

1. Introduction

Hendersonville's environment is its most important asset, in seeking to attract residents, businesses and employment opportunities. Its natural environment sets a demanding standard; the lakes and rolling hillsides provide an unparalleled setting for places to live, shop and work. However, as Hendersonville has grown rapidly to a community of more than 37,000 residents, some of the buildings and areas developed have not received sufficient attention and residents are disappointed in their quality. The purpose of this manual is to communicate a set of design standards for new development in the City aimed at ensuring that Hendersonville lives up to its residents' aspirations.

1.1 BASIS FOR THE STANDARDS

Article IX of Hendersonville's zoning ordinance outlines several basic purposes of design review:

1. "To promote qualities in the environment that sustain the community's economic well-being;"
2. "To foster the community's attractiveness and functional utility as a place to live and work;"
3. "To preserve the community's heritage by maintaining the integrity of areas enjoying discernable character contributing to this heritage;"
4. "To safeguard public investment in the community; and"
5. "To raise the level of citizen expectations favoring the quality of the community's visual environment."

The standards which follow translate these purposes into guidelines for design. This manual also outlines the process which applicants must follow to seek approval of their projects by the Hendersonville Regional Planning Commission.

1.2 DEVELOPMENT SUBJECT TO DESIGN REVIEW (Amended by Resolution 2005-36 adopted November 22, 2005)

The following development shall be subject to the provisions of this section:

- (A) All development requiring Site Plan approval by the Planning Commission as per Section 11-202.102. Development eligible for approval by staff is exempt from Design Review;
- (B) Any external modification to the type of development which is subject to Site Plan approval requirements as specified in (A) above where the estimated cost of the modifications and improvements exceed 20% of the total appraised value of the

structure(s) improved by said external modifications as set forth in the most current Sumner County tax records;

- (C) The following external modifications, in addition to (B) above, shall require Design Review approval in accordance with the terms of this section, but for the proposed modification only:
- (1) changing the color of more than 25% of the exterior of the building;
 - (2) adding or replacing awnings except replacing with the same size, style and color;
 - (3) modifying the roof except replacing with the same roof type;
 - (4) adding or changing any dormer, cupola, pergola or other architectural feature.

The modifications described in (1) through (4) above may be approved by the Planning Director and, if so, reported to the Planning Commission at their next meeting. Should the Planning Director determine that the proposed modifications possess design characteristics which, as per the objectives of this Manual, merit review by the Planning Commission, Planning Commission approval shall be required.

- (D) Any development which the Planning Director determines to possess design characteristics which merits review to achieve the purposes of this ordinance. Reasons for the Planning Director's determination shall be clearly stated in writing. Appeals from the Planning Director's determination shall be filed with the Planning Commission within 15 days thereof, and resolved by the Planning Commission within 45 days of said filing.

1.3 PROVISIONS FOR MODIFICATION OF APPROVED DESIGN FEATURES (Added by Resolution 2004-20 adopted June 22, 2004)

Building and site improvements, the design of which is regulated by this Design Review Manual, and which improvements were required and/or provided in conjunction with the approval of a Site Plan by the Planning Commission after the adoption of the Hendersonville Design Review Manual on November 27, 1990, shall not be modified except in conformance with this section. The design of said improvements and all features thereof shall be maintained as originally approved by the Planning Commission.

Minor modifications prior to construction, during construction, and/or following construction may be approved by the Planning Director in accordance with Section 11-202.5 of the Hendersonville Zoning Ordinance provided such modifications are in compliance with this Design Review Manual and are reported to the Planning Commission at their next meeting.

All other changes shall require the review and approval of the Planning Commission.

1.4 MAINTENANCE OF IMPROVEMENTS (Added by Resolution 2004-20 adopted June 22, 2004)

Routine maintenance shall be performed as needed including, as a minimum, the following:

- A) Building and appurtenances, including signs, shall be cleaned and painted or repaired as to maintain an attractive appearance;
- B) Illuminated elements of buildings and signs shall be replaced as required to maintain the effect for which designed;
- C) Landscape and plant materials which are dead or deteriorated shall be replaced to the same specifications on the originally approved site plan;
- D) Parking areas shall be kept in an orderly state, properly marked, and clear of litter and debris; and
- E) The property shall be kept free of all refuse and debris and shall have the vegetation cut periodically during the growing season as per Ordinance 1982-34.

