

Buncombe County Agenda Item Information Sheet

AGENDA ITEM:

Map Amendment (rezoning) temporary fee waiver for owners of land within the Weaverville Extraterritorial Jurisdiction (ETJ) to be brought into the Buncombe County Zoning Ordinance as a result of Session Law 2014-26.

MEETING DATE:

August 5, 2014

REQUESTED BY:

County Planning Department

Background information

On June 24, 2014, the North Carolina General Assembly ratified Session Law 2014-26 which removed the authority of the Town of Weaverville to exercise land use regulation within an ETJ area. The law dictates that Weaverville's jurisdiction remains in effect until Buncombe County adopts zoning regulation in the area, or after 120 days, whichever occurs first. The Planning Board is currently meeting to consider the ramifications of the Session Law and the zoning of the area, and will be making a recommendation to the Board of Commissioners regarding the zoning of this area. As occurred with the adoption of County-wide zoning in 2009 and the expansion of zoning into the area previously part of the Asheville ETJ in 2013, staff recommends that the Board consider waiving fees for any rezoning applications undertaking for properties within this area for 90 days from the date of adoption of zoning in the area.

Pros

Voting on the fee waiver at this time will allow notification of the waiver to be included in the mailed notice of public hearing to affected property owners, which will save mailing costs.

Cons

None

Funds required

No funds aside from general operating funds are required.

Alternatives

The fees for Zoning Map Amendments cover the cost of advertisement and mailing required by the North Carolina General Statutes and by the County Zoning Ordinance. The fee is \$350, with an additional \$25 per each additional lot and an additional \$200 per each additional 25 acres, with a maximum fee of \$1,000 per owner.

Action recommended:

Staff recommends that the Board consider waiving fees for any rezoning applications undertaking for properties within this area for 90 days from the date of adoption of zoning in the area.