

ZONING TEXT AMENDMENT: FLAG LOTS & SMALL LOTS (P24-89-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY



- Project Name & Case #:
 - Flag Lots & Small Lots
 - P24-89-ZTA

- Applicant:
 - Barry Bialik

- Articles Amended:
 - Zoning Ordinance
 - Article V Zoning District Classifications: *Cross-references*
 - Article VIII Exceptions & Modifications: *Primary changes*
 - Article XII Definition of Terms: *New definitions*
 - Subdivision Ordinance
 - Article 3. Configuration
 - Article 8. Measurements
 - Article 9. Definitions

- Zoning Districts Impacted:
 - Residential districts + MIC + RCT

- Future Land Use Designations:
 - Rural Residential
 - Family Neighborhood Living
 - Multi-Generational Living

Summary

The City of Hendersonville has received an application from Barry Bialik to amend the City’s Zoning and Subdivision Ordinances to introduce exceptions that would allow for the greater utilization of underdeveloped land for small houses in an effort to increase the stock of “attainable”, for sale houses.

The proposed changes would allow for reduced minimum lot sizes, lot widths, and setbacks for lots created to establish homes that are no greater in size than 1,200 Sq Ft Gross Floor Area (GFA). The proposed allowances come in two forms:

1) Reduced Pole Flag Lots and 2) Small Lots

In each case the minimum lot size would be reduced to 2,000 Sq Ft and limited to the allowance of a single-family home, two-family home, accessory dwelling unit or any combination thereof with a total square footage no greater than 1,200 Sq Ft in Gross Floor Area. The minimum setbacks and lot widths for these compact lots would also be reduced. In combination, you would be permitted up to a maximum of 6 lots (reduced pole flag lots + small lots) on any parcel less than 2 acres in size.

The proposed changes align with the City’s recently adopted Gen H Comprehensive Plan and address needs identified by the City’s Strategic Housing Committee. The proposal was unanimously supported by the Planning Board.

AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS

For the purposes of this staff report, references to “Affordable Housing” are made in regards to the larger crisis of the lack of housing stock that is available to those making 120% of the Area Median Income (AMI) or less. References to “attainable housing” are made in regards to market rate solutions for the provision of dwelling units made available to those that do not income qualify for subsidized housing, but are still in need of housing at a lower price point than the median home price.

In response to the affordable housing crisis in Hendersonville and across Western North Carolina, and indeed across many portions of our country, elected officials, planners and developers have been attempting to innovate and [reform Zoning codes](#) to allow for increased housing supply. In basic economic theory, increased housing supply will offset demand and lead to price stabilization or even reductions in housing costs. The proposed text amendments put forth by the applicant are intended to do just that.

A key distinction of the proposal is that it specifically targets small residential units (1,200 Sq Ft Gross Floor Area max). By the very nature of their limited size, these units would be more affordable and fill the gap in “starter home” availability that has persisted for a number of years.

Not only does the proposed text amendment make way for additional market-rate “attainable” housing supply and allow for a more efficient use of property, it specifically targets an increase in fee simple real estate. In other words, the proposal allows for an increase in individually platted parcels which can feature owner-occupied dwellings and thus can be utilized for equity generation and wealth building. This type of “attainable housing” is a [major gap in the overall affordable housing equation](#). A large portion of the dwelling units that have been approved by the City over the last 4 years have been for market rate apartments (2,269 rental units vs 977 single-family units). Increasing housing supply of not only rental units but “for sale” units is a key distinction provided by this proposal.

The proposed text amendment, in short, allows for reduced lot sizes (min. 2,000 Sq Ft) for properties that are established specifically for the construction of residential dwellings that do not exceed 1,200 Sq Ft in Gross Floor Area (GFA). This would come in two forms: 1) the establishment of “reduced flag pole lots” and 2) the establishment of “small lots”. Both of these configurations would have a minimum lot size of 2,000 Sq Ft and have similar reductions in setbacks and lot widths. The distinction between the two is that the reduced pole flag lot would have a narrow strip of land (the “pole”) that provides street frontage, ranging from 12’ down to 5’, and extends to the rear to create a lot or lots located behind other lots. These reduced pole flag lots would be accessed by a drive established in the “pole” that extends from the public right-of-way or along a cross-access easement. The maximum number of reduced flag pole lots on any one parcel under 2 acres in size is 5. Small Lots are similar to a traditional lot that has frontage along a street and, therefore, does not need to establish a “pole” to gain access to the lot. The maximum number of Small Lots is 6. And using these provisions in combination, the maximum number of lots that can be created on a parcel that is 2 acres or less is 6.

LEGISLATIVE COMMITTEE RECOMMENDATION

The proposed amendment was reviewed by the Legislative Committee at their meeting on January 21, 2025. The Legislative Committee provided feedback to Planning Staff which resulted in various clarifications. Some considerations of material modifications were discussed but in general the proposal was supported as presented. The most significant feedback was to make it clear that the “remnant lots” must meet minimum lot size for the zoning district in which it is located if there is an existing structure on the remnant lot and the structure exceeds 1,200 Sq Ft in GFA.

The following revisions to the zoning code are presented for your consideration. The highlighted portions have been revised based on feedback from the Development Review Committee (DRC) after having already been reviewed by Planning Board:

ZONING ORDINANCE

The following language will be added as a cross reference for the list of zoning districts below:

Subject to the zoning district's Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXECPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots and Sec. 8.5. – Small Lot.

- 5-1-3. - Dimensional requirements. [R-40 Estate Residential District]
- 5-2-3. - Dimensional requirements. [R-20 Low-Density Residential Zoning District]
- 5-3-3. - Dimensional requirements. [R-15 Medium-Density Residential Zoning District]
- 5-4-3. - Dimensional requirements. [R-10 Medium-Density Residential Zoning District]
- 5-5-3. - Dimensional requirements. [R-6 High-Density Residential Zoning District]
- 5-10-3. - Dimensional requirements. [MIC Medical, Institutional and Cultural Zoning District]
- 5-13-3. - Dimensional requirements. [RCT Residential Commercial Transition Zoning District]

Article VIII – Exceptions & Modifications

Sec. 8-4. – Reduced Pole Flag Lots & Small Lots

8-4-1. - Purpose: The purpose of these lot configuration options is to allow small footprint housing on small lots to increase the stock of "Workforce" and "Attainable" housing.

8-4-2. - Applicability: In applicable zoning districts (reference Article V. – Zoning District Classifications for applicable zoning districts), Reduced Pole Flag Lots or Small Lots or a combination thereof can be applied to any Lot of Record two acres in size or less as long as the land has not been the subject of an exempt subdivision, of a recombination of land or of any subdivision application approval within the preceding three years. All residential uses shall be permitted subject to a zoning district's Permitted Uses. Residual Lots result from the creation of a Reduced Pole Flag Lot or Small Lot.

