

CASE NUMBER: ZPH2019-00054

A. PROPERTY INFORMATION	B. REZONING REQUEST
<p>Owner(s): Freedom In Christ, Inc. PIN(s): 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943 Addresses: 323 High Top Mountain Road, Holcombe Cove Road, Propst Road</p>	<p>Applicant / Agent: Peter Radchishin Existing Zoning: R-3 / R-LD / OU Proposed Zoning: CR Conference Center / Resort District</p>
C. PUBLIC NOTICE	D. RECOMMENDATION
<p>PB Notice in AVL Citizen Times legal ad: 12/20/19 PB Notice mailed to owners within 1,000 ft: 12/20/19 PB Physical posting: 12/20/19 PB Notice on BC Website: 12/20/19 PB Hearing: 1/6/20 BOC Notice in AVL Citizen Times legal ad: 1/24/2020 & 1/31/2020 BOC Notice mailed to owners within 1,000 ft: 1/22/2020 BOC Physical posting: 1/23/2020 BOC Notice on BC Website: 1/22/2020 BOC Hearing: 2/4/20</p>	<p>APPROVAL (see Sections J & K, below)</p>
E. SUMMARY OF REQUEST	
<p>Applicant requests to rezone four (4) parcels of land from R-3 / R-LD / OU to CR. Total acreage: 222.5 acres.</p>	

F. COMPARISON OF ZONING ORDINANCE DISTRICT STATEMENT OF INTENT
<p>Existing District: <i>Residential District (R-3).</i> The R-3 Residential District is primarily intended to provide locations for a variety of residential development depending upon the availability of public water and sewer services. Some areas within the R-3 Residential District will have no public water and sewer services available and will thus be suitable primarily for single-family residential units on individual lots and mobile homes on individual lots. Other areas within the district will have public water and/or sewer service available and will thus be suitable for higher density uses such as multifamily residential units, planned unit developments, and mobile home parks. The R-3 district also provides for various recreational, community service and educational uses that will complement the residential development.</p>
<p>Existing District: <i>Low-Density Residential District (R-LD).</i> The R-LD Low-Density Residential District is primarily intended to provide locations for low-density residential and related-type development in areas where topographic or other constraints preclude intense urban development. These areas are not likely to have public water and sewer services available, and the minimum required lot area will be one acre unless additional land area is required for adequate sewage disposal. These are environmentally sensitive areas that are characterized by one or more of the following conditions: steep slopes, fragile soils, or flooding.</p>

Existing District: Open Use District (OU). The OU Open Use District is established as a district in which all uses are allowed by right, except for certain uses that are regulated as conditional uses so as to ensure that neighborhood impact is mitigated. Additionally, those uses which are specific to the Airport Industry District (AI) are excluded from the OU Open Use District. The neighborhood impact from conditional uses will be mitigated through the use of minimum specific site standards combined with general standards which provide the flexibility to impose a higher level of specific site standards dependent upon the degree of neighborhood impact. No zoning permit shall be required for permitted uses in the OU Open Use District.

Proposed District: Conference Center/Resort District (CR). The CR Conference Center/Resort District is intended to be a district that includes, but is not limited to large tourist-related facilities, summer/day camp properties, and conference centers held in single ownership or held collectively by related entities. Facilities within this district may include housing, hotels, retail shops, religious or secular retreats, and associated accessory uses. Such uses should currently have public water and sewer services available or have a provision for internal supply of appropriate utilities.

G. SPOT ZONING ANALYSIS

Given size of the proposed CR zoning district, Staff has no concerns with spot zoning.

See attached map for comparison of existing and proposed zoning boundaries.

H. COMPREHENSIVE LAND USE PLAN CONSISTENCY (See Figure 20 on page 4)

1. LAND USE PLAN RECOMMENDATIONS: The following is an analysis of the rezoning proposal in context of the *Buncombe County Comprehensive Land Use Plan 2013 Update*:

The following pages present the relevant recommendations of the *Buncombe County Comprehensive Land Use Plan 2013 Update*.

BUNCOMBE COUNTY COMPREHENSIVE LAND USE PLAN 2013		SECTION 6: ISSUES AND RECOMMENDATIONS					
— Not Required ☺ Suggested ★ Highly Suggested	Reasonable proximity to major transportation corridors	Reasonable proximity to infrastructure (combined water/sewer service area)	Outside of steep slope areas (25% +)	Outside of high elevations (2500 +)	Outside of moderate and high slope stability hazards	Outside of flood hazard areas	Separation from low-density residential uses
RESIDENTIAL							
Low-Density Residential	—	—	—	—	—	★	N/A
Single-Family/Duplex	☺	☺	☺	☺	★	★	N/A
Multi-Family	★	★	☺	☺	★	★	☺
PLANNED COMMUNITY OR DEVELOPMENT							
Mixed Use Development	★	★	★	★	★	☺	☺
Infill/ Higher Density	☺	★	★	★	★	★	—
Large Lot/Lower Density	☺	☺	☺	☺	★	★	N/A
Commercial/Industrial	★	★	★	★	★	★	★
RECREATIONAL							
Resort	☺	☺	☺	☺	☺	★	—
Conference Centers	☺	☺	☺	☺	☺	★	—
Outdoor Recreation	—	—	—	—	—	☺	★
OTHER							
Institutional	★	★	★	★	★	☺	☺
Public Service	★	★	★	★	★	☺	☺
COMMERCIAL							
Neighborhood-Scale Commercial	☺	☺	★	★	★	☺	☺
Moderate Commercial	★	★	★	★	★	☺	★
Intense Commercial	★	★	★	★	★	☺	★
INDUSTRIAL							
Manufacturing	★	★	★	★	★	☺	☺
Mining/Extracting/Refining	★	★	★	★	★	☺	★
Other Intense Uses	☺	☺	★	★	★	☺	★

Figure 20. Appropriate Development Types





Zoning Enhancements

As the Comprehensive Land Use Plan is the basis for land use regulation in the form of zoning, it is imperative that the Plan Update evaluate the successes and shortcomings of our current zoning regulations, especially given their relatively recent application County-wide. The below issues and opportunities deal specifically with the development of additional districts, and incorporate recommendations for both those districts which may be currently relevant (though not yet addressed in the Zoning Ordinance) and those which may become necessary in the coming years.

