

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

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, 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":

tax lot PIN 9733-61-5435 (145 Monticello Rd), which is currently zoned Residential District R-3; and

tax lot PIN 9733-71-1175 (located in front of 145 Monticello Rd), which is currently zoned Residential District R-3.

The Applicant is requesting that the zoning designation for the property be changed from the existing zoning designation to Employment District EMP;

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 6-0 on October 20, 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 RESOLVED 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 (Figure 20. Appropriate Development Types) highly suggests that intense commercial uses be located within reasonable proximity to a major transportation corridor and suggests that said uses be located outside flood hazard areas;
- b. the subject parcels are adjacent to property zoned Employment District EMP; and
- c. Therefore, said zoning amendments are reasonable and are in the public interest.

Read, approved and adopted this 21st day of October, 2014.

ATTEST

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

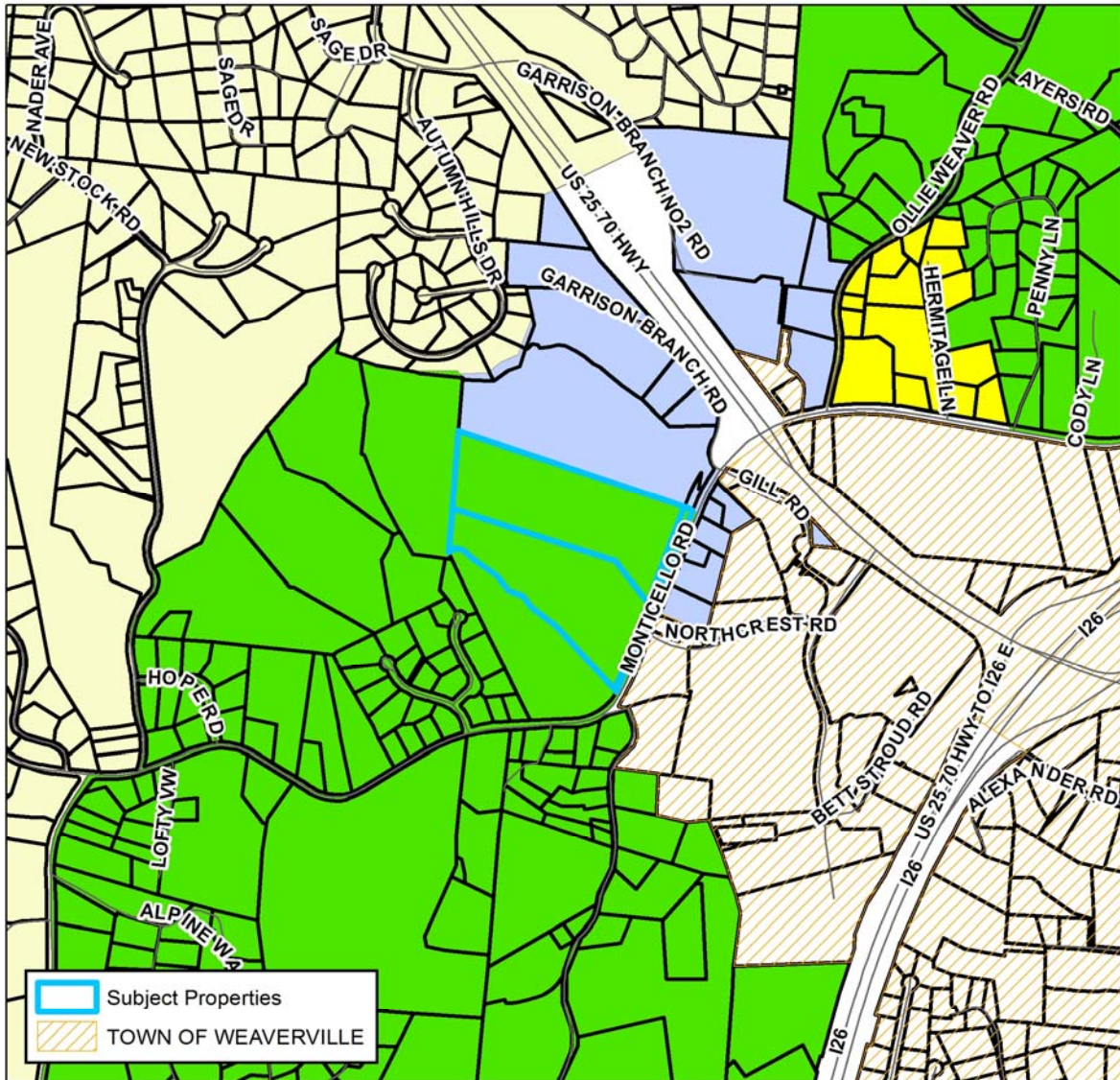
Kathy Hughes, Clerk

BY _____
David Gantt, Chairman

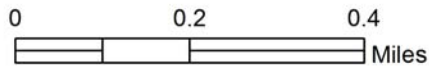
APPROVED AS TO FORM

County Attorney

Attachment A



**D. Keith Roberts, Trustee
Map Amendment**



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

Case Number: ZPH2014-00056 & -00058
 Approximate Property Size: 31.17 acres
 Application Date: September 17 & 19, 2014
 Planning Board Hearing Date: October 20, 2014



Created By: Buncombe County Planning
 Date: September 22, 2014