

ZONING TEXT AMENDMENT:  
**CMU LOT SIZE + ON-STREET PARKING (25-55-ZTA)**  
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT  
STAFF REPORT

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## PROJECT SUMMARY



- Project Name & Case #:
  - CMU Lot Size + On-Street Parking
  - 25-55-ZTA
- Applicant:
  - Sarah Schafer, Watermark Landscape Architecture, PLLC
- Articles Amended:
  - Zoning Ordinance
    - Article V
    - Section 5-19
- Zoning Districts Impacted:
  - Central Mixed Use (CMU)
- Future Land Use Designations:
  - Downtown

### **Summary**

*The City of Hendersonville has received an application from Sarah Schafer with Watermark Landscape Architecture to amend the City's Zoning Ordinances for the Central Mixed Use Zoning District (CMU) to reduce minimum lot size requirements and allow for on-street parking to count towards minimum parking requirements.*

*The proposed changes would allow for housing types such as townhomes (single-family attached) which involve subdivisions of land into small individual lots equivalent to the footprints of the individual attached units. The existing 8,000 Sq Ft min. lot size makes townhome projects infeasible.*

*Additionally, the proposed changes would better utilize land in the urban core by not requiring as much land be dedicated to surface parking. The proposed changes acknowledge that on-street parking is prevalent in the urban core. There exist an interconnected street network making up many small blocks. This configuration accommodates on-street parking where spaces are occupied and freed up in frequent intervals with peak times during normal business hours. Residential units would utilize on-street primarily during non-peak hours.*

*The proposed changes are consistent with the Gen H Plan.*

## AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS

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The proposed changes are targeting two distinct requirements in the Central Mixed Use (CMU) Zoning District standards. The two proposals share a common trend of acknowledging and utilizing the highly urbanized character of CMU.

Character of the Central Mixed Use Zoning District - CMU represents the zoning for some of the most historic parts of the City of Hendersonville. New development and redevelopment within this district will have lasting impacts on the city's character. This zoning district could be characterized as a 'downtown support' district as it which surrounds the Central Business District (C-1). C-1 flanks either side of Main St. Meanwhile, CMU zoning governs the land use and designs along portions of a number of prominent streets including Church St, Washington St, King St, Grove St, 6<sup>th</sup> Ave, & 7<sup>th</sup> Ave (including the 7<sup>th</sup> Ave Depot Historic District).

Reduction of Minimum Lot Size – The proposal to eliminate the minimum lot size requirements in CMU would allow for housing types such as townhomes (single-family attached). Currently, the 8,000 Sq Ft min. lot size makes townhome projects infeasible. Townhome developments involve subdivisions of land into small individual lots which are equivalent to the size of the footprints of the individual attached units. The footprint/lot sizes can vary, but for a sense of scale, a 2,000 Sq Ft footprint would be a larger size for a townhome (if it's a two-story townhome, that would be a 4,000 Sq Ft home).

Reduced or eliminated minimum lot sizes are not foreign in Hendersonville. CMU is the only Mixed Use Zoning District that requires a minimum lot size at all. Central Business (C-1), Greenville Highway Mixed Use (GHMU), Highway Mixed Use (HMU), Commercial Highway Mixed Use (CHMU), Urban Residential (UR-CZD), & Urban Village (UV-CZD) have no minimum lot size requirements. Additionally, Medical, Institutional & Cultural (MIC), Secondary Business (C-2) and High Density Residential (R-6) zoning districts have smaller minimum lot size requirements.

Allowance of On-Street Parking - The proposed changes would allow better utilize land in the urban core by not requiring as much land be devoted to surface parking. It is a long-standing principle of urban planning to recognize that over-accommodation of automobiles, through the use of surface parking lots, in walkable downtown environments will result in detracting from the character that makes these desirable locations and vibrant economic engines.

The proposed text amendment acknowledges that on-street parking is already prevalent in the urban core due to the existing interconnected street network which makes up many small blocks. This configuration accommodates on-street parking and presents an opportunity to accommodate dense, infill development. On-street parking spaces in and around downtown are occupied and freed-up in frequent intervals with peak parking usage occurring during normal business hours. Conversely, residential units primarily utilize on-street parking during non-peak hours.

Similar to minimum lot size requirements, allowances for on-street parking are also not new to Hendersonville's zoning regulations. The Urban Residential and Urban Village Districts requires the use of on-street parking and encourage a maximum number of off-street parking spaces rather than a minimum.

Adjustments to the Article VI. provisions for parking have also been adjusted for clarity.

## COMMITTEE RECOMMENDATION

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The proposed amendment was not reviewed by the Legislative / Long-Range Planning Committee.

## PROPOSED TEXT REVISIONS

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The following revisions to the zoning code are presented for your consideration. The following language in ~~red~~ will be removed and language in green will be added to the current zoning district language shown in black as illustrated below:

## 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.

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#### **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.

- iii. 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.
- iv. 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:	<del>8,000</del> <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.

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6-5-5 - Minimum design requirements.

6-5-5.1 Motor vehicle parking spaces shall measure nine feet by eighteen ~~+8~~ 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**

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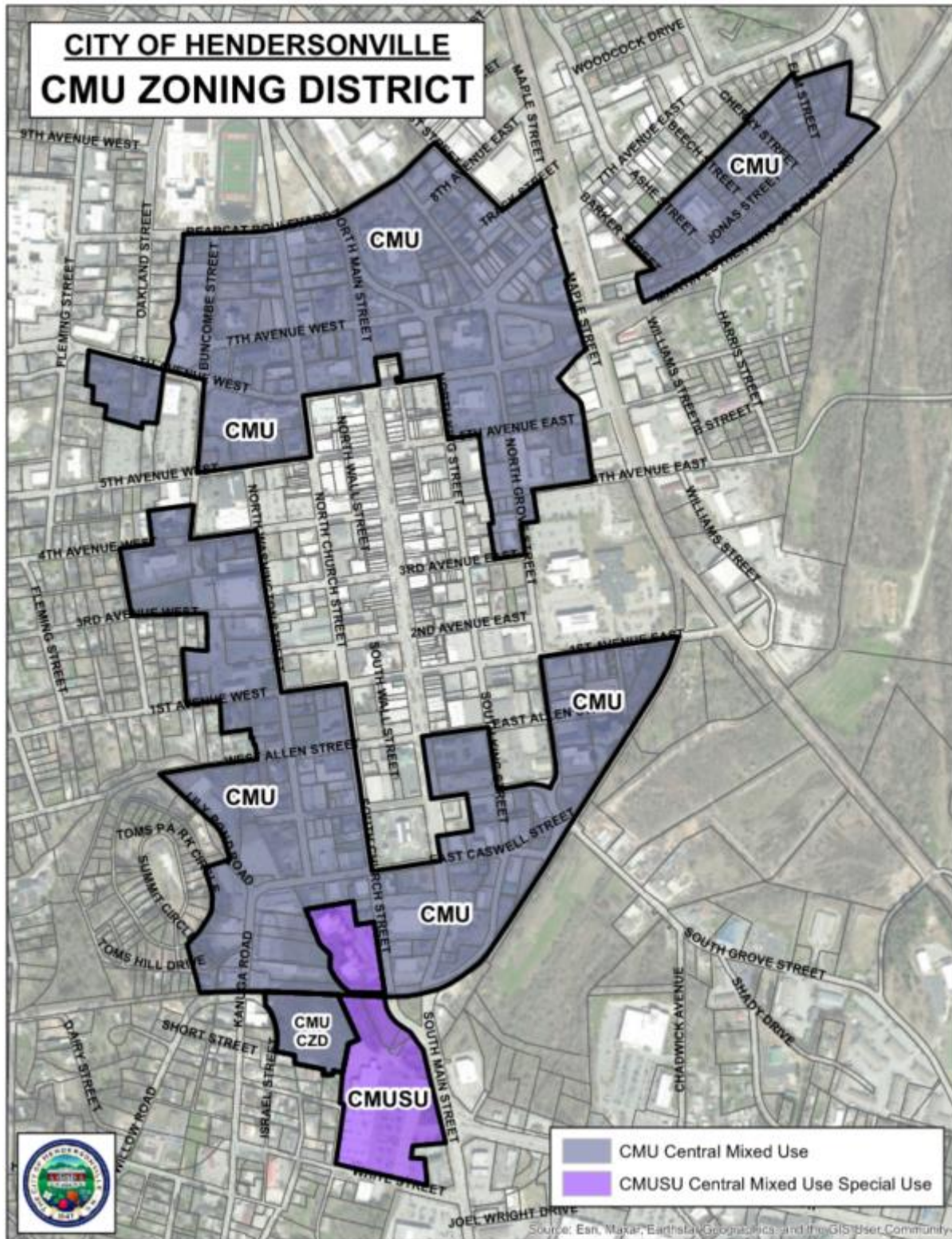
#### 7-3-4 - Review of final site plans.

