ORDINANCE NO. __________

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF BUNCOMBE COUNTY, CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY

ZPH2023-00021

WHEREAS, pursuant to N.C. Gen. Stat. §160D-7-1, the County may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, pursuant to N.C. Gen. Stat. §160D-6-2, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of Buncombe County, North Carolina (“Official Zoning Map”) to rezone the below listed parcels, and shown herein as Exhibit A:

Case: ZPH2023-00021
PIN(s): 9679-54-4937
Addresses: 111 Upper College Road
Owner(s): Warren Wilson College
Applicant(s): William H. Christy

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from the R-2 Residential District to the PS Public Service District as shown and depicted in Exhibit A, which is attached hereto and incorporated herein by reference; and,

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider the proposed amendment on July 17, 2023, at which meeting a motion to approve the proposed map amendment passed by a vote of 6 to 0; and,

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board; 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 Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

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

Section 1. This Board has considered whether this proposed amendment is consistent with the Buncombe County 2043 Comprehensive Plan, and hereby finds the following:

a) The proposed rezoning of the subject property is consistent with the Buncombe County 2043 Comprehensive Plan in that the property:
   i. Is consistent with the GEC Character Framework description
   ii. Is within reasonable proximity to water and sewer infrastructure
   iii. Is within the recommended density of the GEC Character area
   iv. Is consistent with the primary and secondary land uses in the GEC Character Framework
   v. Is within reasonable proximity to major transportation corridors
   vi. Prioritizes environmental conservation of other natural lands to protect and increase the capacity to sustain the county’s existing biodiversity
   vii. Prioritizes the conservation of physical connections between natural landscapes to avoid fragmentation of large forest blocks in order to benefit wildlife migration
   viii. Has potential to work with private development partners to bring new sites to market that have promising transportation access, proximity to current and future economic corridors, a robust utility service, labor draw, community synergies, etc.
   ix. Is outside of steep slope area
   x. Is outside of moderate and high slope stability hazards
   xi. Is outside of flood hazard areas

b) The proposed map amendment would 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.

c) Therefore, the requested zoning would be reasonable and in the public interest.

Section 2. This Board does hereby approve the request to rezone PIN(s) 9679-54-4937, 111 Upper College Road, Buncombe County, NC, from R-2 Residential District to PS Public Service District, as shown and depicted in Exhibit A, which is attached hereto and incorporated herein by reference;

Section 3. If any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.
Section 4. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict; and

Section 5. This ordinance is effective upon adoption.

Read, approved and adopted this the 15th day of August, 2023.

ATTEST

Lamar Joyner, Clerk

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

BY
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney
Exhibit A

OFFICIAL ZONING MAP
-EXCERT-
PROPOSED AMENDMENT

PIN(s): 9679-54-4937
Addresses: 111 Upper College Road
Owner(s): Warren Wilson College
Applicant(s): William H. Christy, on behalf of Warren Wilson College

PROPOSED ZONING DISTRICT – PS