

Buncombe County Planning Board
July 6, 2015

The Buncombe County Planning Board met on July 6, 2015 in the meeting room at 30 Valley Street. Members present were Nancy Waldrop, David Rittenberg, Thad Lewis, Dusty Pless, Joan Walker, Parker Sloan, and Bob Taylor. Also present were Michael Frue, Staff Attorney; Jon Creighton, Planning Director/Assistant County Manager; Debbie Truempy, Zoning Administrator; and Gillian Phillips, Planning staff.

Call to Order

The meeting was called to order at 9:34 am.

Approval of Revised Agenda

The Board voted to approve the revised agenda with the amendment that training be discussed at the end of the meeting.

Minutes (June 1, June 9, and June 15)

Mr. Rittenburg made a motion to approve the June 1 and June 9 as submitted. The motion was seconded and passed unanimously. The following sentence was added to the June 15 Planning Board Meeting: *Mr. Rittenberg amended the motion to send a letter to the NCDOT stating the Board's preference that the bridge be upgraded prior to the second or third phase.* Mr. Pless made a motion to approve the minutes as amended, and Ms. Walker seconded the motion and the motion passed unanimously.

Public Comment

Ann Bolinger raised concerns regarding how the Buncombe County Zoning Ordinance addressed rural areas in the County.

Dede Stiles concurred in regards to Ms. Bolinger comments regarding protecting rural areas of the County.

Nancy Nehls Nelson also raised concerns regarding the protection of rural areas in the County.

ZPH2015-00021: Continued discussion of possible revisions to the text of the Blue Ridge Parkway Zoning Overlay District

The Board and staff discussed the proposed changes. The Board was provided with recommended language from staff (Attachment A) and information from the Planning Board provided by staff (Attachment B). The Board discussed cell towers, alternative path hillside development, the pre-development conference required by the Subdivision Ordinance, lighting requirements, proposed screening requirements, and the viewshed from the Blue Ridge Parkway. Bob Taylor indicated that he would draft language for staff regarding proposed screening requirements within the Blue Ridge Parkway Overlay. There was discussion regarding Firewise Standards and how screening affected the spread of wildfires.

Discussion of Existing Education Opportunities

Ms. Waldrop reviewed training options for the Planning Board that she had discussed with the North Carolina School of Government. The Board discussed which ones they would be interested in.

Adjournment

The meeting was adjourned to 11:20 am.

Blue Ridge Parkway Overlay Draft

Sec. 78-643. Blue Ridge Parkway Overlay District.

(a) *Purpose.* Realizing the importance of the Blue Ridge Parkway to the economy of Asheville, Buncombe County, and western North Carolina, the Blue Ridge Parkway Overlay District is created to protect and preserve the unique features of this asset to the city, the county, and the region. The standards established in this district will protect the scenic quality of the Blue Ridge Parkway and reduce encroachment on its rural setting.

(b) *Applicability.* The provisions set forth in this section for the Blue Ridge Parkway Overlay District shall apply to all properties within 1,320 feet of the centerline of the Blue Ridge Parkway located within Buncombe County's zoning jurisdiction. Both privately and publicly owned property shall be subject to the requirements set forth herein.

(c) *Development standards.*

(1) *Setback requirements.*

a. *Principal buildings.* Principal buildings and structures to be located adjacent to the Blue Ridge Parkway shall have a minimum setback of 50 feet from the boundary of property owned by the United States government and designated as the Blue Ridge Parkway if the buildings and structures are visible from the Blue Ridge Parkway roadway.

b. *Accessory buildings.* Accessory buildings and structures to be located adjacent to the Blue Ridge Parkway shall have a minimum setback of 30 feet from the boundary of property owned by the United States government and designated as the Blue Ridge Parkway if the buildings and structures are visible from the Blue Ridge Parkway roadway.

(2) *Building heights.* No building or structure shall be constructed with a height in excess of 40 feet within 1,000 feet of the centerline of the Blue Ridge Parkway, if visible from the centerline of the Blue Ridge Parkway roadway.

~~(3) *Buffering requirements.* A buffer for development of any type, other than single-family residential, which is to be located adjacent to the Blue Ridge Parkway within 1,000 feet of the centerline of the Blue Ridge Parkway and which will be visible between April and October from the Blue Ridge Parkway roadway, shall be provided according to the following specifications:~~

~~a. A minimum bufferyard width of 30 feet measured from the property line is required and shall be located within the required setback.~~

~~b. Total number of plants: Ten plants per 100 linear feet are required, of which five should be evergreen trees (min. six feet at planting), three should be large deciduous trees (min. two-inch caliper, ten to 12 feet at planting), and two should be small deciduous trees (min. 1.5-inch caliper, eight to ten feet at planting). The preservation of existing trees within the bufferyard is encouraged.~~

(6) *Screening standards.* The following screening regulations shall be required within the Blue Ridge Parkway Overlay District for all new structures and any

modification to an existing structure exceeding 50 percent of the appraised value of the structure, if the buildings and structures are visible from the Blue Ridge Parkway roadway.

The surfaces of the structure which are oriented to the Blue Ridge Parkway must be screened at a ratio of one tree of 1.5 inch diameter measured 6 inches above the root ball for every 200 square feet of planar surface. Planar surface is defined as the combined exterior surface area of all vertical surfaces within a single face of the structure. Trees planted to achieve the required ratio must be planted no greater than 50 feet from the furthest extending portion of the structure (measured perpendicularly). Trees must be of varying, native species, as defined by the Natural Resource Conservation Service of the United States Department of Agriculture, and no single species shall comprise more than 50 percent of the trees planted. Trees shall be spaced no less than 10 feet but no greater than 30 feet apart.

Existing trees within the area of allowed disturbance which are left intact and that appear in good health can be credited toward the required ratio. The following credit system will be observed:

<u>Tree Dimensions</u>	<u>Credits</u>
<u>2.5" to 4" DBH (minimum 8' tall)</u>	<u>1 tree</u>
<u>4" to 6" DBH (minimum 15' tall)</u>	<u>1.5 trees</u>
<u>6" to 10" DBH (minimum 20' tall)</u>	<u>2 trees</u>
<u>10" to 16" DBH (minimum 25' tall)</u>	<u>2.5 trees</u>
<u>16" or greater (minimum 30' tall)</u>	<u>3 trees</u>

Trees to be credited shall be marked using flagging tape prior to site disturbance in order to ensure their health throughout site development.

(d) Notice of proposed development. The planning department shall assure that the National Park Service is notified and given an opportunity to make recommendations concerning major subdivisions, rezonings, conditional uses, and variances proposed within the Blue Ridge Parkway Overlay District.

ATTACHMENT B

PLANNING BOARD MEMBERS SUGGESTIONS (7-6-15)

Suggestions for the BRP overlay district (David Rittenburg and Joan Walker):

Question:

1. Buffer minimum of 30 feet deleted. Does new buffer requirement achieve a certain width?

Language to Add to the Blue Ridge Parkway Overlay District:

Keep all staff additions as previously submitted on the Draft Overlay District.

1. Within the BRP Overlay District Allow Alternate Path Hillside Development per Buncombe County Subdivision Ordinance Section 70-68 (f).
2. No communication towers are allowed within the Blue Ridge Overlay District.
3. Per Section 70-39 of the Buncombe County Subdivision Ordinance, in the pre-application conference for major subdivisions, planning staff will review list of **Best Practices for the Blue Ridge Parkway Overlay District.**

SEPARATE DOCUMENT Entitled: Best Practices for the Blue Ridge Parkway Overlay District

Pre-application conference with developers, architects, engineers, builders, etc. for major subdivisions within the Blue Ridge Parkway overlay district shall include discussion encouraging voluntary adherence to the following:

- 1) Whenever possible, structures and amenities should be oriented so that they are screened behind existing landscape features and placed away from any viewshed of the Blue Ridge Parkway. Encourage the consideration of using berms and hillsides as screening when positioning buildings from Blue Ridge Parkway Views. To protect lot owners' visual and acoustical privacy, while at the same time protecting Blue Ridge Parkway viewsheds.
- 2) Use building materials and color schemes that blend with landscape. Examples: natural color palette, non-reflective materials, minimizing windows facing the Blue Ridge Parkway.
- 3) Encourage the use and discuss the advantages of the various conservation easement opportunities in Buncombe County.
- 4) Incorporating best practices from Neighbor's Guide to the Blue Ridge Parkway and other resources at www.parkwayneighbor.org.

