

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED ORDINANCE AMENDING CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY

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WHEREAS, pursuant to N.C. Gen. Stat. § 153A-341, prior to adopting or rejecting a zoning amendment, the governing board is required to adopt a statement as to whether the amendment is consistent with the comprehensive zoning plan and explaining why the board considers the action taken to be reasonable and in the public interest;

WHEREAS, effective July 1, 2014, the North Carolina General Assembly passed Session Law 2014-26 terminating the zoning powers of the Town of Weaverville outside its corporate limits and authorizing Buncombe County to adopt county zoning regulations in that area;

WHEREAS, in response to S.L. 2014-26, the Buncombe County Planning Board reviewed a proposed amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to add the land area currently within the Town of Weaverville's Extraterritorial Jurisdiction (ETJ) to the Official Zoning Map of Buncombe County for zoning districts and zoning overlay districts as attached hereto and marked Attachment A;

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 7-0 on August 18, 2014 that the proposed amendment is consistent with the Buncombe County Comprehensive Land Use Plan and updates thereto, and is reasonable and in the public interest, and further recommended that the Board of Commissioners adopt the proposed amendment; and

WHEREAS, this Board has reviewed and considered the above written recommendation of the Planning Board and has held a public hearing on the proposed amendment, and this Board desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the Buncombe County Comprehensive Land Use Plan and updates and why the Board considers the proposed amendment to be reasonable and in the public interest.

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

Section 1. This Board finds that the adoption of the proposed amendment to the Official Zoning Map is consistent with the Buncombe County Land Use Plan and updates and is reasonable and in the public interest based upon the following:

- a. said zoning change is consistent with the Buncombe County Comprehensive Land Use Plan and Updates as the 2013 Buncombe County Comprehensive Land Use Plan Update recommends that detailed zoning be applied within those areas previously regulated as part of the ETJ of local municipalities to ensure continuity with existing levels of regulation within these areas (Section 3: General Direction of Growth and Development, Changing Jurisdictional Boundaries). As such, the proposed map amendments are consistent with the Buncombe County Comprehensive Land Use Plan Update;
- b. Session Law 2014-26 cancelled the authority of the Town of Weaverville to extend its planning jurisdiction into this ETJ area and allows Buncombe County to extend its zoning authority into this area; and
- c. Therefore, said zoning amendments are reasonable and are in the public interest.

Read, approved and adopted this 16<sup>th</sup> day of September, 2014.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk

BY \_\_\_\_\_  
David Gantt, Chairman

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney

PROPOSED AMENDMENTS TO THE OFFICIAL  
ZONING MAP OF BUNCOMBE COUNTY, NC

