

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):

0618-97-2530 (100 Magnolia Rd); 0618-78-7302 (904 Holly Rd); 0629-00-3205 (located North of the end of Reservoir Rd); 0618-78-7384 (East of 904 Holly Rd); 0618-79-9042 (located West of 241 Fern Way); 0618-78-8713 (West of 224 Fern Way); 0618-78-8568 (West of 2 Coneflower Ct); 0618-99-0193 (located on the Southern side of Reservoir Rd); 0618-99-0160 (located on the Southern side of Reservoir Rd); 0618-99-0017 (located on the Southern side of Reservoir Rd); 0618-89-9073 (located on the Southern side of Reservoir Rd); 0618-89-9020 (located on the Southern side of Reservoir Rd); 0618-88-8945 (located Southeast of the intersection of Reservoir Rd and Fern Way); and 0618-78-4638 (222 Fern Way); and

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

0618-58-8226 (West of 16 Rhododendron Rd); 0618-77-4927 (located across from 302 Sourwood Rd); 0618-77-5912 (306 Sourwood Rd); and 0618-88-6749 (West of 943 Holly Rd).

The Applicant is requesting that the zoning designations 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 8-0 on May 19, 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 May 19, 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 May 19, 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):

0618-97-2530 (100 Magnolia Rd); 0618-78-7302 (904 Holly Rd); 0629-00-3205 (located North of the end of Reservoir Rd); 0618-78-7384 (East of 904 Holly Rd); 0618-79-9042 (located West of 241 Fern Way); 0618-78-8713 (West of 224 Fern Way); 0618-78-8568 (West of 2 Coneflower Ct); 0618-99-0193 (located on the Southern side of Reservoir Rd); 0618-99-0160 (located on the Southern side of Reservoir Rd); 0618-99-0017 (located on the Southern side of Reservoir Rd); 0618-89-9073 (located on the Southern side of Reservoir Rd); 0618-89-9020 (located on the Southern side of Reservoir Rd); 0618-88-8945 (located Southeast of the intersection of Reservoir Rd and Fern Way); and 0618-78-4638 (222 Fern Way); and

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

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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 17th day of June, 2014.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

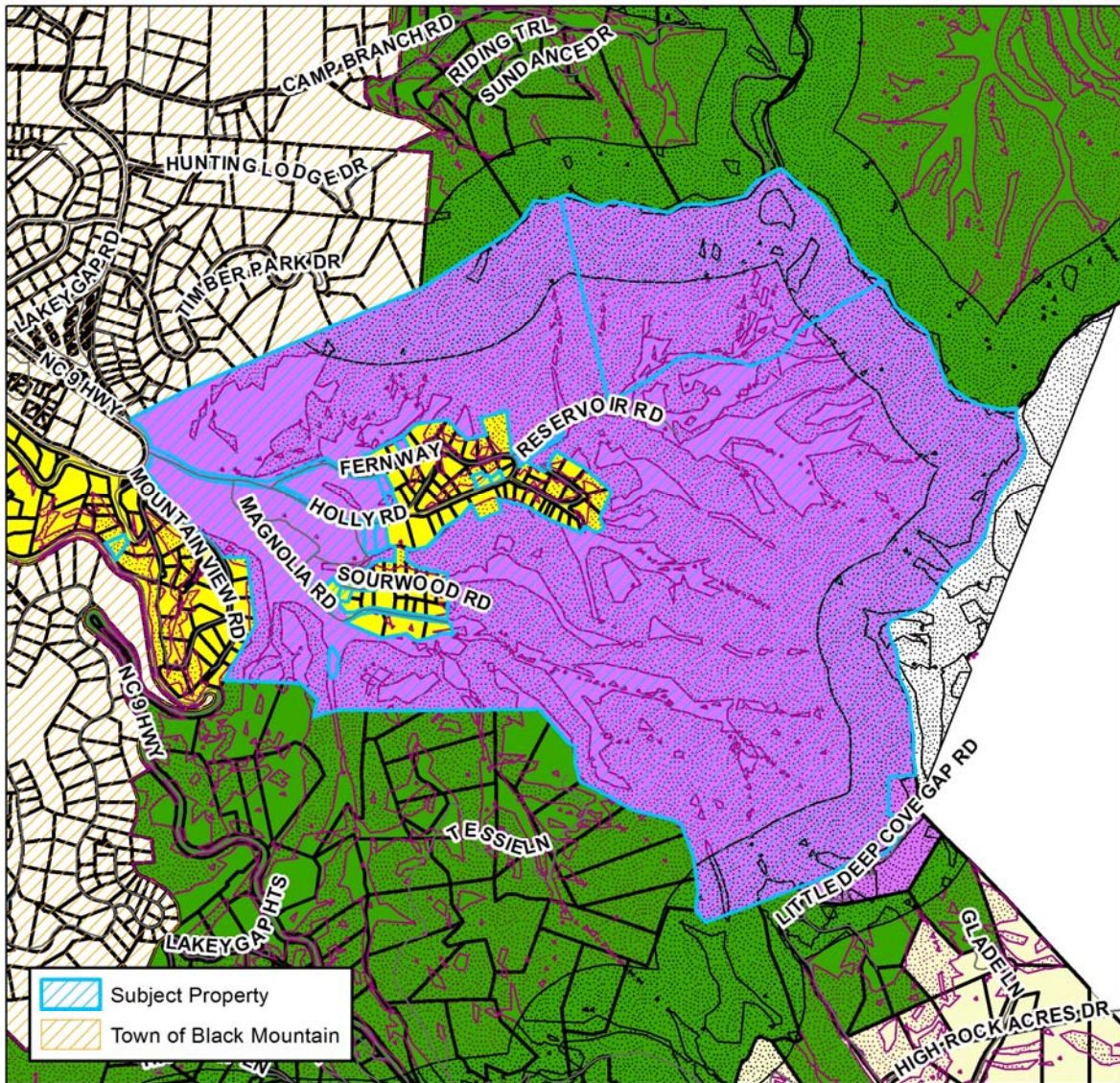
Kathy Hughes, Clerk

BY _____
David Gantt, Chairman

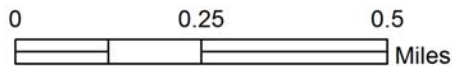
APPROVED AS TO FORM

County Attorney

Exhibit A



**Christmount
Map Amendment**



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

Case Number: ZPH2014-00025
 Approximate Property Size: 559.86 acres
 Application Date: April 7, 2014
 Planning Board Hearing Date: May 19, 2014



Created By: Buncombe County Planning
 Date: May 4, 2014