Suggestions for the Subdivision Ordinance (Parker Sloan):

For emergency services access, consider requiring developers to add a second entrance. The 35 lot number is what nearby Henderson County uses.

Major subdivisions of 35 lots or more shall provide a minimum of two (2) entrance roads. (The second entrance requirement must be specifically waived by the approving authority, and only where unique circumstances (including severe topographic conditions, the presence of unique natural areas, existing development patterns, or other limiting site conditions) would prevent the addition of a second entrance.)

No more than 35 lots within a subdivision shall be accessed by a dead-end road, cul-de-sac or turnaround or a series of dead-end roads, cul-de-sacs or turnarounds to access the main entrance(s)/exit(s) for the subdivision (except where a stub road is proposed as a future connection).

Suggestions for BRP Overlay (Bob Taylor)

Goal: To preserve the current natural views from the BRP of Buncombe County for future generations.

Purpose of this document: To create an outline of discussion from which more detailed wording can be constructed which will become the Staff and Planning Board's recommendation.

Category	#	Attribute	Current Overlay	Staff Proposal	New BRP Overlay Recommendation	Change to zoning ordinance?
Cell Phone Towers	1		Not Allowed if Height > 40'	Not Allowed if Height > 40'	Not Allowed if Height > 40'	no
Principal buildings	2	Distance	50' setback from parkway boundary (if visible from BRP)	50' setback from parkway boundary (if visible from BRP)	50' setback from parkway boundary (if visible from BRP)	no
	3	Siding Color			none	no
	4	Roof Color			none	no
	5	Lighting			Already covered in zoning Sec. 78-668	no
Accessory building or Amenities (roads, fences, detached garage, etc)	6	Distance	30' setback from parkway boundary (if visible)	30' setback from parkway boundary (if visible)	50' setback from parkway boundary (if visible from BRP)	yes
	7	Color			none	no
	8	Lighting			Already covered in zoning Sec. 78-668	no
New Principle Building & Existing Building if value exceeds 50% of appraised value	9	Screening	-No buffer for single family homes -Min buffer width of 30'; 10 plants/100 linear ft; 5 should be evergreens; 3 large deciduous trees	-1 tree/200 sq ft of building (10'X40' house=2 trees) -Varyng native species (Oaks count same as dogwoods)	If Structure is visible from BRP, use native trees: -1 Large tree (ex. Oak, Hickory, Pine)/10 linear ft + -2 small trees (ex Dogwood, Serviceberry, Redbud, Laurel, Rhodo)/10 linear ft (To reduce screening costs, builder can position & color the structure to minimize its visibility from BPR)	yes
	10	Screening			If Visible from BRP: Roads: Native shrubs & small trees- bushes every 4'; small trees every 8' Detached buildings: Same as principle buildings Fences: Same screening as principle buildings (To reduce screening costs, builder can position & color the structure to minimize its visibility from BRP)	yes
All	11	Height	<=40' if within 1000 ft of centerline (if visible from BRP)	<=40' if within 1000 ft of centerline (if visible from BRP)	<=40' if within 1000 ft of centerline (if visible from BRP)	no
All	12	Notice to BR Parkway of subdivision		yes	yes - how about industrial/commercial too?	yes
View Shed (views from overlooks)	13				ID parcials in key view sheds and recommend colors prior to construction. (Industrial and commercial included)	yes

Note: Items 4-12 apply to parcels that are within 1/4 mile of the BRP centerline.

Other recommendations

- 1) Within the BRP Overlay District Allow Alternate Path Hillside Development per Buncombe County Subdivision Ordinance Section 70-68 (f)
- 2) Per Sec 70-39 of the Buncombe County Subdivision Ordinance, in the pre-application conference for major subdivisions, planning staff will review list of

Best Practices for the Blue Ridge Overlay District (See separate document)

- 3) Identify key property developers and owners of adjacent parcels that are not in steep slope/ridge top properties and present the Neighbor's Gude to them. Repeat every 3 years.

#NAME?