

**BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
SUBDIVISION ORDINANCE AMENDMENT ANALYSIS**

**CASE NUMBER:** SUB2019-00478  
**PROPOSED TEXT CHANGE:** Clarification and revisions to special and family subdivisions  
**PLANNING STAFF RECOMMENDATION:** Approval  
**PLANNING BOARD RECOMMENDATION:** Approval

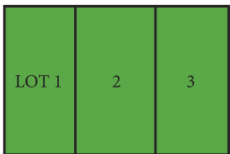
**SUMMARY:** Based on discussions with surveyors (who submit plats for review by the County), and staff review of recent special and family subdivision plats that have been submitted and approved recently; staff is proposing a clarification to the requirements of special subdivisions and revisions to the requirements of family subdivisions.

**HISTORY:** In 2017 revisions were made to the Buncombe County Land Development and Subdivision Ordinance that amended the following:

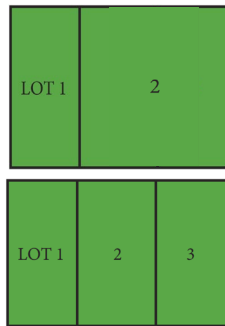
- A standard was added to special subdivisions that required any further subdivision of the three (3) lot requirement into an additional lot (within a 3 year time period) would trigger a minor subdivision and be held to those subdivision standards.
- Family subdivisions were added as a subdivision type to the Ordinance. These subdivisions allowed the subdivision and transfer of land to family members with certain limitations.

**PROPOSED LANGUAGE:** The proposed text amendment would amend the following within the Buncombe County Land Development and Subdivision Ordinance:

- **Clarification regarding when the three (3) year time limitation on special subdivisions is triggered.** The proposed language would clarify that the 3-year time limitation on special subdivision does not begin until the plat creating 3 total lots has been recorded.
  - Currently a developer may subdivide up to three (3) lots without any additional requirements (such as road construction) be met. There is a limitation that any further subdivision of those 3 lots within a 3 year period must meet the requirements for a minor subdivision.



- The proposed language clarifies that a two (2) lot special subdivision may be further subdivided to result in a 3 lot subdivision without having to meet the requirements for a minor subdivision.



- **Revision to requirements of family subdivisions so that they are utilized for their intended purpose and not for development of subdivisions with the intent for sale.** The proposed language would revise the requirements for family subdivision, limiting them to five (5) lots total. The five (5) lots would include lots for sale and those being transferred to family members. Current regulations allow a family subdivision to develop five (5) lots for family members plus three (3) additional lots for sale. This allowed applicants to avoid the subdivision development process and specific standards (such as road construction). The amendment would allow the division of 5 or fewer lots to be conveyed to a linear relative within the 2<sup>nd</sup> degree of kinship or closer, however a maximum of three (3) out of five (5) lots may be for sale, and the two (2) remaining must be transferred to family members.

Current Regulations



Proposed Regulations

