

ORDINANCE NO. _____

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF BUNCOMBE COUNTY, CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-340, the County may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-323, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to rezone the parcels identified as follows and shown herein as "Figure A":

the following tax lot PINs, which are currently zoned Public Service (PS):

0629-37-7019 (Northeast of the intersection of Old US 70 Hwy E and Dunsmore Ave); 0629-37-9480 (South of 110 Memorial Park Dr); 0629-44-6864 (West of 60 Tucker Rd); 0629-45-6300 (South of 21 Beech St); 0629-48-1036 (North of 110 Memorial Park Dr); 0629-48-2689 (located at the end of Memorial Park Dr); 0629-48-9908 (North of 20 Starlight Dr); 0629-49-5256 (at the end of Locust St); 0629-49-5790 (West of 100 Balsam Rd); 0629-53-8469 (at the end of Tucker Rd); 0629-54-0252 (West of 75 and 98 Tucker Rd); 0629-54-0539 (West of 75 Tucker Rd); 0629-54-2090 (South of 98 Tucker Rd); 0629-54-5394 (East of 75 and 98 Tucker Rd); 0629-55-6733 (North of 16 Magnolia Rd); 0629-55-9964 (260 Yates Ave); 0629-58-0640 (North of 11 Starlight Dr); 0629-58-1609 (East of 20 Starlight Dr); 0629-58-1757 (East of 20 Starlight Dr); 0629-58-4562 (Northwest of 239 Buckner Rd); 0629-58-4836 (16 Balsam Rd); 0629-58-5733 (14 Balsam Rd); 0629-58-7824 (West of 23 Balsam Rd); 0629-59-3384 (68 Balsam Rd); 0629-59-4814 (105 Balsam Rd); 0629-59-8329 (North of 33 Balsam Rd); 0629-59-9299 (North of 148 Reservoir Rd); 0629-59-9493 (South of 166 Reservoir Rd); 0629-64-1109 (South of the end of Dogwood Ct); 0629-64-3922 (32 Sycamore Dr); 0629-64-7436 (South of 32 Sycamore Dr); 0629-64-9519 (32 Sycamore Dr); 0629-65-1582 (290 Yates Ave); 0629-65-6802 (290 Yates Ave); 0629-65-8117 (46 Sycamore Dr); 0629-66-0312 (295 Yates Ave); 0629-66-1396 (271 Yates Ave); 0629-66-8673 (Northeast of the intersection of Yates Ave and Tripoli Trl); 0629-67-0386 (North of 12 Tupper Rd); 0629-67-1519 (East of 67, 75, and 77 Tupper Rd); 0629-67-1708 (East of 77 Tupper Rd); 0629-67-3803 (South of 98 Georgia Ave); 0629-67-4213 (between Ridgecrest Dr and Old US 70 Hwy E, East of Tupper Rd); 0629-67-8678 (1 Ridgecrest Dr); 0629-68-0870 (110 Reservoir Rd); 0629-68-8217 (63 Georgia Ave); 0629-69-0713 (North of 166 Reservoir Rd); 0629-74-5612 (South of 298 Yates Ave); 0629-74-6235 (South of 298 Yates Ave); 0629-74-7699 (Southeast of 298 Yates Ave); 0629-75-1198 (298 Yates Ave); 0629-75-2553 (296 Yates Ave); 0629-75-5677 (East

