

PLANNING BOARD'S WRITTEN RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD
OF COMMISSIONERS TO APPROVE APPLICATION ZPH2020-00011 INDIAN BRANCH LLC
REQUESTING AN AMENDMENT TO THE OFFICIAL ZONING MAP

- WHEREAS, the Zoning Administrator for Buncombe County has received an application (ZPH2020-00011 Indian Branch LLC) 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): 960703917000000
Addresses: Unaddressed property off Old US HWY 19/23 & Smokey Park Highway,
Candler, NC, Buncombe County, NC
Owner(s): WI / Indian Branch, LLC
- WHEREAS, the applicant is requesting that the zoning designation for the property be changed from the CS Commercial Service to the R-3 Residential 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, the Planning Board recommends that the Buncombe County Board of Commissioners approve the proposed map amendment by a vote of 6 to 0.

NOW, THEREFORE, THE BUNCOMBE COUNTY PLANNING BOARD HEREBY RECOMMENDS 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 20th day of July, 2020.

ATTEST

C. Savannah Gibson
Savannah Gibson, Clerk

APPROVED AS TO FORM

J. B. [Signature]
County Attorney

PLANNING BOARD FOR THE
COUNTY OF BUNCOMBE

BY Nancy Waldrop
Nancy Waldrop, Chairperson

Consented to:

Planning Board Members:

~~Gene Bell, Chairperson~~ C.S.G.

Nancy Waldrop, Vice-Chairperson

Robert Martin

~~Parker Sloan~~ C.S.G.

Dusty Pless

Joan Walker

Thad Lewis

~~Billy Taylor~~ C.S.G.

David Rittenberg

Exhibit A

**OFFICIAL ZONING MAP
-EXCERPT-
PROPOSED AMENDMENT
ZPH2020-00011**

PIN(s): 960703917000000
Addresses: Unaddressed property off Old US HWY 19/23 & Smokey Park Highway, Candler,
NC, Buncombe County, NC
Owner(s): WI / Indian Branch, LLC



Exhibit B

PLAN CONSISTENCY STATEMENT

ZONING MAP AMENDMENT
CONSISTENT WITH PLAN
ZPH2020-00011

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 960703917000000 (Unaddressed property off Old US HWY 19/23 & Smokey Park Highway, Candler, Buncombe County, North Carolina) from the CS Commercial District to the R-3 Residential 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 would be **reasonable and in the public interest**.

Upon a motion that the application is consistent with the Comprehensive Land Use Plan, the motion was seconded and passed on a vote of 6 to 0.

PIN(s): 960703917000000
Addresses: Unaddressed property off Old US HWY 19/23 &
Smokey Park Highway, Candler, NC,
Buncombe County, NC
Owner(s): WI / Indian Branch, LLC

Approved and adopted this the 20th day of July, 2020.

ATTEST

C. Savannah Gibson

Savannah Gibson, Clerk to the Board

PLANNING BOARD FOR THE
COUNTY OF BUNCOMBE

BY Nancy Waldrop

Nancy Waldrop, Chairperson