

RESOLUTION OF PLANNING BOARD RECOMMENDING THAT THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS AMEND THE TEXT OF CHAPTER 78 OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, ARTICLE VI, THE ZONING ORDINANCE OF BUNCOMBE COUNTY, AND STATEMENT OF CONSISTENCY

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, the provisions set forth in Division 8 (Amendments) of Article VI of the Buncombe County Code of Ordinances were met prior to the public hearing at which this recommendation was considered;

WHEREAS, pursuant 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 amendments are consistent or inconsistent with the Comprehensive Land Use Plan;

WHEREAS, the Buncombe County Planning Board reviewed the proposed amendments to the text of The Zoning Ordinance of Buncombe County, North Carolina, to modify §78-624, Appeals from decision of board of adjustment, to correct the reference to North Carolina General Statutes; modify §78-658(b), Off-street parking, *Minimum parking requirements*, to revise and update standards for off-street parking requirements; and modify §78-677(d), Procedure for obtaining a conditional use permit, *Development plan; submission; contents*, to add a requirement for a traffic impact analysis, at a public hearing held during the February 19, 2018 regular meeting of the Planning Board;

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which these amendments were considered have been properly mailed to members of the Planning Board at least ten (10) days prior to the meeting and public notice of the meeting has been properly published in a newspaper having general circulation in the County as required; and

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

NOW THEREFORE, BE IT RESOLVED, Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendments to the Zoning Ordinance of Buncombe County:

1. The proposed text amendments to modify §78-624, Appeals from decision of board of adjustment, to correct the reference to North Carolina General Statutes; modify

§78-658(b), Off-street parking, *Minimum parking requirements*, to revise and update standards for off-street parking requirements; and modify §78-677(d), Procedure for obtaining a conditional use permit, *Development plan; submission; contents*, to add a requirement for a traffic impact analysis, are consistent with the Buncombe County Comprehensive Land Use Plan and updates, as:

- The 2013 Update (Section 2. Plan Framework) indicates the following objectives: the expansion of existing land use policies and regulations to adjust for changes in land use patterns and demands; the implementation of new policies that address land use in an integrated and comprehensive manner; and the clarification of existing ambiguities in land use policies and regulations.
2. The proposed amendments to the text are reasonable and in the public interest as they would meet a number of objectives as identified in the Buncombe County Comprehensive Land Use Plan Update.
 3. This Planning Board hereby recommends that the Board of Commissioners amend Chapter 78 of the Buncombe County Code of Ordinances as follows:

Sec. 78-624. Appeals from decision of board of adjustment.

Appeals from the board of adjustment may be taken to the courts pursuant to G.S. 153A-345.1.

Sec. 78-658. Off-street parking.

(b) *Minimum parking requirements.* The required number of off-street parking spaces for each use shall be provided as specified in Table 3. For uses not covered in this table, the Zoning Administrator shall select the appropriate number of minimum parking spaces based on the American Planning Association Planning Advisory Service Report Number 432 (Off-Street Parking Requirements).

| <u>Table 3: Required Parking</u> | |
|---|---|
| <u>Land Use</u> | <u>Required Parking</u> |
| <u><i>Residential Uses</i></u> | |
| <u>Mobile/manufactured home</u> | <u>Two spaces for each mobile/manufactured home.</u> |
| <u>Mobile/manufactured home parks</u> | <u>Two spaces for each mobile/manufactured space.</u> |
| <u>Residential dwellings, single-family and multifamily</u> | <u>Two spaces for each dwelling unit.</u> |
| <u><i>Public and Semi-Public Uses</i></u> | |
| <u>Hospitals and clinics</u> | <u>One space for each two beds, plus one space for each staff or visiting doctor, plus one for each two</u> |

Table 3: Required Parking

| <u>Land Use</u> | <u>Required Parking</u> |
|--|---|
| | <u>employees on shift of greatest employment.</u> |
| <u>Funeral parlors</u> | <u>One space for each four seats in a chapel or parlor.</u> |
| <u>Churches, religious institutions and places of public assembly</u> | <u>One space for each four seats in the principal assembly room.</u> |
| <u>Recreational facilities</u> : : : : | <u>Two spaces for every tennis, squash, or racquet ball court; skating rink, one space per 200 square feet; swimming pool, one space per 140 square feet; health exercise facility, one space per 50 square feet.</u> |
| | <u>Golf or country club, two spaces per tee.</u> |
| | <u>Athletic fields, ten spaces per field.</u> |
| | <u>Pitch and putt courses, one space per 50 square feet; bowling establishment, three spaces per lane; billiard hall or pool hall two spaces per table; shooting ranges, one space per target area.</u> |
| | <u>Other places of recreation and assembly without fixed seats shall have one space for each 200 square feet of gross floor space.</u> |
| <u>Schools, elementary and middle schools</u> | <u>One space for each classroom and administrative office.</u> |
| <u>Schools, senior high</u> | <u>One space for each classroom and administrative office, plus one space for each 20 seats or one space for each 400 square feet of area used for public assembly.</u> |
| <u>Public buildings</u> | <u>One space for each 200 square feet of gross floor space.</u> |
| <u>Sanitariums, rest and convalescent homes for the aged and similar institutions</u> | <u>One space for each six patient beds, plus one space for each staff or visiting doctor, plus one space for each two employees on shift of greatest employment.</u> |
| <u>Business Uses</u> | |
| <u>Doctors' and dentists' offices</u> | <u>Five spaces per doctor or dentist.</u> |
| <u>Professional and business offices</u> | <u>One space for each 300 square feet of gross floor space.</u> |
| <u>Banks and other financial institutions</u> | <u>One space for each 150 square feet of gross floor space.</u> |
| <u>Retail stores and shops of all kinds, including barber and shoe and similar service outlets</u> | <u>One space for each 200 square feet of gross floor space.</u> |

