

**Buncombe County Planning Board
February 15, 2016**

The Buncombe County Planning Board met on February 15, 2016 in the meeting room at 30 Valley Street. Members present were Nancy Waldrop, David Rittenberg, Bob Taylor, Parker Sloan, Gene Bell, Robert Martin, Joan Walker, Dusty Pless, and Thad Lewis. Also present were Michael Frue, County Attorney; Jon Creighton, Assistant County Manager/Planning Director; Debbie Truempy, Zoning Administrator; and Shannon Capezzali, Planning staff.

Call to Order

Chairman Bell called the meeting to order at 9:31 am.

Approval of Agenda

Joan Walker made a motion to approve the agenda as submitted. Nancy Waldrop seconded the motion, and the motion passed unanimously.

Approval of Minutes (February 1, 2016)

Nancy Waldrop made a motion to approve the minutes as submitted. The motion was seconded by Parker Sloan and the motion passed unanimously.

Public Comment

There was no one wishing to make public comment.

Public Hearing (map amendment – ZPH2016-00001)

ZPH2016-00001: The Buncombe County Zoning Administrator has proposed that the following property located within an unincorporated area of Buncombe County be zoned Residential District R-2. The property is identified as a portion of tax lot PIN 9740-28-9552 and is located at 441 Windsor Road.

The Board was provided with the GIS maps (Attachment A) and staff recommendation (Attachment B) prior to the meeting. Debbie Truempy provided an overview of the proposed amendment. John Cort (property owner) made a statement in support of the recommendation to zone the unzoned portion of the property to R-2. Chairman Bell asked for public comment. There being no public comment, Chairman Bell closed the public hearing.

Parker Sloan made a motion to approve the recommendation with the consistency statement provided in Attachment B. The motion was seconded by Nancy Waldrop and passed unanimously.

Public Hearing (text amendments – ZPH2015-00081):

The amendments proposed in ZPH2015-00081 include administrative changes to provide additional clarity and bring consistency to certain provisions based on recent changes to the North Carolina General Statutes:

Modify §78-620(c), §78-717; §78-718(a) & (c); §78-720(b).

The Board was provided with the proposed language and proposed consistency statement (Attachment C) prior to the meeting. Debbie Truempy provided an overview of the proposed text amendments. Chairman Bell asked for public comment. Dede Stiles made a statement in support of the addition of the requirement for certified notifications to owners of properties being rezoned by an outside party. She also recommended eliminating the ability of others to request rezonings on property they do not own; however Debbie Truempy stated that the state statute requires that non-owners be permitted to make rezoning requests on other properties. The Board discussed the type of certification required and

included in the state statute for notifying property owners. Planning staff clarified that notices are sent by the Planning department to all property owners within 1,000' radius, but that certified notification to the affected property owner, and the burden of proof, is the responsibility of the person making the rezoning request. Rezoning requests must be reviewed by Planning staff first. Chairman Bell closed the public hearing.

Joan Walker made a motion to approve the text amendments with the consistency statement provided in Attachment C. The motion was seconded by Nancy Waldrop and passed unanimously.

Modify §70-94

Debbie Truempy provided an overview of the text amendment. There was no public comment. The Board discussed the acceptable forms of bond, approved types of bonding companies, and state statute requirements and limitations. Chairman Bell closed the public hearing.

Parker Sloan made a motion to approve the text amendments. The motion was seconded by David Rittenberg and passed unanimously.

Continuing Business

Continued discussion of possible revisions to the text of the Zoning Ordinance, including the adoption of standards for Community Oriented Developments (ZPH2015-00040).

The Board was provided with the proposed language (Attachment D) prior to the meeting. Debbie Truempy provided an overview of the proposed text amendments. Items 78-601 and 623 are new changes which have not been previously discussed. Robert Martin and David Rittenberg expressed concerns about the effects on neighborhood character, property maintenance, and home values with the change of the word 'detached' to 'attached' units within the text amendment. Concerns were also expressed that the change would jeopardize the rights of property owners who are not in support of multi-family housing in their neighborhood. Debbie Truempy clarified that the state statute does not allow counties to dictate what can occur inside of a home. Thad Lewis and Joan Walker expressed support for the wording change, citing the need for affordable housing, the inability to discriminate against renters, and refuting the claim that attached units and duplexes are the cause of blight. The Board came to a consensus in support of the text amendments. A public hearing will be scheduled.

Adjourn

A motion was made at 10:26 am by Nancy Waldrop to adjourn the meeting. The motion was seconded by Joan Walker and passed unanimously.