

**AN ORDINANCE TO ADOPT A STATEMENT OF CONSISTENCY AND AMEND THE
CODE OF ORDINANCES AND ZONING MAP OF THE TOWN OF BLACK
MOUNTAIN BY REPLACEMENT OF
SECTIONS 150 TO 158 OF TITLE XV LAND USAGE**

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that they adopt the following STATEMENT OF CONSISTENCY:

WHEREAS, in accordance with the provisions of North Carolina General Statutes 160A-383, the members of the Planning Board have found and determined that the adoption of the recommended text amendments and changes to the zoning map are consistent with the adopted 2004 Comprehensive Plan and the 2008 adopted Comprehensive Pedestrian Plan; and

WHEREAS, the Board of Aldermen also find and determine that the adoption of the recommended text amendments and changes to the zoning map are consistent with the adopted 2004 Comprehensive Plan and the 2008 adopted Comprehensive Pedestrian Plan and accept the Planning Board's recommendations concerning the proposed text amendments; and

WHEREAS, the Board of Aldermen finds that these policies and map changes are intended to protect individual property values and development rights while:

1. Maintaining the small town character and community identity of the Town;
2. Promoting social, cultural and economic diversity in our community;
3. Promoting a vibrant downtown district that encourages small business development and preserves the historical integrity of the existing buildings;
4. Providing a network of safe and convenient transportation options that accommodate freight, automobiles, transit vehicles, pedestrians and bicyclists;
5. Preserving our natural resources, parks, open spaces, and view-sheds;
6. Minimizing risk to property and water quality from flood damage and stormwater;
7. Protecting environmental health and safety from natural and manmade disasters;
8. Providing a variety of housing types for citizens of all income levels, ages and physical abilities; and
9. Creating economic opportunities through organized development patterns that encourage investment and the redevelopment of blighted areas.

WHEREAS, the Board of Aldermen finds that the proposed changes are consistent with the purpose of Title XV of the Black Mountain Code of Ordinances to provide regulations for the subdivision of land and guidelines for its development, in order to protect and promote the health, safety and general welfare of the Town and any of its extraterritorial jurisdictions in

accordance with the General Statutes of the State of North Carolina and the Town of Black Mountain Code of Ordinances; and

WHEREAS, the Board of Aldermen finds that the Land Use Development Code provides regulations which are easy to understand and in which all processes required are efficient and necessary to the public interest; and

WHEREAS, the Board of Aldermen finds that these amendments are made in accordance with the "Requirements for Change" of the current Town Ordinances Sections 153.150 – 153, and that the proposed text and map amendments are both reasonable and in the public interest;

BE IT ORDAINED by the Board of Aldermen of the Town of Black Mountain, North Carolina, that they adopt the text and map amendments proposed within the Draft Land Use Code and Proposed Maps and find that these amendments are consistent with the Town's 2004 Comprehensive Plan and 2008 Comprehensive Pedestrian Plan.

Mayor, Carl Bartlett

READ, APPROVED AND ADOPTED this 14th day of September, 2009, by a vote of _____ to _____.

ATTEST:

Town Clerk