

Buncombe County Planning Board  
October 21, 2013

The Buncombe County Planning Board met October 21, 2013 in the meeting room at 30 Valley Street. Members present were Jim Young, Josh Holmes, Chairman Tom Alexander, Michelle Wood, Catherine Martin, Joe Sechler, and Bernie Kessel. Also present were Michael Frue, Staff Attorney; Josh O'Conner, Zoning Administrator; and Gillian Phillips and Debbie Truempy, Planning staff.

**Call to Order**

Chairman Alexander called the meeting to order at 9:33 am.

**Approval of Agenda**

Mr. Holmes made a motion to approve the revised agenda. Mr. Young seconded it and the motion passed unanimously.

**Approval of Minutes (October 7, 2013)**

Mr. Sechler suggested that the word "proposed" be added in front of "changes to the Zoning Ordinance" under the discussion of the Buncombe County Land Use Plan. Mr. Holmes made a motion to approve the minutes as revised. Mr. Kessel seconded the motion and the motion passed unanimously.

**Public Hearing (Zoning Map Amendment)**

*ZPH2013-00026: Anthony Case has applied to rezone tax lot PIN 9639-24-8662 (60 Adams Hill Road), which is currently, zoned Residential District R-3 to Commercial Service (CS).*

The Board was provided with the staff recommendation (Attachment A) and GIS maps (Attachment B) prior to the meeting. Ms. Truempy reviewed the case for the Board. Anthony Case was present to represent the case. He indicated that his business provided transportation for handicapped individuals. Mr. Case indicated that he needed a place to park his trucks. Mr. Sechler asked Mr. Case some questions regarding the surrounding properties. There being no public wishing to speak regarding the case, Chairman Alexander closed the public hearing. Mr. Sechler made a motion to approve the application with the consistency statement provided in Attachment A. Ms. Martin seconded the motion and the motion passed unanimously.

**Presentation regarding GroWNC**

Carrie Runser-Turner and Linda Giltz were present from Land of Sky Council of Government to provide a presentation (Attachment C) regarding the GroWNC regional plan. Ms. Runser-Turner provided information regarding the process and public participation that took place when constructing the plan. Ms. Giltz reviewed the plan itself, the online tools available, and the map tools and GIS data available as part of the plan. Ms. Giltz reviewed how the data could be used, and the next step in the process. Mr. Sechler asked how the County staff was involved. Ms. Giltz reviewed how County staff was involved in the process. The Board asked questions regarding the time period that was involved and who developed the website and GIS tools. There was

discussion regarding climate change and weather in the area. The Board asked questions regarding how rural areas were treated in the County. The regional plan's consistency with county plans was discussed.

#### **Discussion of zoning language regarding Public Utilities and Energy Generation Facilities**

The Board was provided with proposed language (Attachment D). Mr. O'Conner reviewed the proposed language with the Board. The Board discussed when a private or public utility facility would require a Conditional Use Permit and when it would be allowed as a use by right. Ms. Wood raised concerns regarding individual property owners being required to obtain a Conditional Use Permit. Mr. O'Conner indicated that he would clarify when a Conditional Use Permit was required or not. There was discussion regarding when the regulations would affect solar panels and wind turbines. There was discussion regarding adding public utilities as an allowed and conditional use in the Beaverdam zoning district. The Board asked for time to review the language and would review it again at the next Planning Board meeting.

#### **Public Comment**

Mary Standaert, a resident of Montreat, was present to make public comment. Ms. Standaert thanked the staff regarding the information regarding public utilities in the update to the Land Use Plan and the proposed language to the Zoning Ordinance regulating them. She stressed the importance of regulating such uses.

#### **Adjournment**

There being no further business, Mr. Kessel made a motion to adjourn the meeting. Mr. Holmes seconded the motion and the motion passed unanimously. The meeting was adjourned at 10:55 am.

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
REZONING ANALYSIS

CASE NUMBER : ZPH2013-00026  
PROPOSED ZONING CHANGE : R-3 to CS  
LOCATION : 60 Adams Hill Road  
PIN : 9639.24.8662  
ACREAGE : 1.96

APPLICANT/OWNER: Anthony Case  
129 Logan Avenue  
Asheville, NC 28806

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the "product of a complex of factors." Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING ANALYSIS: The applicant requests the rezoning of approximately 1.96 acres from R-3 (Residential District) to CS (Commercial Service District). The subject property is located on the south side of Adams Hill Road, near the intersection of Louisiana Avenue and Adams Hill Road. The tract currently contains a single family home. The surrounding area consists of commercial zoned property at the intersection of Louisiana Avenue and Adams Hill Road, with residential property surrounding the subject property.

The proposed map amendment is consistent with the Buncombe County Land Use Plan as the Land Use Constraint maps within the Buncombe County Comprehensive Land Use Plan, 2013 Update shows the following regarding the subject property:

- Reasonable proximity to infrastructure
- Outside of steep slope areas
- Outside high elevations
- Outside of moderate and high slope stability hazards
- Outside of flood areas

While the property is adjacent to residentially zoned property, it is located at an established commercial intersection in this area. The requested zoning would not be detrimental to the owner, adjacent neighbors, and surrounding community as it is consistent with the commercially zoned property adjacent to the subject property and surrounding property. Therefore the Buncombe County Department of Planning and Development recommends **APPROVAL** of the request.

**LAND USE PLAN CONSISTENCY STATEMENTS**

CONSISTENT: The proposed map amendment is consistent with the Buncombe County Land Use Plan as the Land Use Constraint maps within the Buncombe County Comprehensive Land Use Plan, 2013 Update shows the following regarding the subject property:

- Reasonable proximity to infrastructure
- Outside of steep slope areas
- Outside high elevations
- Outside of moderate and high slope stability hazards
- Outside of flood areas

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

NOT CONSISTENT: The map amendment is not consistent with the Buncombe County Comprehensive Land Use Plan as the Land Use Constraint maps within the Buncombe County Comprehensive Land Use Plan, 2013 Update shows the following regarding the subject property:

- It is not separated from low density residential uses
- It does not have reasonable proximity to major transportation corridors

Therefore, the requested zoning would not be reasonable and in the interest of the public.

# ATTACHMENT B

**Legend**

- Property Boundaries
- 5 Foot Contours



## Anthony Case Map Amendment

Case Number: ZPH2013-00026  
Approximate Property Size: 1.96 acres  
Application Date: September 20, 2013  
Planning Board Hearing Date: October 21, 2013