8-4-3. - Dimensional Requirements for Reduced Pole Flag Lots & Small Lots:

Reduced Pole Flag Lots	
<u>Minimum lot area in square feet:</u>	<u>2,000</u>
<u>Minimum lot width/pole width in feet*:</u>	
<u>Single water service OR single sewer service line</u>	<u>5</u>
<u>Single water service AND single sewer service line</u>	<u>10</u>
<u>Single gravity sewer service; additional width may be required depending on pipe depth</u>	<u>10</u>
<u>Driveways and Accessways</u>	<u>See Sec. 8-4-4 – Access and Frontage Improvements.</u>
<u>Minimum yard requirements in feet:</u>	<u>5 from all perimeter lot lines</u>
<u>Maximum structure size in square feet (SF), Gross Floor Area (GFA):</u>	
<u>New lot with new structure</u>	<u>1,200**</u>
<u>Existing structure on existing lot</u>	<u>No structure size limit. Structures > 1,200 SF GFA, lot shall meet underlying zoning district dimensional standards; structures ≤ 1,200 SF GFA may use Reduced Pole Flag Lot or Small Lot.</u>
<u>Structure location:</u>	<u>All structures shall be located in compliance with fire code requirements.***</u>
<u>Maximum structure height in feet:</u>	<u>Subject to the height limit of the underlying zoning district.</u>

Small Lots	
<u>Minimum lot area in square feet:</u>	<u>2,000</u>
<u>Minimum lot width* in feet:</u>	<u>25</u>
<u>Minimum yard requirements in feet:</u>	
<u>Front:</u>	<u>10</u>
<u>Side</u>	<u>5</u>
<u>Rear</u>	<u>10</u>
<u>Maximum structure size in square feet (SF), Gross Floor Area (GFA)</u>	<u>1,200** for new construction</u>
<u>Structure location:</u>	<u>All structures shall be located in compliance with fire code requirements.***</u>
<u>Maximum structure height in feet:</u>	<u>Subject to the height limit of the underlying zoning district.</u>

* Accessory Dwelling Unit (ADU) conversions to fee-simple lots shall install independent water and sewer connections for the unit.

** 1,200 SF GFA may be allocated to one dwelling unit or split over 1-3 units (i.e. ADU, Single-Family, or Two-Family)

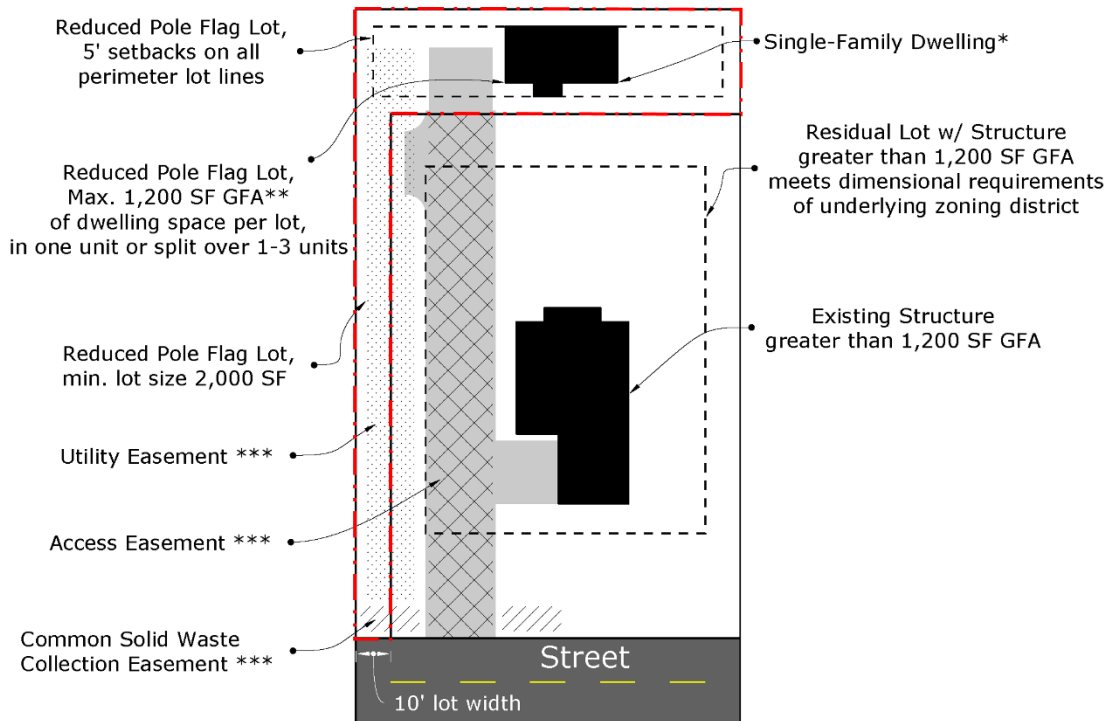
NOTE: Any plat created for this option shall require a note stipulating a maximum home size of 1,200 SF GFA.

*** City of Hendersonville, Code of Ordinances, Chapter 22 – Fire Prevention and Protection, Sec. 22-6 – Access requirements for fire apparatus

Residual Lot Requirements:

Residual Lots with existing structures greater than 1,200 SF GFA shall meet dimensional requirements of the underlying zoning district.

Residual Lots with existing structures 1,200 SF GFA or less may use Reduced Pole Flag Lot or Small Lot standards.