Table 3: Required Parking

| <u>Land Use</u> | <u>Required Parking</u> |
|--|---|
| <u>Car sales, house and truck trailer sales, outdoor equipment and machinery sales, commercial nurseries</u> | <u>Four spaces for each salesperson, plus one space for each two employees.</u> |
| <u>Bed and breakfast inn</u> | <u>One space for each guest room, plus one additional space for each employee.</u> |
| <u>Hotels</u> | <u>One space for each two rooms, plus one additional space for each five employees.</u> |
| <u>Motels, tourist homes, and tourist courts, and rooming houses</u> | <u>One space for each accommodation, plus two additional spaces for employees.</u> |
| <u>Service stations</u> | <u>Two spaces for each gas pump, plus three spaces for each grease rack or similar facility.</u> |
| <u>Shopping centers</u> | <u>One space for each 300 square feet of gross floor space.</u> |
| <u>Restaurants</u> | <u>One space for each three seats or stools, plus one space for each two employees on the shift of the largest employment.</u> |
| <u>Day nursery and private kindergartens</u> | <u>One space for each staff member, plus one space for each five students.</u> |
| <u>Clubs and lodges</u> | <u>One space for each three members.</u> |
| <u>Vocational schools</u> | <u>One space for each two students.</u> |
| <u>Business and special schools</u> | <u>One space for each four students.</u> |
| <u>Nightclubs, bars and pubs</u> | <u>One space for each 200 square feet of gross floor area.</u> |
| <u>Animal hospitals and veterinarian clinics</u> | <u>One space for each 200 square feet of gross floor area.</u> |
| <u>Kennels</u> | <u>One space for each four pens.</u> |
| <u>Motor vehicle maintenance and repair</u> | <u>One space for each service bay and mechanic.</u> |
| <u>Indoor theaters</u> | <u>One space for each four seats.</u> |
| <u>Parcel delivery services</u> | <u>One space for each employee on the shift of maximum employment, plus one space for each 800 square feet of gross floor area.</u> |
| <u>Wholesale and Industrial Uses</u> | |
| <u>Wholesale and industrial uses</u> | <u>One space for each two employees at maximum employment on a single shift, plus one space for each company vehicle operating from the premises.</u> |

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|----------------------------------|-------------------------|
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|---|--|
| <u>Land Use</u> | <u>Required Parking</u> |
| <u>Residential Uses</u> | |
| <u>Residential dwellings, single-family and two-family</u> | <u>2 spaces per dwelling unit</u> |
| <u>Residential dwellings, multifamily</u> | <u>1.75 spaces per dwelling unit</u> |
| <u>Other Uses</u> | |
| <u>Animal hospitals and veterinarian clinics</u> | <u>1 space per 500 square feet of gross floor area</u> |
| <u>Banks and other financial institutions</u> | <u>1 space per 300 square feet of gross floor area, plus 4 stacking spaces per drive-up window or station</u> |
| <u>Bed and breakfast inn</u> | <u>1 space per guest room, plus 1 additional space per employee</u> |
| <u>Clubs and lodges</u> | <u>1 space per 300 square feet of gross floor area</u> |
| <u>Colleges and universities</u> | <u>1 space per 5 classroom seats, plus 1 space per 3 auditorium seats</u> |
| <u>Day nursery and private kindergartens</u> | <u>1 space per staff member, plus 1 space per 8 students</u> |
| <u>Funeral homes</u> | <u>1 space per 4 seats in a chapel or parlor</u> |
| <u>Health care facilities</u> | <u>1 space per 2 beds, plus 1 space per staff or visiting doctor, plus 1 space per 2 employees on shift of maximum employment</u> |
| <u>Hotels and motels</u> | <u>1 space per room, plus 1 additional space per 5 employees, plus specified requirements for restaurants, meeting rooms, and related facilities</u> |
| <u>Kennels</u> | <u>1 space per employee, plus 1 space per 1,000 square feet of gross floor area</u> |
| <u>Manufacturing and processing, storage and warehousing, wholesale sales</u> | <u>2 spaces per 3 employees at maximum employment on a single shift, plus 1 space per company vehicle operating from the premises</u> |
| <u>Medical clinics</u> | <u>1 space per 250 square feet of gross floor area</u> |

Table 3: Required Parking

| <u>Land Use</u> | <u>Required Parking</u> |
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| <u>Motor vehicles maintenance and repair</u> | <u>1 space per service bay, plus 1 space per 2 employees on shift of maximum employment (spaces at pumps are not considered parking spaces)</u> |
| <u>Motor vehicle sales, house and truck trailer sales, outdoor equipment and machinery sales</u> | <u>1 space per 2 employees, plus 1 space per 600 square feet of enclosed floor area, plus 1 space per 2,000 square feet of outside display area</u> |
| <u>Motor vehicle service stations</u> | <u>1 space per 350 square feet of gross floor area, plus 1 space per gas pump</u> |
| <u>Physical fitness centers</u> | <u>1 space per 200 square feet of gross floor area</u> |
| <u>Places of worship, religious institutions, and places of public assembly</u> | <u>1 space per 4 seats in the principal assembly room</u> |
| <u>Postal and parcel delivery services</u> | <u>1 space per employee on the shift of maximum employment, plus 1 space per 800 square feet of gross floor area</u> |
| <u>Professional and business offices</u> | <u>1 space per 300 square feet of gross floor area</u> |
| <u>Recreation, governmental and non-governmental</u> | <ul style="list-style-type: none"> • <u>Tennis, squash, or racquet ball, 2 spaces per court</u> • <u>Skating rink, 1 space per 200 square feet</u> • <u>Swimming pool, 1 space per 140 square feet of pool surface area, plus 1 space per employee on shift of maximum employment</u> • <u>Golf and miniature golf courses, 2 spaces per hole</u> • <u>Athletic fields, 10 spaces per field</u> • <u>Bowling establishment, 3 spaces per lane</u> • <u>Billiard or pool hall, 2 spaces per table</u> • <u>Shooting ranges, 1 space per target area</u> |
| <u>Repair services</u> | <u>1 space per 300 square feet of gross floor area</u> |
| <u>Restaurants, nightclubs, bars</u> | <u>1 space per 3 seats or stools, plus 1 space per 2 employees on the shift of the maximum employment, plus 4 stacking spaces per drive-through lane</u> |
| <u>Retail trade, commercial services</u> | <u>1 space per 300 square feet of gross floor area</u> |
| <u>Group homes</u> | <u>1 space per 6 patient beds, plus 1 space per 2 employees on shift of maximum employment</u> |
| <u>Schools, elementary and middle schools</u> | <u>1 space per employee, plus 1 space per 2 classrooms</u> |

| <u>Table 3: Required Parking</u> | |
|---|--|
| <u>Land Use</u> | <u>Required Parking</u> |
| <u>Schools, high</u> | <u>1 space per employee, plus 1 space per 8 students</u> |
| <u>Schools, vocational</u> | <u>1 space per 2 students</u> |
| <u>Storage facility, self-service</u> | <u>1 space per 100 units, plus 1 space per 2 employees</u> |
| <u>Theaters</u> | <u>1 space per 4 seats</u> |
| <u>Vacation rental complex or rooming house</u> | <u>1 space per 2 guest rooms</u> |

DIVISION 6. CONDITIONAL USES

Sec. 78-677. Procedure for obtaining a conditional use permit.

(d) *Development plan; submission; contents.* At least thirty (30) days prior to the date set for the public hearing, the applicant shall submit the application, one full sized copy of the development plan to a known scale, 11 copies of the development plan reduced to either 11" x 17" or 8.5" x 11", and a digital version of the development plan in pdf or other acceptable format to the zoning administrator. The development plan shall contain a map drawn to scale, with the date of preparation, and shall contain, where applicable, the following information:

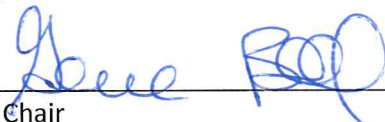
(12) For developments of more than 75 residential units, a traffic impact study meeting the guidelines for traffic impact studies provided in the North Carolina Department of Transportation's "Policy on Street and Driveway Access to North Carolina Highways."

(12)(13) Any additional information required by the board of adjustment in order to evaluate the impact of the proposed development. The zoning administrator or the board of adjustment may waive a particular requirement if, in its opinion, the inclusion is not essential to a proper decision of the project.

4. This resolution is approved by a vote of 5 to 2 and shall be effective upon its adoption.

This the 19th day of February, 2018.

BUNCOMBE COUNTY PLANNING BOARD

By: 
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

Billy Taylor



Debbie Truempy, Zoning Administrator

Approved as to form:



Brandon Freeman, Staff Attorney