

RESOLUTION OF PLANNING BOARD RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD
OF COMMISSIONERS ON A PROPOSED ZONING MAP AMENDMENT

WHEREAS, The General Assembly of North Carolina adopted Session Law 2014-26 amending NC Gen. Stat. Sec. 153A-342(d) to allow Buncombe County to zone unincorporated areas less than 640 acres and at least 10 separate tracts of land in separate ownership;

WHEREAS, the Zoning Administrator of Buncombe County has proposed that the following properties and related road rights-of-way located within the unincorporated areas of Buncombe County be zoned Employment District EMP:

Tax lot PINs 9643-82-6152 (99 Underwood Road), 9643-81-5686 (95 Underwood Road), 9643-81-7692 (93 Underwood Road), 9643-81-6275 (Northwest of the intersection of Fanning Bridge Road and Underwood Road), 9643-81-9765 (North of the intersection of Piney Drive and Underwood Road), 9643-81-9653 (North of the intersection of Piney Drive and Underwood Road), 9643-81-9433 (North of 92 Underwood Road), 9643-81-9219 (92 Underwood Road), 9643-81-9103 (29 Norman Road), and 9643-80-7599 (1291 Fanning Bridge Road);

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, owner(s), and all adjoining property owners at least ten (10) days prior to the meeting; public notice of the meeting has been properly published in a newspaper having general circulation in the County; and notice of the public hearing concerning this zoning map amendment has been prominently posted as required;

WHEREAS, pursuant to 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 zoning change is consistent or inconsistent with the Buncombe County Comprehensive Land Use Plan and Updates and on whether the proposed zoning change is reasonable and in the public interest; and

WHEREAS, the Planning Board has reviewed the proposed map amendment, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to approve this amendment and make recommendation to the Board of Commissioners for Buncombe County that the proposed amendment be approved.

Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendment to the Zoning Map as set forth above:

1. said zoning map amendment 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) identifies commercial and industrial development as highly suggested within areas that are within reasonable proximity to major transportation corridors and combined water/sewer service areas, are not located within steep slope areas or those with high elevations and moderate and high slope stability hazards or flood prone areas. Further the plan highly suggests that commercial and industrial development be separated from low-density residential uses. While the larger tracts of land are separated from the surrounding residential neighborhood by existing road infrastructure, four (4) lots lack a clear separation from an adjacent residential neighborhood. Given the small size of these lots, however, development options will likely be limited to those that are residential in nature or small scale commercial development. The proposed map amendment offers a zoning district that is compatible with existing commercial and industrial uses while providing a transitional district to the existing surrounding residential neighborhood.;
2. the subject property consists of existing rental/sales and service, warehousing, self-storage, nightclub, small scale commercial uses, vacant land and a church. The majority of property to the east and south consists of single-family residences located within Henderson County. Property to the north is developed as a strip shopping center and located within Henderson County. Property to the west is zoned PS (fairgrounds) with the majority of property industrially developed and located within the City of Asheville and separated by the I-26 corridor; and
3. therefore said zoning change is reasonable and is in the public interest.

NOW, THEREFORE, BE IT RESOLVED that upon motion and second, the Buncombe County Planning Board hereby recommends as follows:

1. That the Board of Commissioners approve this zoning map amendment for the following properties and related rights-of-way shown in Figure A and located within the unincorporated areas of Buncombe County to be zoned Employment District EMP:

Tax lot PINs 9643-82-6152 (99 Underwood Road), 9643-81-5686 (95 Underwood Road), 9643-81-7692 (93 Underwood Road), 9643-81-6275 (Northwest of the intersection of Fanning Bridge Road and Underwood Road), 9643-81-9765 (North of the intersection of Piney Drive and Underwood Road), 9643-81-9653 (North of the intersection of Piney Drive and Underwood Road), 9643-81-9433 (North of 92 Underwood Road), 9643-81-9219 (92 Underwood Road), 9643-81-9103 (29 Norman Road), and 9643-80-7599 (1291 Fanning Bridge Road).

Adopted by a vote of 3 to 2.

This the 2nd day of November, 2015.

BUNCOMBE COUNTY PLANNING BOARD

By: _____

Gene Bell

Gene Bell, Chair

Consented to:

Planning Board Members:

Nancy Waldrop *ABSENT*

David Rittenberg *ABSENT*

Thad B. Lewis

Dusty Pless

Joan M. Walker

Robert J. Martin *ABSENT*

Gene Bell

Parker Sloan

Bob Taylor *ABSENT*

Debbie Truempy
Debbie Truempy, Zoning Administrator

Approved as to form:

Michael Frue

Michael Frue, Senior Staff Attorney

Figure A

