

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

tax lot PIN 9732-78-9228 (Northridge Commons Parkway), 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 Commercial Service District CS;

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 commercial development be located outside of steep slope areas (only a portion of the property lies within an area of greater than 25% slope), high elevations, and moderate and high slope stability hazards (only a portion of the property contains moderate and high slope stability hazards);
- b. though not included in the 2013 Land Use Plan Update maps, the subject property is located approximately 1,000 feet from the buffer of the major transportation corridor, is approximately 900 feet from a Town of Weaverville waterline, and has public sewer available on the property;
- c. the proposed zoning is consistent with the surrounding property, given that the property is accessed through an existing commercial shopping center and is bordered on one side by Future I-26 and on another side by commercial property within the Town of Weaverville; and
- d. therefore, said zoning amendment is reasonable and in the public interest.

Read, approved and adopted this 6th day of January, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

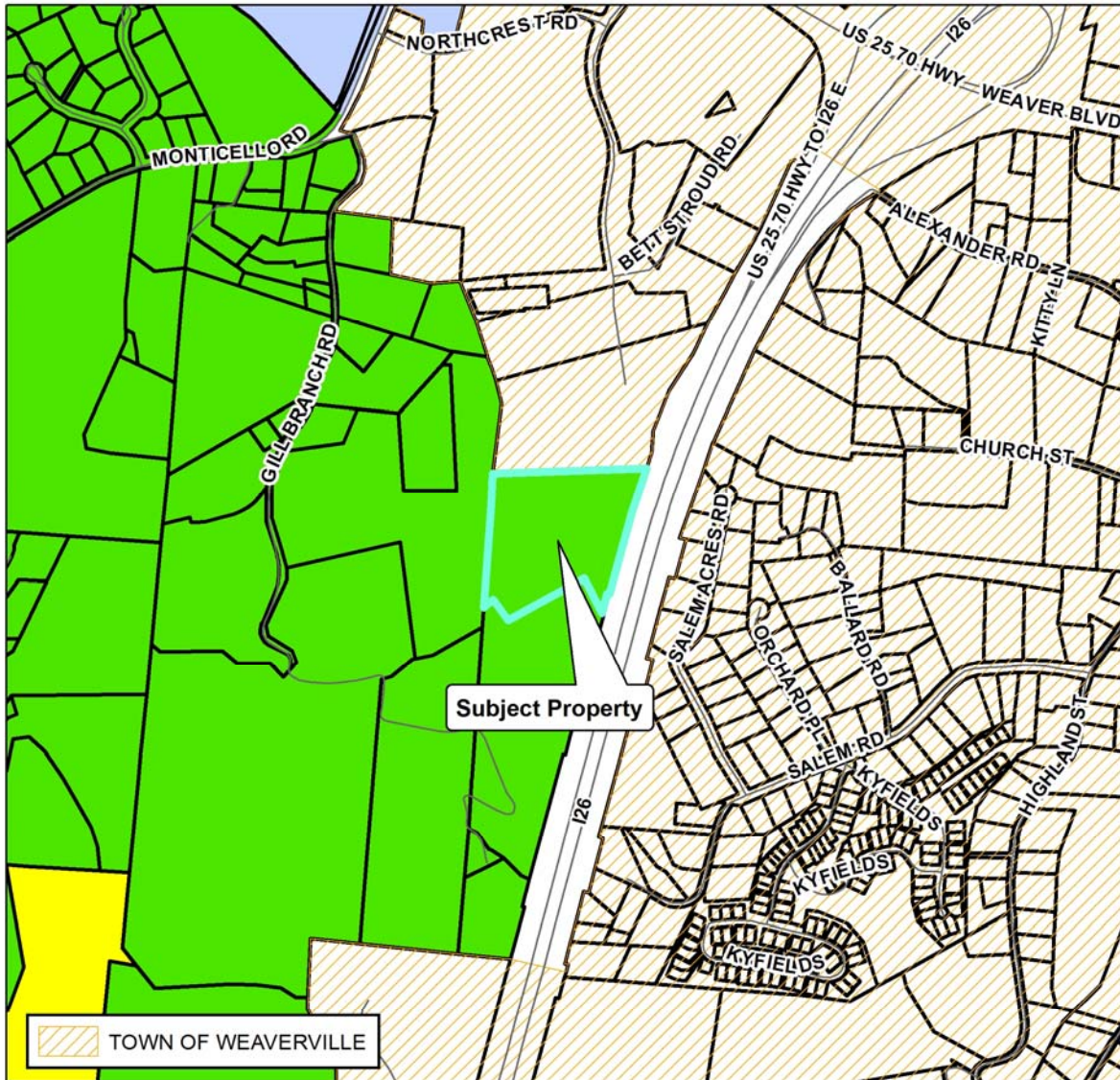
Kathy Hughes, Clerk

BY _____
David Gantt, Chairman

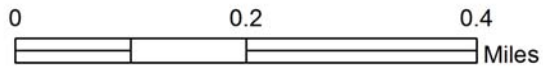
APPROVED AS TO FORM

County Attorney

Attachment A



**John Kilby
Map Amendment**



Case Number: ZPH2014-00068
 Approximate Property Size: 9.39 acres
 Application Date: November 7, 2014
 Planning Board Hearing Date: December 15, 2014

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

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