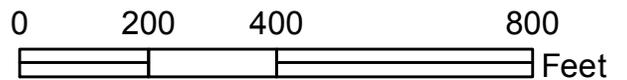


Created By: Buncombe County Planning  
Date: September 26, 2013

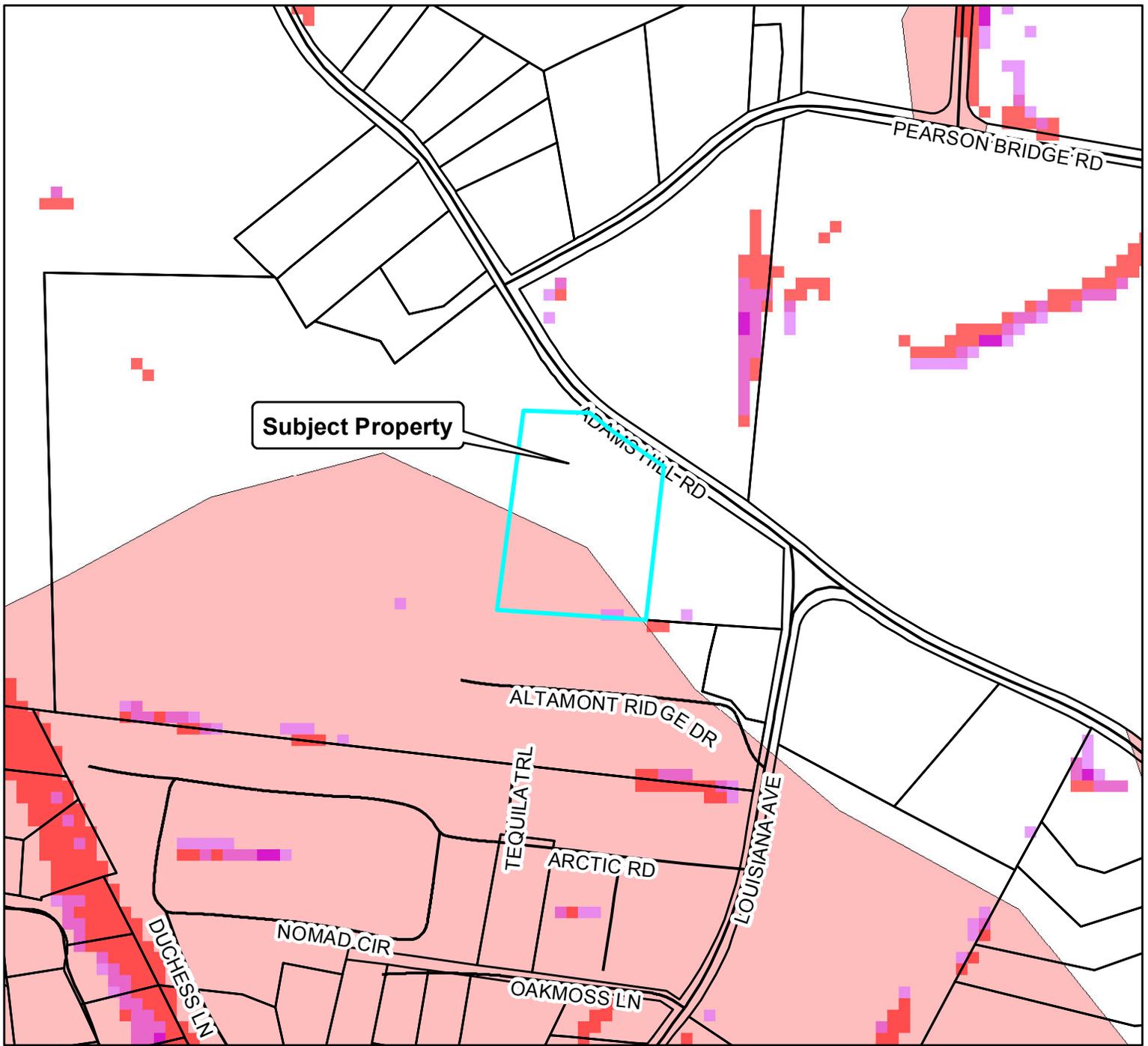


**Anthony Case  
Map Amendment**

Case Number: ZPH2013-00026  
Approximate Property Size: 1.96 acres  
Application Date: September 20, 2013  
Planning Board Hearing Date: October 21, 2013



Created By: Buncombe County Planning  
Date: September 25, 2013



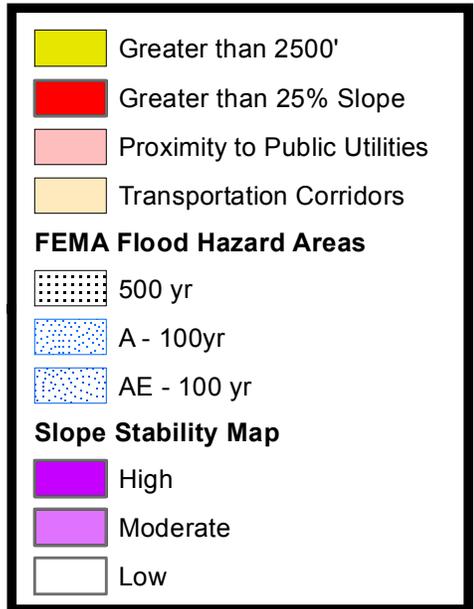
Subject Property

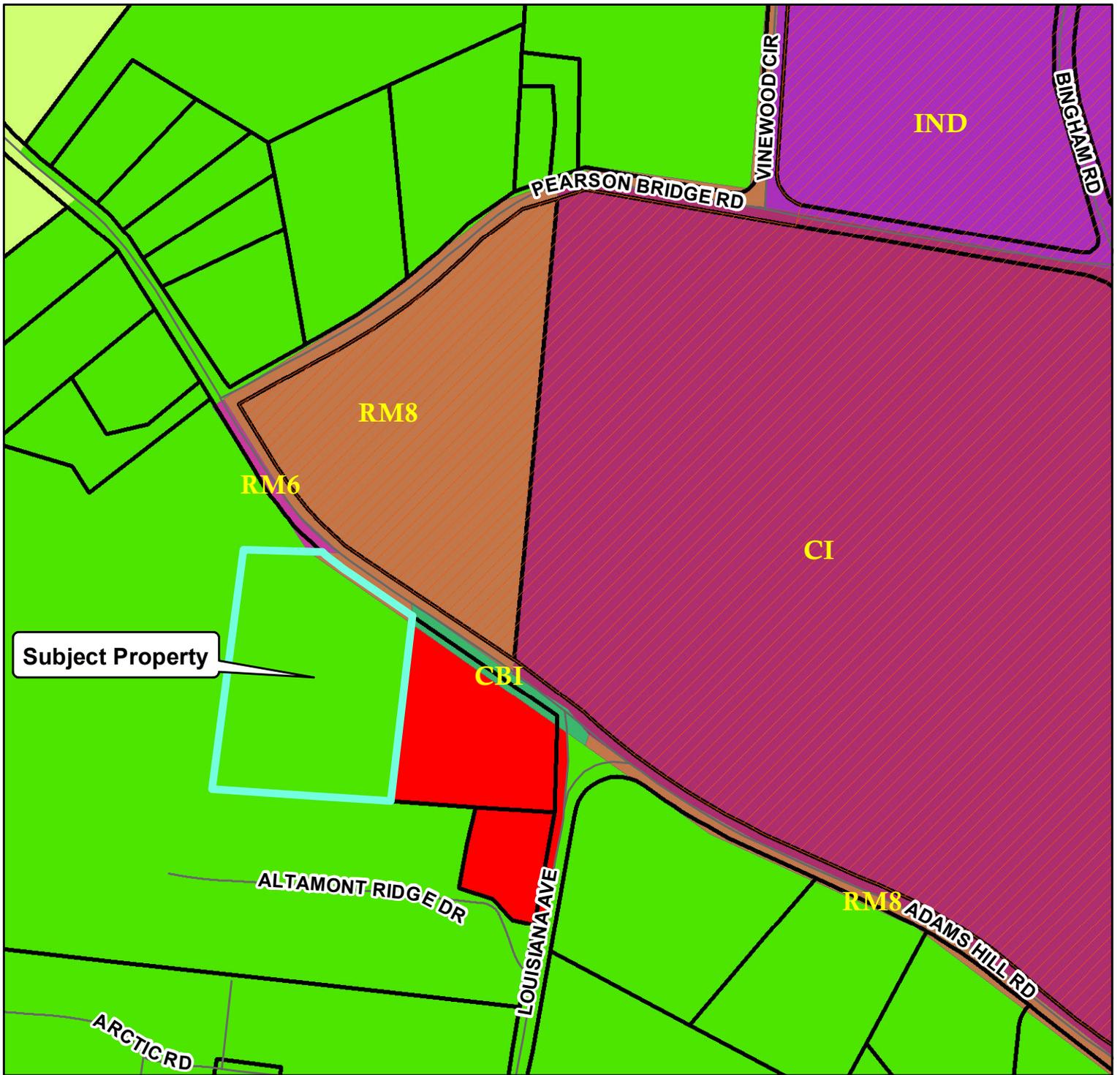


## Anthony Case Map Amendment

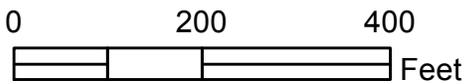
Case Number: ZPH2013-00026  
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Created By: Buncombe County Planning  
 Date: September 25, 2013