Due to recent legislation enacted by the North Carolina General Assembly, additional areas have come under the zoning jurisdiction of Buncombe County. Especially where these areas were previously zoned by municipalities, it is important to continue to provide similar detailed zoning in these areas. Though some of these areas may fall outside of the Primary MSD District Boundary, continuity in expectations and regulation should be provided. Also, as previously mentioned, with the consolidation of local water and sewer infrastructure development under one authority, we expect that these service district boundaries may be modified in the near future.

Resort District

 **Issue:** Buncombe County is situated in a unique natural environment which makes it attractive to resorts (including seasonal camps) as well as large scale conference centers and recreation facilities. Current land use policies do not address the unique characteristics of large-scale resort and conference center type facilities. The disjunction between the current zoning designations of these facilities imposes limitations on expansions and improvements. In addition, the current land use policies fail to adequately accommodate the uses which occur on these facilities as well as the unique patterns of development.

 **Recommendation:** A Resort/Conference Center Zoning District should be developed in order to accommodate large-scale resort, retreat, or conference facilities. This District should be targeted toward those facilities which are 100 acres and more (referring to the total collection of adjacent properties) and managed through a common entity. The District should account for the unique needs of conference centers and resorts providing flexibility while still ensuring the protection of surrounding residential properties.

Key Points and Elements:

- Many of our current conference centers are zoned inappropriately (i.e. residential dwellings).
- While the Public Service District could be applied to such facilities, it does not provide the necessary distinction between an institutional-type use and a resort/conference center type use.
- The current zoning districts have created difficulties in addressing the needs of expansions for our current conference centers and resorts.

I. NEIGHBORHOOD CONSISTENCY
<p>1. CURRENT DEVELOPMENT TYPES: The subject parcel is currently undeveloped.</p>
<p>2. ALLOWED DEVELOPMENT TYPES AFTER CHANGE: See Zoning Ordinance Excerpt, attached.</p>
<p>3. ALLOWABLE DENSITY / DIMENSIONAL STANDARDS AFTER CHANGE: See Zoning Ordinance Excerpt, attached. Note that the 2013 Land Use Plan Update references 100 acres as the minimum, recommended area for a CR zoning district.</p>
<p>4. NEIGHBORHOOD CONSISTENCY: The subject parcel is currently vacant. It abuts undeveloped or lightly developed lands to the west, north, and east. It abuts low density residential uses to the south.</p>

J. STAFF RECOMMENDATION COMMENTS:

The CR Zoning District was created as a result of the “Resort District” recommendations of the 2013 Land Use Plan Update. The proposed rezoning, in terms of its size and geographic situation, is consistent with the “Resort District” recommendations of the 2013 Land Use Plan Update. Staff recommends approval as presented.

K. PLANNING BOARD RECOMMENDATION

1. PLANNING BOARD RECOMMENDATION:

The Buncombe County Planning Board considered the proposed rezoning on January 6, 2020 and unanimously recommended approval as presented by a vote of 7-0.

2. CONSISTENCY STATEMENT: See draft consistency statement, attached.

3. RESOLUTION: See draft approval Ordinance & denial Resolution, attached.

L. ATTACHMENTS

Zoning Ordinance Allowable Use Table

Project Maps

Application Materials

Draft Land Use Plan Consistency Statement (Consistent)

Draft Ordinance to Approve

Draft Land Use Consistency Statement (Inconsistent)

Draft Resolution to Deny

Chapter 78, Code of Ordinances, Buncombe County

The Zoning Ordinance of Buncombe County, North Carolina



- EXCERPT -

Initially Adopted December 1,

2009 As Amended April 2, 2018

Sec. 78-641. Permitted uses.

(a) *Permitted use table.* Uses are permitted in the various zoning districts pursuant to Table 1.

Table 1 – Permitted Use Table												
Uses	P = Permitted C = Allowed as Conditional Use SR = Permitted with Special Requirements Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Single-family residential dwelling, including modular	P	P	P	P	P	P	P	P	P		P	P
Two residential dwelling units (attached or detached)	P	P	P	P	P	P	P	P	P			P
Community oriented developments		P	P	P	P	P	P	P	P			
Multifamily residential dwelling units (no more than eight units in no more than four buildings)			P	P	P	P	P	P	P			P
HUD-labeled manufactured homes-Residential	P	SR	SR	P			P				SR	P

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	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Manufactured home parks (8 units or fewer)				P								P
Manufactured home parks (more than 8 units)				C								P
Planned unit developments, level I		C	C	C	C	C	C	C	C			C
Planned unit developments, level II						C	C	C	C	C		C
Subdivisions	P	P	P	P	P	P	P	P	P	P	P	P
Subdivisions, alternative path hillside development	P	P	P	P	P	P	P	P	P			P
Subdivisions, conservation development	P	P	P	P	P	P	P	P	P			P
Accessory buildings	P	P	P	P	P	P	P	P	P	P	P	P
Adult Entertainment Establishments						C	C					C
Airports										C		
Amusement Parks						C	C	C	C			C
Animal hospitals and veterinarian clinics					P	P	P			P		P
Asphalt Plants							C					C
Aviation-related services and facilities										P		
Banks and other financial institutions					P	P	P	P	P	P		P
Bed and breakfast inns (10 occupants or	SR		SR	P	P	P	P	P	P			P

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	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
less)												
Bed and breakfast inns (more than 10 occupants)	C		C	P	P	P	P	P	P			P
Cargo/freight terminals, operations and activities						P	P			P		P
Cemetery	P		P	P		P		P	P			P
Chip Mills												C
Places of worship Church	P	P	P	P	P	P	P	P	P		P	P
Clubs or lodges				P	P	P	P	P	P	P		P
Concrete Plants							C					C
Day nursery and private kindergarten (up to 8 students)	SR	SR	SR	SR	P	P	P	P	P	P		P
Day nursery and private kindergarten (more than 8 students)			C	C	P	P	P	P	P	P		P
Family care home	P	P	P	P				P	P		P	P
Funeral homes						P	P	P	P			P
Government protective services			P	P	P	P	P	P	P	P		P
Greenhouses, commercial (nursery, lawn and garden products)					P	P	P	P	P	P		P
Group homes			C	P	P	P	P	P	P			P
Hazardous Waste Facilities												C

