

ORDINANCE NO. 2022-38

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE
CITY OF BREVARD TO REZONE A PARCEL LOCATED ON OAKDALE STREET
NEAR DUCKWORTH AVENUE**

WHEREAS, Nancy Richards of RS Rover, LLC requests that the Official Zoning Map of the City of Brevard be amended by rezoning a parcel of land, from the General Residential – 8 district to the Residential Mixed-Use district; such the parcel is identified by PIN 8586-30-5334-000, and are hereafter referred to as the “Subject Property” and,

WHEREAS, a public hearing was conducted June 20, 2022, in consideration of this rezoning request; and,

WHEREAS, the City of Brevard Planning Board considered this proposed map amendment, identified as REZ-22-004, on May 24, 2022, and unanimously recommended approval; and,

WHEREAS, in accordance with North Carolina General Statute 160D-605, Brevard City Council finds the following:

- 1) The proposed zoning map amendment is **consistent** with the following elements of the City's adopted plans and policies:

2015 Comprehensive Plan:

OBJECTIVE 1.2: Identify areas within the City but outside of downtown that may be improved to support festivals and other types of cultural events.

OBJECTIVE 2.1: Expanded tax base. As the City of Brevard's primary source of financial capital, the City will take proactive measures to stabilize and grow the tax base.

POLICY 2.1.A: Modify zoning regulations to encourage and allow greater density and intensities of land use within its jurisdiction.

OBJECTIVE 4.1: Increased efficiency of land uses to help stabilize and grow the City's tax base.

POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.

OBJECTIVE 4.2: Develop a system of “complete neighborhoods” throughout Brevard. (This is a multi-faceted objective that will rely on objectives and policies from other elements as well.)

POLICY 4.2.A: Modify zoning to increase allowable densities and the mixing of uses in appropriate areas.

- 2) The proposed zoning map amendment is **inconsistent** with the following elements of the City's adopted plans and policies:

2002 City of Brevard Land Use Plan, Future Land Use Map: recommends a future use of Residential – High Density for the subject property.

- 3) The proposed zoning map amendment is in the public interested and reasonable due to the following factors:

As defined in the City of Brevard Unified Development Ordinance, the Residential Mixed-Use zoning district is the most logical and appropriate base zoning district for artist live-work spaces.

and,

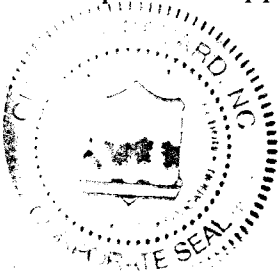
WHEREAS, the City of Brevard, after hearing all persons wishing to comment on this request, desires to approve said request.

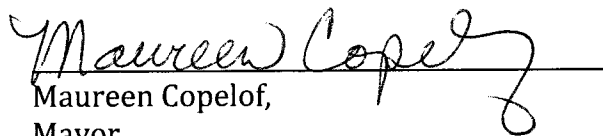
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. The Official Zoning Map of the City of Brevard is hereby amended as depicted herein on Exhibit A which is attached hereto and incorporated by reference.

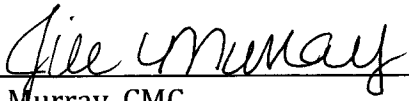
Section 2. This Ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 20th day of June 2022.




Maureen Copelof,
Mayor

ATTEST:


Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:


Mack McKeller
City Attorney

EXHIBIT A

Rezoning Request REZ-22-004: RS Rover, LLC



0 40 80 160 240 320 Feet
1 inch = 170 feet

This map was prepared by the City of Brevard Planning Department, April 2022.

Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate, but accuracy is not guaranteed.