ORDINANCE NO. _____

ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF BUNCOMBE COUNTY, CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY
ZPH2025-00012

WHEREAS, pursuant to N.C. Gen. Stat. §160D-7-1, the County may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

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, pursuant to N.C. Gen. Stat. §160D-6-2, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board for Buncombe County has reviewed and discussed proposed text amendments (ZPH2025-00012) and held a public hearing for an amendment to The Buncombe County Zoning Ordinance. The Board considered amendments to Chapter 78 (The Buncombe County Zoning Ordinance) of the Buncombe County Code of Ordinances, and more specifically, sections 78-581 Definitions, 78-640 Statement of District Intent, 78-641 Permitted Uses, and 78-642 Dimensional Requirements. The amendments propose to end mandatory single-family zoning in Buncombe County, and modernize standards for the Beaverdam Zoning District to align them with the other districts in the county. The ordinance text is attached as Exhibit A.

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider the proposed amendment on June 16, 2025, at which meeting a motion to **approve** the proposed text amendment with proposed changes passed by a vote of **7 to 0**; and,

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances, the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board has considered whether this proposed amendment is consistent with the Buncombe County 2043 Comprehensive Plan, and hereby finds the following:

1) The proposed text amendment is consistent with the Buncombe County 2043 Comprehensive Plan in that the text amendment:
   a) **Growth, Equity, & Conservation – Action 1:** Implement new development and re-development policies and prepare small area plans to promote desired land use patterns and designs and maximize the use of public infrastructure.
      i) **Sub-Action:** Evaluate regulatory barriers to infill, redevelopment, and adaptive reuse sites including parking, dimensional requirements, density, and access circulation standards. Consider providing flexibility for achieving these standards to support the redevelopment of underutilized sites
   b) **Action 4:** Expand and protect affordable and accessible housing choices.
      i) **Sub-Action:** Consider allowing every residential lot in every zoning district to have at least two homes provided the lot or parcel has adequate infrastructure
   c) **Action 5:** Implement regulatory actions to promote the Growth, Equity, and Conservation Goal.

Therefore, the requested text amendment would be **reasonable and in the public interest**.

Section 2. This Board does hereby **approve** and adopt the Plan Consistency Statement and amendments to Chapter 78 (The Buncombe County Zoning Ordinance) of the Buncombe County Code of Ordinances, and more specifically, sections 78-581 Definitions, 78-640 Statement of District Intent, 78-641 Permitted Uses, and 78-642 Dimensional Requirements. The amendments propose to end mandatory single-family zoning in Buncombe County, and modernize standards for the Beaverdam Zoning District to align them with the other districts in the county.

Section 3. If any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance;

Section 4. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict; and

Section 5. This ordinance is effective upon adoption.

Read, approved and adopted this the 15th day of July, 2025.

ATTEST

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

_____

Sarah Gross, Clerk

BY_____

Amanda Edwards, Chair

APPROVED AS TO FORM

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County Attorney