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	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Health care facilities			C	C		P	P	P	P			P
Home occupations	P	P	P	P	P	P	P	P	P		P	P
Hotels and motels						P	P	P	P	P		P
Incinerators												C
Junkyards							C					C
Kennels				C	P	P	P			P		P
Laundry and dry cleaning services					P	P	P	P	P	P		P
Libraries			P	P	P	P	P	P	P			P
Manufacturing and processing operations						P	P			P		P
Medical Clinics				C	P	P	P	P	P	P		P
Mining and Extraction Operations							C					C
Motor Sport Facilities												C
Motor vehicles maintenance and repair					C	P	P	P	P	P		P
Motor vehicles impoundment lot or tow yard						SR	SR	SR				SR
Motor vehicles sales and rental						P	P			P		P
Motor vehicles service stations (fueling stations)					P	P	P	P	P	P		P
National Guard and Reserve Armories						P	P	P		P		P
Nightclubs, bars and					P	P	P		P	P		P

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	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
pubs												
Personal Landing Strips				C		C	C	C	C	C		C
Physical fitness centers				C	P	P	P	P	P	P		P
Postal and parcel delivery services					P	P	P	P	P	P		P
Printing and lithography						P	P			P		P
Professional and business offices and services					P	P	P	P	P	P		P
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)	P	P	P	P	P	P	P	P	P	P	P	P
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (2 acres or greater in total footprint)	C	C	C	C	C	C	C	C	C	C	C	C
Public utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)	C	C	C	C	P	P	P	P	P	P	C	P
Public utility stations and substations, pumping stations, water and sewer	C	C	C	C	C	C	C	C	C	C	C	C

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Uses	P = Permitted C = Allowed as Conditional Use SR = Permitted with Special Requirements Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
plants, water storage tanks (2 acres or greater in total footprint)												
Radio, TV and telecommunications towers	C			C		C	C	C	C	P		P
Recreation use, governmental	P	P	P	P	P	P	P	P	P	P	P	P
Recreation use, non-governmental	C	C	C	C	C	P	P	P	P	P	C	P
Repair services (electrical and appliances)					P	P	P			P		P
Restaurants, eating establishments and cafés					P	P	P	P	P	P		P
Retail trade, commercial services, sales and rental of merchandise and equipment (inside building with no outside sales storage)					P	P	P	C	P	P		P
Retail trade, commercial services, sales and rental of merchandise and equipment						P	P		P	P		P
Rooming house			C	P	P	P	P	P	P			P
Schools, public and private			C	C	C	P		P	P			P
Schools--Vocational, business and special schools						P	P	P	P	P		P

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	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Shooting Ranges – Outdoor Commercial									C			C
Slaughtering Plants												C
Solid Waste Facilities – Landfills, Transfer Stations, Materials Recovery							C	C		C		C
Storage and warehousing						P	P	P	P	P		P
Theaters						P		P	P			P
Travel trailers (no more than 180 days per calendar year)				P				P	P			P
Travel trailer parks				C				SR	SR			SR
Vacation rentals	P	P	P	P	P	P	P	P	P		P	P
Vacation rental complex				C	C	C	C	C	C		C	C
Wholesale sales						P	P		C	P		P

(b) *Uses governed by other ordinances.* The following uses may be allowed but also will be governed by the specified ordinances adopted by the board of commissioners:

- (1) Adult entertainment establishments: Subject to compliance with section 14-121 et seq. of this Code, as may be amended;
- (2) Communication towers: Subject to compliance with chapter 72 of this Code, as may be amended;
- (3) Junkyards: Subject to compliance with chapter 26, article III of this Code, as may be amended;
- (4) Manufactured home parks: Subject to compliance with chapter 46, article III, of this Code, as may be amended;

- (5) Off-premise signs: Subject to compliance with chapter 78, article V, of this Code, as may be amended.
- (6) Subdivisions: Subject to compliance with chapter 70 of this Code, as may be amended.

Sec. 78-642. Dimensional requirements.

The dimensional requirements for structures and land in the various zoning districts shall be in accordance with Table 2.

Table 2. Dimensional Requirements										
Districts	Minimum Lot Size 1,2,4,5 (Square Feet)	Density ^{2,4}		Minimum Yard Setback Requirements in Feet ^{3,4}						Maximum Height (Feet)
		Minimum Land Area Per Dwelling Unit (multiple units on a single lot) (square feet)	Maximum Number Dwelling Units Per Acre	Front Yard Public Sewer	Side Yard Public Sewer	Rear Yard Public Sewer	Front Yard	Side Yard	Rear Yard	
R-LD Residential	43,560	No more than 2 units per lot	2 (no more than 2 units per lot)	10	10	20	10	10	20	35
R-1 Residential	30,000 (no public sewer) 12,000 (public sewer no public water) 8,000 (public water and sewer)	No more than 2 units per lot	10 (no more than 2 units per lot)	10	7	15	20	10	20	35
R-2 Residential	30,000 (no public sewer) 10,000 (public sewer no public water) 6,000 (public water and sewer)	Minimum lot size shown in column two plus 0 for first additional unit Plus: 3,600 for each additional unit	12	10	7	15	20	10	20	35
R-3 Residential	Same as R-2	Same as R-2	12	10	7	15	20	10	20	35
NS Neighborhood Service	30,000 (no public sewer) 10,000 (public sewer no public water)	Minimum lot size shown in column two plus 0 for first additional unit Plus: 3,600 for	12	10	7	15	20	10	20	35