of 296 Yates Ave); 0629-75-6188 (Southeast of 296 Yates Ave); 0629-76-1861 (391 Yate Ave); 0629-76-5586 (19 Kitazuma Rd); 0629-76-6303 (South of 390 Yates Ave and 19 Kitazuma Rd); 0629-76-7101 (West of 35 Kitazuma Rd); 0629-77-1352 (East of 1 Ridgecrest Dr); 0629-77-2330 (East of 1 Ridgecrest Dr); 0629-77-3661 (East of 1 Ridgecrest Dr); 0629-77-6464 (2 McDowell St); 0629-77-6780 (14 Warehouse Rd); 0629-77-6948 (16 Georgia Ave); 0629-78-1361 (33 Georgia Ave); 0629-78-3242 (25 Georgia Ave); 0629-78-3293 (East of 25 Georgia Ave); 0629-78-3327 (East of 33 Georgia Ave); 0629-78-3371 (North of 25 Georgia Ave); 0629-78-6160 (10 Georgia Ave); 0629-78-6300 (15 Georgia Ave); 0629-78-8297 (34 Mount Mitchell Rd); 0629-84-3953 (South of Kitazuma Rd); 0629-84-5076 (South of Kitazuma Rd); 0629-84-8619 (South of Kitazuma Rd); 0629-85-6014 (South of Kitazuma Rd); 0629-85-6841 (49 Kitazuma Rd); 0629-85-9163 (South of Kitazuma Rd); 0629-86-5155 (East of 40 Kitazuma Rd); 0629-94-2828 (South of Kitazuma Rd); 0720-40-9468 (North of 105 Balsam Rd); 0720-41-6812 (6 T Mount Mitchell Rd); 0720-50-2176 (North of 105 Balsam Rd); 0720-50-9295 (Northeast of 105 Balsam Rd); and 0720-62-7096 (North of Mount Mitchell Rd); and

the following tax lot PINs, which are currently zoned Single Family Residential District R-1:

0629-68-0488 (South of 121 Reservoir Rd); 0629-68-2492 (located East of 103 Reservoir Rd on both sides of Ridgecrest Dr).

The Applicant is requesting that the zoning designation for the property be changed from the existing zoning designations to Conference Center/Resort District (CR);

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider this proposed amendment and has recommended in a vote of 6-0 on April 21, 2014 that the proposed amendment is consistent with the Buncombe County Comprehensive Land Use Plan and updates thereto, and further recommended that the Board of Commissioners adopt the proposed amendment;

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board dated April 21, 2014; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances , the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board finds that, pursuant to N.C. Gen. Stat. §153A-341, the proposed amendment to the Official Zoning Map is consistent with the Buncombe County Comprehensive Land Use Plan and Updates and is reasonable and in the public interest based upon the reasons set forth by the Planning Board in their resolution dated April 21, 2014 which this Board adopts and incorporates herein by reference;

Section 2. That this Board does hereby approve the request to rezone the parcels identified as follows, and as shown on the attached Exhibit "A",

the following tax lot PINs, which are currently zoned Public Service (PS):

