

RESOLUTION OF PLANNING BOARD RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD
OF COMMISSIONERS ON A 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 located within the unincorporated areas of Buncombe County be zoned Residential District R-3:

to the East of Leisure Mountain Road, South of Boyds Chapel Road, and to the South of Indian Lane.

The portions of these properties which are 2,500 feet above sea level and higher and have a natural slope of 35% or greater are also proposed to fall within the Steep Slope/High Elevation Overlay District;

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 deny this amendment and make recommendation to the Board of Commissioners for Buncombe County that the proposed amendment be denied.

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 inconsistent with the Buncombe County Comprehensive Land Use Plan and Updates because the property contains steep slopes and has limited access; and
2. therefore said zoning change is neither reasonable nor 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 deny this zoning map amendment for the following properties shown in Figure A and located within the unincorporated areas of Buncombe County to be zoned Residential District R-3, and the portions of these properties which are 2,500 feet above sea level and higher and have a natural slope of 35% or greater to be zoned Steep Slope/High Elevation Overlay District:

to the East of Leisure Mountain Road, South of Boyds Chapel Road, and to the South of Indian Lane.

Adopted by a vote of 4 to 1.

This the 2nd day of November, 2015.

BUNCOMBE COUNTY PLANNING BOARD

By: _____

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, Zoning Administrator

Approved as to form:

Michael Frue, Senior Staff Attorney

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