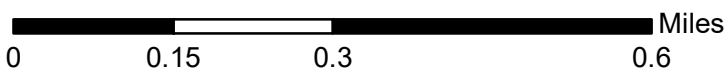
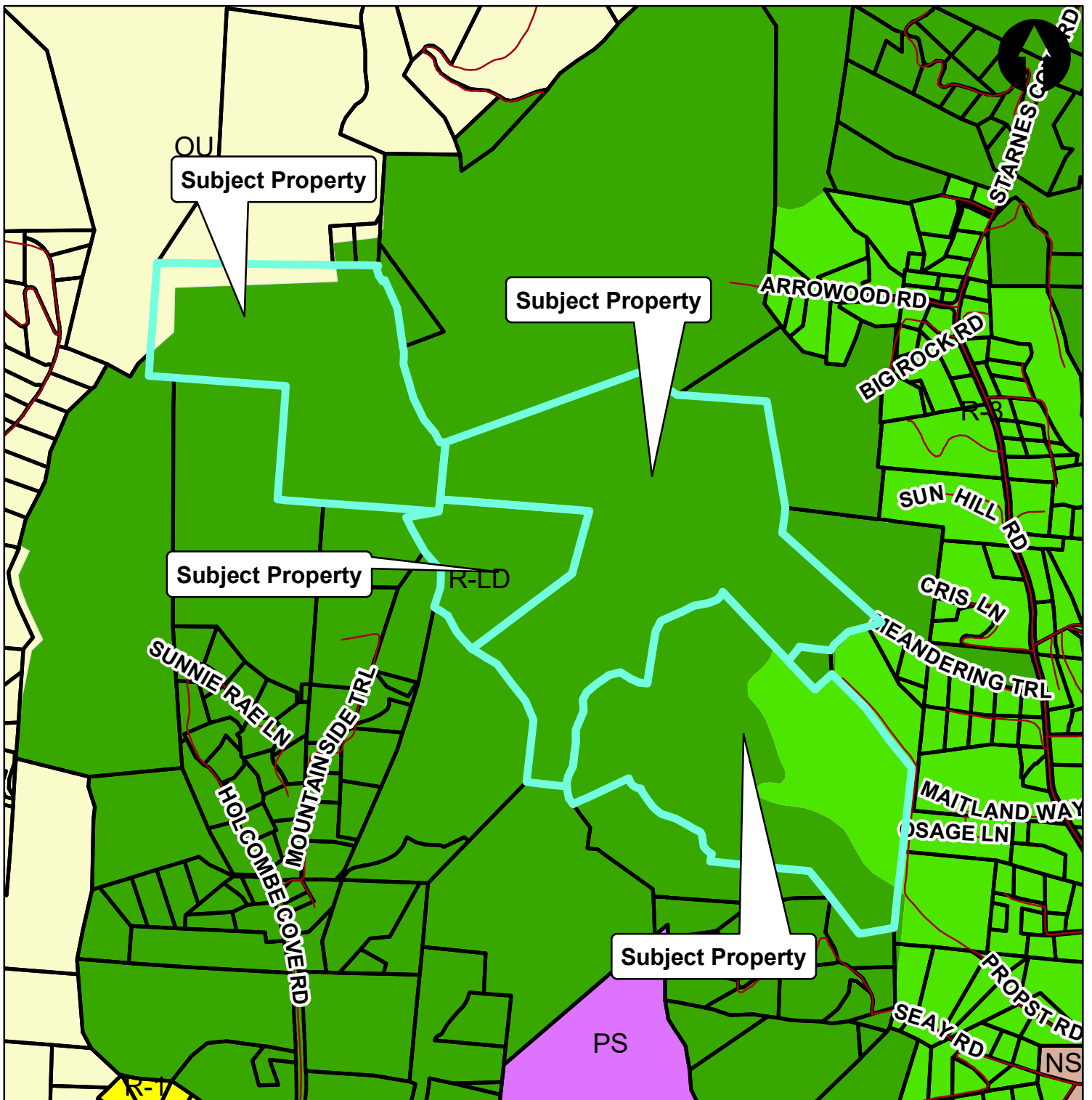
Table 2. Dimensional Requirements

Districts	Minimum Lot Size 1,2,4,5 (Square Feet)	Density ^{2,4}		Minimum Yard Setback Requirements in Feet ^{3,4}						Maximum Height (Feet)
		Minimum Land Area Per Dwelling Unit (multiple units on a single lot) (square feet)	Maximum Number Dwelling Units Per Acre	Front Yard Public Sewer	Side Yard Public Sewer	Rear Yard Public Sewer	Front Yard	Side Yard	Rear Yard	
	5,000 (public water and sewer)	each additional unit								
CS Commercial Service	Same as NS	Same as NS	12	10	10	10	10	10	10	50
EMP Employment	Same as NS	Same as NS	12	20	10	20	20	10	20	90
CR Conference Center/Resort	30,000 (no public sewer) 12,000 (public sewer no public water) 8,000 (public water and sewer)	Minimum lot size shown in column two plus 0 for first additional unit Plus: 3,500 for each additional unit	12	20	10	20	20	10	20	50 (plus 1ft additional for each additional 5 feet of setback from all property lines up to 100ft total).
PS Public Service	Same as NS	Same as NS	12	20	10	20	20	10	20	50
AI Airport Industry	Same as NS	NA	NA	20	10	20	20	10	20	50
BDM Beaverdam	See Footnote 6 and 8	See Footnote 6 and 8 No more than 1 unit per lot	See Footnote 6 and 8 No more than 1 unit per lot	See Footnote 7 and 8	15	25	See Footnote 7 and 8	15	25	35
OU Open Use	No dimensional requirements except as applied to conditional uses.									

Footnote 1--The minimum land area for lots not served by public water and/or sewer shall be subject to approval by the county health department to ensure the proper operation of septic tanks and wells. In no case shall minimum lot areas be less than those specified in this table.

Footnote 2--The minimum land area shall be calculated based on that portion of the lot which is under control of and deeded to the property owner, exclusive of road rights-of-way.

Footnote 3—All above ground portions of the structure, including but not limited to decks, stairs, overhangs which extend 24 inches or greater outside of the footprint of the structure, and other attached heated or unheated spaces must meet the dimensional requirements as set forth in this Chapter. Any structure abutting two or more highways, roads, or streets shall maintain minimum “front yard” setbacks on any side of the structure which abuts a street, road, or highway in accordance with the provisions of the district in which the property is situated. The location of the primary entrance of the structure, as determined by the Zoning Administrator, shall be considered the front, and shall also maintain minimum “front yard” setbacks.



