ORDINANCE NO. _____

ORDINANCE ESTABLISHING CONDITIONAL ZONING FOR PROPERTY LOCATED AT 383 N LOUISIANA AVE

WHEREAS, the City of Asheville 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, a comprehensive amendment to the City's zoning regulations was adopted on May 27, 1997, (Ordinance No. 2369) and is codified in Chapter 7 of the Asheville City Code (herein "Zoning Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on May 27, 1997 (Ordinance No. 2370) and are on file and maintained in the Offices of the Asheville City Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the *Living Asheville - A Comprehensive Plan for our Future* and is determined to be reasonable, and in the public interest for the following reasons:

a) Provides infill development in targeted growth areas;
b) Increases the supply of affordable housing in proximity to schools, transit and parks; and,
c) Rezones property to"transit-supportive" density in nodal clusters along transit corridors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Section 1. The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain real property described in Exhibit A and identified on Buncombe County tax maps as all portions of PIN 9638-29-1363, recorded in Deed Book 1434, Page 086, and currently owned by Betty Hampton, Marlisa Faris, John Drake, and Mark Drake, from from Office (OFF I) to Office - Conditional Zone (OFF I-CZ). A copy of the official zoning map showing said lot is attached hereto as Exhibit "A.1" and made a part hereof. Said rezoning is subject to the conditions set out in Exhibit "E", and substantially compliant with the site plan(s) and elevations as shown on Exhibit "D" attached hereto and made a part hereof.

Section 2. That the Office of the Zoning Administrator is hereby authorized and directed to make the changes as herein before enacted in said zoning map.

Section 3. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declared that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. The ordinances shall be enforced as provided in Article XVIII of Chapter 7, Section 1-5 of the Asheville City Code.

Section 5. That this ordinance shall be in full force and effect on the date of adoption.

Read, approved and adopted the 10th day of March, 2026.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney