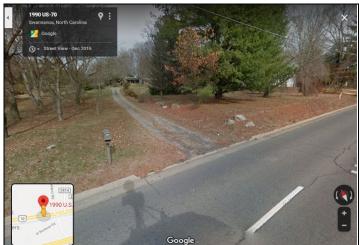


# ZONING MAP AMENDMENT STAFF ANALYSIS

Legislative Hearing



# **LOCATION MAP**



**CASE NUMBER:** ZPH2019-00046

# A. PROPERTY INFORMATION

PIN(s): 9688-08-0738

Addresses: 1990 US HWY 70, Swannanoa, NC

Owner(s): Ray & Carolyn Suttle

#### **B. REZONING REQUEST**

**Applicant / Agent:** Ray & Carolyn Suttle **Existing Zoning:** R-1 Residential

**Proposed Zoning:** CS Commercial Service

#### C. PUBLIC NOTICE

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

#### D. RECOMMENDATION

APPROVAL (see Section K, below)

#### E. SUMMARY OF REQUEST

Ray & Carolyn Suttle request to rezone one (1) parcel of land totaling 1.7 acres, from R-1 Residential to CS Commercial Service.

#### F. COMPARISON OF ZONING ORDINANCE DISTRICT STATEMENT OF INTENT

#### **EXISTING ZONING DISTRICT:**

Residential District (R-1)

The R-1 Residential District is primarily intended to provide locations for single-family and two-family residential

development and supporting recreational, community service, and educational uses in areas where public water and sewer services are available or will likely be provided in the future. This district is further intended to protect existing subdivisions from encroachment of incompatible land uses, and this district does not allow manufactured home parks.

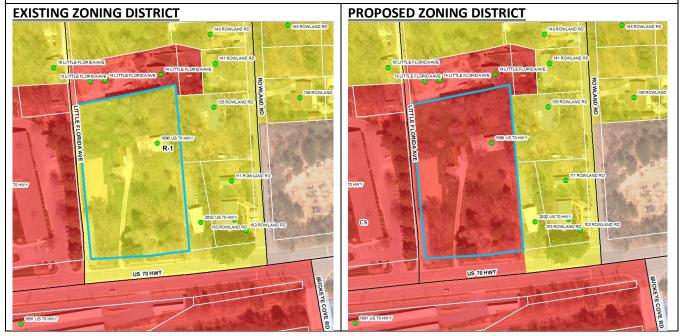
#### PROPOSED ZONING DISTRICT:

Commercial Service District (CS)

The CS Commercial Service District is primarily intended to provide suitable locations for clustered commercial development to encourage the concentration of commercial activity in those specified areas with access to major traffic arteries, to discourage strip commercial development, and to allow for suitable noncommercial land uses. Such locations should currently have water and sewer services or be expected to have such services available in the future. This CS Commercial Service District may be applied to suitable areas adjacent to existing commercial concentration to allow for their expansion.

## **G. SPOT ZONING ANALYSIS**

Staff has no concerns with spot zoning, given that the property is contiguous to existing CS zoning along the northern and western 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 Figure 20. *Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013*:

- 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 fro low-density residential us					
RESIDENTIAL												
ow-Density Residential	_	_	_	_	_	*	N/A					
Single-Family/Duplex	<b>&amp;</b>	\$	\$	\$	*	*	N/A					
/lulti-Family	*	*	\$	8	*	*	8					
PLANNED COMMUNITY OR DEV	ELOPMENT											
Mixed Use Development	*	*	*	*	*	\$	8					
nfill/ Higher Density	\$	*	*	*	*	*	_					
arge Lot/Lower Density	<b>&amp;</b>	<b>&amp;</b>	<b>&amp;</b>	&	*	*	N/A					
Commercial/Industrial	*	*	*	*	*	*	*					
RECREATIONAL												
Resort	\$	\$	\$	\$	\$	*	_					
Conference Centers	\$	\$	\$	8	\$	*	_					
Outdoor Recreation	_	_	_	_	_	<b>&amp;</b>	*					
OTHER												
nstitutional	☆	*	*	*	*	\$	8					
Public Service	*	*	*	*	*	<b>&amp;</b>	8					
COMMERCIAL												
leighborhood-Scale Commercial	€	\$	*	*	*	€	8					
Moderate Commercial	*	☆	*	*	*	\$	*					
ntense Commercial	☆	*	*	*	*	\$	*					
NDUSTRIAL												
/lanufacturing	*	⋆	*	*	*	\$	8					
/lining/Extracting/Refining	*	⋆	*	*	*	<b>&amp;</b>	*					
other Intense Uses & & A A A A												

		"Reasonable proximity to major transportation corridors" (suggested / highly suggested)
		"Reasonable proximity to infrastructure (combined water / sewer service area)" (suggested / highly suggested)
:	2. CONSISTENT: The change is <u>consistent</u> with	"Outside of steep slope areas (25%+)" (highly suggested)
	the following recommendations of the Comprehensive Land Use Plan 2013 Update as	"Outside of high elevations (2500'+)" (highly suggested)
	outlined below:	"Outside of moderate and high slope stability hazards" (highly suggested)
		"Outside of flood hazard areas" (suggested)
		"Separation from low-density residential uses" (suggested / highly suggested)
:	B. INCONSISTENT: The change is inconsistent with the following recommendations of the Comprehensive Land Use Plan 2013 Update as	Not Applicable.
	outlined below:	

## I. NEIGHBORHOOD CONSISTENCY

#### 1. CURRENT DEVELOPMENT TYPES:

The subject parcel is currently developed with residential uses.

#### 2. ALLOWED DEVELOPMENT TYPES AFTER CHANGE:

The proposed rezoning would permit a broad range of commercial / nonresidential uses (see Attachment A). CS would continue to permit a maximum of 12 residential dwelling units per acre. See allowable use table, below.

#### 3. ALLOWABLE DENSITY / DIMENSIONAL STANDARDS AFTER CHANGE:

	Existing District:	Proposed District:
	R-1 Residential	CS Residential
Minimum Lot Size	30,000 SF (Septic System) 12,000 SF (Public Sewer) 8,000 SF (Public Sewer & Water)	30,000 SF (Septic System) 10,000 SF (Public Sewer)
Max dwelling units per acre	12	12
Setbacks (Front/Side/Rear)	10/7/15 (Public Sewer) 20/10/20 (Septic System)	10/10/10 (Water/sewer) 10/10/10 (Septic)
Max height	35 feet	50 feet

#### 4. NEIGHBORHOOD CONSISTENCY:

The subject parcel is currently developed with residential uses. It abuts residential uses along its eastern boundary; commercial uses along its northern, western, and southern boundaries; and US Highway 70 on its southern boundary. The property to the west is currently utilized as an assisted living facility (Asheville Health Care Center) and the property to the south and across US 70 is utilized as a self-storage facility – Freeman's Self Storage Facility.

## J. STAFF RECOMMENDATION COMMENTS:

Staff reccomends approval of the proposed rezoning 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 – P	ermit	ted U	se Tal	ble						
						P = Pe	rmitted							
				С	= Allov	ved as	Conditi	onal U	se					
			;	SR = Pe	ermitte	d with	Special	Requir	ements	8				
Uses				ı	Blank S	Space =	Not Pe	ermitte	t					
						Dist	ricts							
	R-LD	-LD R-1 R-2 R-3 NS CS EMP PS CR AI BDM OU												
Single-family residential dwelling, including modular	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р		
Two residential dwelling units (attached or detached)	Р	Р	Р	Р	Р	Р	Р	Р	Р			Р		
Community oriented developments		Р	Р	Р	Р	Р	Р	Р	Р					
Multifamily residential dwelling units (no more than eight units in no more than four buildings)			Р	Р	Р	Р	Р	Р	Р			Р		
HUD-labeled manufactured homes- Residential	Р	SR	SR	Р			Р				SR	Р		

			Table	1 – P	ermit	ted U	se Tal	ole							
Uses	P = Permitted  C = Allowed as Conditional Use  SR = Permitted with Special Requirements  Blank Space = Not Permitted  Districts														
	R-LD	R-LD R-1 R-2 R-3 NS CS EMP PS CR AI BDM C													
Manufactured home parks (8 units or fewer)				Р								Р			
Manufactured home parks (more than 8 units)				С								Р			
Planned unit developments, level I		С	С	С	С	С	С	С	С			С			
Planned unit developments, level II						С	С	С	С	С		С			
Subdivisions	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р			
Subdivisions, alternative path hillside development	Р	Р	Р	Р	Р	Р	Р	Р	Р			Р			
Subdivisions, conservation development	Р	Р	Р	Р	Р	Р	Р	Р	Р			Р			
Accessory buildings	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р			
Adult Entertainment Establishments						С	С					С			
Airports										С					
Amusement Parks						С	С	С	С			С			
Animal hospitals and veterinarian clinics					Р	Р	Р			Р		Р			
Asphalt Plants							С					С			
Aviation-related services and facilities										Р					
Banks and other financial institutions					Р	Р	Р	Р	Р	Р		Р			
Bed and breakfast inns (10 occupants or	SR		SR	Р	Р	Р	Р	Р	Р			Р			

			Table	1 – P	ermit	ted U	se Tal	ble						
Uses	P = Permitted  C = Allowed as Conditional Use  SR = Permitted with Special Requirements  Blank Space = Not Permitted													
	R-LD	R-1	R-2	R-3	NS	Dist	ricts EMP	PS	CR	AI	BDM	OU		
In any					110				O.K	Α.				
less)														
Bed and breakfast inns (more than 10 occupants)	С		С	Р	Р	Р	Р	Р	Р			Р		
Cargo/freight terminals, operations and activities						Р	Р			Р		Р		
Cemetery	Р		Р	Р		Р		Р	Р			Р		
Chip Mills												С		
Places of worship Church	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р		
Clubs or lodges				Р	Р	Р	Р	Р	Р	Р		Р		
Concrete Plants							С					С		
Day nursery and private kindergarten (up to 8 students)	SR	SR	SR	SR	Р	Р	Р	Р	Р	Р		Р		
Day nursery and private kindergarten (more than 8 students)			С	С	Р	Р	Р	Р	Р	Р		Р		
Family care home	Р	Р	Р	Р				Р	Р		Р	Р		
Funeral homes						Р	Р	Р	Р			Р		
Government protective services			Р	Р	Р	Р	Р	Р	Р	Р		Р		
Greenhouses, commercial (nursery, lawn and garden products)					Р	Р	Р	Р	Р	Р		Р		
Group homes			С	Р	Р	Р	Р	Р	Р			Р		
Hazardous Waste Facilities												С		

			Table	1 – P	ermit	ted U	se Tal	ble					
	P = Permitted  C = Allowed as Conditional Use  SR = Permitted with Special Requirements  Blank Space = Not Permitted												
Uses				l	Blank S			rmitted	t c				
						Dist	ricts						
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	Al	BDM	OU	
Health care facilities			С	С		Р	Р	Р	Р			Р	
Home occupations	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р	
Hotels and motels						Р	Р	Р	Р	Р		Р	
Incinerators												С	
Junkyards							С					С	
Kennels				С	Р	Р	Р			Р		Р	
Laundry and dry cleaning services					Р	Р	Р	Р	Р	Р		Р	
Libraries			Р	Р	Р	Р	Р	Р	Р			Р	
Manufacturing and processing operations						Р	Р			Р		Р	
Medical Clinics				С	Р	Р	Р	Р	Р	Р		Р	
Mining and Extraction Operations							С					С	
Motor Sport Facilities												С	
Motor vehicles maintenance and repair					С	Р	Р	Р	Р	Р		Р	
Motor vehicles impoundment lot or tow yard						SR	SR	SR				SR	
Motor vehicles sales and rental						Р	Р			Р		Р	
Motor vehicles service stations (fueling stations)					Р	Р	Р	Р	Р	Р		Р	
National Guard and Reserve Armories						Р	Р	Р		Р		Р	
Nightclubs, bars and					Р	Р	Р		Р	Р		Р	

			Table	1 – P	ermit	ted U	se Tal	ble					
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	Al	BDM	OU	
pubs													
Personal Landing Strips				С		С	С	С	С	С		С	
Physical fitness centers				С	Р	Р	Р	Р	Р	Р		Р	
Postal and parcel delivery services					Р	Р	Р	Р	Р	Р		Р	
Printing and lithography						Р	Р			Р		Р	
Professional and business offices and services					Р	Р	Р	Р	Р	Р		Р	
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (2 acres or greater in total footprint)	С	С	С	С	С	С	С	С	С	С	С	С	
Public utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)	С	С	С	С	Р	Р	Р	Р	Р	Р	С	Р	
Public utility stations and substations, pumping stations, water and sewer	С	С	С	С	С	С	С	С	С	С	С	С	

			Table	1 – P	ermit	ted U	se Tal	ble							
Uses				SR = Pe	ermitte	ved as d with \$ Space =	rmitted Conditi Special : Not Pe ricts	Requir	ements	6					
	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	С			С		С	С	С	С	Р		.P			
Recreation use, governmental	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р			
Recreation use, non- governmental	С	С	С	С	С	Р	Р	Р	Р	Р	С	Р			
Repair services (electrical and appliances)					Р	Р	Р			Р		Р			
Restaurants, eating establishments and cafés					Р	Р	Р	Р	Р	Р		Р			
Retail trade, commercial services, sales and rental of merchandise and equipment (inside building with no outside sales storage)					Р	Р	Р	С	Р	Р		Р			
Retail trade, commercial services, sales and rental of merchandise and equipment						Р	Р		Р	Р		Р			
Rooming house			С	Р	Р	Р	Р	Р	Р			Р			
Schools, public and private			С	С	С	Р		Р	Р			Р			
SchoolsVocational, business and special schools						Р	Р	Р	Р	Р		Р			

			Table	1 – P	ermit	ted U	se Tal	ble						
Uses	P = Permitted C = Allowed as Conditional Use SR = Permitted with Special Requirements Blank Space = Not Permitted													
		R-LD R-1 R-2 R-3 NS CS EMP PS CR AI BDM OU												
	R-LD													
Shooting Ranges – Outdoor Commercial									С			С		
Slaughtering Plants												С		
Solid Waste Facilities  – Landfills, Transfer Stations, Materials Recovery							С	С		С		С		
Storage and warehousing						Р	Р	Р	Р	Р		Р		
Theaters						Р		Р	Р			Р		
Travel trailers (no more than 180 days per calendar year)				Р				Р	Р			Р		
Travel trailer parks				С				SR	SR			SR		
Vacation rentals	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р		
Vacation rental complex				С	С	С	С	С	С		С	С		
Wholesale sales						Р	Р		С	Р		Р		

- (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										
		Dens	sity <sub>2,4</sub>	Minimu	m Yard	Setback	Requiren	nents in	Feet 3,4		
Districts	Minimum Lot Size 1,2,4,5 (Square 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	Maximum Height (Feet)	
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											
		Dens	sity <sub>2,4</sub>	Minimu	m Yard	Setback	Requiren	nents in	Feet 3,4			
Districts	Minimum Lot Size 1,2,4,5 (Square 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	Maximum Height (Feet)		
	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		
Al 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 dime	nsional requi	irements ex	cept as appl	ied to conditi	ional 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.



Suttle Map Amendment

Case Number: ZPH2019-00046 PIN Number: 9688-08-0738

Approximate Property Size: 1.7 acres Application Date: October 29, 2019 Hearing Date: February 4, 2020

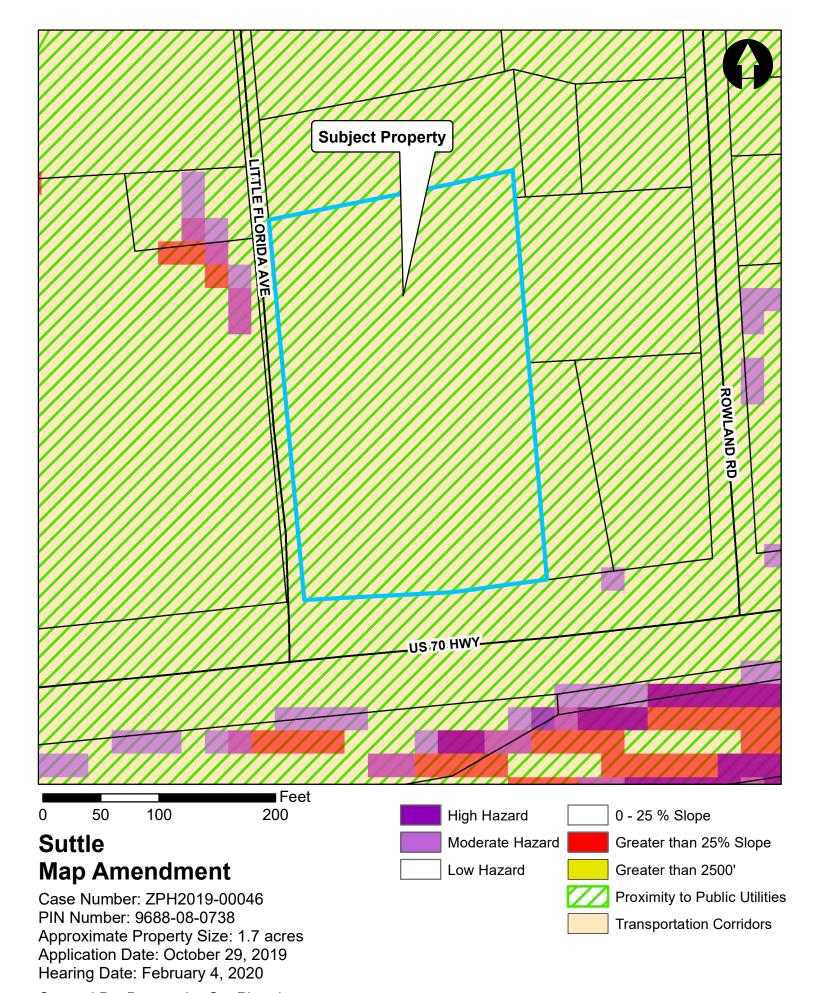
Created By: Buncombe Co. Planning

Date: 10/30/2019

----- Roads

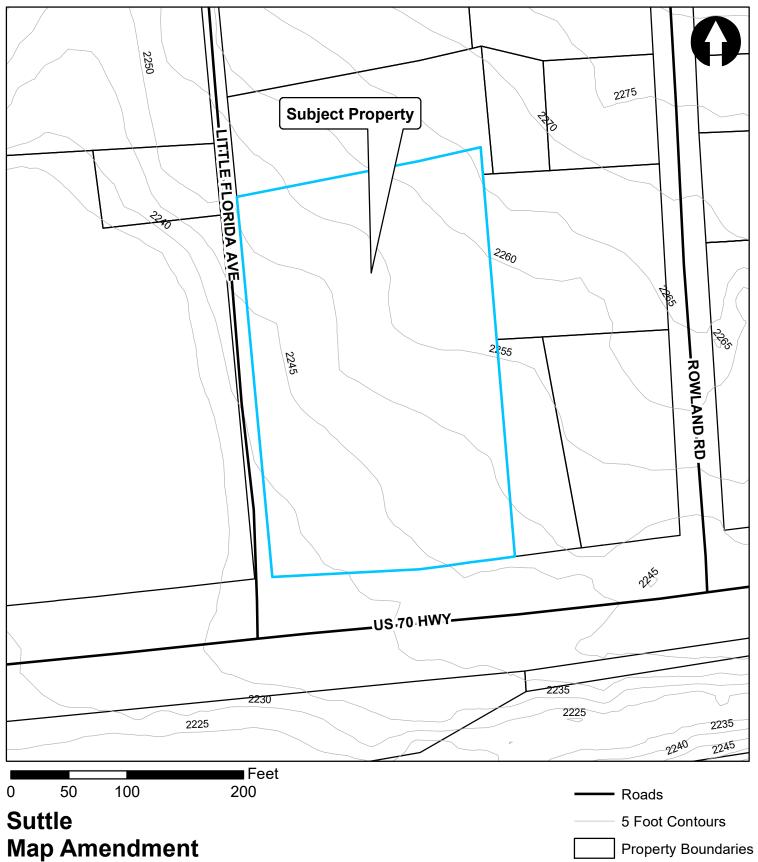
Prope

Property Boundaries



Created By: Buncombe Co. Planning

Date: 10/30/2019

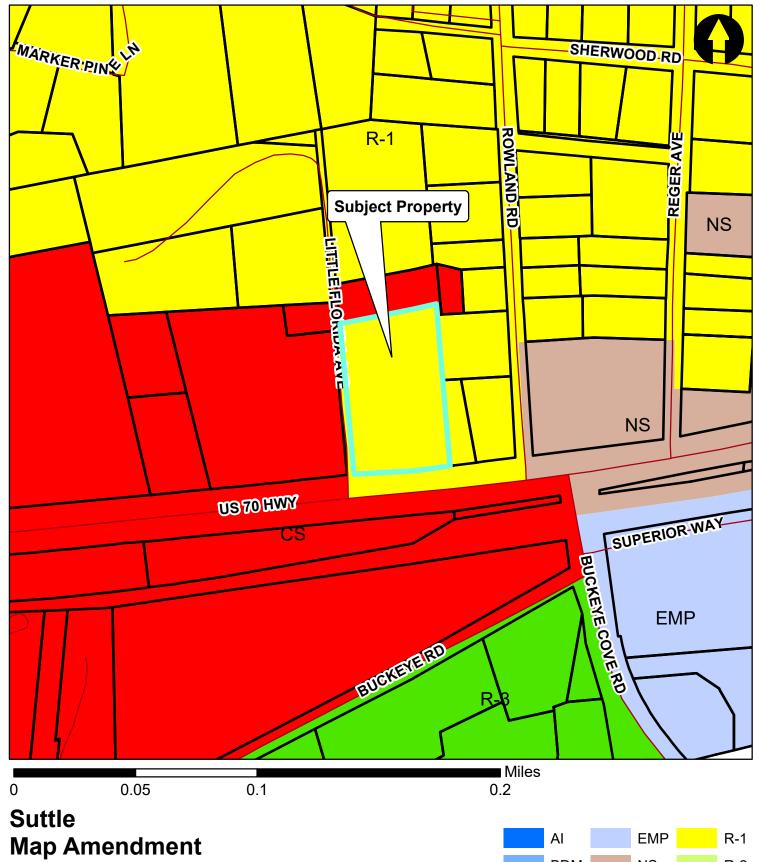


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Created By: Buncombe Co. Planning

