

**BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER	: ZPH2017-00025
PROPOSED ZONING CHANGE	: R-1 to R-3
LOCATION	: Property to the south of 80 New Salem Road
PIN(s)	: 9679-90-0221
APPLICANT	: Wade Watkins
OWNER(S)	: Wade Watkins

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the "product of a complex of factors." Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING ANALYSIS: The applicant is requesting the rezoning of one (1) parcel comprising approximately .98 acres located to the west of New Salem Road and currently zoned Residential District (R-1) to Residential District (R-3). The subject property is currently vacant and directly accessed from New Salem Road. Property to the north of the subject parcel is vacant and zoned R-3; property to the west contains a manufactured home park and is zoned R-3; property to the south was recently developed with a new single-family residence and is zoned R-1. Properties to the east include a single-family residence, a vacant parcel, and a manufactured home separated by New Salem Road and all zoned R-1. The applicant is seeking the rezoning in order to place a manufactured home on the subject parcel.

The proposed map amendment is consistent with Section 78-640(d) Residential District (R-3) of the Zoning Ordinance of Buncombe County which states, "The R-3 Residential District is primarily intended to provide locations for a variety of residential development depending upon the availability of public water and sewer services. Some areas within the R-3 Residential District will have no public water and sewer services available and will thus be suitable primarily for single-family residential units on individual lots and mobile homes on individual lots. Other areas within the district will have public water and/or sewer service available and will thus be suitable for higher density uses such as multifamily residential units, planned unit developments, and mobile home parks. The R-3 district also provides for various recreational, community service and educational uses that will complement the residential development."

The Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update illustrate the following conclusions regarding the subject property:

- The subject property is directly accessed by New Salem Road which is maintained by the NCDOT and is located less than ½ mile from US 70 – an identified major transportation corridor.
- The subject property is located slightly outside of the combined water/sewer service area. While not served directly by public sewer, public water is available to the site.

- The subject property is located outside of areas identified as steep slope (greater than 25%).
- The subject property is located outside of high elevations greater than 2500 feet.
- The subject property does not contain any moderate or high slope stability hazard areas.
- The subject property is not located within a FEMA Flood Hazard Area.

Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update identifies single-family/duplex development as “suggested” within reasonable proximity to major transportation corridors and within combined water/sewer service areas. The Plan “suggests” that single-family/duplex be located outside of steep slope areas (greater than 25%), outside of high elevations (greater than 2,500 feet) and “highly suggests” development outside of moderate and high hazard slope stability areas and FEMA flood hazard areas. The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it meets a number of goals as identified in the Buncombe County Comprehensive Land Use Plan Update. Therefore, the Buncombe County Department of Planning and Development recommends **approval** of the rezoning request as it is compatible with surrounding residential development, adjacent to an R-3 Zoning District, served by public water, and is readily accessed by a NCDOT maintained road.

LAND USE PLAN CONSISTENCY STATEMENTS

Consistent: The proposed map amendment is consistent with the Buncombe County Land Use Plan and the associated Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update. The following information is relevant to the subject property:

- The subject property is directly accessed by New Salem Road which is maintained by the NCDOT and is located less than ½ mile from US 70 – an identified major transportation corridor.
- The subject property is located slightly outside of the combined water/sewer service area. While not served directly by public sewer, public water is available to the site.
- The subject property is located outside of areas identified as steep slope (greater than 25%).
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Inconsistent: The proposed map amendment is inconsistent with the Buncombe County Land Use Plan and the associated Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update. The following information is relevant to the subject property:

- The subject property is located outside of the combined water/sewer service area.

Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update identifies single-family/duplex development as “suggested” within combined water/sewer service areas. Therefore, the requested zoning would **not be reasonable and in the public interest**.