

## Buncombe County Agenda Item Information Sheet

**AGENDA ITEM:**

Expansion of Buncombe County Zoning to include areas currently within the Town of Weaverville's Extraterritorial Jurisdiction (ETJ) per Session Law 2014-26

**MEETING DATE:**

September 16, 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 dictated that Weaverville's jurisdiction would expire either once Buncombe County adopts zoning regulation in the area, or 120 days after the effective date of July 1, 2014, whichever occurs first. The Planning Board has met on multiple occasions to consider the ramifications of the Session Law and has passed a resolution recommending the adoption of the proposed amendments by the Board of Commissioners.

**Pros**

*See Planning Board Resolution recommending approval*

**Cons**

*None*

**Funds required**

No funds are required

**Alternatives**

If the Board of Commissioners does not adopt the proposed map amendments, then the area currently defined as the Town of Weaverville's ETJ will become unzoned at the end of the 120-day period (October 28, 2014). All other permitting will transfer from the Town to the County; however this area would no longer be regulated by any type of zoning or land use restrictions.

**Action recommended:**

Both staff and the Planning Board have recommended approval of the map amendments.

As occurred with the adoption of County-wide Zoning in 2009 and with the expansion in 2013 to the area previously contained within the City of Asheville's ETJ, please note that at the August 5, 2014 meeting, the Board approved the waiver of fees for any rezoning applications undertaken for properties within this area for the next ninety (90) days.