# Anthony Case Map Amendment

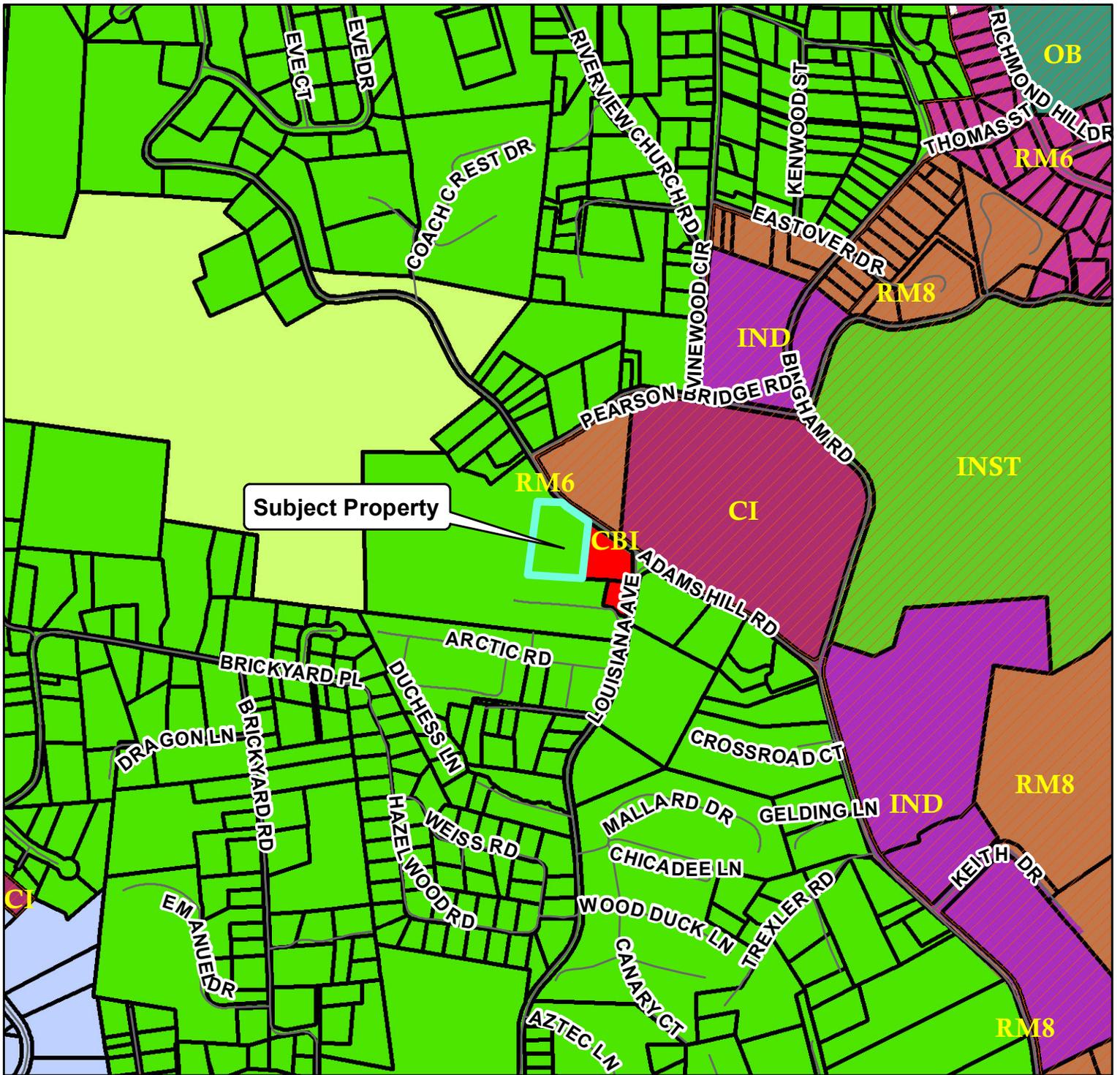


Zoning Districts		Zoning Overlays	
CITY OF ASHEVILLE	OU	Blue Ridge Parkway Overlay	Protected Ridge Overlay
BDM	PS	Protected Ridge & Parkway	Steep Slope/High Elev.
CS	R-1	Steep Slope/High Elev. & Pkwy	
EMP	R-2		
NS	R-3		
	R-LD		

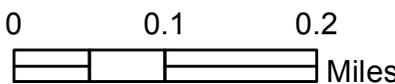
Case Number: ZPH2013-00026  
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Created By: Buncombe County Planning  
 Date: September 26, 2013



# Anthony Case Map Amendment



Zoning Districts		Zoning Overlays	
CS	R-1	Blue Ridge Parkway Overlay	PS
EMP	R-2	Protected Ridge Overlay	R-3
NS	R-LD	Protected Ridge & Parkway	OU
		Steep Slope/High Elev.	
		Steep Slope/High Elev. & Pkwy	

Case Number: ZPH2013-00026  
 Approximate Property Size: 1.96 acres  
 Application Date: September 20, 2013  
 Planning Board Hearing Date: October 21, 2013



Created By: Buncombe County Planning  
 Date: September 26, 2013

ATTACHMENT C



## **Regional Plan and Toolkit**

Buncombe County Planning Board

October 21, 2013

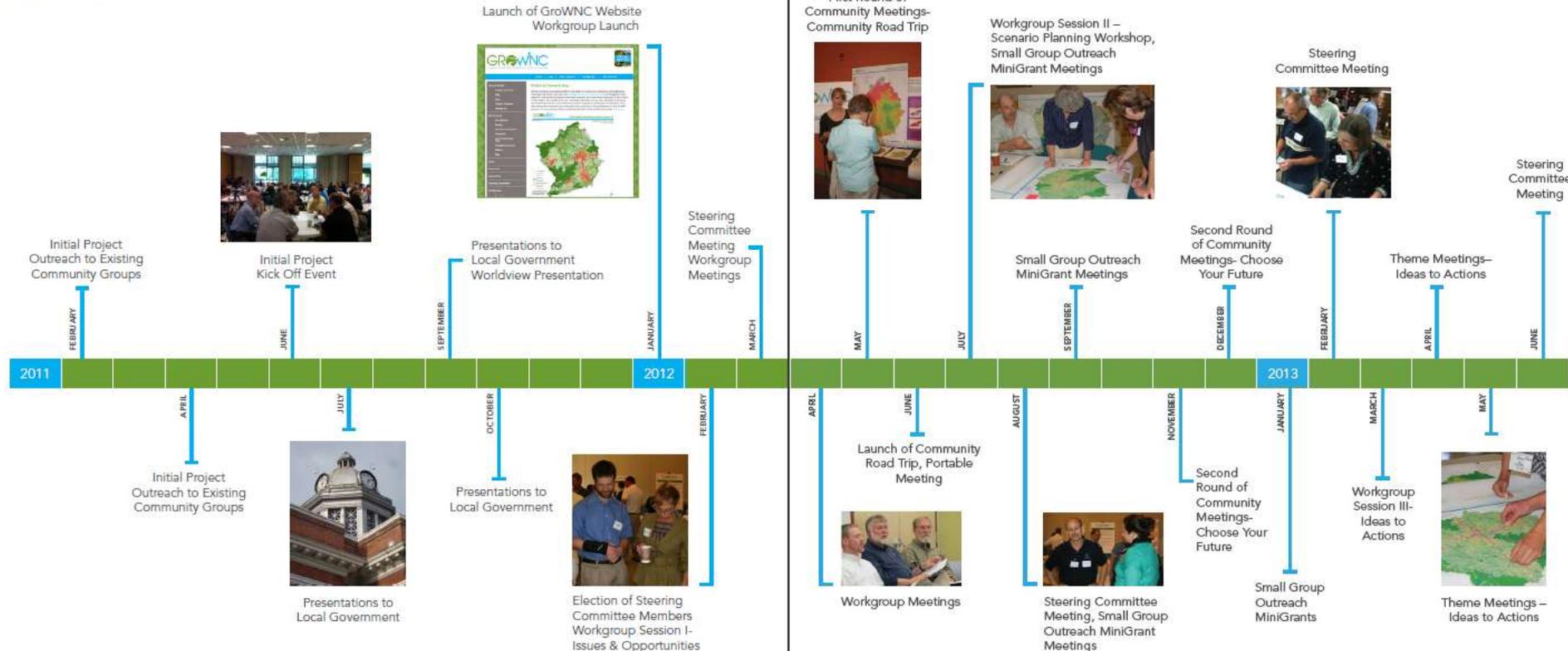
[www.gro-wnc.org](http://www.gro-wnc.org)

# Where are we in the Process?

## Timeline

Over the course of the project, numerous outreach events occurred. These varied from small group meetings facilitated by Land-of-Sky staff and sponsored project partners to large community-wide public events. Nearly 5,000 people participated in a variety of events over the course of the project.

