

RESOLUTION OF PLANNING BOARD RECOMMENDATIONS TO THE BUNCOMBE COUNTY BOARD  
OF COMMISSIONERS ON APPLICATION FOR PROPOSED ZONING MAP AMENDMENTS

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WHEREAS, the Planning Board has reviewed General Assembly of North Carolina Session Law 2012-121 at their regular September 10, 2012 meeting and has determined that action is necessary in order to bring certain properties under the zoning jurisdiction of Buncombe County both as directed by the General Assembly and as opportunities have arisen; and

WHEREAS, at their regular September 10, 2012 meeting the Planning Board resolved to sponsor and initiate an amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to incorporate the parcels identified as follows:

Rezone tax lot PINs 9643-38-8413 (Pinner Road East of the intersection with Wright Brothers Way); 9643-48-6540 (Pinner Road West of the intersection with Hidden Creek Road); 9643-28-5196 (East of 74 Pinner Road); 9643-27-0951 (74 Pinner Road); 9643-37-0462 (Pinner Road Southwest of Wright Brothers Way); 9643-38-0006 (East of 70 Pinner Road); 9643-36-2924 (Riverview Drive East of 78 Pinner Road); and 9643-27-6465 (South of 70 Pinner Road), which are currently zoned Low-Density Residential (R-LD) to Public Service (PS);

Rezone the portions of tax lot PINS 9643-35-1731 (36 Brian Rick Lane); and 9643-37-3995 (at the intersection of Pinner Road and Wright Brothers Way), which are currently zoned Low-Density Residential (R-LD) to Public Service (PS) and incorporate the portions of these properties which are currently not zoned, into the Official Zoning Map of Buncombe County, to be zoned Public Service (PS);

Incorporate tax lot PINs 9643-70-9259 (1301 Fanning Bridge Road); 9643-52-1970 (61 Terminal Drive); 9643-55-9071 (231 Wright Brothers Way); 9643-36-0063 (Southeast end of Mountain View Drive); 9643-36-2031 (Southeast end of Mountain View Drive; 9643-36-1531 (East of 63 Mountain View Drive); 9643-62-1636 (162 Wright Brothers Way); 9643-36-2590 (Northeast end of Mountain View Drive); 9642-77-9868 (839 New Airport Road); 9643-54-7075 (40 Lindbergh Lane), which are currently not zoned, into the Official Zoning Map of Buncombe County, to be zoned Public Service (PS);

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this map amendment was considered have been properly mailed to members of the Planning Board, the 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; and

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 zoning change is consistent or inconsistent with the Comprehensive Land Use Plan; 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 map amendment and make recommendation to the Board of Commissioners for Buncombe County that the proposed map 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:

1. said zoning change is consistent with the Buncombe County Comprehensive Land Use Plan and Updates as the Buncombe County Comprehensive Land Use Plan Update suggested the implementation of a zoning district with flexibility for institutional uses and the PS Public Service District is a zoning district used to facilitate the development of institutional uses on public property;
2. that the property is under the ownership of the City of Asheville, the State of North Carolina, and the Asheville Regional Airport;
3. that the property comprises the Western North Carolina Agricultural Center and Fairgrounds and property affiliated with the Asheville Regional Airport;
4. that a portion of the property in question is not currently zoned and is located in the jurisdiction of Buncombe County due to the direction of North Carolina General Assembly Session Law 2012-121;
5. that a portion of the property in question is not appropriately zoned as it is currently zoned for residential instead of public use; and
6. 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 Official Zoning Map amendment to rezone the following properties from Low-Density Residential (R-LD) to Public Service (PS):
  - i. tax lot PINs 9643-38-8413 (Pinner Road East of the intersection with Wright Brothers Way); 9643-48-6540 (Pinner Road West of the intersection with Hidden Creek Road); 9643-28-5196 (East of 74 Pinner

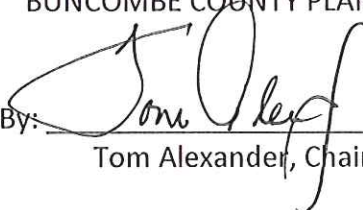
Road); 9643-27-0951 (74 Pinner Road); 9643-37-0462 (Pinner Road Southwest of Wright Brothers Way); 9643-38-0006 (East of 70 Pinner Road); 9643-36-2924 (Riverview Drive East of 78 Pinner Road); and 9643-27-6465 (South of 70 Pinner Road);

2. That the Board of Commissioners approve this Official Zoning Map amendment to rezone the portions of the following properties which are currently zoned Low Density Residential (R-LD) to Public Service (PS) and to incorporate the portions of these properties which are not currently zoned into the Official Zoning Map to be zoned Public Service (PS):
  - i. tax lot PINS 9643-35-1731 (36 Brian Rick Lane); and 9643-37-3995 (at the intersection of Pinner Road and Wright Brothers Way); and
3. That the Board of Commissioners approve this Official Zoning Map amendment to incorporate the following properties into the Official Zoning Map to be zoned Public Service (PS):
  - i. tax lot PINs 9643-70-9259 (1301 Fanning Bridge Road); 9643-52-1970 (61 Terminal Drive); 9643-55-9071 (231 Wright Brothers Way); 9643-36-0063 (Southeast end of Mountain View Drive); 9643-36-2031 (Southeast end of Mountain View Drive); 9643-36-1531 (East of 63 Mountain View Drive); 9643-62-1636 (162 Wright Brothers Way); 9643-36-2590 (Northeast end of Mountain View Drive); 9642-77-9868 (839 New Airport Road); 9643-54-7075 (40 Lindbergh Lane).

Adopted by a vote of 8 to 0.

This the 1<sup>st</sup> day of October, 2012.

BUNCOMBE COUNTY PLANNING BOARD

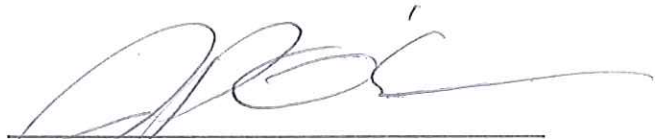
By:   
Tom Alexander, Chairman

Consented to:

Planning Board Members:

Jim Young  
Bernie Kessel  
Joe Sechler (absent)  
Josh Holmes  
Bud Sales  
Tom Alexander

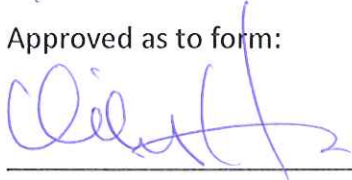
Michelle Wood  
Greg Phillips  
Catherine Martin



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Josh O'Conner, Zoning Administrator

Approved as to form:



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Michael C. Frue, County Attorney