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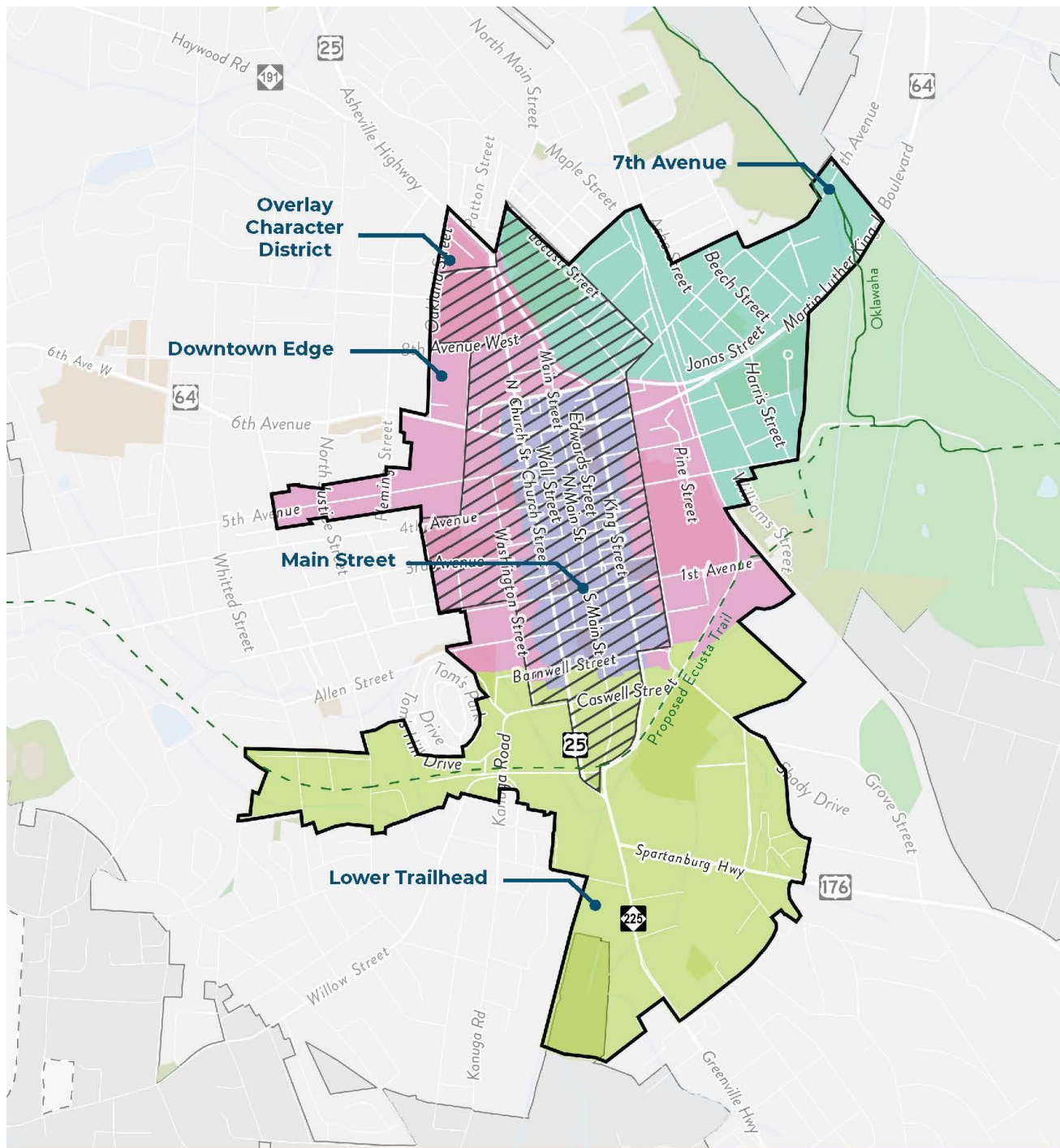
j) All proposed streets and/or driveways with proposed names, pavement widths and rights-of-way, and showing sight distances and their relationship to all street and driveway intersections within a 200-foot radius of the intersection of such entrances and exits with any public road. All alleys, driveways, 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;