Figure #3: Timeline



**Existing Plans**



**Workgroup Goals & Objectives**



**Public Meetings**



**Surveys**



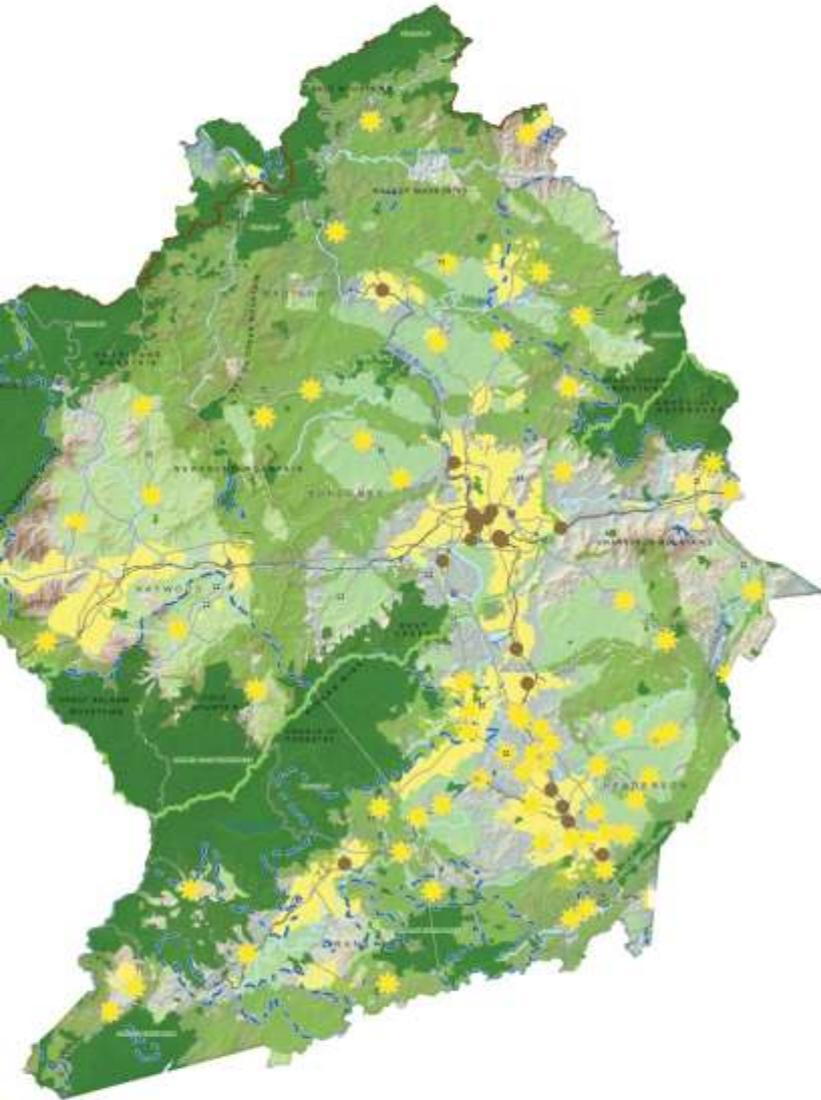
**Small Group Discussion**



What do you love most about living here?



# Preferred Scenario



**CRITICAL WATERSHEDS**  
80% less impervious surface

**Rural Centers**  
Infrastructure investments in rural communities result in more housing and jobs.

Land use policies encourage growth in areas that are not in conflict with natural or cultural resources.

Appalachian Trail  
Viewsheds are protected.  
Blue Ridge Parkway

**PUBLIC CONSERVATION LANDS**

**KEY ECOLOGICAL CORRIDORS & HABITATS**

70% more remain intact

**AGRICULTURE & FORESTRY LANDS**  
85,000 more acres preserved

**Brownfield Sites**  
Redevelopment is encouraged on brownfields, old industrial sites and shopping centers.

Well-located industrial sites are reserved for job creating uses.

**LAND USE**  
Policies focus growth in areas with existing infrastructure

# Preferred Scenario



Policies



Programs



Plans



Projects



**Strategy  
Toolkit**



# Preferred Scenario

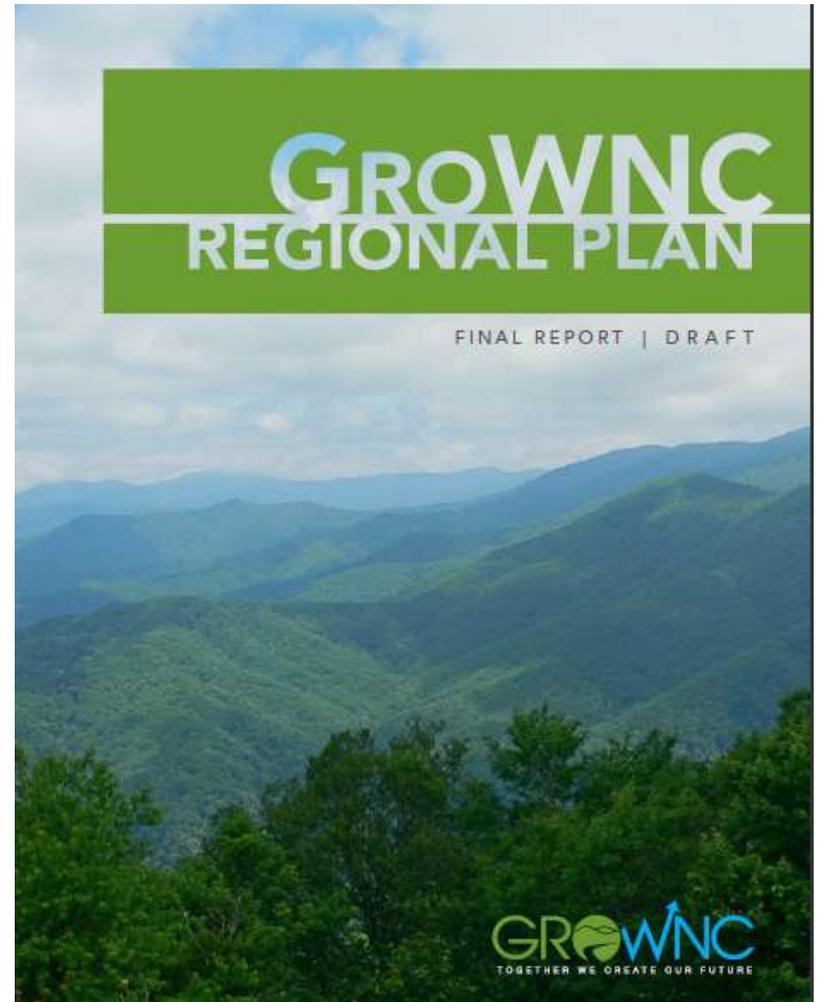
Strategy  
Toolkit



# Final Plan

## Contents:

- Overview of GroWNC
- Vision for the Future (Preferred Scenario)
- Recommendations & Initiatives
  - Case Studies