*Subject to Permitted Uses for underlying zoning district

** GFA = Gross Floor Area (in square feet, SF)

*** Dimensions/locations to vary based on service-provider requirements

Figure 1: Reduced Pole Flag Lot

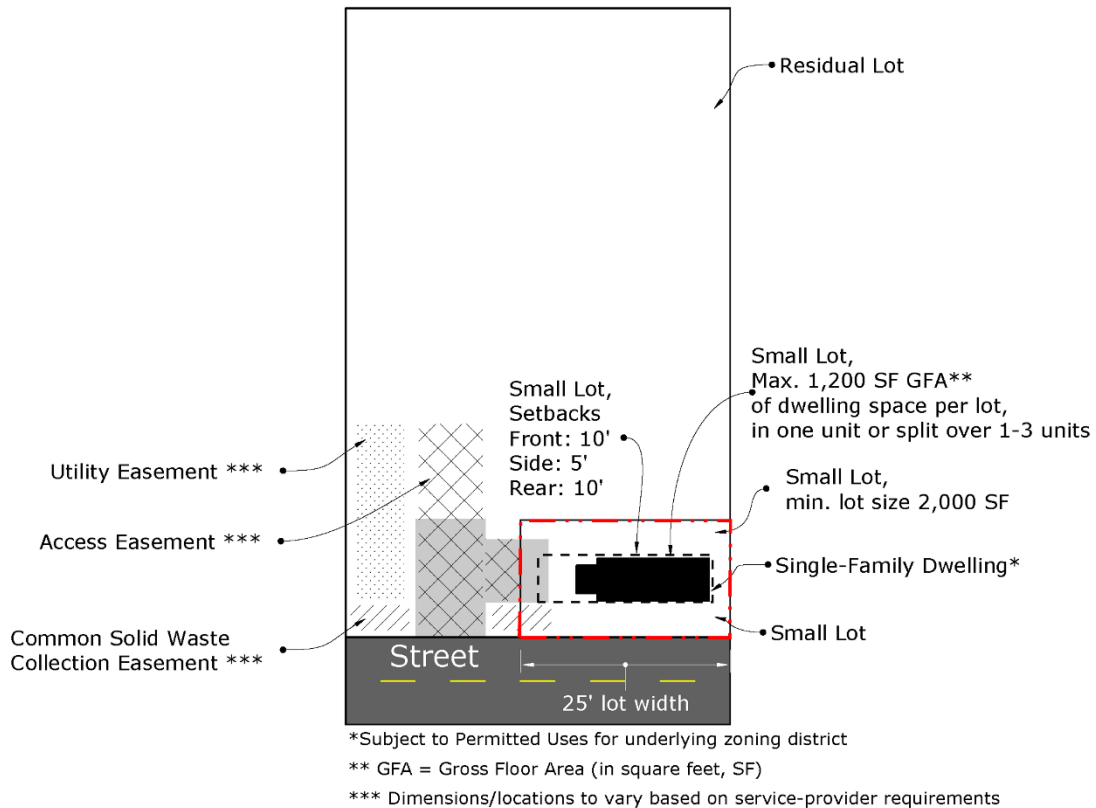


Figure 2: Small Lot

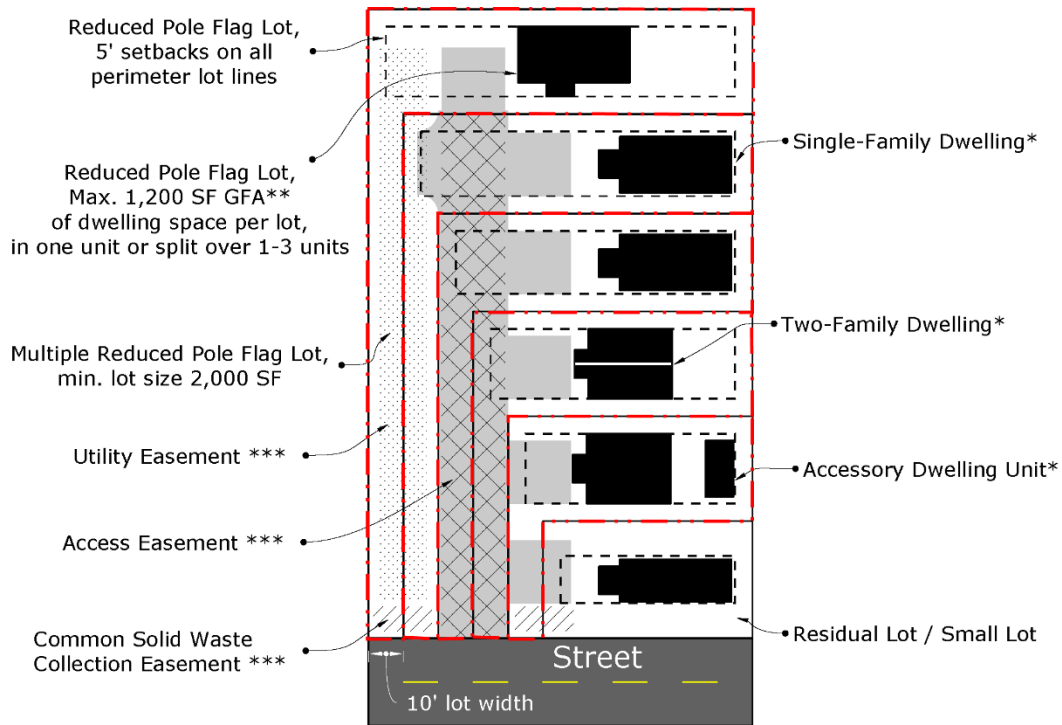
8-4-4. – Access and Frontage Improvements:

- a) Driveways, Utilities and Accessways may be placed within the “pole” or an alternate site location via ‘access’ and/or ‘utility’ easements.
- b) Use of a single driveway to serve an adjoining Reduced Pole Flag Lot or to serve Reduced Pole Flag Lots and an adjoining conventional lot may be required. In the case of a driveway shared with a conventional lot, the preferred location for the driveway, when feasible, is on the “pole” portion of the Reduced Pole Flag Lots, with the conventional lot granted an ‘access easement’ over the “pole”. Access easements shall state that they are part of the property’s curtilage and accessible for the purposes of public health and safety.
- c) Utility easements may be placed on “pole” and other alternative site locations including within an ‘access’ easement in which case an ‘access and utility easement’ may be established for both physical access and utility maintenance across property boundaries.
- d) Utility meters and associated infrastructure shall be located according to service-provider requirements. The use of Utility Easements for the purposes of placing meters on adjacent property may be applicable.
- e) Appropriately-sized ‘Common Solid Waste Collection Easements’ shall be identified for the orderly placement of, and access to, solid waste containers and bulk item / brush collection. Provisions for solid waste shall be graphically identified as a ‘Common Solid Waste Collection Easement’ on the plat and shall require review and approval from Planning staff. These easements shall be sized according to container dimensions and the number of containers serving the development along with sufficient space to meet brush collection standards. These easements shall be located in accordance with best practices and avoid being placed on/near/under water meters, sewer cleanouts, power lines, guy wires, fire hydrants, etc.
- f) Sidewalks (Sec. 6-12) and Street Trees (Sec. 15-15) may be required on lot frontages.

8-4-5. – Multiple Reduced Pole Flag Lots: A maximum of five (5) Reduced Pole Flag Lots are permitted to subdivide off of an existing Lot of Record two (2) acres or less in size.

- a) In no case shall each subdivided lot have less than 5 feet of street frontage.
- b) A shared driveway shall be used as the sole access to all such lots.
- c) The provisions of this section may be used in combination with Small Lots, with a limit of six (6) total lots.

8-4-6 – Landscaping: In addition to required street trees, at least one large maturing and one small maturing tree shall be planted or preserved on the lot.



