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City of Asheville Staff Report

Planning and Zoning Commission Meeting Date: August 5, 2026

Staff Resources: Chris Collins, AICP, Interim Planning and Urban Design Director;

Action Requested: A request to consider a proposed zoning text amendment to the Unified Development Ordinance (UDO), Chapter 7 of the Asheville Code of Ordinances, to revise residential and commercial parking requirements in order to align with recent changes to state law.

Project Contacts:

- Applicant: City of Asheville

Summary of Petition:

- The zoning text amendment proposes to change off-street parking requirements for development as follows:
    - Eliminate the requirement for a minimum number of parking spaces to be provided with all development in the City.
    - Retain, but simplify, the regulations that set the maximum number of parking spaces allowed for all development within the City.
- This proposed amendment is in response to the recent passing of HB 162, which became state law on July 6, 2026.
    - The North Carolina General Statutes (§ 160D-702) now prohibit local governments from requiring an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of its use or occupancy.
    - No exceptions are contained in the new general statute language for communities outside of the “coastal area” as defined in G.S. 113A-103.

Staff Recommendation:

- Staff recommends approval of this zoning text amendment request based on the reasons provided within this report.

Consistency with the Comprehensive Plan and Other Plans:

<u>Living Asheville Comprehensive Plan (2018)</u>

- The proposed zoning text amendment supports a number of goals in the Living Asheville Comprehensive Plan, including:

- **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing (p. 179).
- **Encourage Responsible Growth -** by promoting flexibility for builders and developers to self-select the amount of land designated to off-street parking.

Council Vision 2036 Focus Area(s):

This proposal supports the following:

- **Well-planned and Livable Community -** By allowing development that may lend support to an integrated transportation system and complement Asheville's unique character.
- **Transportation and Accessibility** - Allowing development that may rely on transportation modes other than passenger vehicles may promote the use of multimodal transportation options.

Committee(s):

- N/A

Pro(s):

- Ensures the Unified Development Ordinance aligns with recent legislative revisions to Chapter 160D of the North Carolina General Statutes.
- Retains maximum parking allowances to place limits on the amount of land dedicated to the parking of personal vehicles consistent with reasonable levels of impervious areas.

Con(s):

- N/A

Suggested Motion to Approve:

- I move to recommend approval of the proposed wording amendments to the Unified Development Ordinance (UDO), Chapter 7 of the Asheville Code of Ordinances, and find that the proposed amendments are reasonable, are in the public interest, promote compliance with NC state statutes, and are consistent with the City's comprehensive plan in that the request: 1) promotes zoning policies to give more opportunities for housing, and 2) promotes flexibility for builders and developers to self-select the amount of land necessary for off-street parking.

Attachment(s):

- This document contains the proposed, marked-up zoning text amendments - Marked-Up Proposed Revisions
- This document contains the summary of the engagement event held on May 20, 2026 - Public Engagement Summary Report