# Final Plan Highlights

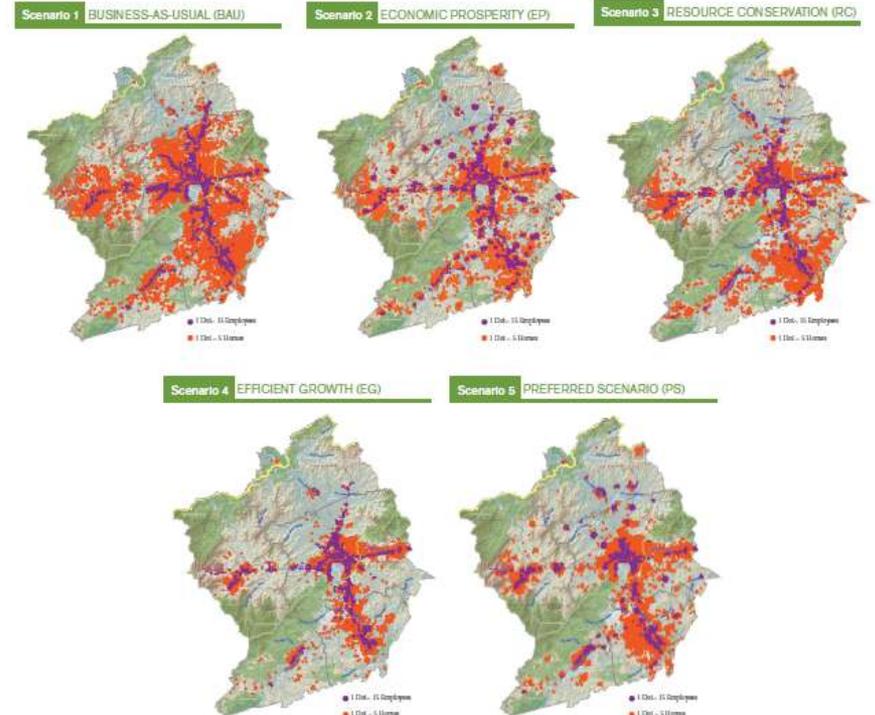
	BUSINESS SUPPORT & ENTREPRENEURSHIP	RESOURCE CONSERVATION	ACCESSIBILITY & CONNECTIVITY	LAND USE POLICIES	HEALTHY COMMUNITIES	ENERGY INNOVATION	HOUSING CHOICES	EDUCATION & AWARENESS
Promote adaptive economic development that encourages entrepreneurship, supports existing businesses, and attracts new employers	●							
Support an economic development approach that enables a diversified economy built on the region's priorities, competitive advantages, and local initiatives	●							
Create a region where every individual has the opportunity to improve their employment status through affordable access to timely and relevant skills training and job placement assistance	●		●	●	●			●
Support opportunities and jobs that attract and keep our young people in the region	●	●			●			
Create and maintain appropriate physical infrastructure needed for economic development opportunities in each county		●	●	●		●		

## Scenario Development

Most scenario planning processes start with the development of a baseline “business as usual” (BAU) scenario because it reflects a future condition if current policies and practices continue. In land use planning, the BAU represents a probable future if current land use policies and regulations remained unchanged and development patterns continue in a similar way to present patterns. Additional scenarios were created based on the goals identified earlier in the process. The alternative scenarios presented, as well as their underlying assumptions, are outlined below.

### Land Use/Development Scenarios

These maps show the distribution of new development resulting from land use policies as predicted by the GroWNC Growth Model. The number of projected homes and jobs in 2040 were held constant between scenarios. For an in-depth technical explanation of the GroWNC Growth Model please refer to the Appendix of this report.



# Final Plan



In 2013, the Clean Vehicle Coalition published the Greater Asheville Electric Vehicle Charging Station Map.

**STRATEGY EI3.4**  
**Offer preferred parking spaces and/or discounted parking rates for low emission and energy-efficient vehicles at public and private parking lots and garages.**

**STRATEGY EI3.5**  
**Identify tools and strategies to assist businesses and government in identifying easily-achievable tasks to save fuel and reduce environmental impacts. The include, among others, idle reduction, the use of biofuels, low-emission and energy-efficient vehicle purchasing tools.**

The North Carolina State Energy Office... the Energy Policy Act (EPAAct) Credit Banking and Selling Program, which enables the state to generate...

## CASE STUDY (SUPPORTS AC6.1) **Strive Not to Drive<sup>36</sup>**

Strive Not to Drive (SNTD) began 22 years ago as Bike to Work Day with the goal of encouraging bicycle commuting in Buncombe County. Over the years concerns about air quality, physical inactivity and related health concerns, and traffic congestion have grown. As a result the event has broadened to encourage any form of transportation other than driving alone in a car. Strive Not to Drive works to promote alternative transportation modes through strategies and incentives including workplace challenges, commuter stations, local awards and walk and bike to school days.

For more information: <https://sites.google.com/site/strivenottodrive/>



Bike to Work Days are increasingly popular in urbanized areas.

## RECOMMENDATION AC6 **Promote innovations in transportation.**

**STRATEGY AC6.1**  
**Promote alternative shared-transportation models such as ride-sharing and park-and-ride services. Utilize new technologies, such as web-based tools and apps to improve carpooling.**

Rising gas costs, transportation preferences, and the rise of the sharing economy have led to a carpooling renaissance. Advances in technology and social media are making it easier for individuals to connect and share the cost of driving. Local carpooling sites such as [www.sharetheridenc.org](http://www.sharetheridenc.org) connect riders with common points of arrival and departure.

**STRATEGY AC6.2**  
**Implement a variety of transportation solutions that move the region away from heavy reliance on fossil fuels, encourage energy independence, and encourage development in preferred corridors.**

There is not a singular solution to solving the region's energy issues. Incremental initiatives such as the promotion of alternative fuels, electric vehicle charging stations, and compact development patterns all work towards a common goal of energy efficiency and sustainability.

**STRATEGY AC6.3**  
**Incorporate planning for all modes in traffic operation and coordination.**

...icle (EV)  
 ...ental  
 ...duals through  
 ...EV workshops,  
 ...fleet managers.

...onal energy  
 ...public education  
 ...o create energy-  
 ...munities in the

...reate Strategic Energy

...energy plan is a roadmap to achieving energy goals in both the near term. The goals are determined by community input, so the plans are inherently local and require stakeholder buy-in, leading to a greater likelihood of the plan's success over time. A community energy plan can be part of a greenhouse gas emission plan, a sustainability plan, or a community master plan.

# Executive Summary

## GROWNC REGIONAL PLAN

EXECUTIVE SUMMARY



### Creating a regional plan for local prosperity

The GroWNC planning process provides the platform for local governments, businesses, non-profits, citizens, and others to realize unprecedented regional coordination on jobs, energy, housing, transportation, resources, and other interconnected issues. **This fosters more prosperous communities through new quality jobs, smart infrastructure investments, diverse economic development strategies and critical resource protection.** Through GroWNC, the region will have a clearly defined framework and set of implementation strategies to develop the policies and investments necessary to sustain and enhance the economy and quality of life in our mountain communities.

#### PLANNING PROCESS

- 1** COMMUNICATION & OUTREACH STRATEGY  
Creating a strategy to guide the public engagement process
- 2** BUILDING ON PREVIOUS EFFORTS  
Updating data, reviewing existing plans and studies, and developing the land use model
- 3** IN-DEPTH ANALYSIS  
Studying existing economic development, housing, transportation, land use, energy, health natural and cultural resources conditions
- 4** REGIONAL GROWTH SCENARIOS  
Developing & testing scenarios compare with the "business as usual" trendline to gauge potential
- 5** RECOMMENDATIONS & STRATEGIES  
Developing a set of recommendations and strategies that support the vision of the future
- 6** IDEAS TO ACTIONS  
Creation of a set of tools to guide implementation

#### GROWNC WORKGROUP TOPIC AREAS & STUDY AREA

- Economic Development
- Housing
- Transportation
- Land Use
- Energy
- Health & Wellness
- Natural Resources
- Cultural Resources



## Early Implementation Strategies



### Business Support & Entrepreneurship

- Improve access to capital for all types of businesses.
- Develop a supply of highly-marketable, development-ready sites to attract companies that bring quality, living wage jobs to the region.
- Develop a brand for the region's arts, cultural and heritage resources.

### Resource Conservation

- Promote the use and maintenance of incentives, ordinances, and site design criteria that encourage the use of innovative stormwater management techniques.
- Preserve productive farmland and soils and support farmers by providing incentives to keep farmland in use.

### Accessibility & Connectivity

- Identify local funding sources to support bicycle and pedestrian needs.
- Promote transit options in the region.

### Housing Choices

- Adopt incentives for housing developments with an affordable component and/or located near transit, greenways, schools, and/or employers.
- Implement recommendations identified in the Analysis of Impediments of Fair Housing Choice report.