*Subject to Permitted Uses for underlying zoning district
 ** GFA = Gross Floor Area (in square feet, SF)
 *** Dimensions/locations to vary based on service-provider requirements

Figure 3: Multiple Reduced Pole Flag Lots + Small Lot

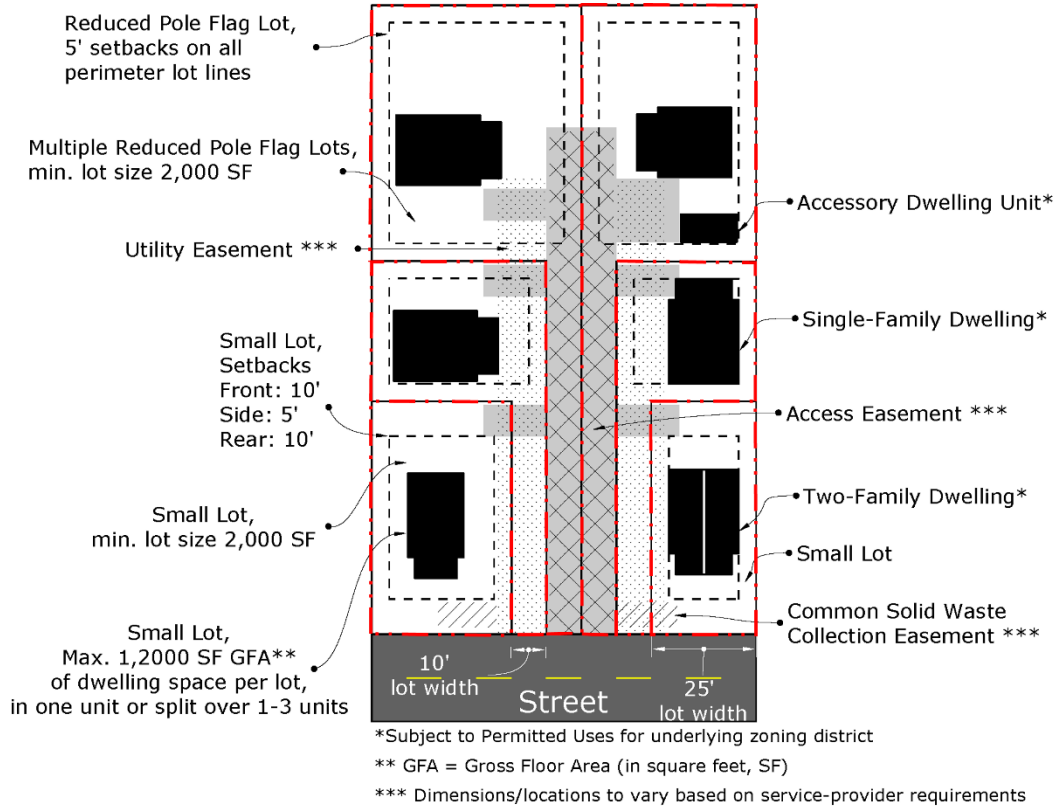


Figure 4: Small Lot combined with Multiple Reduced Pole Flag Lots, six (6) lot maximum

Article XII, - Definition of Terms

Flag Lot, Reduced Pole: A flag lot with reduced dimensional requirements containing a dwelling with a maximum square footage per Zoning Ordinance Sec. 8.4 – Reduced Pole Flag Lots and Subdivision Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole.

Lot Area: The total area within the lot lines of a platted lot.

Residual Lot: A remaining lot resulting from the creation of a Reduced Pole Flag Lot or Small Lot.

Small Lot: A lot with reduced dimensional requirements containing a dwelling with a maximum square footage per Zoning Ordinance Sec. 8.5 – Small Lot.

SUBDIVISION ORDINANCE

ARTICLE 3. – CONFIGURATION [re: Flag Lots]

Sec. 3.03. - Lots.

A. Dimensional requirements.

B. Side lot lines.

C. Flag lots.

D. Reduced Pole Flag Lots

~~D.~~ **E. Double or reverse frontage lots.**

~~E.~~ **F. Corner lots.**

~~F.~~ **G. Drainage and flood prevention.**

C. Flag lots. New flag lots may be established, subject to the following requirements:

1. Except where topographic conditions or environmental constraints make lot access impractical, no more than five percent of the lots within a subdivision (or individual phase of a subdivision) may be configured as flag lots.
2. New flag lots may be established along any type of street. When located along an expressway or boulevard street ~~only in cases where~~ access to the street ~~is~~ shall be shared with an adjacent lot (see Figure 3.03.C, Flag Lot Access).
3. The "pole," arm," or "pan handle" portion of a flag lot shall maintain a minimum width of at least 20 feet ~~except as provided under Section 3.03. Reduced Pole Flag Lots.~~
4. Use of a single driveway to serve an adjoining flag lot or to serve a flag lot and an adjoining conventional lot is encouraged. In the case of a driveway shared with a conventional lot, the preferred location for the driveway is on the flagpole portion of the flag lot, with the conventional lot granted an access easement over the flagpole.

D. Reduced Pole Flag Lots (requirements below are cross-referenced from Zoning Ordinance, Sec. 8-4. – Reduced Pole Flag Lots)

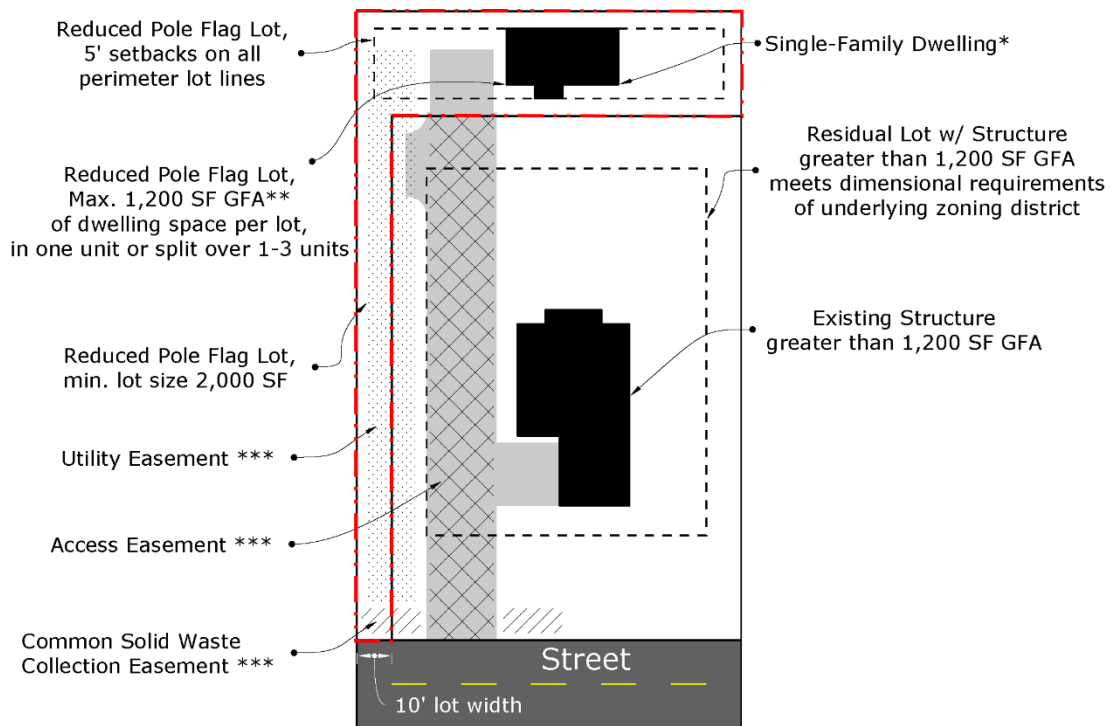
1. **Purpose:** The purpose of this lot configuration option is to allow small footprint housing on small lots as a means to increase the stock of housing affordable at "Workforce" and "Attainable" housing levels.
2. **Applicability:** A Reduced Pole Flag Lot can be applied to any Lot of Record in an applicable zoning district. (see ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS for applicable zoning districts). Accessory Dwelling Units, Single-Family Dwellings and Two-Family Dwellings shall be permitted subject to a zoning district's Permitted Uses.

