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City of Asheville Ordinance Number

Ordinance Description

Ordinance amending zoning for property located at 99999 Deaverview Rd.

Ordinance Details

Whereas, the City of Asheville has the authority pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

Whereas, a comprehensive amendment to the City's zoning regulations was adopted on May 27, 1997, (Ordinance No. 2369) and is codified in Chapter 7 of the Asheville City Code (herein "Zoning Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on May 27, 1997 (Ordinance No. 2370) and are on file and maintained in the Offices of the Asheville City Planning and Development Department (herein "Official Zoning Map"); and

Whereas, this amendment is consistent with the Living Asheville - A Comprehensive Plan for our Future and is determined to be reasonable, and in the public interest for the following reasons:

- Promotes zoning policies to encourage more housing;
- Supports contextually appropriate infill development and a variety of housing types.

Now, therefore, be it ordained by the City Council of the City of Asheville that:

Section 1

The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain real property described in Exhibit A and identified on Buncombe County tax maps as all portions of PIN 9628-16-9246 recorded in Deed Book 5743, Page 479, and currently owned by Deaverview Apartments LLC be rezoned from Residential Multi-Family Medium Density (RM-8) to Residential Multi-Family High Density (RM-16) as shown on **Exhibit "A.1" (map of proposed zoning - 99999 Deaverview Rd)**.

Section 2

That the Office of the Zoning Administrator is hereby authorized and directed to make the changes as herein before enacted in said zoning map.

Section 3

That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declared that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4

The ordinances shall be enforced as provided in Article XVIII of Chapter 7, Section 1-5 of the Asheville City Code.

Section 5

That this ordinance shall be in full force and effect on the date of adoption.

Read, approved and adopted the 23rd day of June 2026.

_____
Esther E. Manheimer, Mayor

_____
Brad Branham, City Attorney

_____
Magdalen Burleson, City Clerk