

PLANNING BOARD'S WRITTEN RECOMMENDATION TO THE BUNCOMBE COUNTY  
BOARD OF COMMISSIONERS TO APPROVE APPLICATION ZPH2023-00031  
REQUESTING AN AMENDMENT TO THE OFFICIAL ZONING MAP

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WHEREAS, the Zoning Administrator for Buncombe County has received an application (ZPH2023-00031 - JUSTICE RIDGE FARM RD MAP AMENDMENT) requesting an amendment to The Official Zoning Map of Buncombe County on the parcel(s) depicted in the map attached hereto as "Exhibit A" and identified as follows:

PIN(s): 8697-85-0315, 8697-85-1233, 8697-84-1531, and 8697-84-1538

Addresses: 215 & Unaddressed Justice Ridge Rd, and 1 & 5 Clara Parker Dr.

Owner(s): Myron and Beverly Gottfried and Justice Ridge Farm LLC

Applicant(s): Myron Gottfried of Justice Ridge Farm, LLC

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from the R-1 and R-2 Residential District to the CS – Commercial Service District; and

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this application was considered have been properly mailed to members of the Planning Board, the applicant(s), owner(s), and all adjoining property owners at least ten (10) days prior to the meeting; public notice of the meeting has been properly published in a newspaper having general circulation in the County; and notices of the public hearing concerning this zoning map amendment have been prominently posted as required; 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 Planning Board duly advertised and held a public hearing to consider the proposed amendment; and

WHEREAS, pursuant to Buncombe County Code of Ordinances Sec. 78-717 and N.C. Gen. Stat. § 160D-604(d), the Planning Board has advised and commented on "whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable" and has provided "a written recommendation to the board of county commissioners" concerning the same (said written recommendation, which is incorporated herein by reference, is attached hereto as "Exhibit B"); and

WHEREAS, the Planning Board recommends that the Buncombe County Board of Commissioners **APPROVE** the proposed map amendment by a vote of **6 to 0**.

NOW, THEREFORE, THE BUNCOMBE COUNTY PLANNING BOARD HEREBY RECOMMENDS AS FOLLOWS:

1. The Planning Board recommends that the Buncombe County Board of Commissioners **APPROVE** the proposed Zoning Map amendment as presented in Exhibit A.

Read, approved and adopted this the 16<sup>th</sup> day of October 2023.

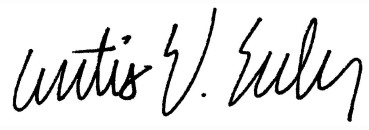
ATTEST

  
\_\_\_\_\_  
Terri Rogers, Clerk

PLANNING BOARD FOR THE  
COUNTY OF BUNCOMBE

BY   
\_\_\_\_\_  
Ken Kahn, Vice Chair

APPROVED AS TO FORM

  
\_\_\_\_\_  
County Attorney

Consented to (**YES/NO**):

Planning Board Members:

Nancy Waldrop, Chair -  
John Noor -  
Cindy Weeks -  
Tim Collins -  
Ken Kahn -  
Mike Fisher -  
Eric Robinson -  
Alan Coxie -  
Billy Taylor -

Exhibit A

OFFICIAL ZONING MAP  
-EXCERPT-  
PROPOSED AMENDMENT

PIN(s): 8697-85-0315, 8697-85-1233, 8697-84-1531, and 8697-84-1538  
Addresses: 215 & Unaddressed Justice Ridge Rd, and 1 & 5 Clara Parker Dr.  
Owner(s): Myron and Beverly Gottfried and Justice Ridge Farm LLC  
Applicant(s): Myron Gottfried of Justice Ridge Farm, LLC