3. Dimensional Requirements:

Reduced Pole Flag Lots	
Zoning dimensional requirements (i.e. lot area, setbacks, structure size)	see Zoning Ordinance Sec. 8-4-3 – Reduced Pole Flag Lot
Minimum lot width/pole width in feet*:	
Single water service OR single sewer service line	5
Single water service AND single sewer service line	10
Single gravity sewer service; additional width may be required depending on pipe depth	10
Driveways and Accessways	See 4. Access and Frontage Improvements (next page)
Structure location:	All structures shall be located in compliance with fire code requirements.**

* Accessory Dwelling Unit (ADU) conversions to fee-simple lots shall install independent water and sewer connections for the unit.

** City of Hendersonville, Code of Ordinances, Chapter 22 – Fire Prevention and Protection, Sec. 22-6 – Access requirements for fire apparatus



*Subject to Permitted Uses for underlying zoning district

** GFA = Gross Floor Area (in square feet, SF)

*** Dimensions/locations to vary based on service-provider requirements

Figure 1: Reduced Pole Flag Lot

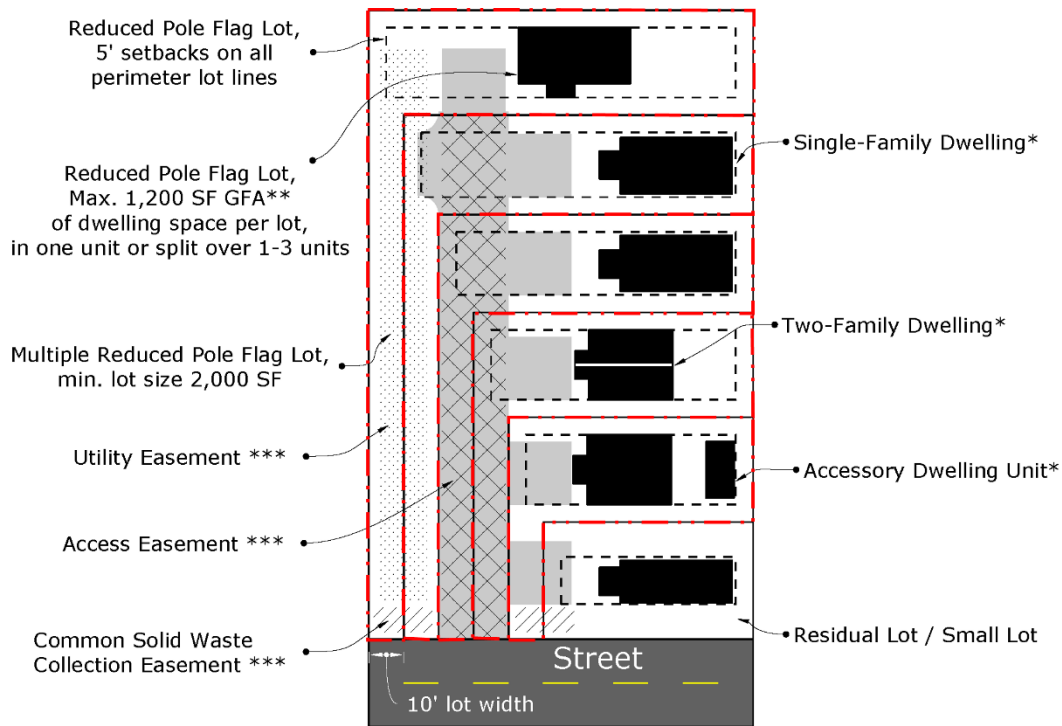
4. Access and Frontage Improvements:

- a) Driveways, Utilities and Accessways may be placed within the “pole” or an alternate site location via ‘access’ and/or ‘utility’ easements.
- b) Use of a single driveway to serve an adjoining Reduced Pole Flag Lot or to serve Reduced Pole Flag Lots and an adjoining conventional lot may be required. In the case of a driveway shared with a conventional lot, the preferred location for the driveway, when feasible, is on the “pole” portion of the Reduced Pole Flag Lots, with the conventional lot granted an ‘access easement’ over the “pole”. Access easements shall state that they are part of the property’s curtilage and accessible for the purposes of public health and safety.
- c) Utility easements may be placed on “pole’ and other alternative site locations including within an ‘access’ easement in which case an ‘access and utility easement’ may be established for both physical access and utility maintenance across property boundaries.
- d) Utility meters and associated infrastructure shall be located according to service-provider requirements. The use of Utility Easements for the purposes of placing meters on adjacent property may be applicable.
- e) Appropriately-sized ‘Common Solid Waste Collection Easements’ shall be identified for the orderly placement of, and access to, solid waste containers and bulk item / brush collection. Provisions for solid waste shall be graphically identified as a ‘Common Solid Waste Collection Easement’ on the plat and shall require review and approval from Planning staff. These easements shall be sized according to container dimensions and the number of containers serving the development along with sufficient space to meet brush collection standards. These easements shall be located in accordance with best practices and avoid being placed on/near/under water meters, sewer cleanouts, power lines, guy wires, fire hydrants, etc.

5. Multiple Reduced Pole Flag Lots: A maximum of five (5) Reduced Pole Flag Lots are permitted to subdivide off of an existing Lot of Record two (2) acres or less in size. The provisions of this section may be used in combination with Small Lots, with a limit of six (6) total lots.

To ensure the common facilities necessary for these types of developments are maintained, ‘Multiple Reduced Pole Flag Lot’ Minor Subdivisions are not exempted from the standards of Article 6. ‘Owners Associations’.

In no case shall each subdivided lot have less than 5 feet of street frontage. A shared driveway shall be used as the sole access to all such lots.



*Subject to Permitted Uses for underlying zoning district
 ** GFA = Gross Floor Area (in square feet, SF)
 *** Dimensions/locations to vary based on service-provider requirements

Figure 2: Multiple Reduced Pole Flag Lot

Sec. 3.04. - Access to lots.

