

ORDINANCE NO. 4856

ORDINANCE AMENDING ZONING FOR CERTAIN PROPERTIES LOCATED
WITHIN THE CITY OF ASHEVILLE CORPORATE LIMITS

WHEREAS, the City of Asheville has the authority pursuant to Part 3 of Article 19 of Chapter 160A 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, the Unified Development Ordinance (Chapter 7 of the City Code of Ordinances) specifies development standards and review processes for commercial development and associated zoning maps to refer to those districts; and

WHEREAS, this zoning map amendment for hotel development aligns with City Council goals and other adopted goals and plans; 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:

- 1) Encourages responsible growth that aims to control and offset impacts of hotels;
- 2) Limits the geographic extent of hotels to contextually appropriate locations; and,
- 3) Encourages historic preservation and adaptive reuse.

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 current zoning map of the City of Asheville be amended to add a new hotel zoning overlay district that shall govern hotel development. A copy of the official zoning map showing said areas is attached hereto as Exhibit "A1" 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.

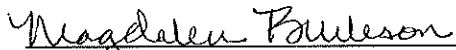
Section 3. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declared that it would have passed this ordinance, and each 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. That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed, to the extent of such conflict.

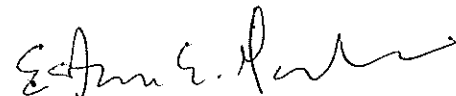
Section 5. The ordinances shall be enforced as provided in Article XVIII of Chapter 7, Section 1-5 of the Asheville City Code.

Section 6. That this ordinance shall be in full force and effect on the date of adoption.

Read, approved and adopted the 23rd day of February, 2021.




City Clerk



Mayor

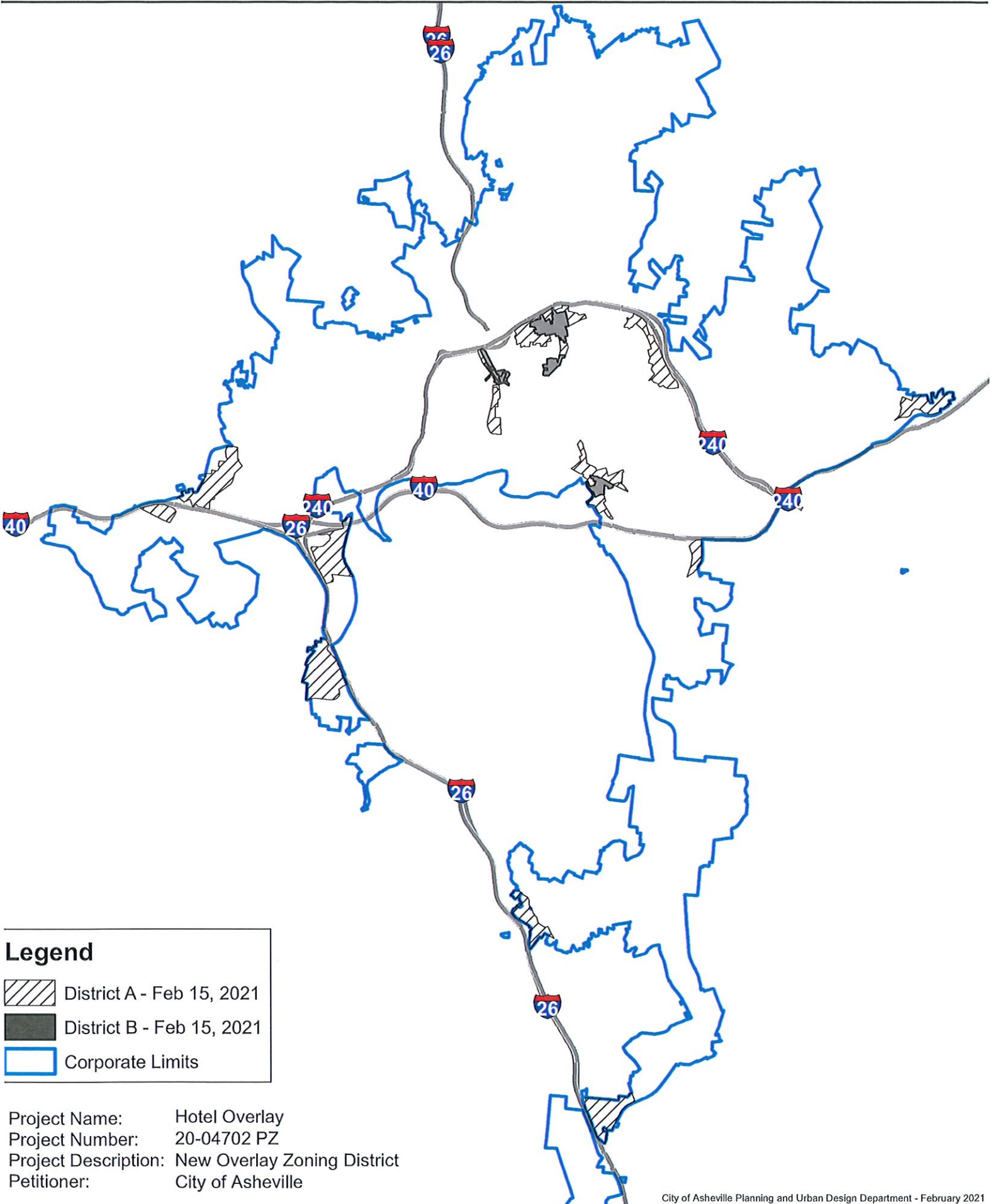
Approved as to form:



City Attorney



Exhibit A1 - Proposed Zoning Map Hotel Overlay



Legend

-  District A - Feb 15, 2021
-  District B - Feb 15, 2021
-  Corporate Limits

Project Name: Hotel Overlay
 Project Number: 20-04702 PZ
 Project Description: New Overlay Zoning District
 Petitioner: City of Asheville