done!
- + Dimensional Standards
- + Permitted Uses
- + Definitions

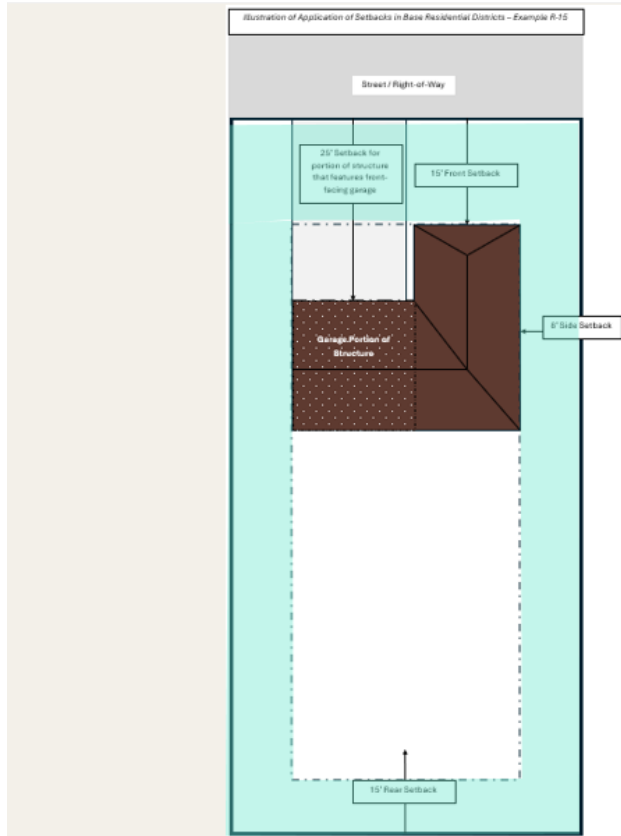
+ "High-hanging Fruit?"

- + ADU
- + Density
- + PRD (+Minor PRD)
- + Multi-Family Corridors
- + Trail-Oriented Development

Project Background



Espalier



Proposed Amendments: Category 1

Proposed Amendments

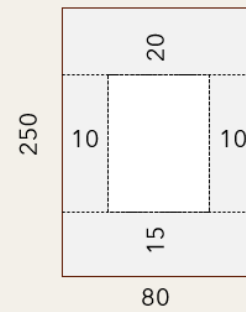
R-40 | 5-1-3. Dimensional requirements.

Minimum lot area in square feet:	40,000
Lot area per dwelling unit in square feet:	40,000
Minimum lot width at building line in feet:	150 125
Minimum yard requirements in feet:	
Principal structure	<p>Front: 40 20. Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet.</p> <p>Side: 25 10</p> <p>Rear: 35 25</p>
Accessory structures	<p>Front: 40</p> <p>Side: 10</p> <p>Rear: 10</p>
Maximum height in feet:	35

Proposed Amendments

R-20 | 5-2-3. Dimensional requirements.

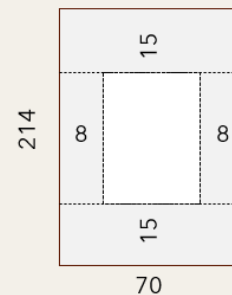
Minimum lot area in square feet:	20,000
Lot area per dwelling unit in square feet:	20,000 for the first; 10,000 for the second unit for a two-family dwelling.
Minimum lot width at building line in feet:	100 <u>80</u>
Minimum yard requirements in feet:	
Principal structure	Front: 25 <u>15. Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet.</u>
	Side: 15 <u>10</u>
	Rear: 20
Accessory structures	Front: <u>To side or rear of principal structure</u>
	Side: 10 <u>5</u>
	Rear: 10 <u>5</u>
Maximum height in feet:	35



Proposed Amendments

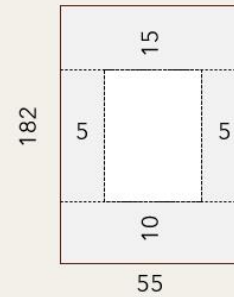
R-15 | 5-3-3. Dimensional requirements.

Minimum lot area in square feet:	15,000
Lot area per dwelling unit in square feet:	15,000 for the first; 7,500 for one additional dwelling unit in one building.
Minimum lot width at building line in feet:	85 <u>70</u>
Minimum yard requirements in feet:	
Principal structure	Front: 30 <u>15. Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet.</u>
	Side: 10 <u>8</u>
	Rear: 15
Accessory structures	Front: 30 <u>To side or rear of principal structure</u>
	Side: 5
	Rear: 5
Maximum height in feet:	35

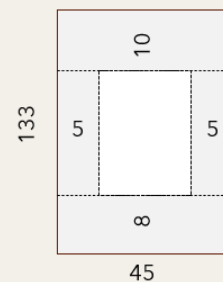


R-10 | 5-4-3. Dimensional requirements.

Minimum lot area in square feet:	10,000
Lot area per dwelling unit in square feet:	10,000 for the first; 5,000 for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	75 <u>55</u>
Minimum yard requirements in feet:	
Principal structure	Front: 25 <u>10</u> . Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet.
	Side: 10 <u>5</u>
	Rear: 10 <u>15</u>
Accessory structures	Front: 25 <u>Located to side or rear of principal structure</u>
	Side: 5
	Rear: 5
Maximum height in feet:	35

Proposed Amendments**R-6 | 5-5-3. Dimensional requirements.**

Minimum lot area in square feet:	6,000
Lot area per dwelling unit in square feet:	6,000 for the first; 4,000 for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	50 <u>45</u>
Minimum yard requirements in feet:	
Principal structure	Front: 20 <u>8</u> . Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet.
	Side: 8 <u>5</u>
	Rear: 10
Accessory structures	Front: 20 <u>Located to side or rear of principal structure</u>
	Side: 5
	Rear: 5
Maximum height in feet:	35

Proposed Amendments

Proposed Amendments

C-2 | 5-7-3. Dimensional requirements.

Minimum lot area in square feet:	8,000 (6,000 for residential use).
Lot area per dwelling unit in square feet:	6,000 for the first dwelling unit; 4,000 square feet for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	None except for structures containing dwelling units which shall have a minimum lot width at building line of 50 feet.
Minimum yard requirements in feet:	Front: 15 except for structures containing dwelling units which shall have a minimum front yard of 20 feet. Side: 5 (Side yards are not required, but when <u>provided</u> must be a minimum of five feet. Common wall construction is permitted in the C-2 Zoning District Classification. On all corner lots, a ten-foot side yard setback is required.) Rear: None except for structures containing dwelling units which shall have a minimum setback of ten feet. Otherwise, rear yards are not required unless the C-2 Zoning District Classification abuts an established residential district. In this case, the rear yard setback requirement shall be a minimum of ten feet.
Maximum height in feet:	48

Proposed Amendments

C-3 | 5-8-3. Dimensional requirements.

For lots containing only residential uses	
Minimum lot area in square feet:	6,000
Lot area per dwelling unit in square feet:	6,000 for the first; 4,000 square feet for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	50
Minimum yard requirements in feet:	Front: 20
	Side: 8
	Rear: 10
Maximum height in feet:	35
For lots containing other uses	
Minimum lot area in square feet:	10,000
Lot area per dwelling unit in square feet:	N/A
Minimum lot width at building line in feet:	80
Minimum yard requirements in feet:	Front: 35 (Front yard requirements may be reduced to ten feet for an accessory canopy structure for a commercial building or use, provided the primary structure or use conforms to the established setback requirements.)
	Side: 15
	Rear: 20
Maximum height in feet:	48

C-4 | 5-9-1. Permitted uses.

The following uses are permitted by right in the C-4 Neighborhood Commercial 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](#)

Residential dwellings, single-family

[Residential dwellings, two-family](#)

[Residential dwellings, three-family](#)

[Residential dwellings, four-family](#)

[Residential dwellings, small-scale multi-family subject to supplementary standards contained in section 16-4, below](#)

[Planned residential developments \(minor\), subject to the requirements of article VII, below](#)

5-9-3. Dimensional requirements.

Minimum lot area in square feet:	40,000 8,000
Lot area per dwelling unit in square feet:	N/A
Minimum lot width at building line in feet:	None
Minimum yard requirements in feet:	<p>Front: 40 15 (Front yard requirements may be reduced to 15 feet for an accessory canopy structure for a commercial building or use, provided the primary structure or use conforms to the established setback requirements.) 10</p> <p>Side: 15</p> <p>Rear: 20</p>
Maximum height in feet:	35

Proposed Amendments**MIC | 5-10-3. Dimensional requirements.**

Minimum lot area in square feet:	8,000 6,000
Minimum lot width at building line in feet:	50 45
Minimum yard requirements in feet:	<p>Front: 40 8</p> <p>Side: 20 15 total for lot; may be allocated amongst all sides with a minimum of 5 3 on any side</p> <p>Rear: 20 10</p>
Accessory structure minimum setbacks	<p>Front: Shall be located to the side or rear of principal structure</p> <p>Side and rear: 5</p>
Maximum height in feet:	50

Proposed Amendments

I-1 | 5-12. Industrial Zoning District Classification**5-12-1. Permitted uses.**

5-12-1(a) Permitted uses: The following uses are permitted by right in the I-1 Industrial Zoning District Classification and are not exempted from the size limitations contained in section 4-5(e)(2) of this ordinance, provided that they meet all requirements of this section and all other requirements established in this ordinance. SIC references are to the 1987 edition of the Standard Industrial Classification Manual published by the Office of Management and Budget.

~~Residential dwellings~~

~~Planned residential developments (minor), subject to the requirements of article VII, below~~

~~Adaptive Reuse for multi-family residential units subject to supplementary standards in Section 16-4-2~~

Proposed Amendments**ARTICLE VI. – GENERAL PROVISIONS****6-1-7 Corner lots.**

In any residential district, the side yard requirements for corner lots along the side street shall be increased ~~by ten feet.~~ 150% (1.5x) the required side yard setback for the zoning district in which the property is located. Accessory buildings shall observe all setback requirements. A property not at the intersection of two publicly-maintained rights-of-way shall not be considered a corner lot for the purposes of this section.

ARTICLE XII. - DEFINITION OF TERMS

Accessory dwelling unit: A separate and complete dwelling unit which is subordinate to and contained on the same lot as ~~the structure of a single-family dwelling or business.~~ a principal structure.

Dwelling, four-family: A type of multi-family building arranged to be occupied by four families living independently of each other, the structure having four dwelling units. Commonly referred to as a quad-plex.

~~Dwelling, small-scale multi-family:~~ A building or a group of detached buildings on a single lot with three to eight or fewer dwelling units designed and arranged to be occupied by multiple families living independently of each other.

Dwelling, three-family: A type of multi-family building arranged to be occupied by three families living independently of each other, the structure having three dwelling units. Commonly referred to as a tri-plex.

Dwelling, two-family: A building arranged to be occupied by two families living independently of each other, the structure having two dwelling units. Commonly referred to as a duplex.

Proposed Amendments

Yard, front: An open, unoccupied space on the same lot with a principal building (excluding the outermost five feet of any porches, steps, eaves, gutters and similar fixtures), extending the full width of the lot and situated between the street or highway right-of-way line and the front line of the building, projected to the side lines of the lot.

Yard, rear: An open, unoccupied space on the same lot with the principal building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures), extending the full width of the lot and situated between the rear line of the lot and the rear line of the building to the side lines of the lot.

Yard, side: An open, unoccupied space on the same lot with a principal building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures), situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Lot, Double Frontage: A lot with frontages on more than one non-intersecting street or a corner lot having frontage on more than two streets. The architectural front of a structure, the front orientation of a structure and/or the presence of primary access shall determine the front lot line for the purposes of applying dimensional requirements. Lots which cannot be accessed by one of the two adjoining streets, due to topography or street classification, shall not be considered double frontage lots. For the purposes of this definition, lots located on alleys shall not be considered double frontage lots.

Proposed Amendments

ARTICLE XVI. – SUPPLEMENTARY STANDARDS

16-4-31 Residential dwellings, small-scale multi-family.

- a) For the purposes of these standards, small-scale multi-family shall include all developments not subject to the N.C. Residential Code for One- and Two-Family Dwellings including triplexes, quadplexes, and other small apartment buildings. ~~The~~ Any of the architectural design standards below may be implemented voluntarily for single-family attached (townhomes) and multiple detached units on a single parcel (detached multi-family) constructed subject to N.C. Residential Code for One- and Two-Family Dwellings.

ARTICLE VIII. EXCEPTIONS & MODIFICATIONS

Sec. 8-1. ~~Minimum required front yard for dwellings.~~ Exceptions to minimum setback regulations

8-1-1. – Exception to front yard setbacks. The minimum required front yard requirements of this ordinance for dwellings shall not apply on any lot where the average front yard of existing buildings located wholly or in part within ~~400~~ 350 feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is less than the minimum required front yard. In such cases, front yard on such lot may be less than the required front yard, but not less than the average of the front yards of the ~~forementioned existing~~ buildings.

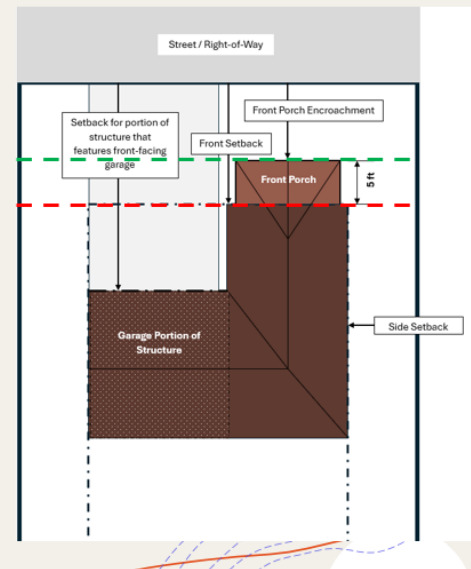
8-1-1.2 Exceptions to other setback regulations. The following features shall not be subject to the required minimum setbacks:

- Bridges
- Doghouses
- Driveways, walks and parking areas
- Fences and walls not exceeding nine feet in height
- Landscape features such as entrance piers, columns, gates, planters and gardens
- Mobile food vendors
- Playhouses, not exceeding 64 square feet in floor area
- Required building entry ramps
- Retaining walls
- Stormwater management facilities such as head walls and culverts

The outermost five feet of any porches, steps, eaves, gutters and similar fixtures on the front of a structure

The outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures on the side and/or rear of a structure

Proposed Amendments





ARTICLE VI. – GENERAL PROVISIONS

6-1-2 - Height and density.

- a) No building shall hereafter be erected or altered ~~so as to~~ exceed the height limit or to exceed the density regulations of this ordinance for the district in which it is located ~~except as may be approved as a condition to a conditional zoning district. Residential units under 1,200 square feet in gross floor area shall count as one-half unit (0.5 units) for the purposes of calculating density allotments in all zoning districts with density standards. Residential units under 1,200 square feet shall be counted as whole numbers for the purposes of applying other aspects of the zoning code such as determining level of review, applying minimum parking requirements, etc.~~

ARTICLE XVI. – SUPPLEMENTARY STANDARDS

16-4-1 Accessory dwelling units.

- a) Accessory dwelling units may only be situated on a lot on which a principal ~~residential dwelling unit~~ structure is also situated and shall be clearly incidental or accessory to such principal ~~residential~~ structure.
- b) No more than one accessory dwelling unit may be situated on any lot.
- c) Accessory dwelling units may not exceed ~~800 the~~ square feet of ~~heated~~ floor area ~~as outlined below:~~
- 1) all properties with principal structures 1,200 square feet or less are permitted to have an accessory dwelling unit up to a maximum of 100% of the size of the principal structure and
 - 2) all properties with principal structures greater than 1,200 square feet are permitted an accessory dwelling up to a maximum of 1,200 square feet in heated floor area.
- Examples. If a principal structure is 900 Sq Ft, the maximum heated floor area of the accessory dwelling unit is 900 Sq Ft. If a principal structure is 2,600 square feet, the maximum heated floor area of the accessory dwelling is 1,200 square feet.

Proposed Amendments: Category 2

**1,200 Sq Ft
= 1/2 Unit**

**From
800 Sq Ft
to
1,200 Sq Ft**



Proposed Amendments: Category 2

1,200 Sq Ft

Families & Living Arrangements

Households, 2019-2023	7,829
Persons per household, 2019-2023	1.89

Why do we need smaller houses?

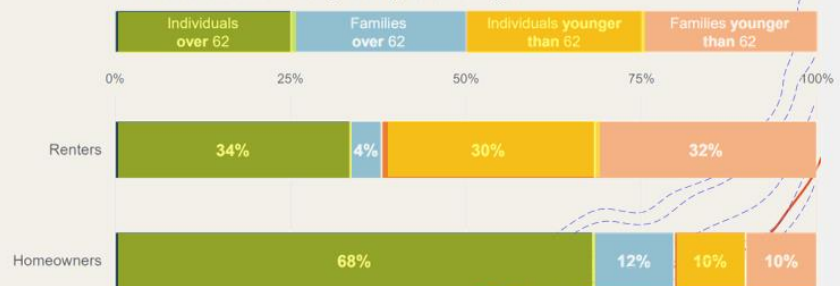
Various household types in Hendersonville have housing needs

LMI Households

Individual (renters) = 64%

Individual (owners) = 78%

LMI households with housing need by household type



Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.**5-14-2. Permissible uses subject to rezoning to a Planned Residential Development Conditional Zoning District.**

A building or land shall be used only for those purposes specified in the rezoning for the project which may include one or more of the following:

Accessory structures

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

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

Adult care homes

Camps

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

Child care homes

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

Customary accessory uses

~~Golf courses~~

~~Golf driving ranges and par-three golf courses~~

Home occupations

Neighborhood-oriented 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

Neighborhood-oriented Retail stores consistent with the purposes of this classification, such as gift shops, florist shops and pharmacies

