

## Buncombe County Agenda Item Information Sheet

**AGENDA ITEM:**

Expansion of Buncombe County Zoning to Include Areas Currently Within the City of Asheville's Extraterritorial Jurisdiction (ETJ) per Session Law 2013-30

**MEETING DATE:**

August 6, 2013

**REQUESTED BY:**

County Planning Department

**Background information**

On April 17, 2013, the North Carolina General Assembly ratified Session Law 2013-30 which removed the authority of the City of Asheville to exercise land use regulation within an ETJ area. The law dictated that Asheville's jurisdiction remains in effect until Buncombe County adopts zoning regulation in the area, or after 120 days, whichever occurs first. The Planning Board has met on multiple occasions to consider the ramifications of the Session Law, moved to sponsor the proposed map amendments, and has passed a resolution recommending the adoption of the proposed amendments by the Board of Commissioners.

**Pros**

*See Planning Board Resolution recommending approval*

**Cons**

*None*

**Funds required**

No funds are required

**Alternatives**

If the Board of Commissioners does not adopt the proposed map amendments, then the area currently defined as the City of Asheville's ETJ will become unzoned at the end of the 120-day period (August 15, 2013). All other permitting will transfer from the City to the County; however this area would no longer be regulated by any type of zoning or land use restrictions.

**Action recommended:**

Both staff and the Planning Board have recommended approval of the map amendments.

As occurred with the adoption of County-wide zoning in 2009, staff also recommends that the Board consider waiving fees for any rezoning applications undertaken for properties within this area for the next ninety (90) days.