0629-37-7019 (Northeast of the intersection of Old US 70 Hwy E and Dunsmore Ave); 0629-37-9480 (South of 110 Memorial Park Dr); 0629-44-6864 (West of 60 Tucker Rd); 0629-45-6300 (South of 21 Beech St); 0629-48-1036 (North of 110 Memorial Park Dr); 0629-48-2689 (located at the end of Memorial Park Dr); 0629-48-9908 (North of 20 Starlight Dr); 0629-49-5256 (at the end of Locust St); 0629-49-5790 (West of 100 Balsam Rd); 0629-53-8469 (at the end of Tucker Rd); 0629-54-0252 (West of 75 and 98 Tucker Rd); 0629-54-0539 (West of 75 Tucker Rd); 0629-54-2090 (South of 98 Tucker Rd); 0629-54-5394 (East of 75 and 98 Tucker Rd); 0629-55-6733 (North of 16 Magnolia Rd); 0629-55-9964 (260 Yates Ave); 0629-58-0640 (North of 11 Starlight Dr); 0629-58-1609 (East of 20 Starlight Dr); 0629-58-1757 (East of 20 Starlight Dr); 0629-58-4562 (Northwest of 239 Buckner Rd); 0629-58-4836 (16 Balsam Rd); 0629-58-5733 (14 Balsam Rd); 0629-58-7824 (West of 23 Balsam Rd); 0629-59-3384 (68 Balsam Rd); 0629-59-4814 (105 Balsam Rd); 0629-59-8329 (North of 33 Balsam Rd); 0629-59-9299 (North of 148 Reservoir Rd); 0629-59-9493 (South of 166 Reservoir Rd); 0629-64-1109 (South of the end of Dogwood Ct); 0629-64-3922 (32 Sycamore Dr); 0629-64-7436 (South of 32 Sycamore Dr); 0629-64-9519 (32 Sycamore Dr); 0629-65-1582 (290 Yates Ave); 0629-65-6802 (290 Yates Ave); 0629-65-8117 (46 Sycamore Dr); 0629-66-0312 (295 Yates Ave); 0629-66-1396 (271 Yates Ave); 0629-66-8673 (Northeast of the intersection of Yates Ave and Tripoli Trl); 0629-67-0386 (North of 12 Tupper Rd); 0629-67-1519 (East of 67, 75, and 77 Tupper Rd); 0629-67-1708 (East of 77 Tupper Rd); 0629-67-3803 (South of 98 Georgia Ave); 0629-67-4213 (between Ridgecrest Dr and Old US 70 Hwy E, East of Tupper Rd); 0629-67-8678 (1 Ridgecrest Dr); 0629-68-0870 (110 Reservoir Rd); 0629-68-8217 (63 Georgia Ave); 0629-69-0713 (North of 166 Reservoir Rd); 0629-74-5612 (South of 298 Yates Ave); 0629-74-6235 (South of 298 Yates Ave); 0629-74-7699 (Southeast of 298 Yates Ave); 0629-75-1198 (298 Yates Ave); 0629-75-2553 (296 Yates Ave); 0629-75-5677 (East of 296 Yates Ave); 0629-75-6188 (Southeast of 296 Yates Ave); 0629-76-1861 (391 Yates Ave); 0629-76-5586 (19 Kitazuma Rd); 0629-76-6303 (South of 390 Yates Ave and 19 Kitazuma Rd); 0629-76-7101 (West of 35 Kitazuma Rd); 0629-77-1352 (East of 1 Ridgecrest Dr); 0629-77-2330 (East of 1 Ridgecrest Dr); 0629-77-3661 (East of 1 Ridgecrest Dr); 0629-77-6464 (2 McDowell St); 0629-77-6780 (14 Warehouse Rd); 0629-77-6948 (16 Georgia Ave); 0629-78-1361 (33 Georgia Ave); 0629-78-3242 (25 Georgia Ave); 0629-78-3293 (East of 25 Georgia Ave); 0629-78-3327 (East of 33 Georgia Ave); 0629-78-3371 (North of 25 Georgia Ave); 0629-78-6160 (10 Georgia Ave); 0629-78-6300 (15 Georgia Ave); 0629-78-8297 (34 Mount Mitchell Rd); 0629-84-3953 (South of Kitazuma Rd); 0629-84-5076 (South of Kitazuma Rd); 0629-84-8619 (South of Kitazuma Rd); 0629-85-6014 (South of Kitazuma Rd); 0629-85-6841 (49 Kitazuma Rd); 0629-85-9163 (South of Kitazuma Rd); 0629-86-5155 (East of 40 Kitazuma Rd); 0629-94-2828 (South of Kitazuma Rd); 0720-40-9468 (North of 105 Balsam Rd); 0720-41-6812 (6 T Mount Mitchell Rd); 0720-50-2176 (North of 105 Balsam Rd); 0720-50-9295 (Northeast of 105 Balsam Rd); and 0720-62-7096 (North of Mount Mitchell Rd); and

the following tax lot PINs, which are currently zoned Single Family Residential District R-1:

0629-68-0488 (South of 121 Reservoir Rd); 0629-68-2492 (located East of 103 Reservoir Rd on both sides of Ridgecrest Dr).

to be zoned Conference Center/Resort District (CR), through amendment to the Official Zoning Map. A copy of the Official Zoning Map showing said property is attached hereto as Exhibit "A" and made a part hereof;

- Section 3. That the Zoning Administrator is hereby authorized to amend the Official Zoning Map to reflect said change as set forth in Section 2 of this Ordinance;
- Section 4. That if any section, subsection, 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;
- Section 5. That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict; and
- Section 6. This ordinance is effective upon adoption.

Read, approved and adopted this 13th day of May, 2014.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