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

Offices located, designed, and proposed to be operated ~~so as to~~ be compatible with the particular neighborhood in which they are to be located

Dark

Proposed Amendments

~~Residential dwellings, multi-family~~

Residential dwellings, single-family

Residential dwellings, two-family

Residential dwellings, three-family

Residential dwellings, four-family

Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.**Proposed Amendments****5-14-3. Site requirements.**

Planned residential development conditional zoning districts shall have the following site and density requirements:

- a) ~~The total land area of the district shall be at least three acres; and Sites shall be located in one of the following Future Land Use designations as illustrated in the City's most recently adopted Comprehensive Plan: Rural Residential, Family Neighborhood Living, Multi-Generational Living.~~
- b) ~~Access to the planned residential development shall be by means of a boulevard or thoroughfare (major or minor) designated as such in the comprehensive transportation plan. Alternatively, access may be provided by means of streets other than major or minor thoroughfares when it is clearly demonstrated that the planned residential development will not result in a significant increase in traffic on any such street. Density authorized for a Planned residential development conditional zoning district shall not exceed the following based on the Future Land Use designation of the site:~~
 - i. Rural Residential = 2 units per acre
 - ii. Family Neighborhood Living = 6 units per acre
 - iii. Multi-Generational Living = 10 units per acre

Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.**5-14-4. Density.**

~~The density for a planned residential development shall be established by city council in consideration of the comprehensive plan, surrounding land uses and the existence of adequate private and public facilities, including without limitation, water, wastewater, solid waste, stormwater, roads and parks to serve the development. Unless a planned residential development qualifies for a density bonus as provided in subsection 5-14-6, below, the density authorized for the district shall not exceed ten units per acre.~~

5-14-5. Density bonus.

~~A density bonus over and above the maximum density specified in subsection 5-14-4, above, may be approved by city council only upon determining that the proposed planned residential development complies with the general considerations listed in subsection 5-14-5 provisions and standards of this Article as well as the following additional considerations:~~

- ~~a) The property on which the development is proposed to be situated shall be located in close proximity to within 350 feet of a boulevard or thoroughfare designated as such in the comprehensive transportation plan;~~
- ~~b) Vehicular access for such development shall be limited to one or more boulevards or thoroughfares designated as such in the comprehensive transportation plan;~~
- ~~c) The carrying capacity of the roadway shall be adequate to handle increased traffic associated with the development without reducing the level of service grade of such roadway;~~
- ~~d) The development is proposed to be located within reasonable walking distance of places of employment and/or shopping facilities and shall provide pedestrian amenities in order to foster pedestrian access to such facilities;~~
- ~~e) The development shall provide common open space sufficient for the needs of its residents, which shall not be less than the greater of the common open space required by subsection 6-16-2, below, or one percent of the land area of the development for each dwelling unit per acre proposed.~~

~~Any density authorized by city council pursuant to this section shall not exceed 18 dwelling units per acre.~~

**Proposed
Amendments****Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.****5-14-6. Development standards.**

Unless noted otherwise, the following development standards shall apply to all planned residential developments, whether major or minor. In addition, planned residential developments shall meet all applicable standards contained in article VI, below

5-14-6.1. Open space and footprint requirements. Planned residential developments shall have a maximum footprint of ~~20~~ **40** percent of the site and shall have, as a minimum, ~~60~~ **40** percent of the site as open space. In addition, planned residential developments shall meet the common open space requirements of section 6-16.

5-14-6.2. Dimensional Standards Setbacks. All dwellings and their accessory structures shall be set back not less than 40 feet from the nearest right-of-way line for any street or railroad adjoining the site; provided, however, such setback may be reduced to ten feet when parking is situated to the side or rear of the lot and screened from view from public rights-of-way. Furthermore, such buildings and structures shall be set back not less than 30 feet from any exterior property line which is not a right-of-way.

~~The planning board or e~~ City council, ~~as the case may be, shall may~~ require reservations of rights-of-way, as well as increased setbacks, for roads identified in the comprehensive transportation plan, including existing roads to be widened as well as corridors of new roads.

~~All dwellings and their accessory structures shall be located at least ten feet from the edge of the paving for any street or drive and at least five feet from the edge of the paving for any area devoted principally to parking. Carports shall be situated at least ten feet from the edge of the paving for any street or drive and may be physically connected to the principal structure which they serve. In addition, dwellings and accessory structures abutting a street intended to serve more than 32 dwelling units or intended to be dedicated as a public street must be set back a minimum of 35 feet from the center line of such street. The approved setback lines shall be shown on the plan of development and on any recorded subdivision plat.~~

**Proposed
Amendments**

Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.

**Proposed
Amendments**

<u>Minimum lot area in square feet:</u>	<u>0</u>
<u>Minimum lot width at building line in feet:</u>	<u>None</u>
<u>Minimum yard requirements for Principal Structures in feet measured from edge of paving:</u>	<u>Front: 40, reduced to 10 when parking is situated to the side or rear of the lot and screened from view from public right of way, provided, however, that any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet from the right-of-way.</u>
	<u>Side: 0 with exception of corner lots where setback shall be 7.5 from side street right-of-way</u>
	<u>Rear: 20</u>
<u>Maximum height in feet:</u>	<u>35</u>
<u>Minimum yard requirements for Accessory Structure in feet:</u>	<u>Front: Located to side or rear of principal structure</u>
	<u>Side: 0 with exception of corner lots where setback shall be 7.5 from side street right-of-way</u>
	<u>Rear: 0</u>

Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.

**Proposed
Amendments**

5-14-64.3 Subdivision of planned residential developments. Planned residential development projects may be subdivided provided that arrangements for such subdivision are made at the time of the planned residential development application.

Zero lot lines may be permitted on one or more lot lines of each lot ~~in accordance with these standards:~~

- ~~a) Any wall constructed on the lot line shall be a solid, windowless wall. If there is an offset of the wall from the lot line, the offset must be at least six feet.~~
- ~~b) A five-foot maintenance easement and a maximum eave encroachment of 32 inches within the maintenance easement shall be established in the deed restrictions and covenants of the adjoining lot. This will provide ready access to the lot line wall at reasonable periods of the day for normal maintenance.~~

Sec. 5-14. PRD Planned Residential Development Conditional Zoning District Classification.

5-14-64.4. Circulation and access. Internal streets, drives and parking areas shall provide safe and convenient access to dwelling units and recreation facilities, and for service and emergency vehicles

~~Streets shall not be designed to encourage outside traffic to traverse the planned residential development on local streets.~~

~~Sidewalks shall be required along streets adjacent to the planned residential development. Sidewalks shall form a logical, safe, and convenient system for pedestrian access to all dwelling units and appropriate project facilities and shall be required along such streets, drives and parking areas within the planned residential development as is necessary to accomplish this. Pedestrian/bicycle pathways may be substituted for sidewalks, if appropriate.~~

~~Streets intended to serve more than 32 dwelling units as well as those intended to be dedicated as public streets shall meet the design and construction standards of the NCDOT. All other streets and drives need not comply with NCDOT's pavement width and road right-of-way standards, but they shall comply with its pavement structure requirements. All dead-end streets and drives shall terminate in a cul-de-sac or other adequate means of reversing vehicular direction. It shall be the responsibility of the developer to submit to the director of public works core samples taken by a licensed testing firm demonstrating that completed streets or drives meet such pavement structure requirements.~~

~~Internal streets with minimum setbacks measuring less than 35 feet from center line shall be private streets and are not acceptable for dedication to, or maintenance by, the city. Developments containing such private internal streets with setbacks measuring less than 35 feet from center line shall have the following disclaimer in large type placed in a prominent position on the following applicable documents for the development including the site plan, the plat, the restrictive covenants, the condominium documents, and any contracts used in the sale of properties:~~

~~"Some or all of the streets and/or drives in this development do not meet minimum right-of-way requirements for the City of Hendersonville. You are notified that these are proposed as private streets and that the City of Hendersonville will not accept them for maintenance."~~

Proposed Amendments

5-14-64.4. Circulation and access. Internal streets, drives and parking areas shall provide safe and convenient access to dwelling units and recreation facilities, and for service and emergency vehicles. Connectivity is a goal of the internal street system and external connections to areas outside and adjacent to the Planned Residential Development Conditional Zoning development shall be established where possible.

- i. The site shall be traversed by a network of internal streets built according to city standards. Internal streets should seek to avoid cul-de-sacs and dead-end roads and other features that hamper connectivity. However, roads may terminate at a monumental structure or green space. In such cases a sidewalk or other connection shall be provided to ensure the goals of connectivity.
- ii. Internal streets shall have sidewalks and street trees.
- iii. If a bus line serves, or is expected to serve, the district, a bus shelter is required. Larger projects may require more shelters as determined by traffic impact analysis.
- iv. Alleys providing access to the rear of lots are encouraged. Public alleys shall meet the specifications of relevant City standards. Where individual lots have frontage on another city street, private drives may be used as alleys, in which case they may be constructed within common space at the rear of lots or, in conjunction with the use of cross-access easements, they may be constructed within a series of rear setbacks. One-way alleys shall be a minimum of 8' wide. Two-directional alleys shall be a minimum of 16' wide



Driving-only transportation pattern



Walkable connected transportation network

Proposed Amendments

5-14-6.5 Building height. A building may exceed 35 feet in height only upon the granting of a height limitation exemption by the city council. Upon application, the council may grant a height limitation exemption upon finding that:

- Such building will not block sunlight from adjacent property between the hours of 10:00 a.m. and 2:00 p.m. from the months of October 1st to May 1st.
- Such building is adequately designed and served from the standpoint of safety, and the city fire chief certifies that the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to the fire stations and equipment so as to offer adequate protection to life and property. In no case shall the building exceed 50 feet in height.
- The side and rear yards for any structure in excess of 35 feet in height shall be increased by one foot for each one foot in height in excess of 35 feet.

5-14-6.6 Buffering, screening and landscaping. The applicant shall propose and plant, construct and make satisfactory arrangements for the preservation of a buffer and/or setbacks adequate to protect adjoining properties from the impacts of the proposed development. Parking and service areas and dumpsters shall be screened from view by adjacent single-family residences. Existing vegetation shall be preserved whenever possible. In addition, the developer shall provide an appropriate landscaping plan within the project.

5-14-6.7 Off-street parking. Off-street parking requirements for planned residential developments shall be as follows: A minimum of one space per residential unit containing one or two bedrooms. A minimum of one and one half spaces per residential unit containing three or more bedrooms. Enclosed garages and carports count towards meeting the parking requirement. All parking spaces shall be located within 75 feet of the residential unit they serve.

5-14-7.5. 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, is greater than 2 dwelling units but does not exceed 50 dwelling units. Minor planned residential developments may consist of any residential uses permitted under Sec. 5-14-2, regardless of the underlying zoning district, and so long as no accessory No commercial development may be part of a minor planned residential 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.

5-14-7.5.1 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.

Use District	Dwelling Units Per Acre
R-40	1-0-2-0
R-20	2-5-3-0
R-15	3-75-4-0
R-10	5-5
R-6	8-5
MIC	5-5-8-5
RCT	5-5-8-5
C-4	8-5
C-2	8-5-10-0
C-3	8-5-10-0
I-1	8-5

5-14-7.5.2 Development standards for minor planned residential developments. Except as otherwise noted herein, minor planned residential developments shall be governed by the development standards for planned residential developments contained in subsection 5-14-6, above.

Unlike major planned residential developments, there is no minimum site requirement for a minor planned residential development to be located in a specific Future Land Use designation, nor is there a requirement that access be by means of a designated thoroughfare.

5-14-7.5.3 Procedures for reviewing. Unlike other planned developments which undergo rezoning to a conditional zoning district, minor planned residential developments undergo site plan review pursuant to section 7-3.

Proposed Amendments

Proposed Amendments: Phase II

PCD | 5-15-2. - Permissible uses.

Residential dwellings, ~~Multi-Family~~

5-15-4.6. Density. The density for a residential development planned as part of a PCD Planned Commercial Development Conditional Zoning district shall be established by city council in consideration of the comprehensive plan, surrounding land uses and the existence of adequate private and public facilities, including, without limitation, water, wastewater, solid waste, stormwater, roads and parks, to serve the development. A planned commercial development may qualify for a density bonus in the manner specified in subsection ~~5-14-5~~, above. Otherwise, the density authorized for the district ~~shall not exceed ten units per acre.~~

PID | 5-21-2 - Permissible uses.

Residential dwellings, multi-family

Sec. 4-5. Classification of uses.

USE	R-40	R-20	R-15	R-10	R-6	PRDCZD	MIC	C-4	PCDCZD	I-1	PIDCZD	URCZD
Accessory dwelling units	SS	SS	SS	SS	SS	SS	SS	SS	-	SS	-	-
Adaptive reuse	L	L	L	L	L	-	-	-	-	L	-	-
Golf courses	-	-	-	-	-	P	-	-	P	P	-	-
Golf driving ranges, par 3 golf	SU	-	-	-	-	P	-	-	P	P	-	-
Planned residential development (minor)	SS	SS	SS	SS	SS	-	SS	-	-	SS	-	-
Planned residential development (major)	-	-	-	-	-	P	-	-	-	-	-	-
Residential dwellings, single-family	P	P	P	P	P	P	P	P	P	P	P	L
Residential dwellings, multi-family	-	-	-	-	-	P	-	P	P	-	P	P
Residential dwellings, two-family	-	P	P	P	P	P	P	P	P	P	P	-
<u>Residential dwellings, three-family</u>	-	-	-	-	-	P	-	P	-	P	-	-
<u>Residential dwellings, four-family</u>	-	-	-	-	-	P	-	P	-	P	-	-
<u>Residential dwellings, small-scale multi-family</u>	-	-	-	-	-	-	P	P	-	-	-	-
Personal services	-	-	-	-	-	L	SS	P	P	P	-	L
Retail stores	-	-	-	-	-	L	SS	SS	P	P	-	L
Restaurants	-	-	-	-	-	L	SU	SU	P	P	-	L

Proposed Amendments: Phase 1 + 2

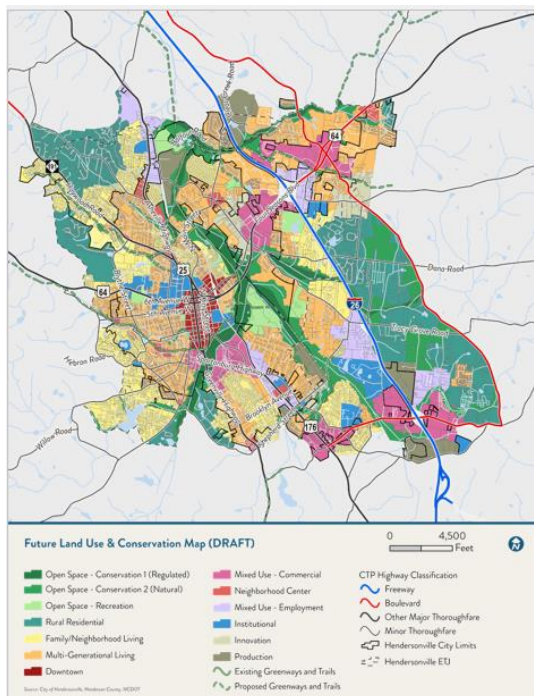
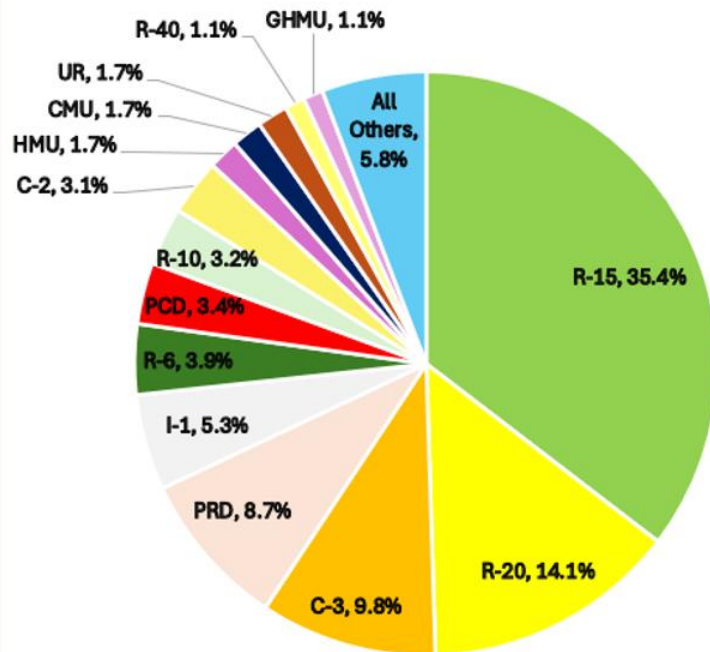
Districts Impacted

- % Land Area:

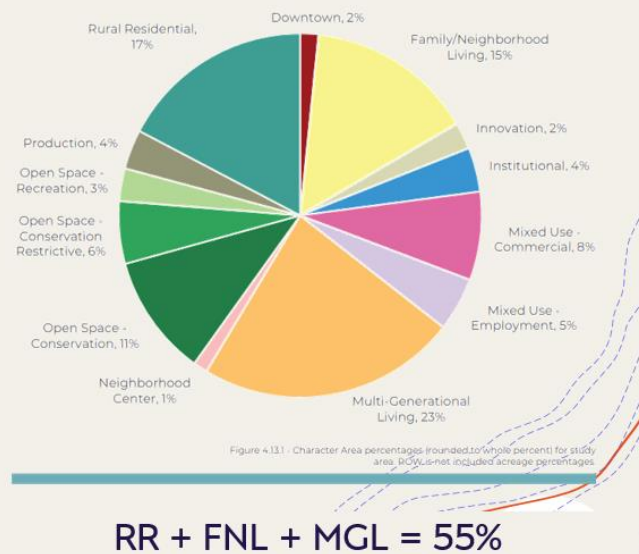
R-40 – 1.1%
R-20 – 14.1%
R-15 – 35%
R-10 – 3.2%
R-6 – 3.9%

**Total = 57.7% of City +
ETJ Land Area**

Zoning Districts Distribution



Relationship to Gen H Comp Plan



Comp Plan Character Areas

Relationship to Gen H Comp Plan “Guiding Principles”

RURAL RESIDENTIAL LIVING (RR)

Characterized by low-density residential development, this area is comprised of single-family detached homes on a lot size of one acre or greater. Conservation design, which includes more open space in exchange for smaller minimum lot sizes, may be a preferred approach to residential development, especially if higher gross densities can be achieved. Golf course communities can also be found in these areas.