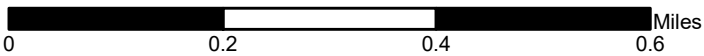
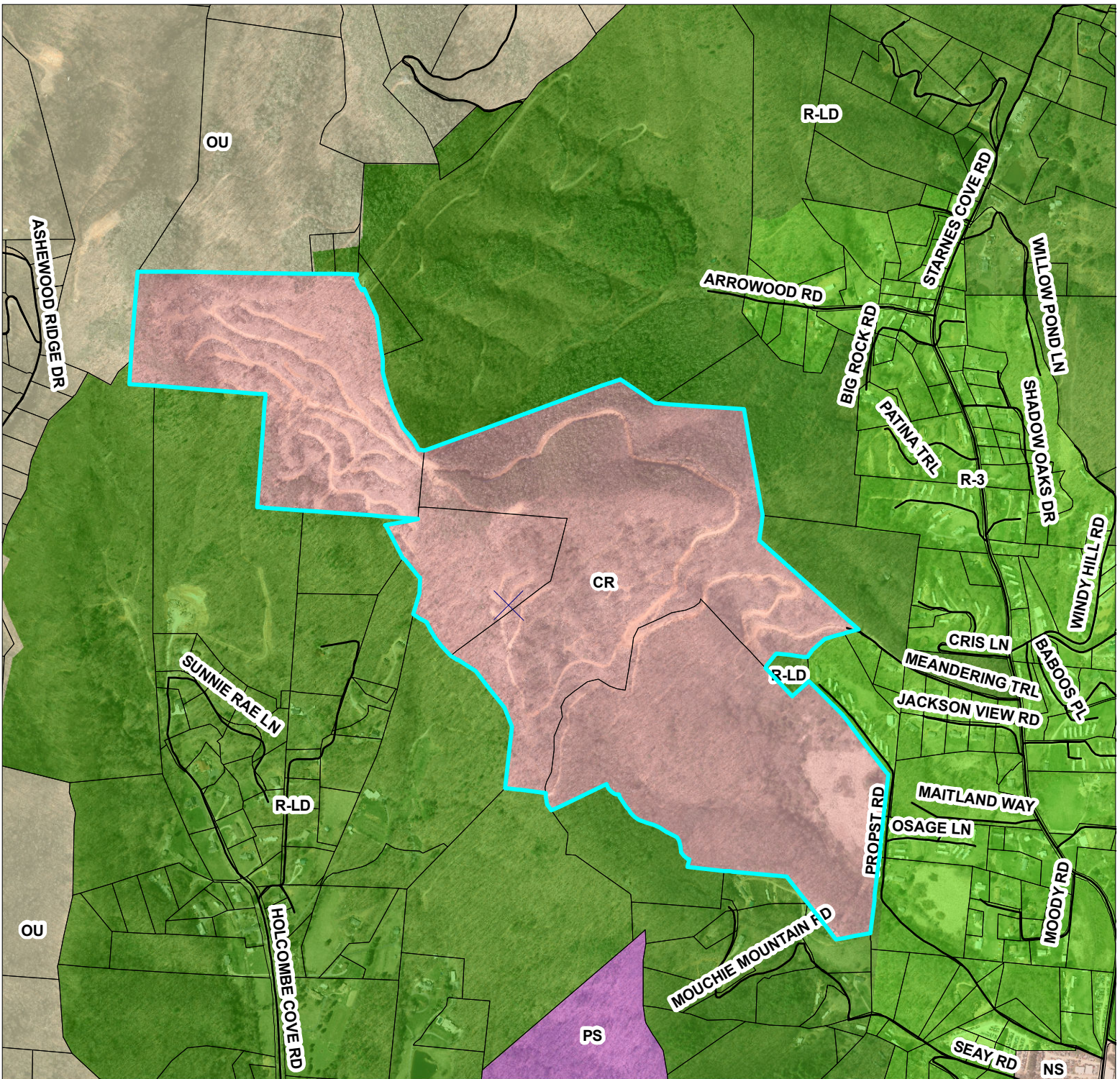
Blue	AI	Light Blue	EMP	Yellow	R-1
Light Blue	BDM	Brown	NS	Light Green	R-2
Pink	CR	Light Yellow	OU	Green	R-3
Red	CS	Purple	PS	Dark Green	R-LD

Mission Map Amendment

Case Number: ZPH2019-00054
 PIN Number: 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943
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 Application Date: November 15, 2019
 Hearing Date: January 6, 2020

Created By: Buncombe Co. Planning
 Date: 11/25/2019

CURRENT ZONING

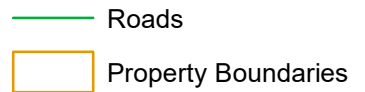
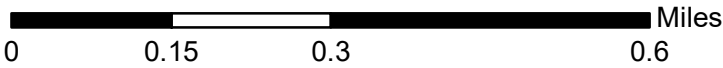
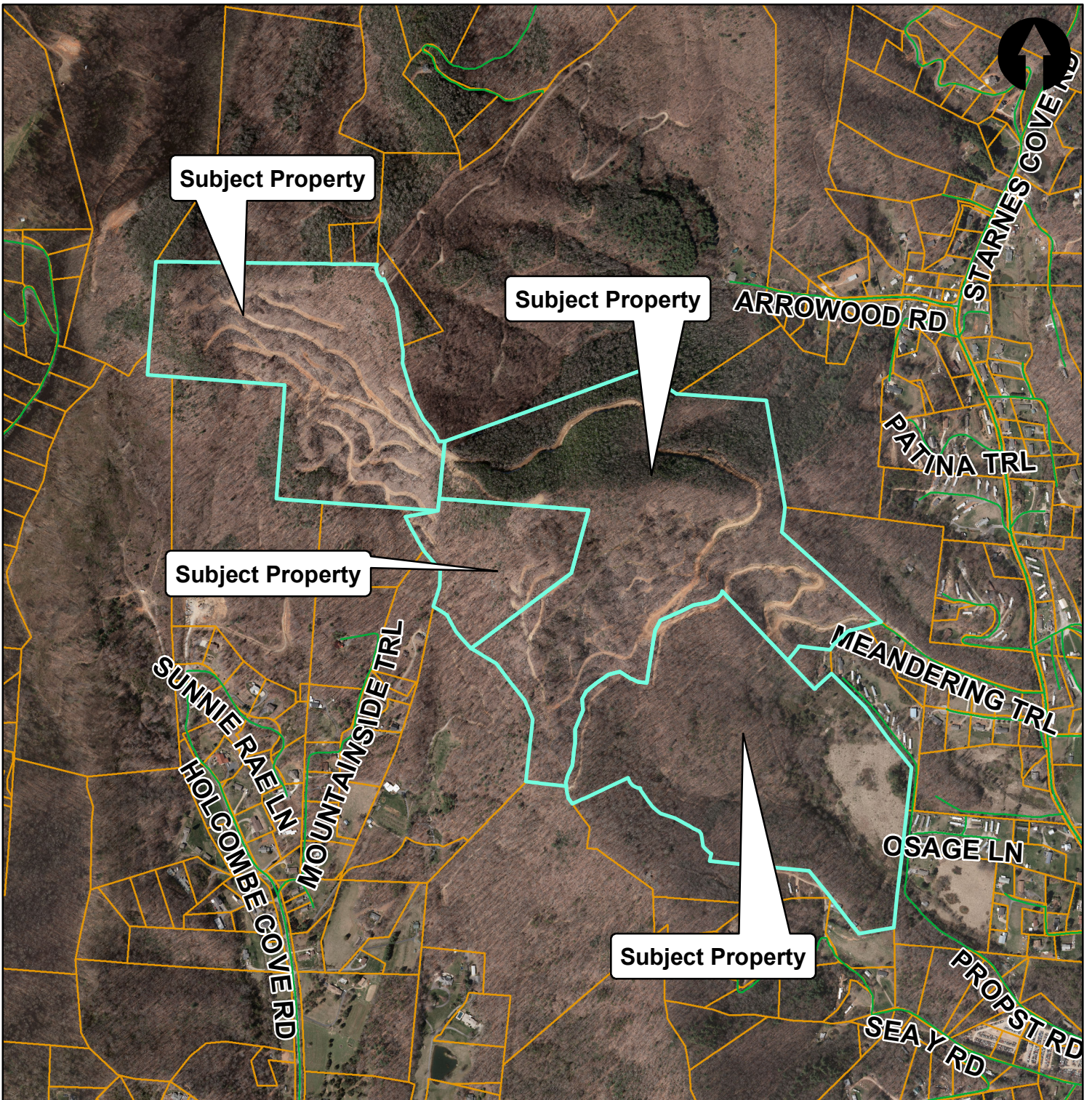


