

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; and

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; and

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; and

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 a portion of the parcel identified as follows and shown herein as "Figure A":

tax lot PIN 9743-13-7520 (31 Monticello Rd), which is currently zoned Residential District R-3.

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

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 5-0 on March 16, 2015 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 in reasonable proximity to major transportation corridors and outside of flood hazard areas and areas with higher elevations;
- b. the subject property is adjacent to property zoned Commercial Service CS;
- c. the property is near a commercial area and is adjacent to I-26; and
- d. therefore, said zoning amendment is reasonable and in the public interest.

Read, approved and adopted this 7th day of April, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

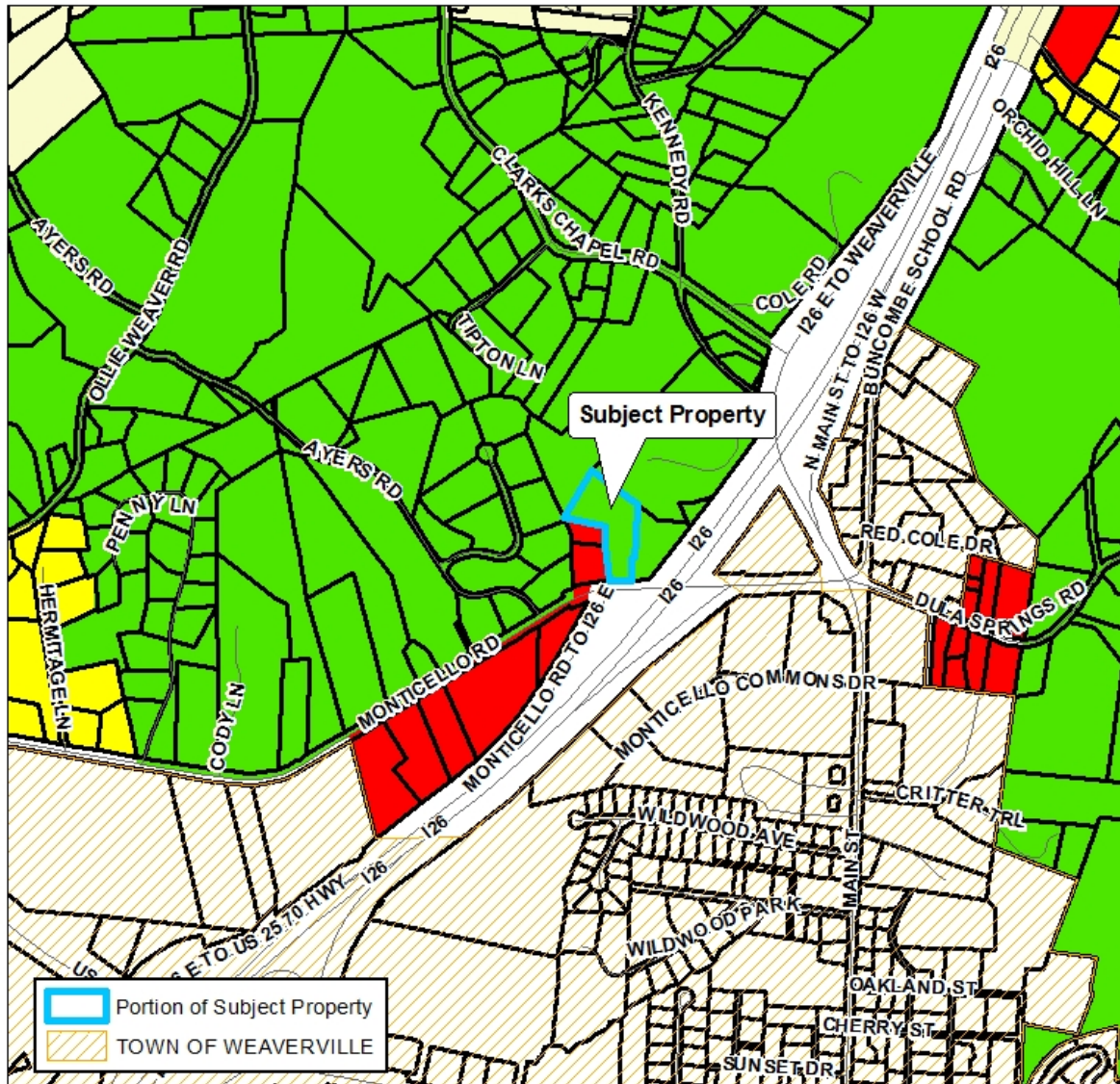
Kathy Hughes, Clerk

BY _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney

Attachment A



Bruce C. Jones Map Amendment

0 0.2 0.4
Miles



Case Number: ZPH2014-00082
Approximate Property Size: 2.67 acres
Application Date: February 5, 2015
Planning Board Hearing Date: March 16, 2015

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: March 19, 2015