FAMILY/NEIGHBORHOOD LIVING (FNL)

This area is characterized by moderate-density residential development. It is comprised of single-family detached homes on lots typically ranging from 1/3 acre to 1/8 acre. Improved open spaces in the form of pocket and neighborhood parks are interspersed, and greenway trails within are located to connect such parks as well as provide links to trails and walkways in neighboring development. Conservation design, which includes more open space in exchange for smaller minimum lot sizes, may be a preferred approach to residential development, especially if higher gross densities can be achieved.

MULTI-GENERATIONAL LIVING (MGL)

This area is characterized by mixed residential development and a limited amount of small scaled neighborhood-serving commercial. It is comprised of a variety of homes, mixing detached and attached (e.g., townhomes and duplexes) units with a lesser amount of multi-family units. The combination of housing types are intended to create intergenerational neighborhoods. Improved open spaces in the form of greens, pocket parks, and neighborhood parks are interspersed. Lot sizes are similar to those in FNL, but with increased densities.

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<p>Supply: The Land Supply Map shows an abundance of “Underdeveloped” land in the City’s zoning jurisdiction.</p> <p>Suitability: Land Suitability Maps show that a majority of the land supply is ‘most suitable’ for Residential development.</p> <p>Intensity: The proposal aligns with the development pattern of Option 2 in Figure 4.9 – Alternative Growth Map</p>
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none"> • Designation: Rural Residential, Family Neighborhood Living, Multi-Generational Living • Character Area Description: Somewhat Consistent • Zoning Crosswalk: Consistent • Focus Area Map: N/A
	PLANNING BOARD RECOMMENDATION	Unanimously Recommended Approval

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	The proposed limitations on square footage of the dwellings ensures that new units constructed under these allowances do not out-scale existing homes.
	RELEVANT GEN H GOALS	<p>Vibrant Neighborhoods: [Consistent]</p> <p>Abundant Housing Choices: [Consistent]</p> <p>Healthy and Accessible Natural Environment: [Somewhat Consistent]</p> <p>Authentic Community Character: [Consistent]</p> <p>Safe Streets and Trails: [Consistent]</p> <p>Satisfying Work Opportunities: [Consistent]</p> <p>Welcoming & Inclusive Community: [Consistent]</p> <p>Accessible & Available Community Services: N/A</p> <p>Resilient Community: [Consistent]</p>
	GEN H GUIDING PRINCIPLES	<p>Mix of Uses: N/A</p> <p>Compact Development: [Consistent]</p> <p>Sense of Place: [Consistent]</p> <p>Conserved & Integrated Open Spaces: [Inconsistent]</p> <p>Desirable & Affordable Housing: [Consistent]</p> <p>Connectivity: [Consistent]</p> <p>Efficient & Accessible Infrastructure: [Consistent]</p>

Relationship to Gen H Comp Plan “Guiding Principles”

COMPACT DEVELOPMENT

Along with the mix of land uses, the intensity of development in a community can have a significant impact on its ability to provide affordable housing options, reduce traffic congestion, make efficient use of infrastructure, deliver services, and generally create livable communities. Building up with taller buildings in the appropriate places is one way to accommodate more uses in fewer locations

MISSING MIDDLE HOUSING

“Missing middle” housing refers to small- to medium-sized homes that are available at various price points and are compatible in scale and character with the surrounding neighborhood. These homes can be built as part of infill development projects or used to transition between land uses and densities in a new activity center. Examples of missing middle housing include **duplexes**, triplexes, quadplexes, courtyard apartments, live-work units, cottage courtyards, **townhomes**, and small-scale apartments.

DESIRABLE AND AFFORDABLE HOUSING

The preferences for different types of housing vary depending on the locality within the community, and are influenced by factors such as income, age, household size, and available financing. Single-family homes on large lots are simply one of many products demanded in today's market. Housing diversity can address housing prices and differences in lifestyles. It is accomplished first by recognizing the varying needs and preferences of the existing and future population, and finding ways to facilitate the expansion of the housing supply (types and quantity) to satisfy current and anticipated demand.

General Rezoning Standards: 2) COMPATIBILITY	DESIGN GUIDELINES ASSESSMENT (Chapter V)	<u>Public Realm – [Consistent]</u> <u>Site Design – [Consistent]</u> <u>Building Design – [Consistent]</u>
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General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none"> The proposed amendment would allow for a compatible infill development with a mix of housing types and increased density of market-rate attainable housing. This would allow for property owners to become “micro developers” and better utilize their property. The potential change to development patterns also lends itself to creating more walkable neighborhoods across the City.
	4) PUBLIC INTEREST	<ul style="list-style-type: none"> Increased housing stock and expanded utilization of existing land provides benefits to those in need of housing and property owners who can see a greater return on investment with their property.

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none"> The proposed text amendment would allow for greater utilization of existing infrastructure without the need for utility expansion and increased cost of maintenance.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none"> There is no immediate development proposed. However, there is the potential for some loss of trees where new units are placed on existing undeveloped land. However, due to the small footprint of the structures and reduced setbacks, there will be flexibility in where structures are located – lending itself to more options in placement to avoid mature canopy trees.

RECAP

- + **Category 1-**
 - + **Dimensional Standards** - Increased flexibility
 - + **Permitted Uses** - Clarifications and Mixing of Uses
 - + **Definitions** - Clarifications and addition of 3 & 4 - Family Uses
- + **Category 2**
 - + **ADUs** - Scaling size for Principal Structures under 1,200 Sq Ft, Max Size of 1,200 Sq Ft for Principal Structures over 1,200 Sq Ft.
 - + **Density** - Units that are 1,200 Sq Ft or less count as .5 unit
 - + **PRD** - Elimination of Multi-Family and associated standards (making UR & MU Districts the only Multi-Family by-right districts), clarification and adjustments to dimensional standards, and
 - + **Minor PRD** - Introduction of 3 & 4 - Family Uses in 1 & 2 - Family Zoning Districts, adjustments to Densities for Minor PRD

The public hearing was opened at 8:12 p.m.

In Person:

Ken Fitch spoke and said a text amendment is not a “one size fits all”.

The public hearing was closed at 8:14 p.m.

City Council member Jennifer Hensley moved that City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance: Article IV. Establishment of Zoning Districts, Article V. Zoning District Classifications, Article VI. General Provisions, Article VIII. Exceptions & Modifications, Article XII. Definition of Terms, and Article XVI. Supplementary Standards, as presented by staff, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.

2. 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:

- 1. The proposed amendment creates an opportunity to address the need for additional, dispersed, “attainable” infill housing.*
- 2. The proposed amendment allows for property owners to better utilize their property and earn additional revenue*
- 3. The proposed amendment will incentive the construction of smaller, more affordable dwellings (“starter homes”).*

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-26

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, ARTICLE VI. GENERAL PROVISIONS AND ARTICLE XII. DEFINITION OF TERMS

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on March 13, 2025; voting 7-0 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 May 1, 2025, 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, due to a lack of affordable and attainable housing in the City, City Council has formed a Strategic Housing Committee to evaluate the need for revisions to the City’s Zoning Ordinance to improve opportunities for increased housing stock, and

WHEREAS, the proposed revisions to the City’s Zoning Ordinance are intended to improve regulatory conditions under which the housing stock may be increased, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on May 1, 2025,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Article VI. General Provisions and Article XII. Definition of Terms

R-40 | 5-1-3. Dimensional requirements.

Minimum lot area in square feet:	40,000
Lot area per dwelling unit in square feet:	40,000
Minimum lot width at building line in feet:	150 <u>125</u>
Minimum yard requirements in feet:	
Principal structure	Front: 40 <u>20</u> . Any portion of a building envelope featuring a front-facing garage shall set back the garage portion a minimum of 25 feet.
	Side: 25 <u>10</u>
	Rear: 35 <u>25</u>
Accessory structures	Front: 40
	Side: 10
	Rear: 10
Maximum height in feet:	35

R-20 | 5-2-3. Dimensional requirements.

