

RESOLUTION # _____

**RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING THE
PROPOSED AMENDMENT TO CHAPTER 78, BUNCOMBE COUNTY CODE OF ORDINANCES,
THE ZONING ORDINANCE OF BUNCOMBE COUNTY**

- WHEREAS, the Board of Commissioners previously adopted a Comprehensive Land Use Plan for Buncombe County and updates thereto which serve as the foundation for land planning and growth management in the County; and
- WHEREAS, on August 18, 2009, the Board of Commissioners referred the text and maps for the proposed Amendment to Chapter 78, Buncombe County Code of Ordinances, The Zoning Ordinance of Buncombe County, to the Limestone Community Council, the Beaverdam Community Council, and the Buncombe County Planning Board for review and consideration on whether the proposed amendment is consistent with the comprehensive plan; and
- WHEREAS, based on a review of the text and maps associated with the proposed amendment and discussions by the voting members, each council and board found that the proposed amendment is consistent with the Buncombe County Comprehensive Land Use Plan and further recommended that the Board of Commissioners adopt the proposed amendment; and
- WHEREAS, after receiving written recommendations from the community councils and Buncombe County Planning Board at their October 6 meeting, the Board of Commissioners set a public hearing for November 17, 2009, to consider the text and maps associated with the proposed amendment; and
- WHEREAS, the Board has reviewed and considered the above written recommendations and has held a public hearing on the proposed amendment, and the Board desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the Buncombe County Comprehensive Land Use Plan and updates and why the Board considers the proposed amendment to be reasonable and in the public interest.
- NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That this Board finds and determines that the adoption of the text and maps of the proposed Amendment to Chapter 78, Buncombe County Code of Ordinances, The Zoning Ordinance of Buncombe County, is consistent with recommendations in the Buncombe County Land Use Plan and updates thereto, including recommendations to:
 - (a) Apply detailed land use regulations within the district and service area of the Metropolitan Sewerage District (MSD) in a manner similar to districts utilized in the Limestone Township Zoning Ordinance;
 - (b) Apply a mixed-use zoning district outside of the MSD district and service area that regulates only those uses that are often considered undesirable and incompatible with other surrounding land uses;
 - (c) Concentrate commercial, industrial, and multifamily developments along major corridors with an adequate transportation network and availability of water and sewer;

- (d) Establish concentrated development in existing and emerging commercial centers, allowing surrounding areas to be preserved in a relatively rural state or developed at lower densities;
 - (e) Protect steep slopes and ridgelines in the county and establish elevation overlay districts that limit development in those sensitive areas; and
 - (f) Apply the Beaverdam Land Use Ordinance standards to the Beaverdam Valley as it has been defined since January 1, 1982.
2. That in addition to the reasons stated above, this Board finds and determines that it is reasonable and in the public interest to adopt the proposed amendment in order to:
- (a) promote public health, safety, and the general welfare of the citizens and residents of Buncombe County by ensuring that adequate provisions are made for fire protection, water and sewer availability, schools, parks, roads and highways, and other public requirements and infrastructure needs;
 - (b) give reasonable consideration to the character of the community and suitability for particular uses;
 - (c) provide regulations that will help protect and preserve rural communities and agricultural land, as well as Buncombe County's scenic beauty, natural resources, parks, and open spaces;
 - (d) regulate the type of development that is allowed and the density of development in order to protect environmentally sensitive areas such as steep slopes, fragile soils, and floodplains;
 - (e) set forth restrictions on land uses which could have significant impacts on communities;
 - (f) provide regulations that will implement sound comprehensive planning policies to help ensure orderly growth and development;
 - (g) sets forth reasonable processes for development that are efficient and necessary to protect public interests; and
 - (h) create economic opportunities through organized development patterns.

Adopted this _____ day of _____, 2009.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk to the Board

BY:

David Gantt, Chairman

APPROVED AS TO FORM:

Michael C. Frue, County Attorney