ORDINANCE NO. 2026-XX

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BREVARD CREATING THE AZALEA PLACE CONDITIONAL ZONING DISTRICT

WHEREAS, the City of Brevard 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, the City of Brevard owns three properties on Azalea Avenue and Old Hendersonville Hightway (described as PINs 8596-05-5538-000, 8596-05-6391-000, and 8596-05-8315-000) and seeks to rezone these properties to a Residential Mixed Use Conditional Zoning District; and

WHEREAS, the City of Brevard Technical Review Committee has considered this application and submitted all pertinent comments to the Planning Department for incorporation into this Conditional Zoning District; and

WHEREAS, the City of Brevard Planning Board considered CZD-26-0001 on February 24, 2026, and recommended approval by City Council; and

WHEREAS, the Brevard Planning Board and City Council have determined that this rezoning and associated project is consistent with the following policies and goals of the City's Comprehensive Land Use Plan:

- **Goal 1.** Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.
- **Goal 2.** Encourage a development pattern that respects Brevard's sense of place and prioritizes livable communities.
- **Action LUH-2:** Evaluate rezoning requests based on the Future Land Use Map and character area descriptions.
- **Action LUH-9:** Evaluate and amend development ordinances to facilitate infill development on vacant and underdeveloped parcels, as well as revitalization of developed parcels.
- **Action LUH-11:** Identify and address dimensional requirements that may serve as obstacles to housing development.
- **Action LUH-14:** Seek developer agreements for divestment of City properties that guarantee affordable and workforce housing units for a defined period of time.
- **Action LUH-18:** Collaborate with neighborhoods to explore opportunities for zoning overlays, historic preservation, adaptive reuse, infill projects, special events, and other neighborhood-specific activities.
- **Action ATCH-12:** Ensure site plans include safe pedestrian access between public right-of-way and building entrance.
- **Action PNRC-5:** Require conservation design in areas with sensitive natural resources
- **Action EDIR-2:** Pursue upgrades to the public water and sewer system; and

WHEREAS, the Brevard Planning Board and City Council have determined that this rezoning is reasonable and appropriate within the context of the existing zoning districts and the prevalence of uses in the vicinity of the Subject Parcel, due to the following factors

- This property is located in the Traditional Neighborhood character area in the Future Land Use Map, for which RMX is an applicable zoning district
- The size and alignment with the future land use map of the proposed rezoning diminishes spot zoning concerns.
- There is strong relationship between the currently allowed uses and the allowed uses of the proposed new district.

- The rezoning is consistent with the above elements of the Comprehensive Land Use Plan; and

WHEREAS, a public hearing was conducted by Council on March 16, 2026; and

WHEREAS, the City of Brevard City Council, after hearing all persons wishing to comment on this request, desires to approve said request.

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

Section 1. The zoning classification of that certain real property depicted in Exhibit A to this Ordinance, which is attached hereto and incorporated herein by reference, is hereby rezoned to be the Azalea Place Conditional Zoning District with the Residential Mixed Use District base district, as shown on Exhibit A attached hereto.

Section 2. The District is a conditional zoning district established pursuant to the Unified Development Ordinance of the City of Brevard by means of authority granted by the North Carolina General Statutes.

Section 3. Development and use of lands within the District shall occur in accordance with the approved List of Conditions and Final Master Plan, which are attached to this ordinance as Exhibit B and Exhibit C, respectively.

Section 5. This Ordinance and its exhibits shall run with the land and shall be binding on the property owner, its heirs and assigns.

Section 6. The Planning Director is hereby authorized and directed to modify the City's Official Zoning Map consistent with this Ordinance.

Section 7. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of the ordinance.

Section 8. All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this the 16th day of March, 2026.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon CMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney

EXHIBIT A
Ordinance Number 2026-XX

AZALEA PLACE CONDITIONAL ZONING DISTRICT: LOCATION MAP

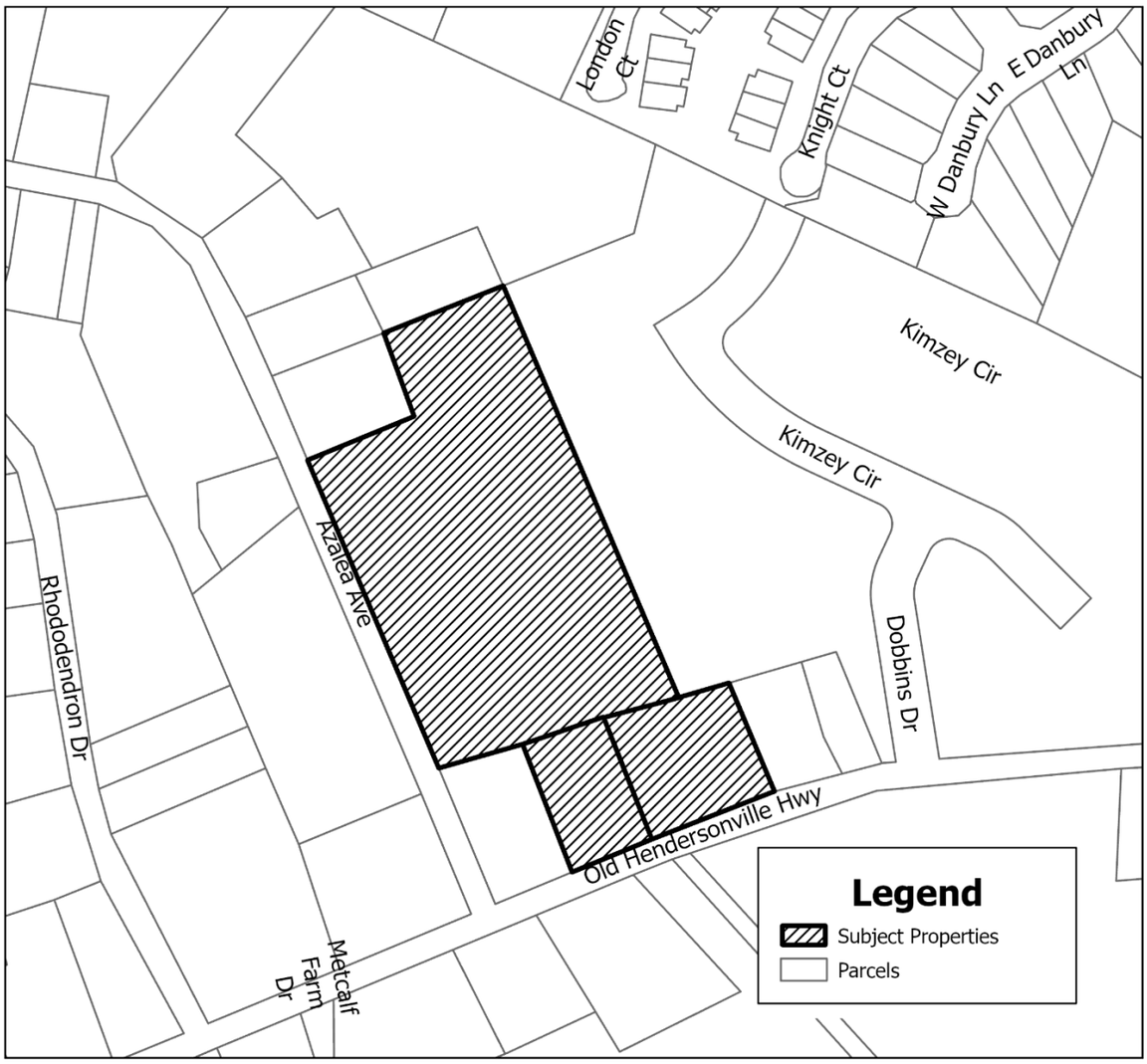


EXHIBIT B
Ordinance Number 2028-XX

AZALEA PLACE CONDITIONAL ZONING DISTRICT: LIST OF CONDITIONS

1. **Definitions.** Within this List of Conditions, the following terms shall have the meanings articulated:
    a. "District" refers to the Azalea Place Conditional Zoning District.
    b. "UDO" refers to the City of Brevard Unified Development Ordinance.

2. **Future Development.**
    a. Compliance with Final Master Plan.
        i. Development on the subject parcel shall be in accordance with the attached Final Master Plan.
        ii. Modifications to the Final Master Plan shall be considered in accordance with Chapter 16 of the UDO.
        iii. In the absence of site-specific standards codified in this ordinance or the Final Master Plan, development on the site shall follow typical UDO requirements for the Residential Mixed Use district.

3. **Land Use.**
    a. Allowable land uses shall comply with RMX standards of Chapter 2 of the UDO.

4. **Dimensional Requirements.**
    a. The maximum allowable density shall be 18 dwelling units per acre.
    b. Setbacks shall comply with RMX standards of Chapters 2 of the UDO.
    c. Maximum Ground Floor Area for each principal structure shall not exceed those as depicted on the Master Plan.
    d. Retaining wall shall be no higher than 10 feet, unless otherwise required for engineering.

5. **Architectural Standards.**
    a. Structures within the Project Area shall be designed and constructed in a manner that is generally consistent with structures as shown on the Master Plan with respect to location, area, height, bulk, and mass.
    b. The maximum dimensions of the "Stacked Flats" building type shall be 175 feet in width and 80 feet in depth.
    c. There shall be no minimum ground floor finishing height required.

6. **Tree Protection and Landscaping.**
    a. A 10-foot landscaping buffer shall be planted along boundaries of the parcel adjacent to the General Residential zoning district for screening.
    b. All parking spaces shall be within 80 feet of a canopy tree.

7. **Parking.**
    a. Parking shall comply with off-street standards of Chapter 10 of the UDO to the greatest extent possible as depicted on the Master Plan.
    b. No off-street loading spaces shall be required.

8. **Infrastructure Improvements.**
    a. Sidewalk shall only be required along the street frontage along Old Hendersonville Highway.

EXHIBIT C
Ordinance Number 2026-XX

AZALEA PLACE CONDITIONAL ZONING DISTRICT: FINAL MASTER PLAN



STEELE GROUP
ARCHITECTS

ISSUE
2026 NCHFA
PRELIMINARY LIHTC APP

Azalea Place

Old Hendersonville Highway
Brevard, NC 28712

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Issue Description Date

DATE
2026-01-23
PROJECT NUMBER
2025-117
SHEET TITLE
PRELIMINARY SITE PLAN

AS-101