

RESOLUTION OF PLANNING BOARD RECOMMENDING THAT THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS DENY THE PROPOSED ZONING AMENDMENT TO THE TEXT OF CHAPTER 78 OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY, and STATEMENT OF CONSISTENCY

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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, the provisions set forth in Division 8 of Article VI of the Buncombe County Code of Ordinances were met prior to the public hearing at which this recommendation was considered;

WHEREAS, the Buncombe County Planning Board reviewed proposed amendments to the text of The Zoning Ordinance of Buncombe County, North Carolina at a number of regular meetings prior to June 3, 2013 with considerable public input, and at the June 3, 2013 regular meeting of the Planning Board;

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

Section 1. This Board finds that 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:

- i. 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.
- ii. 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.
- iii. 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).

- Section 2. this Board finds that the proposed amendments to the text are neither reasonable nor in the public interest as the noise and nuisances associated with this use would not be appropriate in more densely populated areas of the County, as this use tends to be disruptive to adjoining property owners.
- Section 3. this Board does hereby recommend that the Board of Commissioners deny the proposed amendment to Chapter 78 of the Buncombe County Code of Ordinances.
- Section 4. This resolution is approved by a vote of 4 to 4 and shall be effective upon its adoption.

This the 3<sup>rd</sup> day of June, 2013.

BUNCOMBE COUNTY PLANNING BOARD

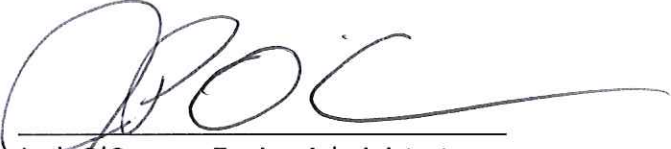
By: 

Tom Alexander, Chairman

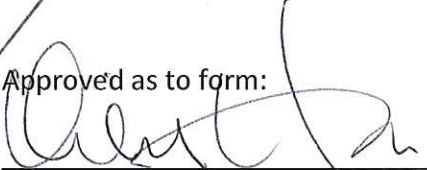
Consented to:

Planning Board Members:

Jim Young  
Bernie Kessel  
Joe Sechler  
Josh Holmes  
Bud Sales  
Tom Alexander  
Michelle Wood  
Greg Phillips  
Catherine Martin (absent)

  
Josh O'Conner, Zoning Administrator

Approved as to form:

  
Michael C. Frue, County Attorney