## ZONING MAP – CMU ZONING DISTRICT



# GEN H COMPREHENSIVE PLAN – DOWNTOWN MASTER PLAN MAP



Character Districts Map



Source: City of Hendersonville, Henderson County, NCDOT



GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<b><u>LAND SUPPLY, SUITABILITY &amp; INTENSITY</u></b> <b>Supply:</b> N/A <b>Suitability:</b> N/A <b>Intensity:</b> The proposal aligns with the development pattern of Option 2 in Figure 4.9 – Alternative Growth Map
	<b><u>FUTURE LAND USE &amp; CONSERVATION MAP</u></b> <b>Character Area Designations:</b> Downtown <b>Character Area Descriptions:</b> Consistent <b>Zoning Crosswalk:</b> Consistent <b>Focus Area:</b> Downtown Edge - Consistent
2) COMPATIBILITY	<i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i>
	<b><u>Existing Conditions:</u></b> Scenario Planning – a typical downtown block is 266’ long from stop bar to stop bar. If you subtract the required spacing (30’) from the street intersections at either end, then a residential project that takes up an entire city block would get a maximum of 9 on-street parking spaces per block face (on-street parking spaces are 8’x22’). In reality, the total number of spaces would be less than 9 because this assumes there are no driveway entries, utilities or fire hydrants preventing parking spaces. We can conclude that for a dense multi-story apartment building, the on-street parking along the frontage of the development would make up a small percentage of the total parking. For a smaller townhome development, the on-street parking may make up as much as half of the spaces in the development. To address this, staff has capped the total percentage of parking that on-street spaces can account for at 33%.
	<b><u>GEN H COMPREHENSIVE PLAN GOALS</u></b> (Chapter IV) <b>Vibrant Neighborhoods:</b> Consistent <b>Abundant Housing Choices:</b> Consistent <b>Healthy and Accessible Natural Environment:</b> Somewhat Consistent <b>Authentic Community Character:</b> Consistent <b>Safe Streets and Trails:</b> Consistent <b>Reliable &amp; Accessible Utility Services:</b> Consistent <b>Satisfying Work Opportunities:</b> Consistent <b>Welcoming &amp; Inclusive Community:</b> Somewhat Consistent <b>Accessible &amp; Available Community Uses and Services:</b> N/A <b>Resilient Community:</b> Consistent
	<b><u>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES</u></b> (Chapter IV) <b>Mix of Uses:</b> N/A

	<p><b>Compact Development:</b> Consistent <b>Sense of Place:</b> Consistent <b>Conserved &amp; Integrated Open Spaces:</b> Inconsistent <b>Desirable &amp; Affordable Housing:</b> Consistent <b>Connectivity:</b> Consistent <b>Efficient &amp; Accessible Infrastructure:</b> Consistent</p> <p><b><u>DOWNTOWN MASTER PLAN:</u></b> <u>Focus Areas</u> - Proposal aligns with strategies in Downtown Edge &amp; 7<sup>th</sup> Ave to densify, better utilize surface parking lots and underutilized spaces, create opportunities for walkable, infill development and promote shared parking strategies. <u>Public Realm</u> On-Street parking is promoted in the street typologies that serve CMU. Site Design – “PARKING • Surface parking lots shall not be a principal use in any character district. • For commercial and institutional/semi-public uses within the character districts, 5% of the total parking spaces should allow for public use during off-peak business hours. • Shared parking is encouraged. PARKING REQUIREMENTS • Within the Main Street character district, parking requirements are optional with the provision of a fee in lieu of. Within the Downtown Edge, 7th Avenue, and Lower Trailhead character districts, minimum parking requirements are per the underlying zoning district. • The following parking maximums apply to properties within each of the character districts regardless of the underlying zoning designation.</p> <table><tr><th>Maximum Vehicle Parking Requirements</th><th>Main Street Character District</th><th>Downtown Edge Character District</th><th>7th Avenue Character District</th><th>Lower Trailhead Character District</th></tr><tr><td>Single-Family Attached &amp; Detached</td><td>No Limit</td><td>No Limit</td><td>No Limit</td><td>No Limit</td></tr><tr><td>Multi-Family</td><td>1 / bedroom</td><td>1 / bedroom</td><td>1 / bedroom</td><td>2 / bedroom</td></tr></table>	Maximum Vehicle Parking Requirements	Main Street Character District	Downtown Edge Character District	7th Avenue Character District	Lower Trailhead Character District	Single-Family Attached & Detached	No Limit	No Limit	No Limit	No Limit	Multi-Family	1 / bedroom	1 / bedroom	1 / bedroom	2 / bedroom
Maximum Vehicle Parking Requirements	Main Street Character District	Downtown Edge Character District	7th Avenue Character District	Lower Trailhead Character District												
Single-Family Attached & Detached	No Limit	No Limit	No Limit	No Limit												
Multi-Family	1 / bedroom	1 / bedroom	1 / bedroom	2 / bedroom												
3) Changed Conditions	<p><b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b></p> <p>There is growing interest for infill development around the City’s urban core as some of the few remaining vacant parcels are being pursued for residential development.</p>															
4) Public Interest	<p><b>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 -</b></p> <p>The proposed amendment would allow for compatible infill attached single-family development and greater utilization of land for its highest and best use. Additional delineated on-street parking spaces could also result from the proposed language.</p>															

5) <b>Public Facilities</b>	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
	The proposed text amendment would facilitate infill development in downtown Hendersonville. Infill development allows for greater utilization of existing infrastructure without the need for utility expansion and increased cost of maintenance. Existing on-street parking spaces would have additional users. Some additional public on-street spaces could be created where new development occurs where no on-street spaces are currently delineated.
6) <b>Effect on Natural Environment</b>	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 -
	There are no known environmental impacts and no immediate development proposed.

## REZONING STANDARDS ANALYSIS & CONDITIONS

### **Staff Analysis**

1. Comprehensive Plan Consistency - Staff finds the proposed text amendment to be consistent with the *Gen H Comprehensive Plan* Character Area designation and Focus Area elements.
2. Compatibility - The proposed text amendment is compatible with existing development patterns and aligns with Gen H Goals, Guiding Principles and Downtown Master Plan.
3. Changed Conditions - The text amendment is a response to growing desire to maximize the utilization of remaining infill opportunities around Downtown.
4. Public Interest – Accommodates infill and highest and best uses of scarce land while potentially increasing the number of delineated on-street parking spaces. There will be increased demand on existing on-street parking spaces as well.
5. Public Facilities - Allows for greater utilization of existing infrastructure. Potentially increases the number of newly-delineated on-street parking spaces while also increasing demand on existing on-street parking spaces.
6. Effect on Natural Environment – None.

## DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS 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 text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.*

We **[find/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:

### *DRAFT [Rationale for Approval]*

- *The proposed amendment creates an opportunity to accommodate infill development*
- *The proposed amendment allows for greater utilization of existing infrastructure*
- *The proposed amendment increases opportunities for additional housing in city core*

### *DRAFT [Rational for Denial]*

- *The proposed amendment would place too great a burden on existing public parking*
- *The proposed amendment would accommodate incompatible housing types*