# Strategy Toolkit

**GRoWNC**  
TOGETHER WE CREATE OUR FUTURE

HOW TO USE THIS SITE    FEEDBACK

SEARCH

Home   Strategies   Topics   Themes   Geographic Areas   About

## Strategy Toolkit

### Highlights



**WNC AgriVentures**  
WNC AgriVentures is a GrowWNC implementation project centered on the agricultural and nature-based sector, a high-potential industry cluster in the region. GrowWNC workgroups have identified this sector as a priority for regional economic development, with potential for growth in... [read more >](#)

3 OF 3    PREVIOUS PAUSE NEXT

#### Together We Create Our Future

GrowWNC is a three-year project to develop a framework of **voluntary, locally-implemented, market-based solutions and strategies** to ensure that as the region continues to grow, the effects of this growth have a positive impact.

#### Creating a Regional Plan for Local Prosperity

The GrowWNC planning process provides the platform for local governments, businesses, non-profits, citizens, and others to realize unprecedented regional coordination on jobs, energy, housing, transportation, resources.

#### Ideas to Actions – Implementation Strategies

Regional prosperity depends on the involvement and commitment of a variety of public, private, and non-profit entities. Just as each community is unique, the approach to achieving the regional vision may differ from state to state.

**STAY INVOLVED. BE INFORMED.**

- STRATEGY TOOLKIT | [learn](#)
- MAPVIEWER | [view](#)
- GROWNC WEBSITE | [participate](#)

### Updates and News

#### Final Regional Plan and Executive Summary Now Available

The GrowWNC Final Regional Plan and Executive Summary are now available. The Regional Plan... [read more >](#)

#### Strategy Toolkit Workshop November 6 at Land-of-Sky

The Land-of-Sky Regional Council will be sponsoring a workshop to familiarize and train decision... [read more >](#)

[more news >](#)

### Videos

Opt-In | Interactive Map Tutorial



0:00 / 2:34

# Example Strategies



STAY INVOLVED. BE INFORMED.

- ✓ STRATEGY TOOLKIT | search
- 🗺️ MAPVIEWER | interact
- 🌐 GROWNC WEBSITE | inform
- 💡 IDEAS | share

## Strategy Toolkit

Home Strategies Topics Themes Geographic Areas About

**Strategy HC2.3:** Identify funding sources of pre-designed architectural plans for housing to facilitate development of denser, more affordable housing, including co-housing communities, "dorms," cottage-style homes, and townhomes.

### Videos



## Strategy Toolkit

Home Strategies Topics Themes Geographic Areas About

**Strategy LU1.1:** Focus growth in areas where infrastructure exists for transportation, water, and sewer, with particular emphasis on existing communities.

### Videos



Print This Page



### Strategy Description

One funding source is Enterprise Community Development for design exploration project from initial teams to define

### Additional Information

- Enterprise

### Theme

Housing Choice

### Recommendation

HC2: Promote funding available to a

### Strategy Description

Encourage growth where adequate transportation and water/sewer infrastructure exists. Encourage reuse/redevelopment of basic set of initial steps for local government following characteristics:

- The area has underutilized infrastructure
- The location is pedestrian-friendly
- The area is close to transit corridors

### Additional Information / Case Studies

### Theme

Land Use Policies

### Recommendation

LU1: Utilize existing infrastructure at community centers.



## Strategy Toolkit

Home Strategies Topics Themes Geographic Areas About

**Strategy LU3.1:** Adopt policies and/or regulations and provide incentives to include bicycle and pedestrian facilities, including sidewalks, bike lanes, parks, greenways, and other recreational facilities, in new and existing neighborhoods and commercial centers.

### Videos



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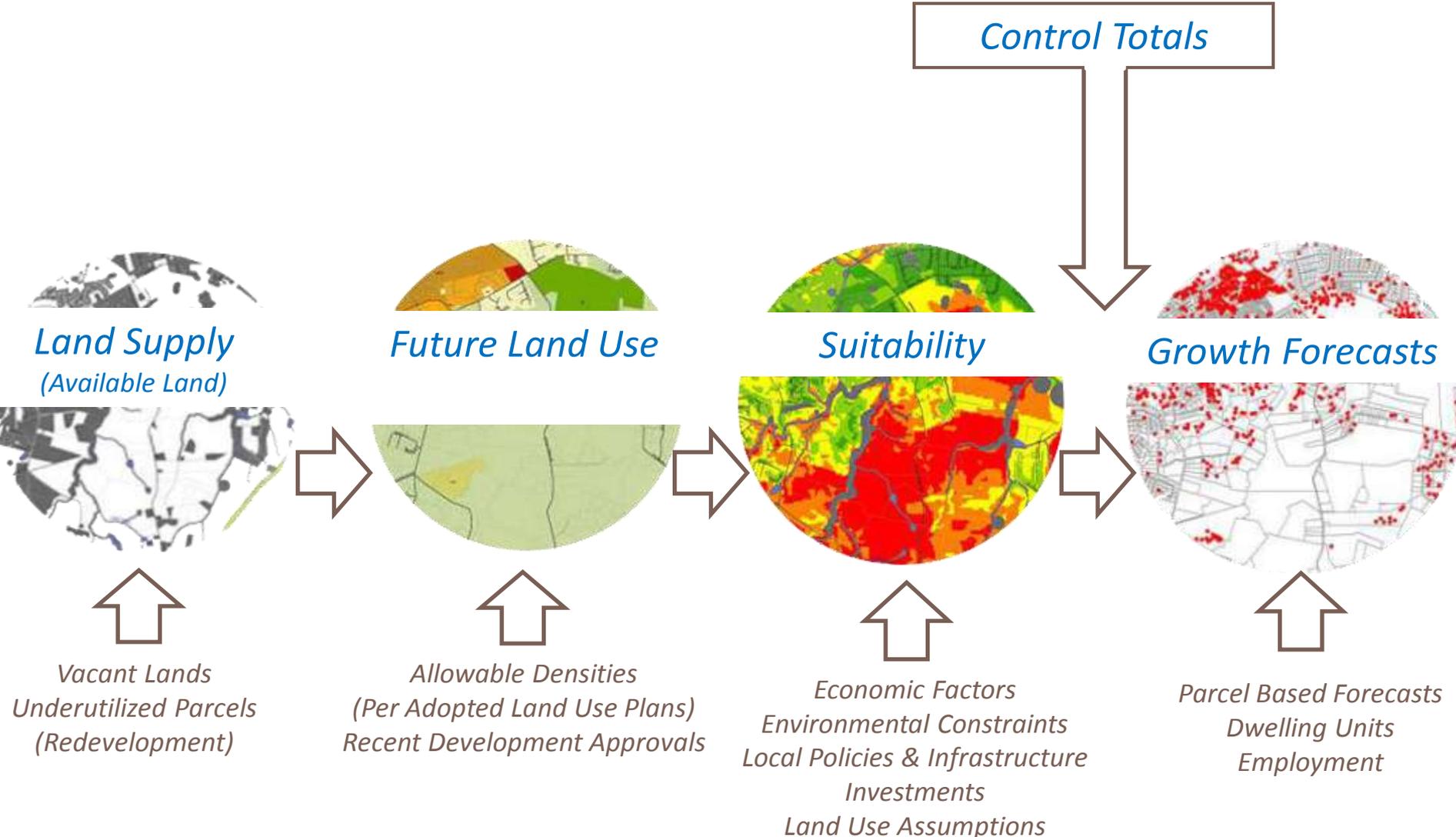
### Strategy Description

Require right-of-way reservation, construction, or fee-in-lieu contributions to planned bicycle and pedestrian facilities. Complete Street policies should be adopted, but due to the topographical issues in the mountain environment non-motorized connections should be more important than cross-sections.

