

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
MAP AMENDMENT ANALYSIS

CASE NUMBER: ZPH2015-00070  
PROPOSED ZONING: COMMERCIAL SERVICE DISTRICT (CS)

**PROPERTY DESCRIPTION:**

The Zoning Administrator has proposed that the following properties and right-of-ways located within the unincorporated areas of Buncombe County be zoned Commercial Service District CS: tax lot PIN 9639-76-2633 (800 Riverside Drive) and a portion of tax lot PIN 9639-76-1594 (South of 800 Riverside Drive).

**DEPARTMENT RECOMMENDATION: APPROVAL**

The amendment under consideration propose adopting zoning in the unincorporated areas of Buncombe County which are currently not zoned, pursuant to Session Law 2014-26.

**REZONING ANALYSIS:**

The subject property (described above) consists of an existing landscaping company and the outdoor seating/recreation area for the adjacent Bywater bar. Property to the North, East and South is commercially zoned and located within the City of Asheville. The subject property is bordered by the French Broad River to the West.

The Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update indicate the following regarding the subject property:

- The subject property is not located within close proximity to a major transportation corridor as mapped, however it does have direct access to NC 251 (Riverside Drive/Broadway Street).
- The subject property is located within close proximity to utility infrastructure (combined water/sewer service area) as indicated on the applicable land use constraint maps.
- The subject property does **not** contain steep slope areas of 25% or greater.
- The subject property does **not** lie within areas containing high elevations (greater than 2,500 feet).
- The subject property is located outside of moderate and high slope stability hazard areas.
- The subject property **is located entirely within** a FEMA Flood Hazard Area.
- The subject property is separated from adjacent low-density residential uses.

Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update identifies commercial and industrial development as highly suggested within areas that are within reasonable proximity to major transportation corridors and combined water/sewer service areas, and are not located within steep slope areas or those with high elevations and moderate and high slope stability hazards. While the plan highly suggests that commercial/industrial development be located outside of flood hazard areas, the existing commercial uses of the property have been established for many years and are located outside of the French Broad River floodway. Additionally, the plan highly suggests that commercial and industrial development be separated from low-density residential uses for which the property is in compliance with this standard. The proposed map amendment is compatible with existing surrounding commercially zoned properties located within the City of Asheville. Therefore the proposed map amendment is appropriate.

For the above reasons, the Buncombe County Department of Planning and Development recommends **approval** of the proposed map amendment.

### LAND USE PLAN CONSISTENCY STATEMENTS

**Consistent:** The Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update indicate the following regarding the subject property:

- The subject property is not located within close proximity to a major transportation corridor as mapped, however it does have direct access to NC 251 (Riverside Drive/Broadway Street).
- The subject property is located within close proximity to utility infrastructure (combined water/sewer service area) as indicated on the applicable land use constraint maps.
- The subject property does **not** contain steep slope areas of 25% or greater.
- The subject property does **not** lie within areas containing high elevations (greater than 2,500 feet).
- The subject property is located outside of moderate and high slope stability hazard areas.
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The subject property consists of an existing landscaping company and the outdoor seating/recreation area for the adjacent Bywater bar. Property to the North, East and South is commercially zoned and located within the City of Asheville. The subject property is bordered by the French Broad River to the West. Therefore, the proposed map amendment would be **reasonable and in the public interest**.