AI	EMP	R-1
BDM	NS	R-2
CR	OU	R-3
CS	PS	R-LD

**Mission
Map Amendment**

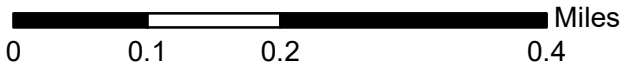
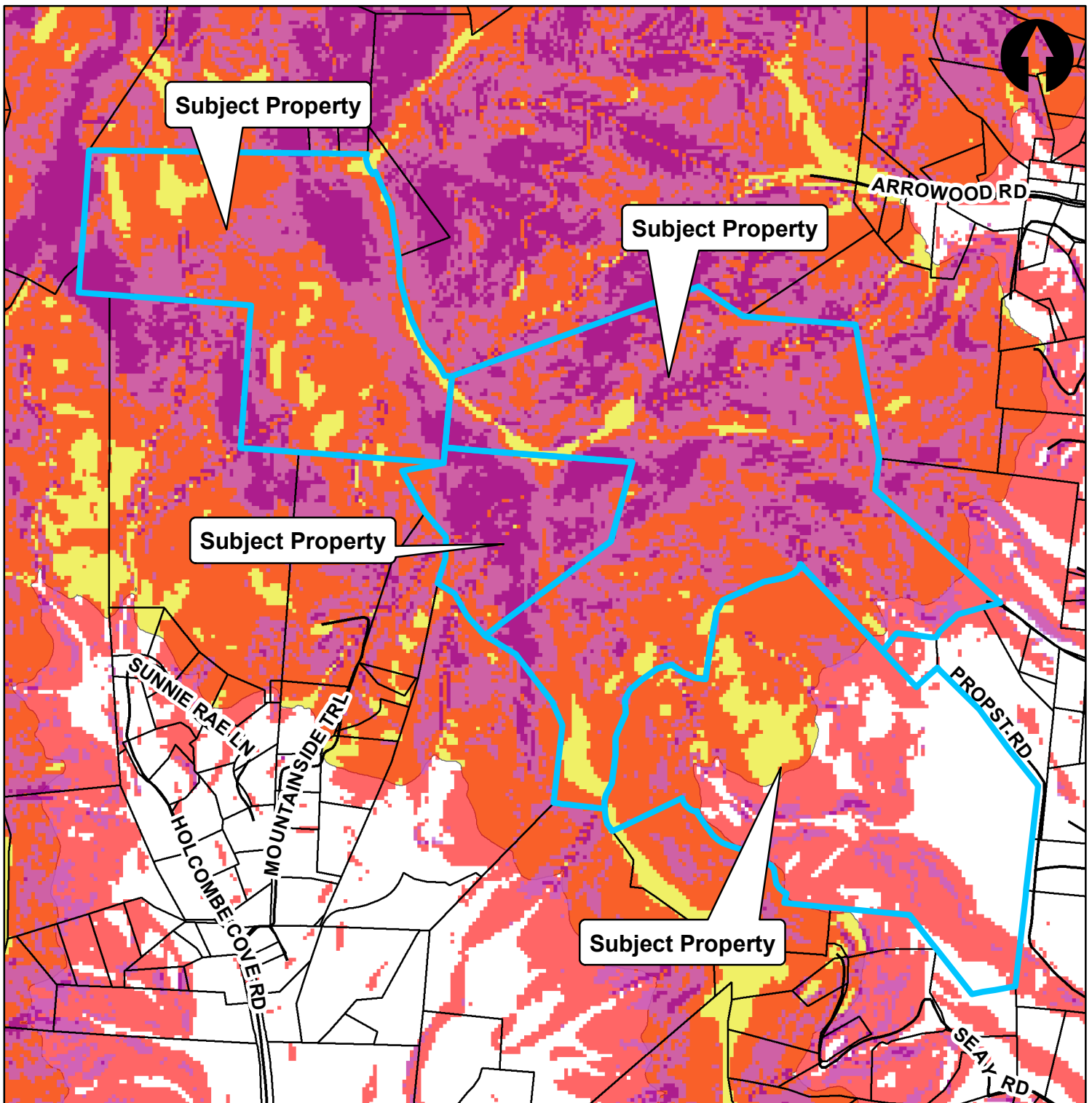
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PROPOSED ZONING



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- | | |
|---|---|
|  High Hazard |  0 - 25 % Slope |
|  Moderate Hazard |  Greater than 25% Slope |
|  Low Hazard |  Greater than 2500' |
| |  Proximity to Public Utilities |
| |  Transportation Corridors |

Mission Map Amendment

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PIN Number: 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943

