

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
TEXT AMENDMENT ANALYSIS

CASE NUMBER : ZPH2013-00003
TEXT AMENDMENT REQUESTED : AMEND TABLE TO SHOW “MOTOR SPORTS
: FACILITY” AS A CONDITIONAL USE IN EMP
: AND CS

APPLICANT/OWNER: STACY OGLE
43 LYTTLE COVE ROAD EXT.
SWANNANOVA, NC 28778

DEPARTMENT RECOMMENDATION: **DENIAL**

TEXT AMMENDMENT ANALYSIS: The applicant requests that the permitted use table be revised to allow “motor sports facility” as a Conditional Use in EMP (Employment District) and CS (Commercial Service District). The use is currently allowed in the OU (Open Use District). Staff feels that current allowance of the use within in the OU zoning district is appropriate given the noise and nuisances associated with this use, and that it would not be appropriate to allow the use in more densely populated areas of the County, as this use tends to be disruptive to adjoining property owners. Therefore the Buncombe County Department of Planning and Development recommends **DENIAL** of the request.

LAND USE PLAN CONSISTENCY STATEMENTS

NOT CONSISTENT: The proposed amendments regarding the establishment of conditional use standards for motor sport facilities and the addition of motor sport facilities as a conditional use in the Commercial Service and Employment Districts are inconsistent with the Buncombe County Comprehensive Land Use Plan and updates for the following reasons: the 2006 Update (VII-2.1) recommended the adoption of a mixed-use zoning district outside the Primary Service Area “that regulates only those uses that are often necessary but typically considered undesirable because they are- or are perceived to be-incompatible with other land uses, and in some cases, have a negative impact on adjacent land uses” and which specifically identifies Motor Sports Facilities within this list of uses; the Commercial Service District is meant to provide locations for “clustered commercial development” (VII-4) that may be incompatible with the noise generated by a Motor Sport Facility, such as restaurants or outdoor sales; and the 2006 Update also recommended that the Employment District only allow those manufacturing uses “which meet all local, state, and federal environmental standards, and do not involve obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazards, or other objectionable conditions that would be detrimental to the health, safety, and general welfare of the community” (VII-4).

The proposed amendments to the text are neither reasonable nor in the public interest as given the noise and nuisances associated with this use that it would not be appropriate to allow the use in more densely populated areas of the County, as this use tends to be disruptive to adjoining property owners.

CONSISTENT: The proposed amendments regarding the establishment of conditional use standards for motor sport facilities and the addition of motor sport facilities as a conditional use in the Commercial Service and Employment Districts are consistent with the Buncombe County Comprehensive Land Use Plan and updates, as the 2006 update (II-1) indicated that “high traffic generating commercial, industrial, and multi-family residential development [should be concentrated] along major corridors where the availability of water sewer and transportation can be easily managed.” Furthermore, the setting of conditional use standards for existing conditional uses within the Zoning Ordinance such as motor sport facilities as such does not contradict the Buncombe County Comprehensive Land Use Plan or Updates.

The proposed amendments to the text are reasonable and in the public interest as the applicant has indicated that a large number of local youth participate in motocross riding competitions. As such a facility would meet an existing need and provide more centrally located access it should also be held to standards which can help mitigate said nuisance.