Failure to comply with the requirements of this section after a notice of noncompliance has been issued by the Zoning Administrator with a stated time frame for compliance shall be deemed a violation of Zoning Ordinance 1985-8 and shall be subject to the sanctions set forth in Article XI, Chapter 7 as well as to the revocation of any permit, license, certificate or other approval initially issued by the city as a basis for construction and/or occupancy of the development on which the violation has occurred.

1.5 PURPOSE OF THIS MANUAL

This Manual explains the goals and standards which the Planning Commission will apply in reviewing proposals. It does not reproduce all of the specific requirements stated in the Zoning Ordinance, Subdivision Regulations, or other applicable development standards and regulations. Applicants are advised to consult all such documents prior to preparing plans.

The Manual also is not intended to discourage applicants from submitting plans which are in the spirit of the standards, but not their letter, particularly if departures hold merit for a particular site or circumstance. In such instances, the Hendersonville Regional Planning Commission may decide to make exceptions from its standards. The burden of demonstrating that the plan is appropriate falls upon the applicant.

Design review will occur in parallel with other reviews of a project mandated by present requirements, with consistent materials used for all reviews. The Design Review Process is described step by step in Section 3 of this Manual. Where site plan review is required, Design Review will occur at the same time. Where the applicant is requesting final

master plan approval under PUD regulations, plans will be subject to the standards of Design Review, notwithstanding 8-204.4 of this ordinance.

1.6 GOALS FOR COMMUNITY APPEARANCE AND CHARACTER

Certain attitudes about Hendersonville's appearance and character are widely shared by its residents. These provide the basis for the specific standards included in this manual.

1. **Natural Character.** Hendersonville's natural character should be preserved and enhanced with new development. Especially important are retaining mature trees and vegetation, maintaining topography, preserving important views to the lakes and other natural features, and ensuring that new buildings sit within a generously landscaped setting.
2. **Compatibility.** New buildings should be compatible with their neighbors, assuming that the neighboring structures are a credit to the community. That does not imply uniformity of architectural style; rather a sympathetic response to the height, scale, materials, color, site location and other aspects of nearby structures.
3. **Orderly Public Realm.** The city's character is largely formed by the appearance of its important streets. How public and private elements of the streetscape relate to each other provides a sense of order -- public roadways, shoulders and medians, utility lines, and traffic signage in relationship to private landscaping, parking areas, building facades and signage. Scrutiny of what may be seen from public ways should be most intense, while less visible private areas of sites should be more at the landowner's discretion.
4. **Restrained Communications.** Private signage and advertising should be restrained and not detract from the sense of continuous landscape. The principal purpose of on-site signage is to identify establishments, and to direct those seeking to visit them safely and efficiently to their destination. Signage that is limited in size and set in a strong landscape surround can be more visible than a cacophony of uncontrolled messages.
5. **Diversity of Opportunity.** Hendersonville wishes to continue to attract diverse housing types, services and other community attractions. In reviewing plans and proposals, it does not wish to rule out particular uses because of costs or burdens imposed. Rather, it wishes to work with developers and builders to find a formula for creating uses that is economically viable as well as harmonious with the community environment.
6. **Residential Privacy.** The sense of privacy of residential areas should be protected, especially from nuisances created by adjacent uses, such as noise, traffic, high lighting levels, and uncontrolled access. Within residential areas, there should be privacy of individual units.

7. **History.** References to Hendersonville's past -- both its natural and settlement history -- should be preserved wherever possible. These include: artifacts such as rock fences, walls, areas of formal landscape, historic cemeteries and archaeological sites; structures more than 50 years old; and traces of prior fields and land subdivisions.
8. **Utilitarian Elements.** As a way of reducing disorder and emphasizing the human environment, utilitarian elements should be masked or located out of public view. These include mechanical equipment on buildings, transformers, meters, refuse stations, electric wiring and service areas.