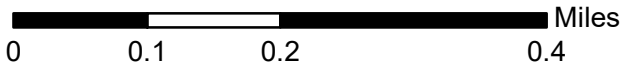
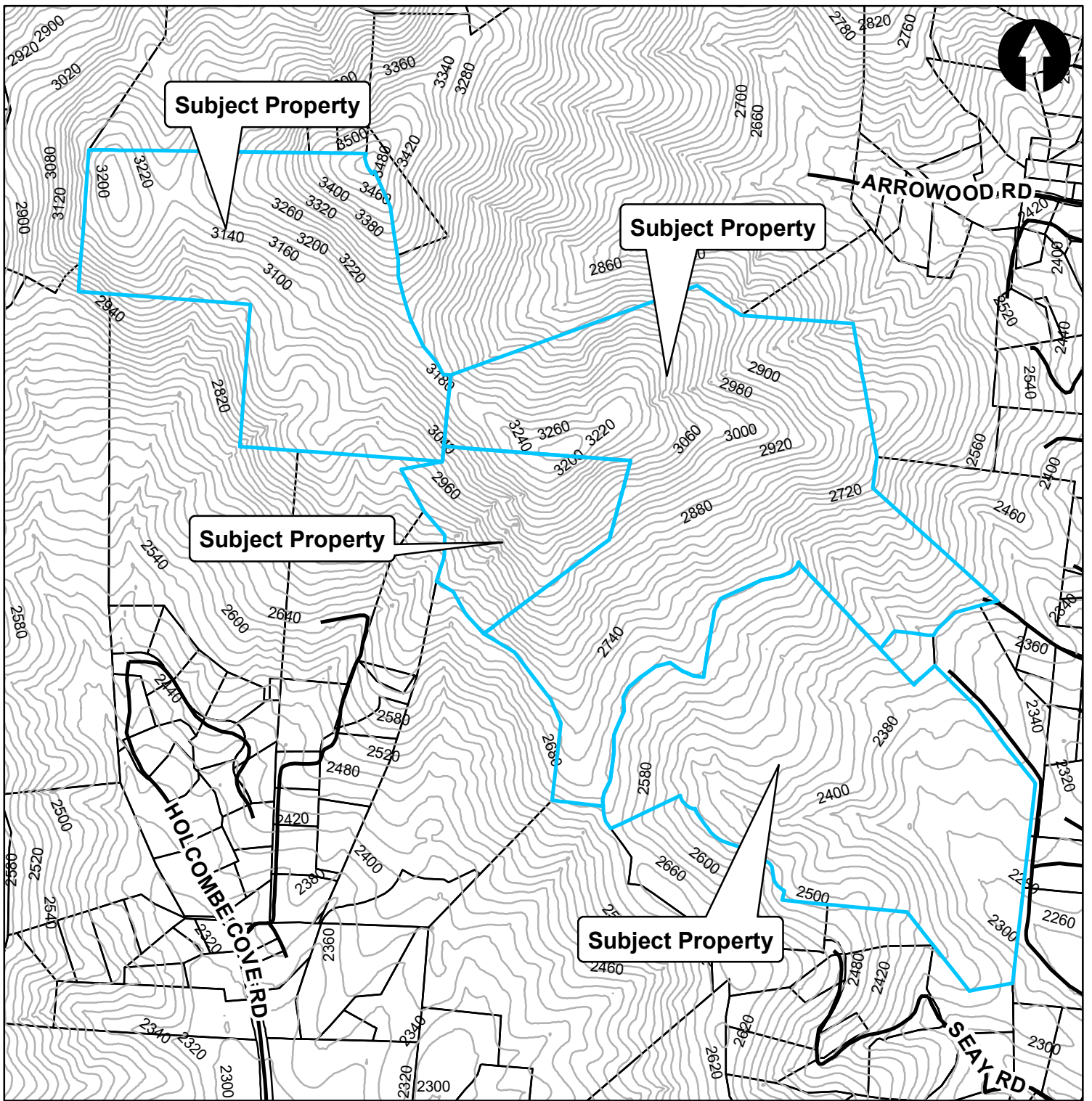
Approximate Property Size: 222.5 acres




Application Date: November 15, 2019

Hearing Date: February 4, 2020

Created By: Buncombe Co. Planning

Date: 11/25/2019



-  Roads
-  20 Foot Contours
-  Property Boundaries

Mission Map Amendment

Case Number: ZPH2019-00054
 PIN Number: 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943
 Approximate Property Size: 222.5 acres
 Application Date: November 15, 2019
 Hearing Date: February 4, 2020
 Created By: Buncombe Co. Planning
 Date: 11/25/2019

PLANNING BOARD'S WRITTEN RECOMMENDATION TO THE BUNCOMBE COUNTY
BOARD OF COMMISSIONERS TO APPROVE APPLICATION ZPH2019-00054
REQUESTING AN AMENDMENT TO THE ZONING MAP

WHEREAS, the Zoning Administrator for Buncombe County has received an application (ZPH2019-00054) requesting an amendment to The Official Zoning Map of Buncombe County on the parcel depicted in the map attached hereto as "Exhibit A" and identified as follows:

Owner(s): Freedom In Christ, Inc.
PIN(s): 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943
Addresses: 323 High Top Mountain Road, Holcombe Cove Road, Propst Road

WHEREAS, The applicant is requesting that the zoning designation for the property be changed from the R-LD Residential Low Density District, the R-3 Residential District, and the OU Open Use District, to the CR Conference Center / Resort District; and

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this application was considered have been properly mailed to members of the Planning board, the applicant(s), 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 notices of the public hearing concerning this zoning map amendment have been prominently posted as required; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances, the Planning Board duly advertised and held a public hearing to consider the proposed amendment; and

WHEREAS, pursuant to Buncombe County Code of Ordinances Sec. 78-717, the Planning Board has advised and commented on "whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable" and has provided "a written recommendation to the board of county commissioners" concerning the same (said written recommendation is attached hereto as "Exhibit B"); and

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-344(a), the Planning Board "shall make a written recommendation regarding adoption of the ordinance to the board of commissioners;" and

WHEREAS, a motion properly made and seconded that the Planning Board recommend that the Buncombe County Board of Commissioners approve the proposed map amendment passed by a vote of 8 to 0.

NOW, THEREFORE, THE BUNCOMBE COUNTY PLANNING BOARD HEREBY RECOMENDS AS FOLLOWS:

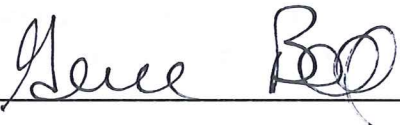
1. The Planning Board recommends that the Buncombe County Board of Commissioners approve the proposed Zoning Map amendment as presented in Exhibit A.

