

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE V. 'ZONING DISTRICT CLASSIFICATIONS' - SECTION 5-19 'CENTRAL MIXED USE ZONING DISTRICT' AND ARTICLE VI. 'GENERAL PROVISIONS' - SECTION 6.5 'OFF STREET PARKING' AND ARTICLE VII. 'DEVELOPMENT REVIEW' IN ORDER TO ELIMINATE MINIMUM LOT SIZE REQUIREMENTS AND TO ALLOW QUALIFYING ON-STREET PARKING TO COUNT TOWARDS MINIMUM PARKING REQUIREMENTS IN THE CMU ZONING DISTRICT

WHEREAS, the Planning Board reviewed this petition for a zoning and subdivision text amendment at its regular meeting on September 11, 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 October 2, 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, City Council has conducted a public hearing as required by the North Carolina General Statutes on October 2, 2025,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend the City of Hendersonville Zoning Ordinance, Article V 'Zoning District Classifications' - Section 5-19 'Central Mixed Use Zoning District' and Article VI. "General Provisions" - Section 6.5 'Off Street Parking' in order to eliminate minimum lot size requirements and to allow qualifying on-street parking to count towards minimum parking requirements in the CMU zoning district.

ZONING ORDINANCE

ARTICLE V – ZONING DISTRICT CLASSIFICATIONS

Sec. 5-19. CMU Central Mixed Use Zoning District Classification.

The CMU Central Mixed Use Zoning District Classification is intended to strengthen the Central Business District and the perimeter surrounding that district by encouraging and permitting the coordinated development of dwellings, retail, professional and financial trades, institutional, governmental and other public facilities. This classification is designed to facilitate the coordination of future developments, stressing sensitivity to urban design, pedestrian environment, urban open spaces and streetscapes. It will permit higher density residential developments, provided adequate facilities are, or will be, in place to serve such developments.

5-19-3 Development standards.

5-19-3.1 Parking and loading. For non-residential developments, the requirements of section 6-5, below, shall apply. Residential developments shall be provided with a minimum of one on- or off-street parking space per dwelling unit. ~~As far as practicable, in consideration of site constraints and reasonable development requirements, parking for non-residential and multi-family residential developments shall be situated to the side or rear of principal structures.~~

- a) On-street parking.

- i. On-street parking may not exceed 33% of a development's total parking requirement.
- ii. Only eligible on-street parking spaces may be utilized to meet parking requirements. To be eligible, an on-street parking space must either be:
 - a. An existing delineated parking space within the right-of-way directly abutting the frontage of the development or
 - b. A newly-delineated on-street parking space subject to the following:
 1. Newly-delineated on-street parking spaces shall meet MUTCD Standards.
 2. Proposed newly-delineated on-street parking shall be illustrated in a site plan in accordance with Article VII and reviewed and approved by NCDOT (for state-maintained roads) or the City of Hendersonville Public Works Director (for local streets).
 3. Installation of newly-delineated on-street parking spaces shall be the responsibility of the developer.

b) Off-street parking.

- i. As far as practicable, in consideration of site constraints and reasonable development requirements, off-street parking for non-residential and residential developments shall be situated to the side or rear of principal structures.
- ii. All off-street parking areas shall be separated from the back of the curb by a planting strip at least five feet in width and screened from view from public streets by principal structures or by shrubs and/or evergreen trees planted at the most appropriate spacing for the species used. The reviewing authority may authorize the use of walls and or fences not exceeding ~~four~~ five feet in height in lieu of a vegetative screen where site constraints or design considerations justify such substitution.

5-19-3.2 Dimensional requirements.

Minimum lot area in square feet:	8,000 <u>0</u>
Minimum lot width:	None
Minimum yard requirements in feet:	12 feet measured from the back of the curb of any street. Rear and side yards are not required if yards do not border a street. However, if yards are provided, they must be a minimum of five feet measured from the property line.
Maximum building height in feet:	36 feet; provided, however, structures containing at least three floors limited to residential uses may be constructed to a height not exceeding 64 feet.

ARTICLE VI. - GENERAL PROVISIONS

Sec. 6-5. - Off-street parking.

6-5-5 - Minimum design requirements.

6-5-5.1 Motor vehicle parking spaces shall measure nine feet by eighteen ~~18~~ feet (9'x18').

6-5-5.2 All parallel motor vehicle parking spaces shall measure ~~nine~~ eight feet six inches by twenty-two ~~22~~ feet (8.5'x22').

6-5-5.3 Parking spaces shall be designed to prevent a vehicle from protruding or overhanging a sidewalk. Residential driveways shall provide a minimum of twenty-two feet (22') of clearance from the back of existing or planned sidewalks.

ARTICLE VII. – DEVELOPMENT REVIEW

7-3-4 - Review of final site plans.

j) All proposed streets and/or driveways with proposed names, pavement widths and rights-of-way, and showing sight distances and their relationship to all street and driveway intersections within a 200-foot radius of the intersection of such entrances and exits with any public road. All alleys, driveways, curb cuts for public streets and handicap ramps, loading areas and provisions for off-street and on-street parking spaces and sidewalks; calculations indicating the number of parking spaces required and the number provided. All streets shall be clearly identified as public or private; a typical cross-section of public or private streets and/or driveways shall be included;

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney