ORDINANCE NO. 2026-____

AN ORDINANCE AMENDING THE CITY OF BREVARD OFFICIAL ZONING MAP TO REZONE 970 OLD HENDERSONVILLE HIGHWAY

WHEREAS, the City has initiated that the Official Zoning Map of the City of Brevard be amended by rezoning one parcel of land, identified by PIN 8596-25-8855-000 and hereafter referred to as the "Subject Property," the Family Place of Transylvania County Conditional Zoning District to Residential Mixed Use (RMX); and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment on January 27, 2026 and has 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:

LUH-2: *Evaluate rezoning requests based on the Future Land Use Map and character area descriptions.*
LUH-6: *Encourage rezonings to allow for a mix of uses in Activity Centers.*

Future Land Use Map: *the subject parcel is identified as an Activity Center - Minor character area, for which RMX is an applicable zoning district*

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:

- This property is located in the *Activity Center – Minor* character area in the Future Land Use Map, for which RMX is an applicable zoning district.
- The location of the proposed rezoning to existing RMX diminishes spot zoning concerns.
- There is significant overlap 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.

WHEREAS, a public hearing was conducted on February 16, 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 Number 8596-25-8855-000 is hereby rezoned to Residential 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 16th day of February 2026.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney