

ORDINANCE NO. _____

ORDINANCE AMENDING THE TEXT OF CHAPTER 70, SUBDIVISIONS, OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT AND SUBDIVISION ORDINANCE OF BUNCOMBE COUNTY

WHEREAS, pursuant to N.C. Gen. Statutes § 153A-323, Procedure for adopting, amending, or repealing ordinances under this Article and Chapter 160A, Article 19 as well as Chapter 70, Section 70-11 of the Land Development and Subdivision Ordinance of the Buncombe County Code of Ordinances, the Board of Commissioners may amend the Subdivision Ordinance after holding a public hearing and after the Buncombe County Planning Board has reviewed and made a recommendation on the amendments; and

WHEREAS, the Buncombe County Planning Board reviewed the proposed text amendment to the Buncombe County Land Development & Subdivision Ordinance, *Sec. 70-66 (m) Traffic impact study*, to revise traffic impact standards to align with the standards within the Buncombe County Zoning Ordinance and a duly advertised public hearing was held by the Planning Board on September 9, 2019; and

WHEREAS, the Planning Board recommended in a vote of **8 to 0** on September 9, 2019 that the Board of Commissioners approve the proposed amendments to modify the Buncombe County Land Development & Subdivision Ordinance, *Sec. 70-66 (m) Traffic impact study*, to revise traffic impact standards to align with the standards within the Buncombe County Zoning Ordinance; and

WHEREAS, this Board has reviewed this written recommendation of the Buncombe County Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Chapter 70, Section 70-11 of the Buncombe County Code of Ordinances, the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. That this Board does hereby approve the following amendments to Chapter 70 of the Buncombe County Code of Ordinances as follows:

Sec. 70-66. General requirements.

(m) Traffic impact study. A traffic impact study shall be submitted for subdivisions with ~~300~~ 75 lots or more. Multi-phase subdivisions shall be required to submit a traffic impact study when the total number

of lots of all phases is greater than 75 lots. Said study shall meet 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." ~~No major subdivisions of 300 75 lots or more shall be approved~~ that would generate a decrease in service to a level D or lower as defined by the Highway Capacity Manual (HCM) and the AASHTO Geometric Design of Highways and Streets shall be required to submit an approved NCDOT driveway permit or an approved driveway permit from the controlling municipality with submittal for preliminary approval.

Section 3. That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict.

Section 4. This ordinance is effective upon adoption.

Read, approved and adopted this 15th day of October, 2019.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

BY _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney