

RESOLUTION OF PLANNING BOARD RECOMMENDING THAT THE BUNCOMBE COUNTY BOARD OF
COMMISSIONERS AMEND THE TEXT OF CHAPTER 78 OF THE BUNCOMBE COUNTY CODE OF
ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY, and STATEMENT OF CONSISTENCY

- 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, the provisions set forth in Division 8 of Article VI of the Buncombe County Code of Ordinances were met prior to the public hearing at which this recommendation was considered;
- WHEREAS, pursuant N.C. Gen. Stat. §153A-344 and §78-719 of the Buncombe County Code of Ordinances, the Planning Board is charged with making a recommendation to the Board of Commissioners and to comment on whether the proposed amendment is consistent or inconsistent with the Comprehensive Land Use plan;
- WHEREAS, the Buncombe County Planning Board reviewed the proposed amendment to the text of The Zoning Ordinance of Buncombe County, North Carolina, to modify the Permitted Use Table so that the use “Professional and business offices and services” is listed as a permitted use in the Conference Center/Resort District (CR), with public input, and at the public hearing held during the June 16, 2014 regular meeting of the Planning Board;
- WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this amendment was considered have been properly mailed to members of the Planning Board, at least ten (10) days prior to the meeting and public notice of the meeting has been properly published in a newspaper having general circulation in the County as required; and
- WHEREAS, the Planning Board has reviewed the proposed amendment, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to approve the proposed amendment and make recommendation to the Board of Commissioners for Buncombe County that the proposed amendment be approved.

NOW THEREFORE, BE IT RESOLVED, Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendment to the Zoning Ordinance of Buncombe County:

1. The proposed amendment to modify the Permitted Use Table so that the use “Professional and business offices and services” is listed as a permitted use in the Conference Center/Resort District (CR) , is consistent with the Buncombe County Comprehensive Land Use Plan and updates, as the 2013 update (Section 6) recommended that:

"A Resort/Conference Center Zoning District should be developed in order to accommodate large-scale resort, retreat, or conference facilities. This District should be targeted toward those facilities which are 100 acres and more (referring to the total collection of adjacent properties) and managed through a common entity. The District should account for the unique needs of conference centers and resorts providing flexibility while still ensuring the protection of surrounding residential properties" and

2. The proposed amendment to the text is reasonable and in the public interest as it promotes a balance between the public safety interests, community interests, and the unique type of development encompassed by the proposed District.
3. This Planning Board hereby recommends that the Board of Commissioners amend Chapter 78 of the Buncombe County Code of Ordinances as follows:

Amend **Sec. 78-641(a) Permitted Use Table** as follows:

Table 1 – Permitted Use Table												
Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EM P	PS	CR	AI	BDM	OU
Professional and business offices and services					P	P	P	P	<u>P</u>	P		P

4. This resolution is approved by a vote of 7 to 0 and shall be effective upon its adoption.

This the 16th day of June, 2014.

BUNCOMBE COUNTY PLANNING BOARD
 By: Bernie Kessel
 Bernie Kessel, Vice-Chairman

Consented to:

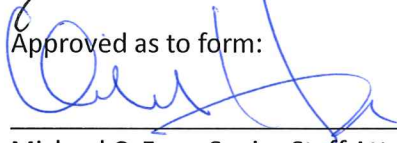
Planning Board Members:

Jim Young
Bernie Kessel
Joe Sechler
Josh Holmes
Bud Sales (absent)
Tom Alexander (absent)
Michelle Wood
Greg Phillips
Catherine Martin



Josh O'Conner, Zoning Administrator

Approved as to form:



Michael C. Frue, Senior Staff Attorney