

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 property and related right-of-way shown on the enclosed map and located within the unincorporated areas of Buncombe County be zoned Commercial Service CS:

A portion of tax lot PIN 9645-02-4648 (25 Hereford Way).

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. The proposed map amendment is compatible with existing CS zoning to the North as well as the surrounding Biltmore Town Square development which is commercially zoned and located within the City of Asheville. Therefore the proposed map amendment is appropriate;

- 2. the subject property consists of an existing portion of unzoned property that is utilized as a stormwater basin for the Biltmore Town Square mixed use development. Contiguous property to the North is vacant and zoned CS. Surrounding property to the East, South and West is primarily developed and located within the City of Asheville; 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 property and related right-of-way shown in Figure A and located within the unincorporated areas of Buncombe County to be zoned Commercial Service CS:

A portion of tax lot PIN 9645-02-4648 (25 Hereford Way).

Adopted by a vote of 8 to 0.

This the 16th day of November, 2015.

BUNCOMBE COUNTY PLANNING BOARD

By: Gene Bell
Gene Bell, Chair

Consented to:

Planning Board Members:

- Nancy Waldrop
- David Rittenberg
- Thad B. Lewis
- Dusty Pless **ABSENT**
- Joan M. Walker
- Robert J. Martin
- Gene Bell
- Parker Sloan
- Bob Taylor



Debbie Truempy, Zoning Administrator

Approved as to form:


Michael Frue, Senior Staff Attorney

Figure A