Minimum lot area in square feet:	20,000
Lot area per dwelling unit in square feet:	20,000 for the first; 10,000 for the second unit for a two-family dwelling.
Minimum lot width at building line in feet:	100 <u>80</u>
Minimum yard requirements in feet:	
Principal structure	Front: 35 <u>15</u> . Any portion of a building envelope featuring a front-facing garage shall set back the garage portion a minimum of 25 feet.
	Side: 15 <u>10</u>
	Rear: 20
Accessory structures	Front: <u>To side or rear of principal structure</u>
	Side: 10 <u>5</u>
	Rear: 10 <u>5</u>
Maximum height in feet:	35

R-15 | 5-3-3. Dimensional requirements.

Minimum lot area in square feet:	15,000
Lot area per dwelling unit in square feet:	15,000 for the first; 7,500 for one additional dwelling unit in one building.
Minimum lot width at building line in feet:	85 <u>70</u>
Minimum yard requirements in feet:	
Principal structure	Front: 30 <u>15</u> . Any portion of a building envelope featuring a front-facing garage shall set back the garage portion a minimum of 25 feet
	Side: 10 <u>8</u>
	Rear: 15
Accessory structures	Front: 30 <u>To side or rear of principal structure</u>
	Side: 5
	Rear: 5
Maximum height in feet:	35

R-10 | 5-4-3. Dimensional requirements.

Minimum lot area in square feet:	10,000
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Lot area per dwelling unit in square feet:	10,000 for the first; 5,000 for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	75 55
Minimum yard requirements in feet:	
Principal structure	Front: 25 10. Any portion of a building envelope featuring a front-facing garage shall set back the garage portion a minimum of 25 feet. Side: 40 5 Rear: 40 15
Accessory structures	Front: 25 Located to side or rear of principal structure Side: 5 Rear: 5
Maximum height in feet:	35

R-6 | 5-5-3. Dimensional requirements.

Minimum lot area in square feet:	6,000
Lot area per dwelling unit in square feet:	6,000 for the first; 4,000 for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	50 45
Minimum yard requirements in feet:	
Principal structure	Front: 20 8. Any portion of a building envelope featuring a front-facing garage shall be setback a minimum of 25 feet. Side: 8 5 Rear: 10
Accessory structures	Front: 20 Located to side or rear of principal structure Side: 5 Rear: 5
Maximum height in feet:	35

C-2 | 5-7-3. Dimensional requirements.

Minimum lot area in square feet:	8,000 (6,000 for residential use).
Lot area per dwelling unit in square feet:	6,000 for the first dwelling unit; 4,000 square feet for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	None except for structures containing dwelling units which shall have a minimum lot width at building line of 50 feet.
Minimum yard requirements in feet:	Front: 15 except for structures containing dwelling units which shall have a minimum front yard of 20 feet. Side: 5 (Side yards are not required, but when provided must be a minimum of five feet. Common wall construction is permitted in the C-2 Zoning District Classification. On all corner lots, a ten-foot side yard setback is required.) Rear: None except for structures containing dwelling units which shall have a minimum setback of ten feet. Otherwise, rear yards are not required unless the C-2 Zoning District Classification abuts an established

	residential district. In this case, the rear yard setback requirement shall be a minimum of ten feet.
Maximum height in feet:	48

C-3 | 5-8-3. Dimensional requirements.

For lots containing only residential uses	
Minimum lot area in square feet:	6,000
Lot area per dwelling unit in square feet:	6,000 for the first; 4,000 square feet for one additional dwelling unit in any one building.
Minimum lot width at building line in feet:	50
Minimum yard requirements in feet:	Front: 20
	Side: 8
	Rear: 10
Maximum height in feet:	35
For lots containing other uses	
Minimum lot area in square feet:	10,000
Lot area per dwelling unit in square feet:	N/A
Minimum lot width at building line in feet:	80
Minimum yard requirements in feet:	Front: 35 (Front yard requirements may be reduced to ten feet for an accessory canopy structure for a commercial building or use, provided the primary structure or use conforms to the established setback requirements.)
	Side: 15
	Rear: 20
Maximum height in feet:	48

C-4 | 5-9-1. Permitted uses.

The following uses are permitted by right in the C-4 Neighborhood Commercial 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](#)

Residential dwellings, single-family

[Residential dwellings, two-family](#)

[Residential dwellings, three-family](#)

[Residential dwellings, four-family](#)

Residential dwellings, small-scale multi-family subject to supplementary standards contained in section 16-4, below

Planned residential developments (minor), subject to the requirements of article VII, below

5-9-3. Dimensional requirements.

Minimum lot area in square feet:	40,000 <u>8,000</u>
Lot area per dwelling unit in square feet:	N/A
Minimum lot width at building line in feet:	None
Minimum yard requirements in feet:	Front: 40 (Front yard requirements may be reduced to 15 feet for an accessory canopy structure for a commercial building or use, provided the primary structure or use conforms to the established setback requirements.) <u>10</u> Side: 15 Rear: 20
Maximum height in feet:	35

MIC | 5-10-3. Dimensional requirements.

Minimum lot area in square feet:	8,000 <u>6,000</u>
Minimum lot width at building line in feet:	50 <u>45</u>
Minimum yard requirements in feet:	Front: 40 <u>8</u> Side: 20 <u>15</u> total for lot; <u>may be allocated amongst all sides</u> with a minimum of 5; on any side Rear: 20 <u>10</u>
Accessory structure minimum setbacks	Front: Shall be located to the side or rear of principal structure Side and rear: 5
Maximum height in feet:	50

I-1 | 5-12. Industrial Zoning District Classification

This zoning district classification is established for those areas of the city where the principal use of the land is for industrial activities that by their nature may create some nuisance and which are not properly associated with residential, commercial and/or service establishments. This district is also established to preserve areas exhibiting industrial potential. Selected business uses of a convenience character are also permitted in this district. Some of the permitted uses in this district are exempt from the size limitations contained in section 4-5(e)(2) of the Zoning Ordinance, as is indicated specifically below.

5-12-1. Permitted uses.

5-12-1(a) Permitted uses: The following uses are permitted by right in the I-1 Industrial Zoning District Classification and are not exempted from the size limitations contained in section 4-5(e)(2) of this ordinance, provided that they meet all requirements of this section and all other requirements established in this ordinance. SIC references are to the 1987 edition of the Standard Industrial Classification Manual published by the Office of Management and Budget.

~~Residential dwellings~~

~~Planned residential developments (minor), subject to the requirements of article VII, below~~

5-12-4. I-1 CZD Industrial Conditional Zoning District Classification.

The purpose, requirements and standards of this zoning district classification are identical to the I-1 Industrial Zoning District Classification except that rezoning to I-1 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 I-1 Industrial Conditional Zoning District Classification upon rezoning to I-1CZD, regardless of the square footage or number of residential units for the use:

Adaptive Reuse for multi-family residential units subject to supplementary standards in Section 16-4-2

Day centers

Shelter facilities

Permitted uses for the I-1 Industrial Zoning District Classification as specified in subsection 5-12-1, above

Special uses for the I-1 Industrial Zoning District Classification as specified in subsection 5-12-2, above

ARTICLE VI. – GENERAL PROVISIONS

6-1-2 - Height and density.

No building shall hereafter be erected or altered so as to exceed the height limit or to exceed the density regulations of this ordinance for the district in which it is located. Residential units under 1,200 square feet in gross floor area shall count as one-half unit (0.5 units) for the purposes of calculating density allotments in all zoning districts which regulate density. Unit counts will remain as whole numbers for the purposes of applying other aspects of the zoning code such as determining level of review, applying minimum parking requirements, etc.

6-1-7 Corner lots.

In any residential district, the side yard requirements for corner lots along the side street shall be increased ~~by ten feet.~~ 150% (1.5x) the required side yard setback for the zoning district in which the property is located. Accessory buildings shall observe all setback requirements. A property not at the intersection of two publicly-maintained rights-of-way shall not be considered a corner lot for the purposes of this section.

ARTICLE VIII. EXCEPTIONS & MODIFICATIONS

Sec. 8-1. ~~Minimum required front yard for dwellings.~~ Exceptions to minimum setback regulations

8-1-1. – Exception to front yard setbacks. The minimum required front yard requirements of this ordinance for dwellings shall not apply on any lot where the average front yard of existing buildings located wholly or in part within ~~100~~ 350 feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is less than the minimum required front yard. In such cases, front yard on such lot may be less than the required front yard, but not less than the average of the front yards of the aforementioned existing buildings.

8-1-~~12~~ Exceptions to other setback regulations.

The following features shall not be subject to the required minimum setbacks:

Bridges

Doghouses

Driveways, walks and parking areas

Fences and walls not exceeding nine feet in height

Landscape features such as entrance piers, columns, gates, planters and gardens

Mobile food vendors

Playhouses, not exceeding 64 square feet in floor area

Required building entry ramps

Retaining walls

Stormwater management facilities such as head walls and culverts

The outermost five feet of any porches, steps, eaves, gutters and similar fixtures on the front of a structure

The outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures on the side and/or rear of a structure

ARTICLE XII. - DEFINITION OF TERMS

Accessory dwelling unit: A separate and complete dwelling unit which is subordinate to and contained on the same lot as ~~the structure of a single family dwelling or business;~~ a principal structure.