Read, approved, and adopted this the 6th day of January, 2020.

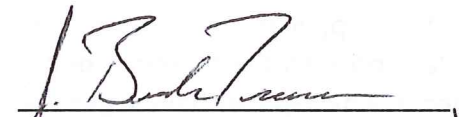
ATTEST


Savannah Gibson, Clerk

PLANNING BOARD FOR THE
COUNTY OF BUNCOMBE

BY 
Gene Bell, Chair

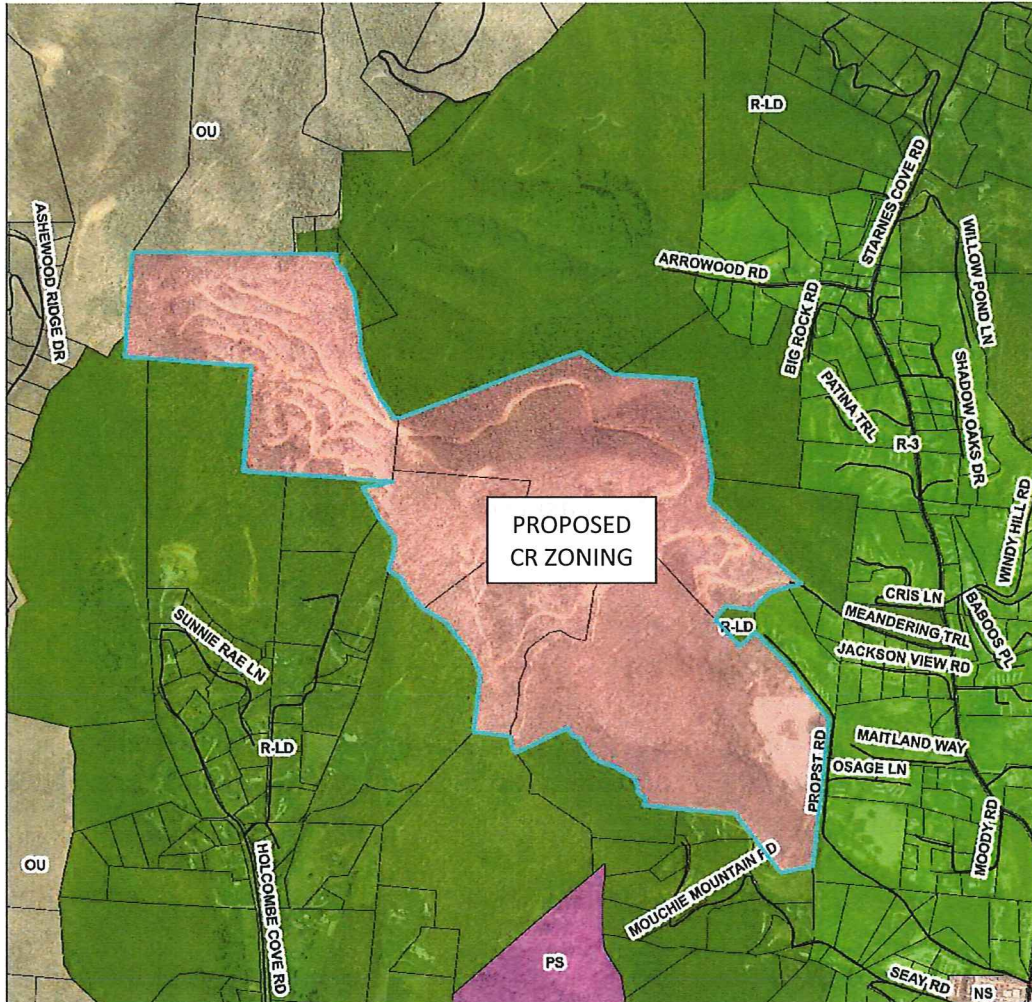
APPROVED AS TO FORM


County Attorney (STAFF ATTORNEY)
J. BRANDON FREEMAN

Consented to:
Planning Board Members:
Gene Bell, Chairperson
Nancy Waldrop, Vice-Chairperson
Robert Martin
Parker Sloan
Dusty Pless
Joan Walker
Thad Lewis
Billy Taylor

Exhibit A

OFFICIAL ZONING MAP
-EXCERPT-
PROPOSED AMENDMENT



AI	EMP	R-1
BDM	NS	R-2
CR	OU	R-3
CS	PS	R-LD

**Mission
Map Amendment**

Mission
Map Amendment
Case Number: ZPH2019-00054
PIN Number: 9618-06-0464, 9608-97-8911, 9608-87-8649, 9608-78-5943
Approximate Property Size: 222.5 acres
Application Date: November 15, 2019
Hearing Date: December 16, 2019
Created By: Buncombe Co. Planning
Date: 11/25/2019

PROPOSED ZONING

Exhibit B

PLAN CONSISTENCY STATEMENT

ZONING MAP AMENDMENT
CONSISTENT WITH PLAN

Pursuant to N.C. Gen. Stat. §153A-340(b)(1) the Buncombe County Planning Board hereby approves and adopts the following Plan Consistency Statement for the rezoning of portions of tax lot PINs 9618-06-6464, 9608-97-8911, 9608-87-8649, and 9608-78-5943 (323 High Top Mountain Road, Holcombe Cove Road, Propst Road, Buncombe County, North Carolina) from the R-LD Residential Low Density District, the R-3 Residential District, and the OU Open Use District, to the CR Conference Center / Resort District. The Board finds the following:

- The proposed zoning map amendment (ZPH2019-000054) is **consistent** with the Buncombe County Land Use Plan and the associated Land Use Constraint Maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update.
- Specifically:
 - The proposed CR district is outside of flood hazard areas; and,
 - The proposed CR district, in terms of its size and the Applicant's stated, intended use, is consistent with the Land Use Plan's recommendation (page 78) to establish "resort district[s]."
- The proposed map amendment would be not be detrimental to the owners, adjacent neighbors, and surrounding community as it **does** meet a number of goals as identified in the Buncombe County Comprehensive Land Use Plan Update.

Therefore, the requested zoning is **reasonable and in the public interest**.

Upon a motion properly made and seconded that the application is consistent with the Comprehensive Land Use Plan, the motion passed on a vote of 8 to 0.

Read, approved, and adopted this the 6th day of January, 2020.


Savannah Gibson, Clerk

BY 
Gene Bell, Chair