A. Every lot must maintain access.

1. **Generally.** Except for lots within bona fide farms, exempt subdivisions, or in accordance with section 3.04.A.2, street access exemptions, all lots intended to contain a building or structure shall abut a street designed, built, and maintained to city or state standards, as applicable.

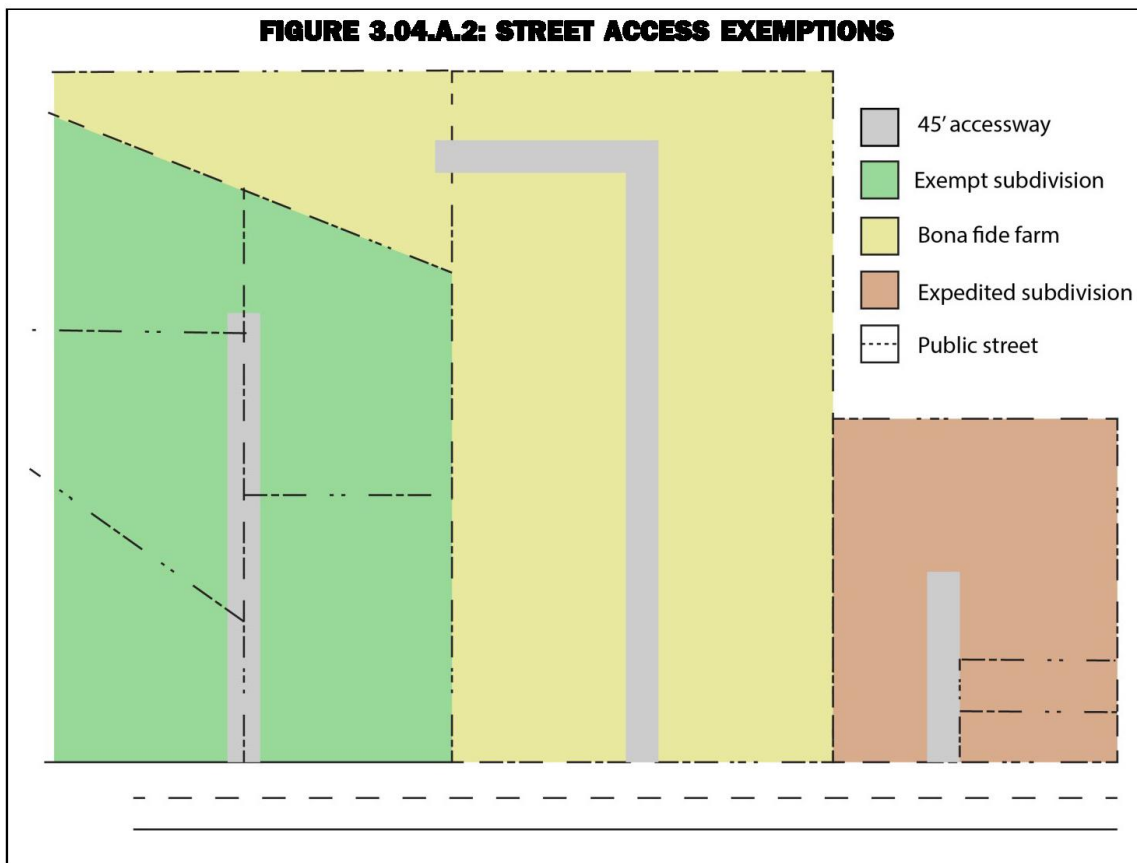
2. Street access exemptions.

a. Lots in any of the following forms of development are not required to be served by a street meeting city or state standards:

- i) Up to three lots in an expedited subdivision; or
- ii) Up to three lots without roadway frontage that are served by a single, shared accessway.

b. With the exception of Reduced Pole Flag Lots, Any any lots not required to abut a street designed, built, and maintained to city or state standards shall maintain an access with a minimum width of 45 feet that is adequately maintained to afford a reasonable means of ingress and egress for emergency vehicles (see Figure 3.04.A.2, Street Access Exemptions).

3. **Access serving more than three lots.** With the exception of Reduced Pole Flag Lots. Accessways serving more than three lots outside a bona fide farm or exempt subdivision shall be designed, built, and maintained to public street standards.



B. Access on lots abutting expressways, boulevards, thoroughfares, or other streets.

1) All subdivisions abutting an expressway, boulevard, thoroughfare, or any street with an Average Annualized Daily Traffic of greater than or equal to 300 are required to provide access in compliance with this Sec. 3.04.B

a. AADT shall refer to the most recent data collection performed by the Public Works Department. If no data is available at the time of subdivision application, the City shall cause a measure of AADT to be

performed.

b. A subdivider may cause their own measure of AADT to be performed by a licensed traffic engineer or other professional. If there is a conflict between the City's measure of AADT and the subdivider's, the City shall seek the opinion of a licensed traffic engineer, whose decision shall be binding.

- 2) In cases where a tract or site abutting an expressway, boulevard, thoroughfare, or any street with an AADT of greater than or equal to 300 is proposed for subdivision (whether residential or otherwise), then all lots created shall maintain sufficient frontage on a different street ~~or~~ alley or drive, either pre-existing or created as part of the subdivision, so that direct access to lots need not be provided by an expressway, boulevard, thoroughfare, or any street with an AADT of greater than or equal to 300 (see Figure 3.04.8, Lots Abutting expressway, boulevard, thoroughfare, or any street with an AADT of greater than or equal to 300).

ARTICLE 6 – OWNER ASSOCIATIONS

Sec. 6.01. Purpose.

The purpose of this section is to set out the requirements for establishment of a homeowners' or property owners' association (hereinafter "association") that shall be responsible for the long-term maintenance of common areas, common features, and private infrastructure in a subdivision. This section also sets out the requirements associated with transfer of subdivision control and maintenance responsibility from the subdivider to the association.

Sec. 6.02. Applicability.

A. The standards in this section shall apply to subdivisions with open space set-aside(s), lands held under common ownership, or shared responsibility for common infrastructure including, but not limited to streets or stormwater management facilities.

B. With the exception of Multiple Reduced Pole Flag Lots, establishment of an owners' association shall not be required for minor subdivisions (see section 2.04.I, minor subdivision), or expedited subdivisions (see section 2.04.F, expedited subdivision), but the responsible party for any private infrastructure shall be identified in the subdivision approval.

ARTICLE 8. – MEASUREMENT

Sec. 8.02. - Rules of measurement.

C. Lot Dimensions

I. Lot Measurements.

a. Minimum lot area. The minimum amount of required land area, measured horizontally, that must be included within the lines of a lot. Lands located within any private easements shall be included within the lot area. The following features shall not be included in calculating minimum lot area:

- i. Public street rights-of-way;
- ii. Private street area;
- iii. ~~The “pole,” arm,” or “pan handle” portion of a flag lot; and~~
- iv. Land that is submerged or regularly underwater and jurisdictional wetlands.

ARTICLE 9. – DEFINITIONS

Sec. 9.01. - Definitions.

Flag Lot, Reduced Pole: A flag lot with reduced dimensional requirements containing a dwelling with a maximum square footage per Zoning Ordinance Sec. 8.4 – Reduced Pole Flag Lots and Subdivision

Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole.

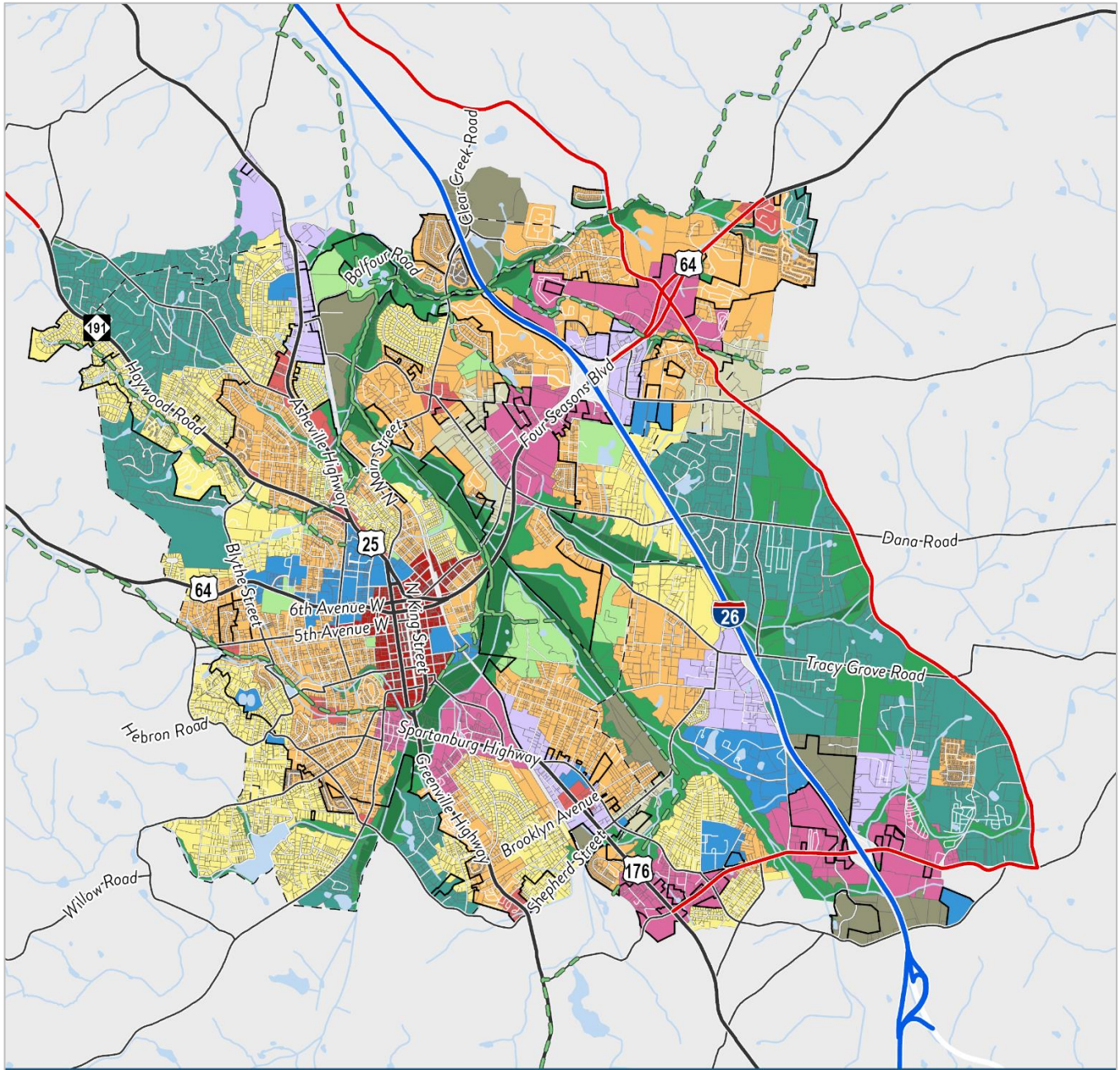
Lot Area: The total area within the lot lines of a platted lot.

Residual Lot: A remaining lot resulting from the creation of a Reduced Pole Flag Lot or Small Lot.

Small Lot: A lot with reduced dimensional requirements containing a dwelling with a maximum square footage per Zoning Ordinance Sec. 8.5 – Small Lot.

Residual Lot: A lot resulting from the creation of a Reduced Pole Flag Lot or Small Lot.

GEN H COMPREHENSIVE PLAN - FUTURE LAND USE AND CONSERVATION MAP



Future Land Use & Conservation Map (DRAFT)

0 4,500
Feet



- Open Space - Conservation 1 (Regulated)
- Open Space - Conservation 2 (Natural)
- Open Space - Recreation
- Rural Residential
- Family/Neighborhood Living
- Multi-Generational Living
- Downtown

- Mixed Use - Commercial
- Neighborhood Center
- Mixed Use - Employment
- Institutional
- Innovation
- Production
- Existing Greenways and Trails
- Proposed Greenways and Trails

- CTP Highway Classification
- Freeway
 - Boulevard
 - Other Major Thoroughfare
 - Minor Thoroughfare
 - Hendersonville City Limits
 - Hendersonville ETJ