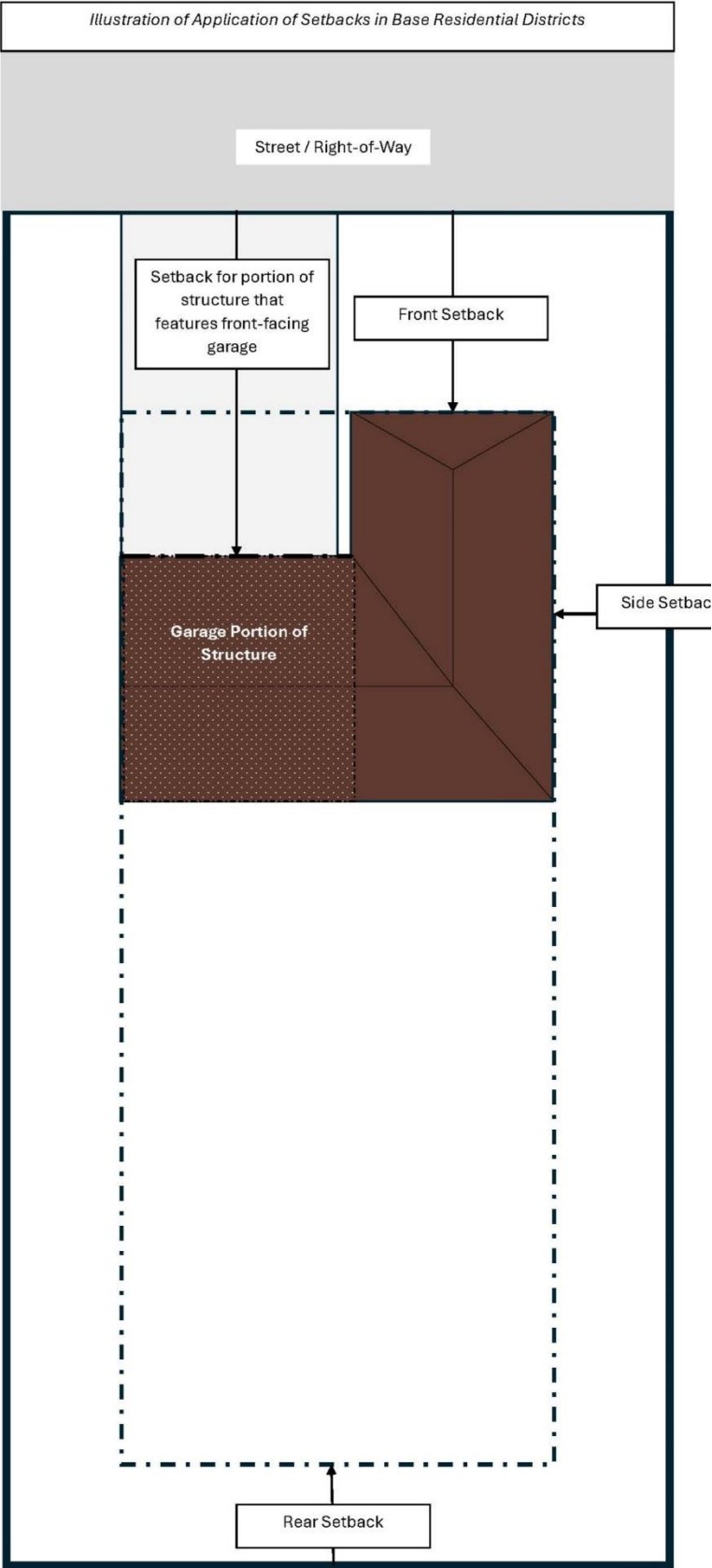
Dwelling, four-family: A type of multi-family building arranged to be occupied by four families living independently of each other, the structure having four dwelling units. Commonly referred to as a quad-plex.

~~Dwelling, s~~Small-scale multi-family: A building or a group of detached buildings on a single lot with ~~three to~~ eight ~~or fewer~~ dwelling units designed and arranged to be occupied by multiple families living independently of each other.

Dwelling, three-family: A type of multi-family building arranged to be occupied by three families living independently of each other, the structure having three dwelling units. Commonly referred to as a tri-plex.

Dwelling, two-family: A building arranged to be occupied by two families living independently of each other, the structure having two dwelling units. Commonly referred to as a duplex.

Setback: An open, unobstructed area that is required by this zoning ordinance to be provided from the furthestmost projection of a structure to the property line of the lot on which the building is located. See illustration.



Yard, front: An open, unoccupied space on the same lot with a principal building (excluding the outermost five feet of any porches, steps, eaves, gutters and similar fixtures), extending the full width of the lot and situated between the street or highway right-of-way line and the front line of the building, projected to the side lines of the lot.

Yard, rear: An open, unoccupied space on the same lot with the principal building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures), extending the full width of the lot and situated between the rear line of the lot and the rear line of the building to the side lines of the lot.

Yard, side: An open, unoccupied space on the same lot with a principal building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures), situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Lot, Double Frontage: A lot with frontages on more than one non-intersecting street or a corner lot having frontage on more than two streets. The architectural front of a structure, the front orientation of a structure and/or the presence of primary access shall determine the front lot line for the purposes of applying dimensional requirements. Lots which cannot be accessed by one of the two adjoining streets, due to topography or street classification, shall not be considered double frontage lots. For the purposes of this definition, lots located on alleys shall not be considered double frontage lots.

ARTICLE XVI. – SUPPLEMENTARY STANDARDS

16-4-1 Accessory dwelling units.

- a) Accessory dwelling units may only be situated on a lot on which a principal ~~residential dwelling unit~~ structure is also situated and shall be clearly incidental or accessory to such principal ~~residential~~ structure.
- b) No more than one accessory dwelling unit may be situated on any lot.
- c) Accessory dwelling units may not exceed ~~800~~ the square feet of heated floor area as outlined below:

1) all properties with principal structures 1,200 square feet or less are permitted to have an accessory dwelling unit up to a maximum of 100% of the size of the principal structure and

2) all properties with principal structures greater than 1,200 square feet are permitted an accessory dwelling up to a maximum of 1,200 square feet in heated floor area.

Examples. If a principal structure is 900 Sq Ft, the maximum heated floor area of the accessory dwelling unit is 900 Sq Ft. If a principal structure is 2,600 square feet, the maximum heated floor area of the accessory dwelling is 1,200 square feet.

16-4-31 Residential dwellings, small-scale multi-family.

- a) For the purposes of these standards, small-scale multi-family shall include all developments not subject to the N.C. Residential Code for One- and Two-Family Dwellings including triplexes, quadplexes, and other small apartment buildings. ~~The~~ Any of the architectural design standards below may be implemented voluntarily for single-family attached (townhomes) and multiple detached units on a single parcel (detached multi-family) constructed subject to N.C. Residential Code for One- and Two-Family Dwellings.

Sec. 4-5. Classification of uses.

USE	R-40	R-20	R-15	R-10	R-6	PRDCZD	MIC	C-4	PCDCZD	I-1	PIDCZD	URCZD
Accessory dwelling units	SS	SS	SS	SS	SS	<u>SS</u>	SS	SS	-	SS	-	-
Adaptive reuse	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	-	-	-	-	<u>L</u>	-	-
Golf courses	-	-	-	-	-	P	-	-	P	P	-	-
Golf driving ranges, par 3 golf	SU	-	-	-	-	P	-	-	P	P	-	-
Planned residential development (minor)	SS	SS	SS	SS	SS	-	SS	-	-	SS	-	-
Planned residential development (major)	-	-	-	-	-	P	-	-	-	-	-	-
Residential dwellings, single-family	P	P	P	P	P	P	P	P	P	P	P	<u>L</u>
Residential dwellings, multi-family	-	-	-	-	-	P	-	P	P	-	P	P
Residential dwellings, two-family	-	P	P	P	P	P	P	<u>P</u>	P	=	P	-
<u>Residential dwellings, three-family</u>	=	=	=	=	=	<u>P</u>	=	<u>P</u>	=	=	=	=
<u>Residential dwellings, four-family</u>	=	=	=	=	=	<u>P</u>	=	<u>P</u>	=	=	=	=
<u>Residential dwellings, small-scale multi-family</u>	=	=	=	=	=	=	<u>P</u>	<u>P</u>	=	=	=	=
Personal services	-	-	-	-	-	<u>L</u>	SS	P	P	P	-	L
Retail stores	-	-	-	-	-	<u>L</u>	SS	SS	P	P	-	L
Restaurants	-	-	-	-	-	<u>L</u>	SU	SU	P	P	-	L

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

8. NEW BUSINESS

A. Annexation: Analysis and Advisement – Upward Road (Quattlebaum Properties, LLC) (25-22-ANX) – Sam Hayes, Planner II

Sam Hayes explained that the City of Hendersonville received a petition from Robert Quattlebaum and Sheetz Inc., for a satellite annexation of PIN 9588-40-7325 located on Upward Road that is approximately 2.65 acres.

