

**Minutes of the Planning Board
Regular Meeting
July 9, 2026**

Members Present: Jim Robertson, (Chair), Betsey Zafra, David McKinley, Kyle Gilgis, Tamara Peacock (Vice-Chair), Laura Flores

Members Absent: Donna Waters, Lauren Rippy, Bob Johnson, Mark Russell

Staff Present: Matthew Manley, Long Range Planning Manager, Lew Holloway, Community Development Director, Sam Hayes, Planner II, Sarah McLaurin, Planner II, Angela Beeker, City Attorney

I Call to Order. *The Chair called the meeting to order at 4:00 pm. A quorum was established.*

II Approval of Agenda. *Ms. Gilgis moved to approve the agenda. The motion was seconded by Ms. Peacock and passed unanimously.*

III Approval of Minutes for the meeting of June 11, 2026. *Ms. Gilgis moved to approve the Planning Board minutes of the meeting of June 11, 2026. The motion was seconded by Mr. McKinley and passed unanimously.*

IV Old Business

V New Business

V(A) Zoning Map Amendment – Standard Rezoning – Ironwood Square (26-43-RZO) Mr. Hayes gave the following background:

Mr. Hayes stated this property was annexed into the city last week at City Council. And as part of the next step in the process, this was not in the ETJ. It was a satellite annexation. And so there is no city zoning on this property. So we have 60 days to zone the property. So we are within that time frame, starting the process.

Mr. Hayes stated this is three separate parcels on Case Street. He gave some background information on the project which is included in the staff report and presentation. The owners of the property are Conserving Carolina and the Children and Family Resource Center of Henderson County, and this is actually a city-initiated initial zoning.

Site photos were shown and discussed and are included in the staff report and presentation.

A Comprehensive Plan Consistency map was shown and is included in the staff report and presentation.

Mr. Hayes stated he is not going to go through the whole comprehensive plan consistency. It was provided for you in your staff report, but ultimately staff did find it to be consistent with both the Future Land Use designation specifically and the Comprehensive Plan more generally.

Mr. Hayes stated looking at C-3 versus CHMU, the reason why I'm doing this comparison is because historically, over the past several years, when, doing zonings in the Upward Road corridor, we have often

went to Commercial Highway Mixed Use for a number of reasons, one of them being that it has Design Standards. So building design requirements, traffic flow requirements, other design elements. C-3 does not have those standards. It has our more typical dimensional requirements for minimum lot size, setbacks, things like that. But no Design Standards. C-3 also doesn't allow for multifamily. It allows for one family, two family, as well as minor Planned Residential Development. And so the rationale that staff is putting forward for why we think C-3 makes sense, even though historically we've used CHMU in this area, is because the adjacent property is zoned C-3 and we believe that it is the intention in the future of combining these properties, so you can see the subject property here, it directly abuts the C-3. And having a cohesive C-3 for these two properties that will become one property in the future, makes sense. You can have split-zone properties, but it makes it easier, it makes it cleaner, if they were all, under one zoning district. And so that's why staff has put forward C-3.

Mr. Hayes discussed the MIC zoning as well. He stated the big takeaway, still no Design Standards, but you do bring in that small-scale multifamily. And so I'm happy to talk about that or answer any other additional questions. I will note that if you all wanted to pursue a recommendation that was not C-3, then we likely would go to the property owners and see if they would rezone the current property that is C-3, so that they would match. So if you want to recommend CHMU, we would approach the property owners and see if they would consent to that. We'd have to look at it with regards to downzoning, making sure all of that is okay if it is downzoning, we would need the property owner's consent to do that. So there are some logistical things that we would have to work through on the back end if that is what you all wanted to recommend, but it is possible for you to do that.

A draft comprehensive consistency statement was shown and is included in the staff report and presentation.

A rationale for approval and a rationale for denial were shown and are included in the staff report and presentation.

Chair asked if there were any questions for staff.

Ms. Gilgis asked if the property would eventually be CHMU. Mr. Hayes stated not in the immediate future.

There were no further questions for staff.

Chair asked if the property owner was in attendance and would like to speak. No one spoke.