# MapViewer



# Land Use Model

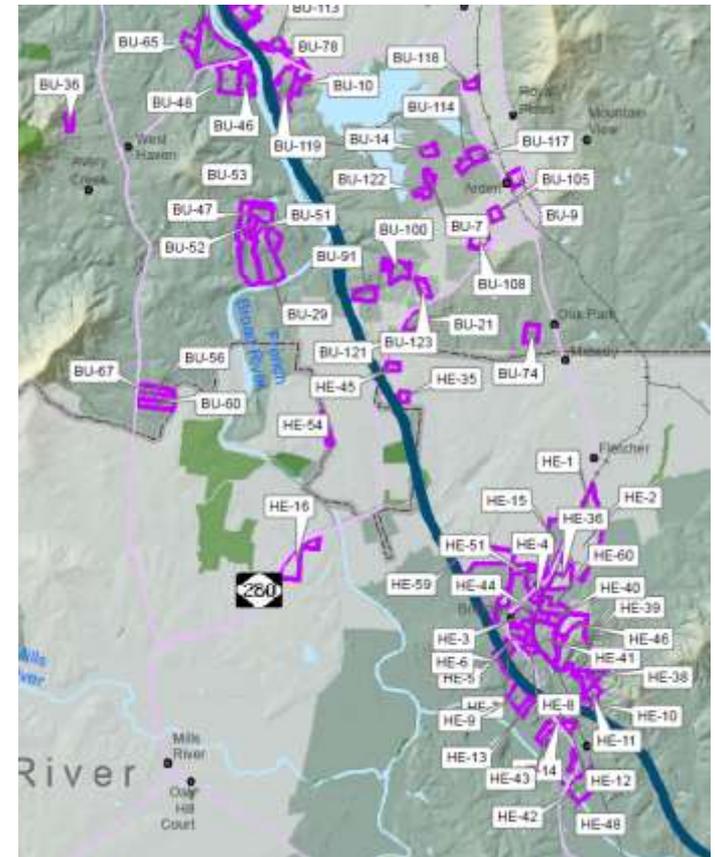
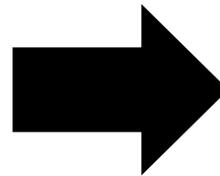
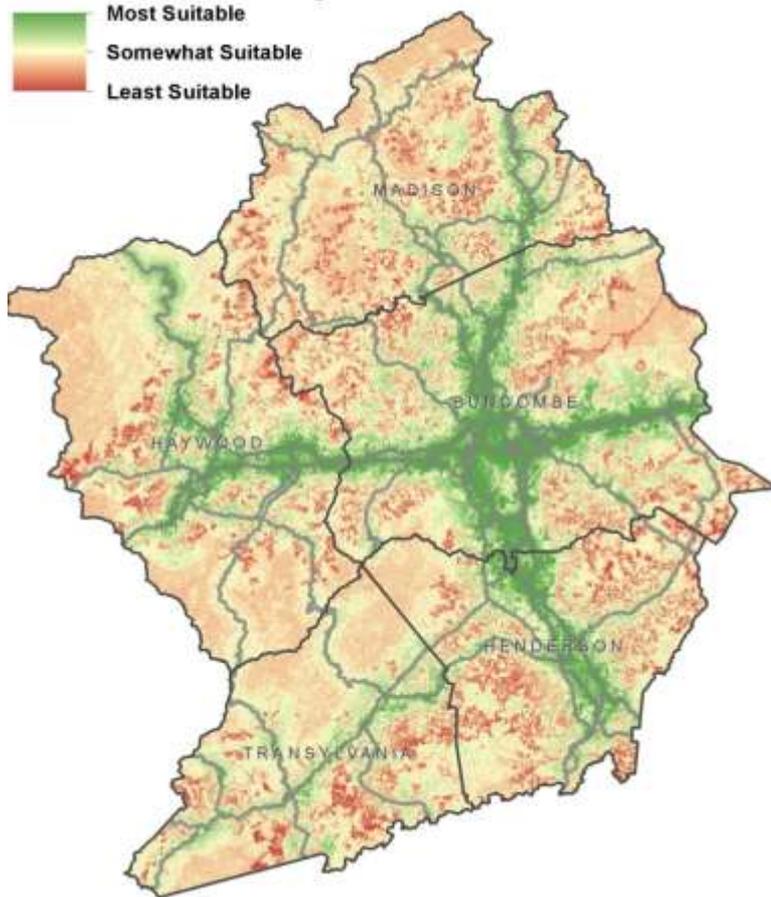


# Applications of the Land Use Model

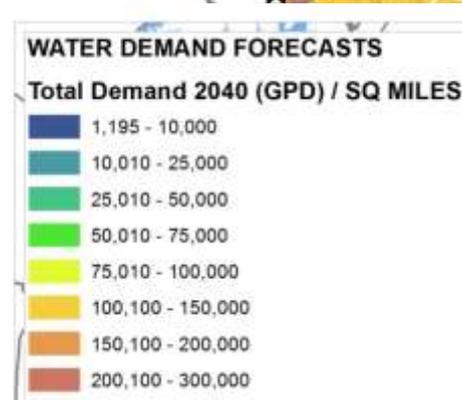
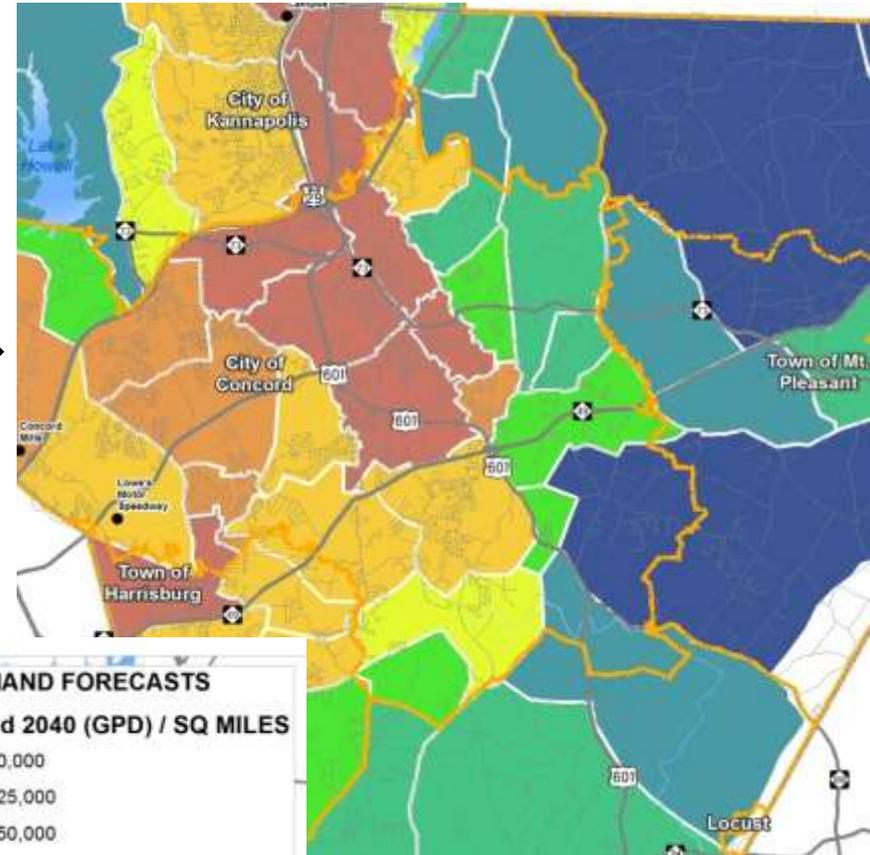
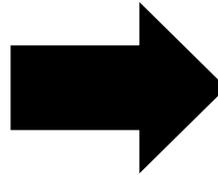
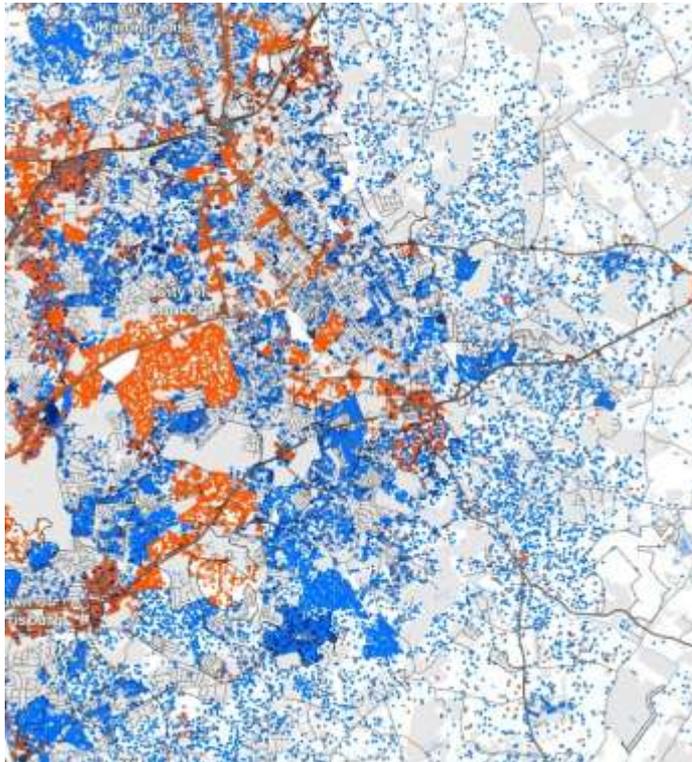
- **Comprehensive look at existing conditions**
  - First time regional land use inventory and land supply inventory have been completed
- **Robust tool to evaluate potential impacts of growth**
  - e.g., on farmland, utility & transportation systems
- **Testing “What If” scenarios or potential impacts of a land use plan revision**
  - What are the positive and negative consequences of different land use plan alternatives?
  - e.g., how does approving additional residential development impact commercial and industrial land supply?

