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.” Chismon 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.
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
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
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
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
Preferred Scenario

- **Critical Watersheds**: 80% less impervious surface.
  - Appalachian Trail
  - Blue Ridge Parkway

- **Rural Centers**: Infrastructure investments in rural communities result in more housing and jobs.
- **Public Conservation Lands**
- **Key Ecological Corridors & Habitats**: 70% more remain intact.
- **Agriculture & Forestry Lands**: 85,000 more acres preserved.

- **Brownfield Sites**: Well-located industrial sites are reserved for job creating uses.
Preferred Scenario

- Policies
- Programs
- Plans
- Projects

Strategy Toolkit
Final Plan

Contents:
• Overview of GroWNC
• Vision for the Future ( Preferred Scenario )
• Recommendations & Initiatives
  – Case Studies
### Economic Development

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<tr>
<th>Economic Development</th>
<th>Business Support &amp; Entrepreneurship</th>
<th>Resource Conservation</th>
<th>Accessibility &amp; Connectivity</th>
<th>Land Use Policies</th>
<th>Healthy Communities</th>
<th>Energy Innovation</th>
<th>Housing Choices</th>
<th>Education &amp; Awareness</th>
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<td>Create and maintain appropriate physical infrastructure needed for economic development opportunities in each county</td>
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### 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 Highlights

CASE STUDY (SUPPORTS AC6.1)

Strive Not to Drive

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 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/stринотодрайв/

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 on-demand 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 can 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 of transportation in traffic operation improvements and coordination.
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 and testing scenarios that compare with the "business as usual" trendline to gauge potential loh growth

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

GROW WORKGROUP TOPIC AREAS & STUDY AREA

- Economic Development
- Energy
- Housing
- Health & Wellness
- Transportation
- Natural Resources
- Land Use
- 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 to Fair Housing Choice report.
Strategy Toolkit

WNC AgriVentures

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

Together We Create Our Future

GroWNC 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 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, agriculture, and open space. 

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 place to place.

Videos

Opt in | Interactive Map Tutorial

Stay Involved. Be Informed.

Final Regional Plan and Executive Summary Now Available

The GroWNC 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-makers with the regional planning and strategy toolkit.

More News...
Example Strategies

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.

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

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.
MapViewer

Videos

GroWNC MapViewer demo
Land Use Model

**Land Supply** (Available Land)
- Vacant Lands
- Underutilized Parcels (Redevelopment)

**Future Land Use**
- Allowable Densities (Per Adopted Land Use Plans)
- Recent Development Approvals

**Suitability**
- Economic Factors
- Environmental Constraints
- Local Policies & Infrastructure
- Investments
- Land Use Assumptions

**Growth Forecasts**
- Parcel Based Forecasts
- Dwelling Units
- Employment

**Control Totals**
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.
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
www.gro-wnc.org
strategies.gro-wnc.org
mapviewer.gro-wnc.org
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. 78-641. Permitted uses.

(a) *Permitted use table.* Uses are permitted in the various zoning districts pursuant to Table 1.

<table>
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<td>Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)</td>
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| Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (2 acres or greater in total footprint) | R-LD | R-1 | R-2 | R-3 | NS | CS | EMP | PS | BDM | OU |
| C                                                                  | C | C | C | C | C | C | C | C | C | C |

| Public utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint) | R-LD | R-1 | R-2 | R-3 | NS | CS | EMP | PS | BDM | OU |
| C                                                                  | C | C | C | C | P | P | P | P | C | P |

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| C                                                                  | C | C | C | C | C | C | C | C | C | C |
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.

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Modify Sec. 78-646. Protected Ridge Overlay District

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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.