Chair opened public comment. No one spoke.

Chair closed public comment.

Chair stated the only reason I mentioned MIC is, he took a ride out there today, and it seems like the adjacent property that C-3 is all very professional. You got the free clinics in there. There's an architect office in there. There's something else nonprofit is in there, and it just seems like MIC is less intense than C-3 to me, but maybe it's not. Discussion was made on the permitted uses in C-3 and MIC.

Lew Holloway, Community Development Director stated C-3 is our legacy Highway Business zoning district. So it's an appropriate zoning district for the location, given that the adjacent parcel is already C-3, and that we have a shared property owner in these two parcels, and a shared interest. That's why I think they're asking for the C-3. Casting out forward, I think we would like to come up with a way to have CHMU be or some version of CHMU be our standard highway commercial district. That would be a larger zoning map change, and an update to our UDO, which is something that we're planning to start. Obviously, the downzoning makes that a little trickier. So that's future. The comment if we got, particularly cute with that

parcel, then it starts to call into question, well, why is one C-3 and one C-2, and then another is a third, it starts to look a little like spot zoning, and, I think that's part of how we got to the C-3 recommendation.

Chair asked about restaurants being permitted in the C-3 zoning. It was stated that would likely require a TIA along with other requirements. There are a number of uses permitted in C-3 that you would consider more intense than what's permitted in both CHMU and MIC.

Ms. Gilgis moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs 9577-79-2337, 9577-79-3365 and 9577-79-4384) from Henderson County Community Commercial to City of Hendersonville C-3, Highway Business, 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 staff analysis and because: The proposed zoning of C-3 aligns with the Gen H 2045 Comprehensive Plan Future Land Use and Conservation Map and the Character Area description for mixed-use commercial. 2. Furthermore, we find this petition to be reasonable in the public interest based on the information from the staff analysis, public hearing, and because: C-3 zoning would allow for greater economic use of the subject property, given a wide range of permitted uses, and C-3 zoning along this corridor could lead to additional opportunities for commercial uses along a corridor that is seeing moderate development pressure. Ms. Flores seconded the motion which passed unanimously.

V(B) Zoning Text Amendment – Small Cell Wireless Facilities (26-47-ZTA)

Mr. Holloway stated so Matt is coming up to present on the small wireless facilities. This one is one that we have been working on. Matt initially was working on it in conjuncture with the, Downtown Design Overlay. We've had a couple of these come in. We've got six of them that are going to be constructed around town. And so we are looking to be moving as quickly as we can to get this in place. That said, the ordinance is still going to get a couple of little modifications to it. Matt's going to present on what small cell wireless is, what's going to be in the ordinance. But what I'm going to ask you all to do is continue to the next month with the hearing, and we'll have the ordinance for adoption at that time, because if we make changes between now and City Council that are too substantial, we'd have to bring it back to you anyways. So I'd like to ask you, Chairman and Board members to. Chair stated so this will be an informational presentation only and the Board will not do anything. Mr. Holloway stated I don't think we need to do that. I would suggest that we still open the public hearing. We've advertised it. We can hold the public hearing. The meat of the wireless regulations are in there. There's a lot of detail in these because the FCC and other state and federal entities have a lot of influence on what we can and cannot regulate kind of making sure that what we're adopting is in alignment with all of those things. But what you're going to hear is 95% of what's going to be in that ordinance. So I think we should my opinion, go ahead and have the public hearing, and hear Matt's presentation. Chair stated but we're not going to make a motion. Mr. Holloway stated yes, we'll have the final ordinance for recommendation for you all for next month.

Mr. Manley talked about what started the process for this text amendment. He stated small cell or small wireless facilities, you'll hear those interchangeably. They are essentially just part of the cell phone data transfer network, and they go on either existing polls or new standalone polls, but they're not big, giant towers that hover way into the air. They're down kind of more in line with the users, those of us with our phones in our hands and in public rights of way, rather than just on a parcel of land or on the remnant of land or up on a ridge line somewhere. They're down on the roadways, on the ground. And so, as mentioned, they are regulated heavily. Back 2015/2016, wireless provider cell phone companies began lobbying, that they needed certain protection to be able to deploy these rapidly in order to provide high-quality telecommunications. And they made their case, with the FCC, and a number of limitations were put in place on what, the local permitting process would look like for these as they began to roll out. And then they also went on a spree going state by state and having each state adopt local or adopt state laws

that would govern the deployment and exempt these facilities from rigorous local ordinances. And so, our hands are tied in many ways. We cannot prohibit them. We have to treat them like other utilities. We can't discriminate. Now, the one thing we can do is address aesthetic concerns. And so that's what we've essentially put together is some basic parameters that would apply citywide, but then specific design standards for our most valued core of the city, economically important and otherwise historically important parts of the city.

Examples of the small cell wireless facilities were shown and discussed and are included in the staff report and presentation.

The purpose, intent and applicability was shown and discussed and is included in the staff report and presentation.

Preferred placement was discussed and is included in the staff report and presentation.

Prohibited locations were discussed and are included in the staff report and presentation.

Design Standards were discussed and are included in the staff report and presentation.

Additional standards were discussed and are included in the staff report and presentation.

General rezoning standards was discussed and is included in the staff report and presentation.

A draft comprehensive consistency that was amended was shown and is included in the presentation.

A draft reasonableness statement with rationale for approval and rationale for denial was shown and is included in the staff report and presentation.

Chair asked if there was any questions for staff.

Ms. Flores asked how you came to the number of 300 feet. And is that a diameter? Or how is that measured? Mr. Manley stated we probably should clarify that in other places in our ordinance we measure in a diameter as the as the crow flies. He discussed aligning that with a city block which is usually 350 to 400 feet.

Mr. Manley stated they're treated the same as our power poles and any of our other above ground facilities. But the trick is that it's adding to it. And so we're trying to minimize that as much as possible, but we can't prohibit it. Chair stated so we can't prohibit it, but did the lobbyists at the State level come up with a distance minimum distance or maximum distance that they wanted to see the municipalities adhere to. Mr. Manley stated no, I don't believe there's any distance requirement in that.

The Board discussed placement and distance of where they could be located.

Mr. Holloway stated the 500 feet for small cell is not enforceable and they cannot prevent them from being in a historic district. They could have Design Standards.

Mr. Holloway discussed the six that have been approved and where they are located.

Ms. Peacock stated I just caution, that we have some sort of language that says if you're abandoning other equipment as you put these in that you're required to remove it. Mr. Manley stated there is language for removal and abandonment.

Discussion was made on them being placed in a historic district. Mr. Manley stated a COA would be required in a local historic district.

Chair asked about removing the word “feasible” Ms. Beeker stated so, we're going to look at some alternatives to that. I'm going to look at some alternatives. I wasn't able to attend their meeting that they've already had about it with Daniel. And so, I have asked for the opportunity to go and tweak.

No action was taken.

VI Other Business

VI(A) Zoning Text Amendment – Downtown Design Overlay District (26-23-ZTA). Mr. Manley gave the following background:

Ms. Flores left at 5:03 pm.

Mr. Manley gave a project background description which is included in the presentation.

Mr. Manley discussed the steps that have been taken and what the next steps would be. This is included in the presentation. He stated we will be taking it to the Business Advisory Committee next Monday, the Downtown Advisory Board next Tuesday, and then we'll bring it back to Planning Board for a formal recommendation next month.

The purpose, intent and applicability was discussed and is included in the presentation.

The location of the property was discussed and that would determine which standards would apply.

The Downtown Character Districts map was shown and discussed.

The three buckets were discussed and are included in the presentation.

Standards for the public realm were discussed and included in the presentation.

Standards for site design were discussed and are included in the presentation.

An illustration of surface parking in the city core was shown and discussed.

Standards for building design was discussed and is included in the presentation.

Additional topics were shown and discussed and are included in the presentation.

Discussion was made on uses being added to the residential zoning districts that would allow for specific trail oriented type businesses or increases in density and intensity.

No action was taken.

VII Adjournment – *The meeting was adjourned at 5:47 pm.*

Jim Robertson, Chair