# Industrial suitability analysis can be used to help determine candidate sites

## Industrial Suitability



# Model output can be used to calculate future utility demand



# Next Steps

- September – final plan presented to LOSRC Board for consideration
- October 15, 2013 – Strategy toolkit website launched
- October – request endorsement of LOSRC Board
- Fall 2013 – outreach to local governments, Consortium Members, and others on final plan and tools
- Fall/Winter – workshops for local governments on Regional Plan, tools, and Land Use model
- **November 6, 2013 – 1-4 PM, Land-of-Sky Regional Council – workshop on strategy toolkit website**
- Next 6 months –
  - Ongoing development of online tools
  - Pursuing funding for implementation activities

## STAY INVOLVED. BE INFORMED.



STRATEGY TOOLKIT | search



MAPVIEWER | interact



GROWNC WEBSITE | inform



IDEAS | share





**Questions?**

**THANK YOU!!!**

**Contact us**

**[grownc@landofsky.org](mailto:grownc@landofsky.org)**

**[www.gro-wnc.org](http://www.gro-wnc.org)**

**[strategies.gro-wnc.org](http://strategies.gro-wnc.org)**

**[mapviewer.gro-wnc.org](http://mapviewer.gro-wnc.org)**

# ATTACHMENT D

## Add to Section 78-581. Definitions.

**Private utilities and related facilities** means utility structures including, but not limited to, pumping stations, generation facilities, transformers, utility poles, transmission lines, and pipelines that require a specific location to provide service. These facilities are considered to be private facilities if they are accessories to the facility upon which they are located and do not provide service to exterior properties or customers. This definition does not include telecommunications towers or public safety communications towers as defined by this Ordinance or their related infrastructure. Private utilities intended to serve up to two, single-family residential units are considered a permitted accessory use to the residential structure provided that the footprint does not exceed 10,000 square feet.

**Public utilities and related facilities** means utility structures including, but not limited to, pumping stations, generation facilities, transformers, utility poles, transmission lines, and pipelines that require a specific location to provide service. This definition does not include telecommunications towers or public safety communications towers as defined by this Ordinance or their related infrastructure.

**Public or private utilities and related facilities footprint** means the cumulative area occupied by a utility operated by a single entity. For the purposes of this article, the footprint shall include any areas disturbed, altered from natural conditions, or made impervious during the installation of the utility, any area occupied by equipment pertaining to the facility, and any area fenced or secured against access to the facility, or any buffer or easement area required to surround the facility. For the purposes of footprint calculation, any facilities owned or operated by the applicant shall be included if said facilities lie within 1,320 feet of the proposed facility.



**Modify Sec. 78-645. Steep Slope/High Elevation Overlay District**

- (c) *Permitted uses.* Uses are permitted in the Protected Ridge Overlay District pursuant to the following table. All uses not listed are not allowed.
- (d) *Conditional uses.* All conditional uses shall be administered in accordance with Division VI of this chapter.

<b>Table 1 – Permitted Use Table</b>										
<b>Uses</b>	<b>P = Permitted</b> <b>C = Allowed as Conditional Use</b> <b>Blank Space = Not Permitted</b>									
	<b>Districts</b>									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	BDM	OU
<u>Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks</u>	C	C	C	C	C	C	C	C	C	C
<u>Public utility stations and substations, pumping stations, water and sewer plants, water storage tanks</u>	C	C	C	C	C	C	C	C	C	C

**Modify Sec. 78-646. Protected Ridge Overlay District**

- (c) *Permitted uses.* Uses are permitted in the Protected Ridge Overlay District pursuant to the following table. All uses not listed are not allowed.
- (d) *Conditional uses.* All conditional uses shall be administered in accordance with Division VI of this chapter.

<b>Table 1 – Permitted Use Table</b>										
<b>Uses</b>	<b>P = Permitted</b> <b>C = Allowed as Conditional Use</b> <b>Blank Space = Not Permitted</b>									
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	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	BDM	OU

	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	BDM	OU
<u>Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks</u>	<u>C</u>									
<u>Public utility stations and substations, pumping stations, water and sewer plants, water storage tanks</u>	C	C	C	C	C	C	C	C	<u>C</u>	C

**Modify Sec. 78-678. Conditional use standards.**

- (3) *Public or Private utility stations; radio and TV towers; water and sewer plants; water storage tanks.* Standards for public or private utility stations, radio and TV towers, water and sewer plants, and water storage tanks shall be as follows:
- a. Structures shall be enclosed by a woven wire fence at least eight feet high. This does not apply to photovoltaic cells which are incorporated as structural elements of other facilities.
  - b. The lot shall be suitably landscaped, including a buffer strip at least four feet wide and planted with evergreen shrubs or trees which at maturity will be between eight and 12 feet high along the side and rear property lines. This planting requirement may be modified by the board of adjustment where adequate buffering exists in the form of vegetation and/or terrain.
  - c. Entrances and exits shall be designed so as to promote public safety.
  - d. Emergency contact information for the owner/manager of the facility shall be prominently posted at the site.
  - e. A plan for decommissioning of the facility should the facility become non-operational for a period of more than 365 consecutive days shall be presented to the board of adjustment. The plan shall describe how the site will be returned to its pre-development condition and shall present a mechanism for funding the decommissioning.
  - f. Facilities using wind as a means of electricity generation must be appropriately separated from existing residential communities and structures. The applicant must present an area map which depicts the proposed facility and the closest residential structures. The map shall be to scale and shall also show publicly maintained roads within the area.
  - g. At locations where the facility will exist alongside other uses, the applicant must include a description of the other uses which will occur on the site and how public safety will be guaranteed.
  - h. For facilities located within 5 linear miles of any aviation facility, the applicant must provide a solar glare analysis (such as the Solar Glare Hazard Analysis

Tool available through Sandia National Laboratories) that demonstrates that the installation does not pose an imminent threat to flight operations. Additionally, the applicant must demonstrate that the proposed structures do not interfere with flight operations. The applicant must also provide proof that a copy of their analysis has been submitted to the aviation facility operator.

- i. For facilities located within 1,320 feet of a NC or US highway (inclusive of Interstates) or within the Blue Ridge Parkway Overlay, the applicant must provide proof from a qualified professional, which may include the highway operator, that the facility does not pose an imminent threat to users of the highway.
- j. For facilities located within the Steep Slope/High Elevation or Protected Ridge Overlay Districts, the applicant must quantify and provide documentation of the tree coverage and species removed. When development is to occur within either Overlay District listed above, the limitations on disturbed and impervious area shall be applied to the parcel as a whole.
- k. All facilities must provide certification from an engineer or the manufacturer of the equipment that equipment to be utilized will not create electromagnetic interference (or other signal interference) with any radio communication or telecommunication system, aircraft navigation system, or radar system. Facilities utilizing wind as a means of electricity generation must submit a microwave path analysis performed by a Federal Communications Commission recognized frequency coordinator.
- l. All facilities must register with other state and federal agencies as required; proof of this registration (including applicable submissions for analysis by the Federal Communications Commission or Federal Aviation Administration) must be provided to the board of adjustment.