

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

tax lot PIN 9639-76-2633 (800 Riverside Drive) and a portion of tax lot PIN 9639-76-1594 (South of 800 Riverside Drive);
- 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, and are not located within steep slope areas or those with high elevations and moderate and high slope stability hazards. While the plan highly suggests that commercial/industrial development be located outside of flood hazard areas, the existing commercial uses of the property have been established for many years and are located outside of the French Broad River floodway. Additionally, the plan highly suggests that commercial and industrial development be separated from low-density residential uses for which the property is in compliance with this standard. The proposed map amendment is compatible with existing surrounding commercially zoned properties located within the City of Asheville;

2. The subject property consists of an existing landscaping company and the outdoor seating/recreation area for the adjacent Bywater bar. Property to the North, East and South is commercially zoned 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 properties and related rights-of-way shown in Figure A and located within the unincorporated areas of Buncombe County to be zoned Commercial Service District CS:
tax lot PIN 9639-76-2633 (800 Riverside Drive) and a portion of tax lot PIN 9639-76-1594 (South of 800 Riverside Drive).

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
Joan M. Walker
Robert J. Martin
Gene Bell
Parker Sloan
Bob Taylor

Debbie Truempy
Debbie Truempy, Zoning Administrator

Approved as to form:
Michael Frue
Michael Frue, Senior Staff Attorney

Figure A

