ORDINANCE NO. 2026-____

AN ORDINANCE AMENDING THE CITY OF BREVARD OFFICIAL ZONING MAP TO REZONE LAND IN THE VICINITY OF 240 DEAVOR ROAD

WHEREAS, the City has received a request from representatives of CDP Aloe Properties LLC that the Official Zoning Map of the City of Brevard be amended by rezoning two (2) parcels of land, identified by PINs 8597-64-1942-000 and 8597-64-2864-000, and hereafter referred to as the "Subject Properties," from the Residential Mixed Use (RMX) district to the Pisgah Gateway Mixed Use (PGX) district; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on May 26, 2026, and recommended approval; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following elements of the Building Brevard 2030 Comprehensive Land Use Plan:

> ***Recommendation Land Use & Housing – 10****: Establish zoning overlay districts for the Asheville Highway Corridor and Pisgah Forest Area.*
> and,

WHEREAS, in accordance with North Carolina General Statute 160D-605, the Brevard City Council finds that this proposed zoning map amendment is reasonable due to the following factors:

- It is in the public interest to create a more context-sensitive zoning district for this area as it is one of the primary gateways to our community, heavily trafficked by residents and visitors alike.
- There is a strong relationship between the currently allowed uses and the allowed uses of the proposed new district.
- The new district benefits landowners by replacing the existing district with a more context-sensitive district.
- The rezoning will eliminate the confusion of split zoning.
- Conditions at the US64/US276/NC280 intersection will be changing due to the NCODT R-5799 intersection improvement project.
- The rezoning is consistent with the above element of the Comprehensive Land Use Plan.
- The rezoning is consistent with the Future Land Use Map, as amended by Ordinance 2025-04.
  and,

WHEREAS, a public hearing was conducted on June 15, 2026, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendment, it is the desire of the City Council of the City of Brevard Official Zoning Map be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. The zoning classification of the parcels identified by the Parcel Identification Numbers 8597-64-1942-000 and 8597-64-2864-000 is hereby rezoned to Pisgah Gateway Mixed Use, as depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference.

SECTION 2. The Planning Director is hereby authorized and directed to modify the City's Official Zoning Map, Comprehensive Land Use Plan, and Future Land Use Map if needed, consistent with this Ordinance.

SECTION 3. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 05. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 20th day of July 2026.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney