

RESOLUTION OF PLANNING BOARD RECOMMENDATIONS TO THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS ON PROPOSED ZONING MAP AMENDMENTS

WHEREAS, the Planning Board has reviewed General Assembly of North Carolina Session Law 2013-30 at their regular May 6, 2013 and May 20, 2013 meetings and has determined that action is necessary in order to bring certain properties under the zoning jurisdiction of Buncombe County both as directed by the General Assembly and as opportunities have arisen; and

WHEREAS, at their regular May 20, 2013 meeting the Planning Board resolved to sponsor and initiate amendments to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to add the land area currently within the City of Asheville's Extraterritorial Jurisdiction (ETJ) to the Official Zoning Map of Buncombe County, to include both zoning districts and zoning overlay districts as attached herein in Attachments A and B;

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which these map amendments were considered have been properly mailed to those owner(s) and adjoining property owners who reside outside of the newspaper circulation area as well as to the members of the Planning Board 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 in the form of an ad no less than one-half of a newspaper page in size; and notice of the public hearing concerning these zoning map amendments has have been prominently posted as required; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-344 and §78-719 of the Buncombe County Code of Ordinances, the Planning Board is charged with making a recommendation to the Board of Commissioners and to comment on whether the proposed zoning amendments are consistent or inconsistent with the Comprehensive Land Use Plan and whether they are reasonable and in the public interest; and

WHEREAS, the Planning Board has reviewed the proposed map amendments, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to approve these map amendments and make recommendation to the Board of Commissioners for Buncombe County that the proposed map amendments be approved.

Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendment to the Zoning Map:

- 1. said zoning change is consistent with the Buncombe County Comprehensive Land Use Plan and Updates as the 2006 Buncombe County Comprehensive Land Use Plan Update recommends "applying detailed zoning to the area that lies within the updated Metropolitan Sewer District (MSD) boundary that is the Primary Service Area" (VII-3). As the area within the Asheville Extraterritorial Jurisdiction is primarily within the MSD service area, the proposed map amendments are consistent with the Buncombe County Comprehensive Land Use Plan Update;
- 2. the property is not currently zoned by Buncombe County and the authority to regulate development and land use has moved from the City of Asheville to Buncombe County; and
- 3. therefore said zoning amendments are reasonable and are in the public interest.

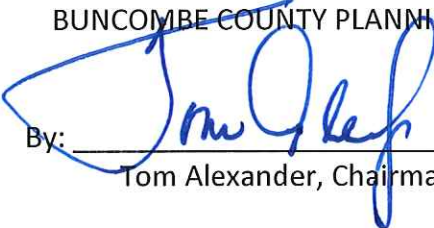
NOW, THEREFORE, BE IT RESOLVED that upon motion and second, the Buncombe County Planning Board hereby recommends as follows:

- 1. That the Board of Commissioners approve these amendments to the Official Zoning Map as described above and attached herein in Attachments A and B;

Adopted by a vote of 5 to 0.

This the 17th day of June, 2013.

BUNCOMBE COUNTY PLANNING BOARD

By:  _____
 Tom Alexander, Chairman

Consented to:

Planning Board Members:


- Jim Young **ABSENT**
- Bernie Kessel
- Joe Sechler **ABSENT**
- Josh Holmes
- Bud Sales

Tom Alexander
Michelle Wood
Greg Phillips **ABSENT**
Catherine Martin **ABSENT**



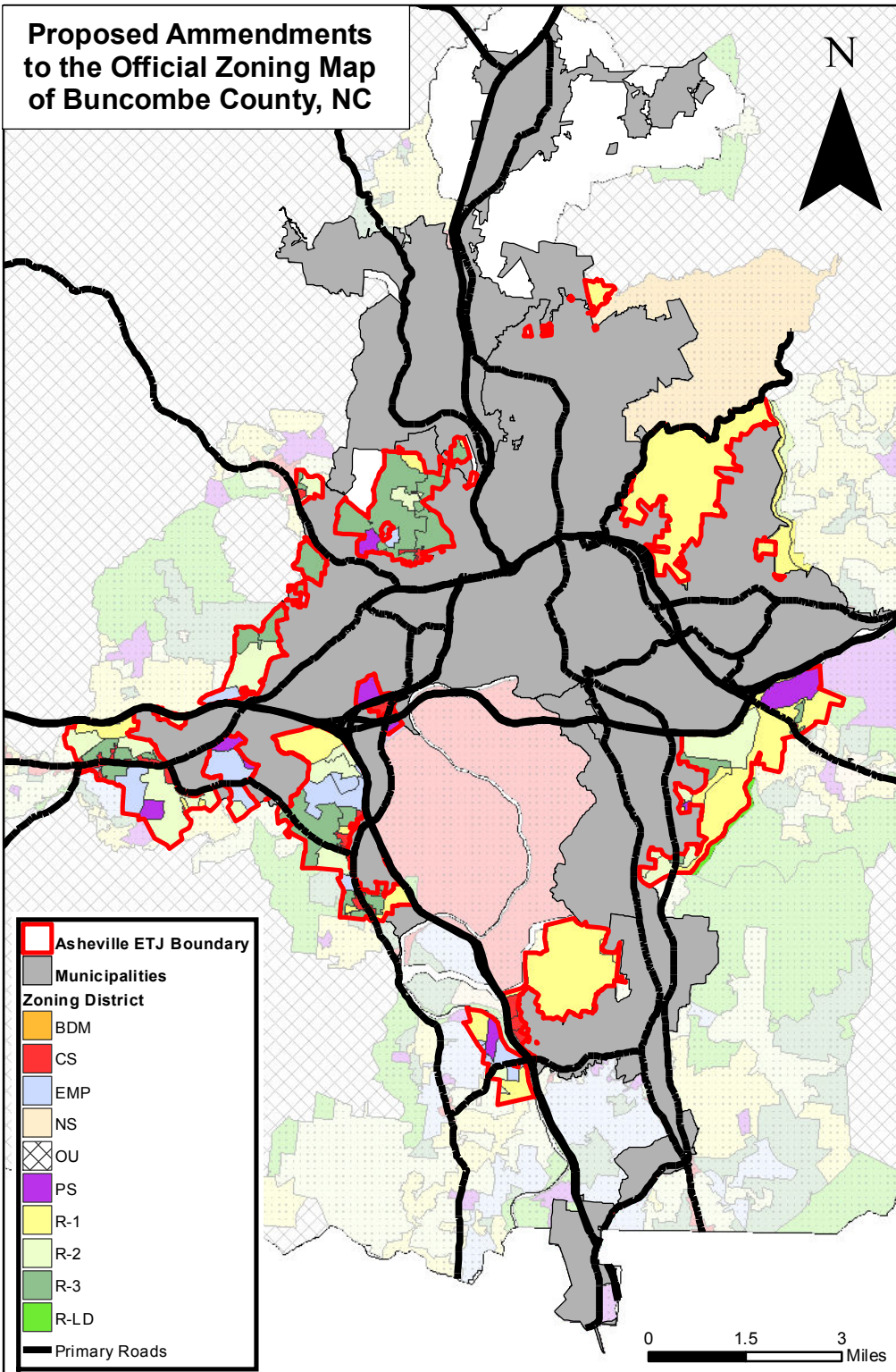
Josh O'Conner, Zoning Administrator

Approved as to form:



Michael C. Frue, County Attorney

Proposed Ammendments to the Official Zoning Map of Buncombe County, NC



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