Date: 10/30/2019



Case Number: ZPH2019-00046 PIN Number: 9688-08-0738

Approximate Property Size: 1.7 acres Application Date: October 29, 2019 Hearing Date: February 4, 2020

Created By: Buncombe Co. Planning

Date: 10/30/2019



# PI ANNING BOARD'S WRITTEN RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS TO APPROVE APPLICATION ZPH2019-00046 REQUESTING AN AMENDMENT TO THE ZONING MAP

the Zoning Administrator for Buncombe County has received an application WHEREAS, (ZPH2019-00046) 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:

PIN(s):

9688-08-0738-00000

Addresses: 1990 US HWY 70, Swannanoa, Buncombe County, NC
Owner(s): Ray & Carolyn Suttle

the applicant is requesting that the zoning designation for the property be WHEREAS, changed from the R-1 Residential to the CS Commercial Service District; and

the Zoning Administrator certified that notices of the meeting of the Buncombe WHEREAS, 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

in accordance with North Carolina General Statutes and with the provisions set WHEREAS, 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

pursuant to Buncombe County Code of Ordinances Sec. 78-717, the Planning WHEREAS, 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

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

a motion properly made and seconded that the Planning Board recommend that WHEREAS, the Buncombe County Board of Commissioners approve the proposed map amendment passed by a vote of 6 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 Gihson Clerk

APPROVED AS TO FORM

Chunty Attorney (STAFF ATTORNEY)

IT READOWN FREEMAN

PLANNING BOARD FOR THE COUNTY OF BUNCOMBE

Gene Bell, Chair

Consented to:

Planning Board Members:

Gene Bell, Chairperson

Nancy Waldrop, Vice-Chairperson

**Robert Martin** 

Parker Sloan

**Dusty Pless** 

Joan Walker

**Thad Lewis** 

**Billy Taylor** 

#### 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 PIN 9688-08-0738-00000 (1990 US HWY 70, Swannanoa, Buncombe County, North Carolina) from the R-1 Residential District to the CS Commercial District. The Board finds the following:

- 1. The subject property and proposed rezoning is:
  - A. Within "[reasonable] proximity to major transportation corridors."
  - B. Within "[reasonable] proximity to infrastructure (combined water / sewer service area)."
  - C. "Outside of steep slope areas (25%+)."
  - D. "Outside of high elevations (2500'+)."
  - E. "Outside of moderate and high slope stability hazards."
  - F. "Outside of flood hazard areas."
  - G. "[Separated] from low-density residential uses."
- 2. 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 § to  $\delta$ .

PIN(s):

9688-08-0738-00000

Addresses: 1990 US HWY 70, Swannanoa, Buncombe County, NC

Owner(s): Ray & Carolyn Suttle

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

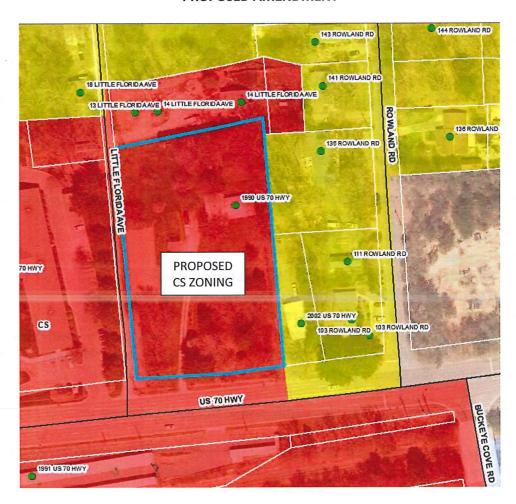
**ATTEST** 

Savannah Gibson, Clerk

PLANNING BOARD FOR THE **COUNTY OF BUNCOMBE** 

#### Exhibit A

# OFFICIAL ZONING MAP -EXCERPTPROPOSED AMENDMENT



There Pet

C. Swamph Silgar