

RESOLUTION OF PLANNING BOARD RECOMMENDING THAT THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS DENY THE APPLICATION TO AMEND THE TEXT OF CHAPTER 78 OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY, and STATEMENT OF INCONSISTENCY

- 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, the provisions set forth in Division 8 of Article VI of the Buncombe County Code of Ordinances were met prior to the public hearing at which this recommendation was considered;
- WHEREAS, pursuant N.C. Gen. Stat. §153A-344 and §78-719 of the Buncombe County Code of Ordinances, the Planning Board is charged with making a recommendation to the Board of Commissioners and to comment on whether the proposed amendments are consistent or inconsistent with the Comprehensive Land Use plan;
- WHEREAS, the Buncombe County Planning Board received an application from Harry Coates and Ricky L. Coates for text amendments to the Zoning Ordinance of Buncombe County, and reviewed the proposed amendments to the text of The Zoning Ordinance of Buncombe County, North Carolina at the public hearing held during the June 15, 2015 regular meeting of the Planning Board;
- WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this amendment was considered have been properly mailed to members of the Planning Board, at least ten (10) days prior to the meeting and public notice of the meeting has been properly published in a newspaper having general circulation in the County as required; and
- WHEREAS, the Planning Board has reviewed the proposed amendments, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to deny these proposed amendments and make recommendation to the Board of Commissioners for Buncombe County that the proposed amendments be denied.

NOW THEREFORE, BE IT RESOLVED, Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendments to the Zoning Ordinance of Buncombe County:

1. The proposed amendments regarding travel trailers and travel trailer parks are inconsistent with the Buncombe County Comprehensive Land Use Plan and updates, as:

“the 2006 update (Section VII. Implementation Strategies) recommended that “The CS commercial service district is primarily intended to provide suitable locations for clustered commercial development and to encourage the concentration of commercial activity in those specified areas with access to major traffic arteries, to discourage strip commercial development, and to allow for suitable noncommercial land uses.” By expanding the allowed uses in the CS District to include the provision of travel trailers and travel trailer parks, recreational and seasonal residential uses may be allowed to take up areas of the County which are designated as higher-traffic sites prime for commercial and mixed-use development.

2. The proposed amendments to the text are neither reasonable nor in the public interest as in no case should travel trailers be used as permanent dwellings, as these homes do not meet NC Building Code. Through the addition of districts where travel trailers and travel trailer parks are allowed, the use of travel trailers as longer-term housing solutions is promoted, in spite of the hazards to health and public safety that their construction may pose.
3. This Planning Board hereby recommends that the Board of Commissioners deny the proposed amendments to Chapter 78 of the Buncombe County Code of Ordinances as follows:

Sec. 78-641. Permitted uses.

- (a) *Permitted use table.* Uses are permitted in the various zoning districts pursuant to Table 1.

Table 1 – Permitted Use Table												
Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EM P	PS	CR	AI	BDM	OU
Travel trailers				C		C			P			P
Travel trailer parks				C		C			C			P

4. This resolution is approved by a vote of 8 to 1 and shall be effective upon its adoption.

This the 15th day of June, 2015.

BUNCOMBE COUNTY PLANNING BOARD

By: _____

Gene Bell, Chair

Consented to:

Planning Board Members:

Nancy Waldrop

David Rittenberg

Thad B. Lewis

Dusty Pless

Joan M. Walker

Robert J. Martin

Gene Bell

Parker Sloan

Bob Taylor

Debbie Truempy, Zoning Administrator

Approved as to form:

Michael C. Frue, Senior Staff Attorney

CURTIS W. EULER