PROPOSED ZONING DISTRICT – CS

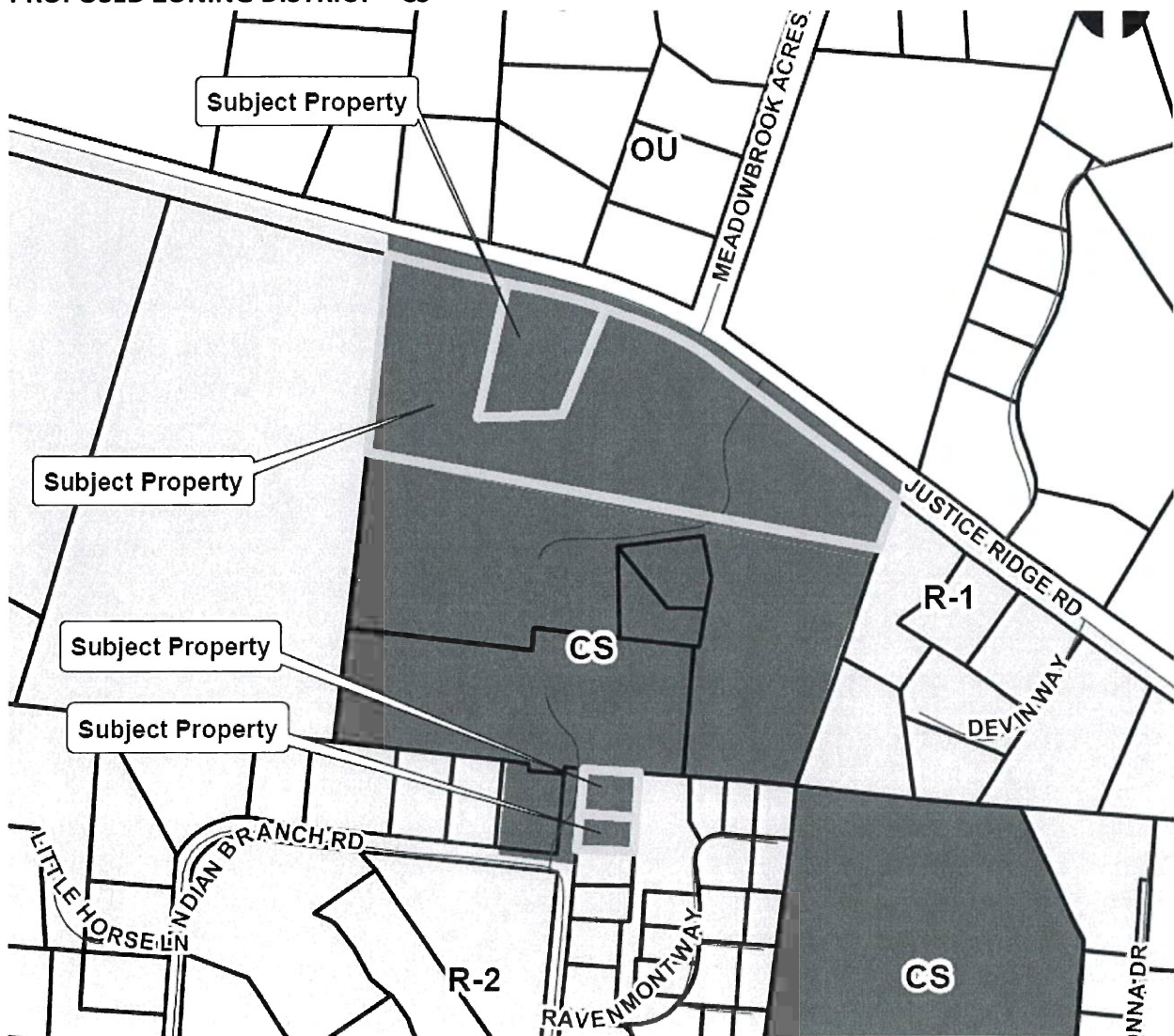


Exhibit B

PLAN CONSISTENCY STATEMENT

ZONING MAP AMENDMENT  
CONSISTENT WITH PLAN

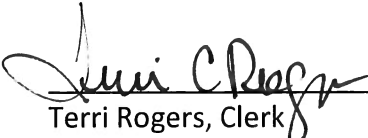
Pursuant to N.C. Gen. Stat. §160D-604(d) the Buncombe County Planning Board hereby approves and adopts the following Plan Consistency Statement for the rezoning of tax lot PIN(s) 9679-54-4937, from the R-2 Residential District to the PS - Public Service District. The Board finds the following:

1. The proposed rezoning of the subject property is consistent with the Buncombe County 2043 Comprehensive Plan in that the property:
  - A. Is consistent with the GEC Character Framework description
  - B. Is within reasonable proximity to water and sewer infrastructure
  - C. Is within the recommended density of the GEC Character area
  - D. Is consistent with the primary and secondary land uses in the GEC Character Framework
  - E. Is within reasonable proximity to major transportation corridors
  - F. Prioritizes environmental conservation of other natural lands to protect and increase the capacity to sustain the county's existing biodiversity
  - G. Prioritizes the conservation of physical connections between natural landscapes to avoid fragmentation of large forest blocks in order to benefit wildlife migration
  - H. Has potential to work with private development partners to bring new sites to market that have promising transportation access, proximity to current and future economic corridors, a robust utility service, labor draw, community synergies, etc.
  - I. Is outside of steep slope area
  - J. Is outside of moderate and high slope stability hazards
  - K. Is outside of flood hazard areas
  
2. The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it **does** meet a number of goals as identified in the Buncombe County Comprehensive Land Use Plan.

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

Approved and adopted this the 16th day of October 2023.

ATTEST

  
Terri Rogers, Clerk

PLANNING BOARD FOR THE  
COUNTY OF BUNCOMBE

BY   
Ken Kahn, Vice Chair