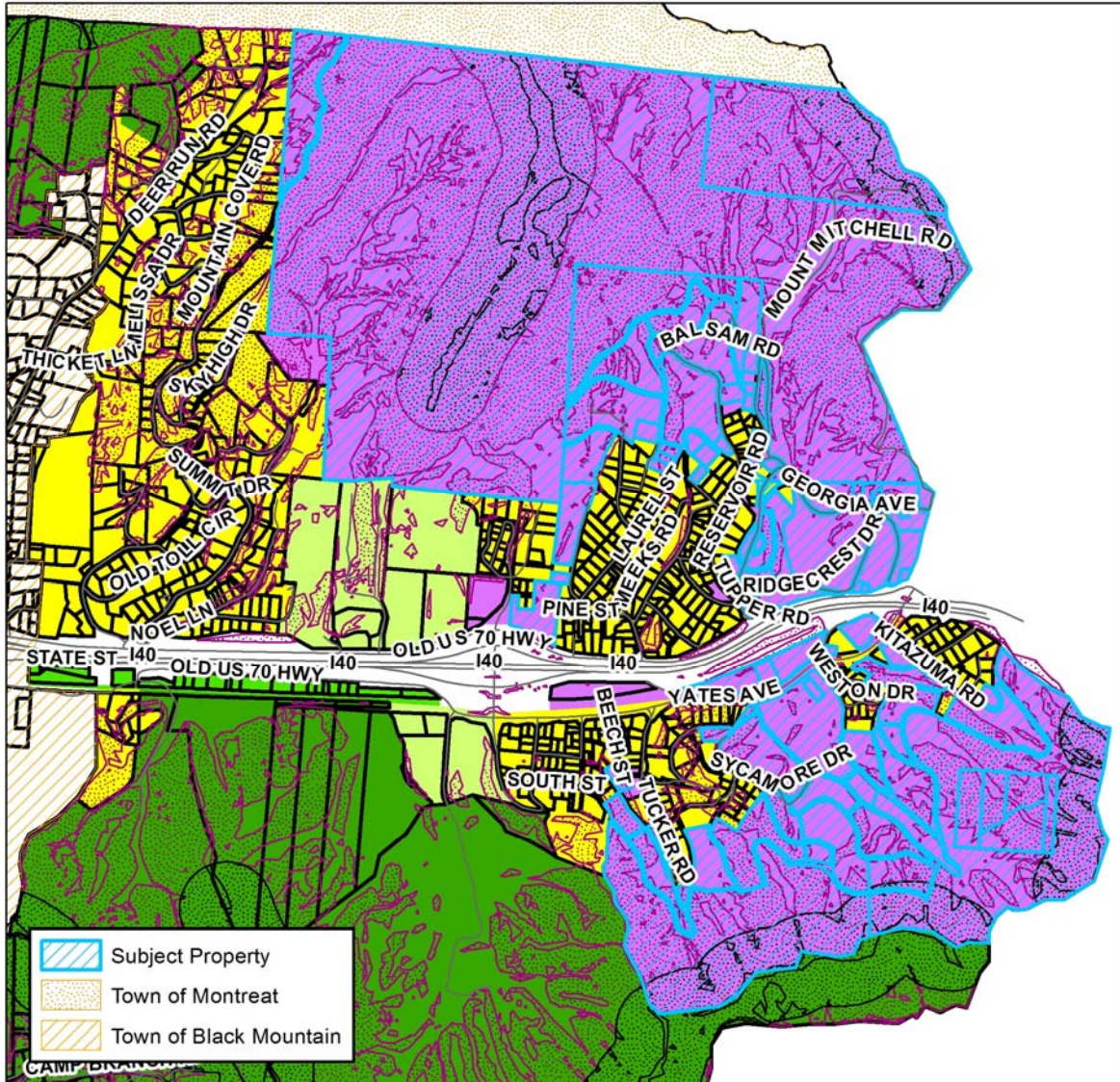
Kathy Hughes, Clerk

BY _____
David Gantt, Chairman

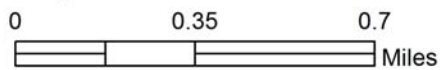
APPROVED AS TO FORM

County Attorney

Exhibit A



**Lifeway Christian Resources
of the Southern
Baptist Convention
Map Amendment**



Zoning Districts		Zoning Overlays	
BDM	R-1	Blue Ridge Parkway Overlay	Protected Ridge Overlay
CS	R-2	Protected Ridge & Parkway	Steep Slope/High Elev.
EMP	R-3	Steep Slope/High Elev. & Pkwy	
NS	R-LD		
OU			

Case Number: ZPH2014-00023
 Approximate Property Size: 980.74 acres
 Application Date: March 14, 2014
 Planning Board Hearing Date: April 21, 2014



Created By: Buncombe County Planning
 Date: April 25, 2014