



**CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION**

SUBMITTER: City of Hendersonville **MEETING DATE:** February 12th, 2025
AGENDA SECTION: New Business **DEPARTMENT:** Community Development
TITLE OF ITEM: Zoning Text Amendment: Nonconforming Structures Changes (P24-099-ZTA)
–*Sam Hayes, Planner II*

SUGGESTED MOTION(S):

<u>For Recommending Approval:</u>	<u>For Recommending Denial:</u>
<p>I move City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 6-2-2 Nonconforming structures.</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with the City’s adopted plan’s policy guidance to establish more resilient communities through recovery from adverse events such as extreme weather or natural hazards.</p> <p>2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none">1. Hurricane Helene has shown that there is a pressing need for the City to create flexibility in its zoning code to support post-disaster recovery.2. The proposed text amendment will allow for the rebuilding of nonconforming structures only after a natural disaster or other act of God, thereby aiding in quick recovery for city residents. <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>I move City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 6-2-2 Nonconforming structures.</p> <p>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:</p> <p style="padding-left: 40px;">The petition aligns with the City’s adopted plan’s policy guidance to establish more resilient communities through recovery from adverse events such as extreme weather or natural hazards.</p> <p>2. We [<u>do not find</u>] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none">1. Nonconforming structures are intended to be phased out of the City over time; therefore, this ordinance could potentially extend the duration for which these structures remain in the City. <p style="text-align: center;">[DISCUSS & VOTE]</p>

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SUMMARY:

City staff is proposing revisions to the City’s zoning ordinance to support post-disaster recovery. The key changes focus on allowing nonconforming residential structures to be rebuilt, regardless of the extent of the damage.

Staff believes these changes will not only assist individuals still recovering from the aftermath of Hurricane Helene but will also provide support in the future if and when new storms impact the City.

The planning board recommended the ZTA for approval but recommended that nonconforming residential structures should only be allowed to rebuild during a mayoral declared disaster.

PROJECT/PETITIONER NUMBER:	P24-099-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Draft Ordinance 3. Comprehensive Plan Consistency Worksheet