

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, 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 parcel identified as follows and shown herein as "Figure A":

tax lot PIN 9689-50-7662 (111 Franklin Road), which is currently zoned Commercial Service District CS.

The Applicant is requesting that the zoning designation for the property be changed from the existing zoning designation to Residential District R-3;

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 December 15, 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 because the Buncombe County Comprehensive Land Use Plan 2013 Update (Figure 20. Appropriate Development Types) highly suggests that multi-family residential development be located in reasonable proximity to major transportation corridors and infrastructure (combined water/sewer service area) and outside of flood hazard areas, and further suggests that multi-family residential development be located outside of high elevation areas, and as the subject property has these characteristics it is suitable for multi-family development;
- b. the proposed zoning is adjacent to property zoned R-3 and is consistent with the surrounding property; and
- c. therefore, said zoning amendment is reasonable and in the public interest.

Read, approved and adopted this 6<sup>th</sup> day of January, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

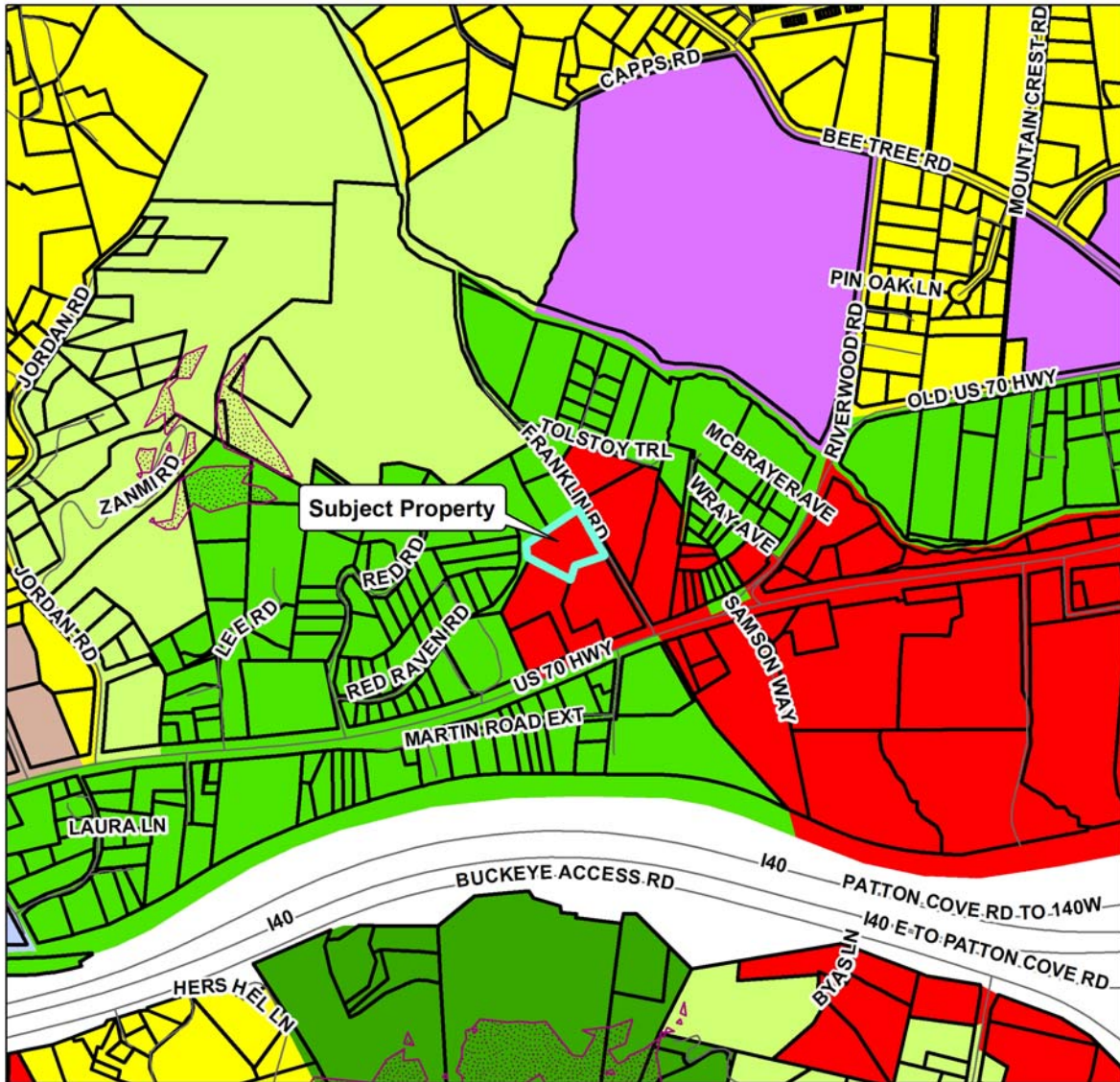
\_\_\_\_\_  
Kathy Hughes, Clerk

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

APPROVED AS TO FORM

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

Attachment A



**Eugene & Dovie Phyllis Dodd  
Map Amendment**

Case Number: ZPH2014-00070  
 Approximate Property Size: 1.52 acres  
 Application Date: November 7, 2014  
 Planning Board Hearing Date: December 15, 2014



Zoning Overlays	
	Blue Ridge Parkway Overlay
	Protected Ridge Overlay
	Protected Ridge & Parkway
	Steep Slope/High Elev.
	Steep Slope/High Elev. & Pkwy

Zoning Districts	
	BDM
	CS
	EMP
	NS
	OU
	PS
	CR
	R-1
	R-2
	R-3
	R-LD

Created By: Buncombe County Planning  
 Date: November 17, 2014