Source: City of Hendersonville, Henderson County, NCDOT

GEN H COMPREHENSIVE PLAN -CHARACTER AREA PERCENTAGES

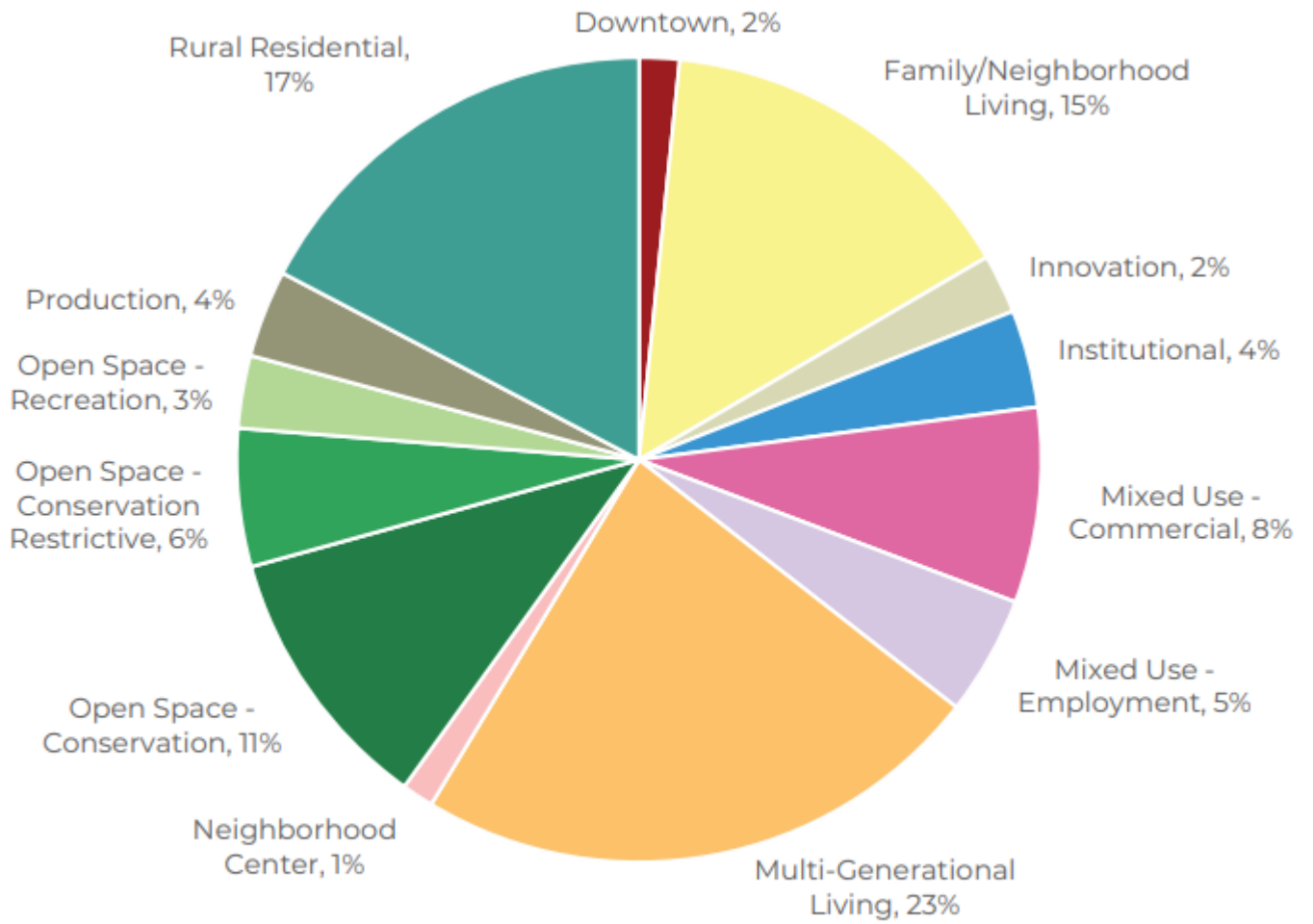


Figure 4.13.1 - Character Area percentages (rounded to whole percent) for study area. ROW is not included acreage percentages.

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<p><u>LAND SUPPLY, SUITABILITY & INTENSITY</u> Supply: The Land Supply Map shows an abundance of “Underdeveloped” land in the City’s zoning jurisdiction. Suitability: Land Suitability Maps show that a majority of the land supply is ‘most suitable’ for Residential development. Intensity: The proposal aligns with the development pattern of Option 2 in Figure 4.9 – Alternative Growth Map</p>
	<p><u>FUTURE LAND USE & CONSERVATION MAP</u> Character Area Designations: Rural Residential, Family Neighborhood Living, Multi-Generational Living Character Area Descriptions: Somewhat Consistent Zoning Crosswalk: Consistent Focus Area: N/A</p>
2) COMPATIBILITY	<p><i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i></p>
	<p><i>[In addition to the general analysis below, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating the zoning text amendment’s compatibility. The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan.]</i></p>
	<p><u>EXISTING CONDITIONS</u> The proposed amendments update the City’s Zoning Code to allow for smaller detached units on smaller lot sizes in all residential zoning districts that permit Single-family / Two-family uses and Accessory Dwelling Units by right. The permitted uses of these zoning districts would not be changed nor would the height limitations be altered. These are key factors when considering the potential impacts of infill development. When infill development is allowed to be greatly out of scale with existing conditions (i.e. lacking transition and context-sensitive design) and when the intensity of a newly introduced use is out of character with existing land uses, then the development is often judged to be incompatible. For these reasons, maintaining consistency with height limits and permitted land uses is integral to ensuring compatibility. With the exception of larger, more recently constructed planned communities, factors such as lot size and house size tend to vary throughout the city, from block to block and even within the same block. This is due to changes in zoning requirements and housing trends over time. As proposed, the text amendments would allow for more variation in lot size in exchange for capping the square footage of the new dwellings that can be located on them. The proposed limitations on square footage of the dwellings ensures that new units constructed under these allowances do not out-scale</p>

	<p>existing homes.</p> <p>GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy and Accessible Natural Environment: Somewhat Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: Somewhat Consistent Accessible & Available Community Uses and Services: N/A Resilient Community: Consistent</p> <p>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) Mix of Uses: N/A Compact Development: Consistent Sense of Place: Consistent Conserved & Integrated Open Spaces: Inconsistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Consistent</p>
3) Changed Conditions	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</p> <p>The primary changed condition affecting this amendment is the persistent lack of housing availability in Hendersonville and throughout the region. In particular, starter homes and “attainable housing” supply are lacking and needed to accommodate the city’s workforce and next generation of city residents. Additional localized findings related to the community’s housing needs can be found here.</p>
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> <p>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.</p>
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>

	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	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 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.

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's* Land Supply, Land Suitability, and Alternative Growth Trend maps. Additionally, the text amendment aligns with the Gen H Character Area Descriptions – in particular the Multi-Generational Living (MGL) Character Area which accounts for the greatest percentage of land area in the city.
2. Compatibility - The proposed text amendment is not incompatible with the existing development pattern in the city. The reduced scale of the dwellings permitted by the proposed allowance ensures that existing homes will not be out-scaled by the Small Lot and Reduced Pole Flag Lot infill development.
3. Changed Conditions - The text amendment is a response to the need for additional “attainable housing” in the city.
4. Public Interest – 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.
5. Public Facilities - Allows for greater utilization of existing infrastructure
6. Effect on Natural Environment – Potential for some mature tree loss on existing lots, but flexibility in siting new structures would allow for canopy preservation while also increasing housing stock.

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 address the need for additional “attainable housing” in the city.*
- *The proposed amendment allows for property owners to better utilize their property and earn additional revenue*
- *The proposed amendment ensures compatibility by limiting the size and scale of new construction resulting from the proposed allowances*

DRAFT [Rational for Denial]

- *The proposed amendment is incompatible with existing residential districts*
- *The proposed amendment will create traffic congestion*
- *The proposed amendment will result in substantial loss of privacy*