Quattlebaum Properties F, LLC

(25-22-ANX)

Annexation Analysis and Advisement

City of Hendersonville City Council

May 1st, 2025

Community Development | Planning Division

Sam Hayes | Planner II



Background

PINs:

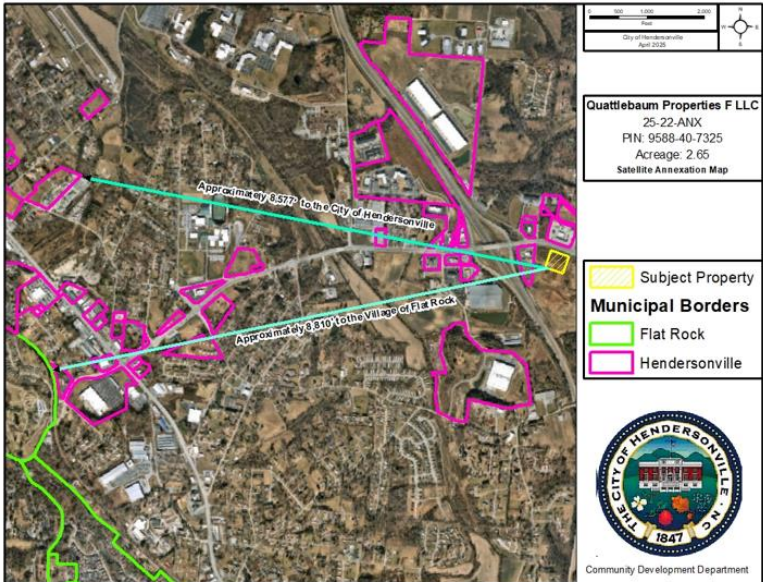
• 9588-40-7325

Acreage:

• 2.65 acres

Request:

• Gas Station



Comprehensive Plan Analysis



Community Center



Encourages non-residential commercial services or mixed-use development.



Community Center areas should include medium to large scale businesses, or single-family homes, townhomes, and apartments.



These areas are typically found at intersections of State roads or near areas of residential development that can be served by commercial uses.



Mixed Use Commercial



Encourages a mix of retail, restaurant, service, office, and civic uses, as well as residential housing types.



City's comprehensive plan denotes this area as being the most intense district outside of the Downtown character area.



The City has designed this designation at certain intersection of major throughfares and along major corridors that could benefit from a mix of commercial and residential uses.

Commercial/Mixed Use Examples



Zoning Analysis



Regional Commercial (RC)

- + Allowable Uses: Convenience store, fuel pump, retail sales and services, public and private administrations, offices, residential
- + Residential density: 16 units per acre
- + Conditional rezoning when 10 or more multifamily dwellings are proposed



Commercial Highway Mixed Use (CHMU)

- + Many uses including: Convenience stores with or without gasoline, a variety of commercial businesses, residential single, two, and multi-family
- + Caps number of residential units per acre depending on the required open space. 12 units per acre maximum with 60% open space provided
- + Other properties are Business C-3 and CHMU
- + Adjacent uses include gas station/convenience store, fast food restaurants, ABC Store, hotels

Staff Analysis

The proposed project is in alignment with both the Henderson County Comprehensive Plan and the City's Gen H Comprehensive Plan

The proposed use for the property is in alignment with the proposed zoning district of CHMU.

The project, if annexed and zoned to CHMU, could be done by right. The project would be able to be done by right in the County as well.

Annexation Options



Annexation Required and Sewer Provided

- a. Project proceeds as presented under CHMU zoning district.



No Annexation Required but City Sewer Provided:

- a. Project proceeds as presented and is allowed by right development through Henderson County Regional Commercial zoning.

No Annexation with No City Sewer Provided:

- a. Project proceeds as presented and is allowed a by right development through Henderson County Regional Commercial zoning.

Council Member Jennifer Hensley moved the City Council to move forward in reviewing the annexation petition submitted by Quattlebaum Properties F, LLC (Robert Quattlebaum) and Sheetz Inc (Wes Hall). A unanimous vote of the Council followed. Motion carried.

B. Rescheduling of July 3, 2025 City Council Meeting – John Connet City Manager

City Manager Connet explained that the July City Council meeting is scheduled for Thursday, July 3, 2025. There has been a request made to move the meeting to Wednesday, July 2, 2025. Staff requests permission from City Council to move the meeting.

Council Member Lyndsey Simpson moved that City Council move the Thursday, July 3, 2025 City Council meeting to Wednesday, July 2, 2025. A unanimous vote of the Council followed. Motion carried.

9. BOARDS & COMMITTEES

A. Appointment of Member to the Tourism Development Authority – Jill Murray, City Clerk

City Manager Connet explained that there is a City vacancy on the Tourism Development Authority (TDA). Michael Burnette has applied for this position.

City Council Member Jennifer Hensley moved that the City Council appoint Michael Burnette to the City vacancy spot on the Tourism Development Authority (TDA). A unanimous vote of the Council followed. Motion carried.

9. CITY MANAGER REPORT

City Manager Connet said that he looks forward to seeing everyone tomorrow morning at the budget workshop and breakfast will be here at 8:00am.

A. April 2025 Contingency and Adjustment Report – John Connet, City Manager

In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a “budget adjustment”. City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

FISCAL YEAR 2024 - 2025 (FY25) BUDGET AMENDMENTS AND ADJUSTMENTS			Completed	Corrected					
			Proposed	Denied					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
010-1010-531210	Permits, Licenses, Fees	191,976	-	10,000	181,976	Zoom Phones	yes	Adjustment	3/26/2025
010-1010-534000	Non-Capital Equipment	73,801	10,000	-	83,801	Zoom Phones	yes	Adjustment	3/26/2025
010-1002-519200	Contracted Services	35,827	-	3,075	32,752	Transfer out correction for 068	yes	Adjustment	4/4/2025
010-0000-598901	Transfer Out (to 068)	1,702,176	3,075	-	1,705,251	Transfer out correction for 068	yes	Adjustment	4/4/2025
060-7032-550003	Capital Outlay	232,000	-	27,440	204,560	FogRods	yes	Adjustment	4/8/2025
060-7032-534000	Non-Capital	8,000	27,440	-	35,440	FogRods	yes	Adjustment	4/8/2025
060-0000-534999	Contingency	64,856	-	5,000	59,856	Worker's Comp	yes	Adjustment	4/9/2025
060-7032-502091	Worker's Comp	1,157	5,000	-	6,157	Worker's Comp	yes	Adjustment	4/9/2025
060-7002-519104	Prof Services- Engineering	20,000	-	400	19,600	Adam S Request	yes	Adjustment	4/10/2025
060-1014-519104	Prof Services- Engineering	53,000	400	-	53,400	Adam S Request	yes	Adjustment	4/10/2025
010-1400-521001	Supplies and Materials	45,500	-	18	45,482	Worker's Comp	yes	Adjustment	4/11/2025
010-1400-502091	Worker's Comp	2,214	18	-	2,232	Worker's Comp	yes	Adjustment	4/11/2025
060-0000-534999	Contingency	59,856	-	241	59,615	Worker's Comp	yes	Adjustment	4/11/2025
060-7155-501091	Worker's Comp	-	241	-	241	Worker's Comp	yes	Adjustment	4/11/2025
010-1300-554001	Capital Outlay Equipment Other Than	25,000	-	16,307	8,693	Server Replacement	yes	Adjustment	4/16/2025
010-1300-531210	Permits, Licenses, Fees	132,390	16,307	-	148,697	Server Replacement	yes	Adjustment	4/16/2025
010-1525-531600	Capital Outlay Equipment Other Than	10,000	-	5,000	5,000	Kevin Supplies and Materials	yes	Adjustment	4/16/2025
010-1525-521001	Supplies and Materials	42,000	5,000	-	47,000	Kevin Supplies and Materials	yes	Adjustment	4/16/2025
010-1010-531210	Permits, Licenses, Fees	179,759	-	10,000	169,759	Zoom Phone	yes	Adjustment	4/22/2025
010-1010-519200	Contracted Services	466,531	10,000	-	476,531	Zoom Phone	yes	Adjustment	4/22/2025
060-7135-524020	R&M Equipment	175,800	-	33,000	142,800	Septage Project	yes	Adjustment	4/24/2025
060-7135-553000	Capital Outlay Land Improvements	-	33,000	-	33,000	Septage Project	yes	Adjustment	4/24/2025

11. CITY COUNCIL COMMENTS

12. CLOSED SESSION

City Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) (4) and (5) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States or not considered a public record within the meaning of Chapter 132 of the General Statutes served by the public body, to discuss matters relating to the location or expansion of industries and businesses in the area, to consult with an attorney employed or retrained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

A unanimous vote of the Council followed. Motion carried.

13. ADJOURN

There being no further business, closed session adjourned at 8:53 p.m.

There being no further business, the meeting adjourned at 8:53 p.m. upon unanimous assent of the Council.

ATTEST:

Jill Murray, City Clerk

Barbara G. Volk, Mayor