EXHIBIT E - PROJECT CONDITIONS (DRAFT)
99999 Tried Street

1. The properties included in the rezoning are shown on the site plan and are identified on the Buncombe County tax map as PINs 9657-13-2806, 9657-14-2055, 9657-14-4225, 9657-14-4174, 9657-13-4808, and 9657-13-2806. The total size of the subject parcels is 4.45 acres.

2. Pursuant to this ordinance, the entire subject property is rezoned to Residential Single-Family High Density Conditional Zone (RS-8 CZ), and approval is limited to the proposed project ("Project") described herein.

3. The Project will include 23 new lots, consisting of five new single family residential units and 18 townhomes.

4. The new buildings will not exceed the maximum allowed height of 40' as defined in Section 7-8-4(f)(7) of the UDO.

5. Vehicular access to the Project will be provided by a privately maintained right of way, Tried Street. Lots will be accessed by driveway, which will not exceed 18' in width.

6. The Project will not exceed maximum parking spaces as required by Section 7-11-2 of the UDO.

7. The Project's post-impervious area will not exceed 80%.

8. Landscaping will be provided on the site according to standards required by Section 7-11-3 of the UDO and as shown on site plans unless otherwise noted in the Technical Modifications.

9. Tree canopy preservation requirements will be satisfied as required by UDO Article XIX.

10. Except as modified herein, the Project shall comply with all conditions outlined in the July 20, 2026 TRC Staff Report.

11. Affordable housing is included in the Project:
    a. All units (100%) will be designated affordable to those earning at or below 80% of the Area Median Income (AMI) for Asheville, NC as established by HUD. The minimum affordability period for all units shall be 20 years and shall commence on the date of issuance of a Certificate of Occupancy for the property.
    b. Prior to issuance of Certificate of Occupancy for the property, the Developer shall record a Declaration of Restrictions provided by the City setting forth the

Affordability Terms, which shall become effective upon the execution and recording thereof.

12. The Project includes technical modifications:
    1) Lot sizes will be a minimum of 3,740 square feet instead of the RS-8 standard of 4,000 square feet.
    2) Minimum lot width will be a minimum of 32 feet instead of the RS-8 standard of 40’.
    3) Interior side yard setbacks will be a 0’ instead of the RS-8 standard of 6’.

13. The Project will undergo final review by the TRC prior to issuance of any permits. Compliance with the items listed above will be required at that time except as provided for elsewhere in these conditions.

14. All proposed site and exterior building lighting must meet the outdoor lighting requirements found in UDO Sec. 7-11-10.

15. The building design, site design and orientation on site must substantially comply with the approved site plan and elevations which are incorporated herein by reference.

16. All applicable required local, state, and federal permits and approvals must be obtained prior to initiation of construction.

17. The conditional zoning will be valid for five years from the date of approval by City Council with action taken to obtain building permits within this 60-month period. At the end of this approved term, if action has not been taken to obtain requisite permits, the Planning and Urban Design Director may initiate appropriate action to rezone the affected property to any other classification. Nothing herein shall be construed to extend any time limitations prescribed by statute or by other ordinances in this chapter.

Agreed to and Accepted this the _____ day of _____, 2026, by the Property Owner/Applicant:

_____

Owner/Applicant Signature