

subdivisions, rezonings, conditional uses, and variances proposed within the Blue Ridge Parkway Overlay District.

Sec. 78-644. Steep Slope/High Elevation Overlay District

(a) *Purpose.* The Steep Slope/High Elevation Overlay District is established in recognition that the development of land in steep, mountainous areas involves special considerations and requires unique development standards. This section is intended to limit the intensity of development, preserve the viewshed and protect the natural resources of Buncombe County's mountains and hillsides at elevations of 2,500 feet above sea level and higher, consistent with the recommendations of the 1998 Buncombe County Land Use Plan.

(b) *Applicability.* This section shall apply to the portion of Buncombe County at elevations of 2,500 feet above sea level and higher and having a natural slope of 35 percent or greater as specifically identified and delineated on the zoning map entitled "The Official Zoning Map of Buncombe County, North Carolina."

(c) *Permitted uses.* Uses are permitted in the High Elevation/Steep Slope 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.

(e) *Special Requirements.* Uses are permitted in the High Elevation/Steep Slope Overlay District pursuant to Sec. 78-678. All uses not listed are not allowed. ⁵

Steep Slope/High Elevation Overlay Permitted Use Table											
Uses		P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted									
		Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	BDM	OU
Single-family residential dwelling, including modular	P	P	P	P	P	P	P	P	P	P	P
Two residential dwelling units (attached or detached)	P	P	P	P	P	P	P	P	P		P

⁵ Section added on April 2, 2019 via Ordinance No. 19-04-07; ZPH2018-00048

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Uses		P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted									
		Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	BDM	OU
HUD-labeled manufactured homes-Residential ⁶	P	SR	SR	P			P			SR	P
Subdivisions	P	P	P	P	P	P	P	P	P	P	P
Subdivisions, alternative path hillside development	P	P	P	P	P	P	P	P	P		P
Subdivisions, conservation development	P	P	P	P	P	P	P	P	P		P
Accessory buildings	P	P	P	P	P	P	P	P	P	P	P
Bed and breakfast inns (10 occupants or less)	C		C	P	P	P	P	P	P		P
Bed and breakfast inns (more than 10 occupants)	C		C	C	C	C	C	C	C		C
Cemetery	P		P	P		P		P	P		P
Places of worship	P	P	P	P	P	P	P	P	P	P	P
Clubs or lodges, gross floor area less than 5,000 sq. ft.				C	C	C	C	C	C		C
Day nursery and private kindergarten (up to 8 students)	C	C	C	C	C	C	C	C	C		C
Family care home	P	P	P	P				P	P	P	P
Government protective services			P	P	P	P	P	P	P		P
Group homes			C	P	P	P	P	P	P		P
Home occupations	P	P	P	P	P	P	P	P	P	P	P
Health care facilities			C	C		C	C	C	C		C
Libraries								C	C		C

⁶ This use added to R-1, R-2, BDM on April 2, 2019 via Ordinance No. 19-04-07; ZPH2018-00048

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Uses		P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted									
		Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	BDM	OU
Medical Clinics				C	C	C	C	C	C		C
Mining and Extraction Operations							C				C
National Guard and Reserve Armories						P	P	P			P
Professional and business offices and services, gross floor area less than 5,000 sq. ft.					P	P	P	P	P		P
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks	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	C	C	C	C	C	C	C	C	C	C	C
Radio, TV and telecommunications towers	C			C		C	C	C	C		C
Recreation facilities, governmental, indoor, gross floor area less than 5,000 sq. ft.	C	C	C	C	P	P	P	P	P	C	P
Recreation facilities, governmental, indoor, gross floor area 5,000 sq. ft. or more					C	C	C	C	C		C
Recreation facilities, governmental, outdoor	P	P	P	P	P	P	P	P	P	P	P
Recreation facilities, non-governmental, outdoor	C	C	C	C	C	C	C	C	C	C	C

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		Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	BDM	OU
Recreation facilities, non-governmental, indoor, gross floor area less than 5,000 sq. ft.			C	C	C	C	C	C	C		C
Repair services, gross floor area less than 5,000 sq. ft. (electrical and appliances)					P	P	P				P
Restaurants, eating establishments and cafés, gross floor area less than 5,000 sq. ft.					P	P	P	P	P		P
Retail trade, commercial services, sales and rental of merchandise and equipment, gross floor area less than 5,000 sq. ft. (inside building with no outside sales storage)					P	P	P	C	P		P
Schools, public and private			C	C	C	C		C	C		C
Schools--Vocational, business and special schools						C	C	C	C		C
Travel trailers (no more than 180 days per calendar year)				P					P		P
Travel trailer parks				C					C		C
Vacation rentals	P	P	P	P	P	P	P	P	P	P	P

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		Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	BDM	OU
Vacation rental complex; less than 11 units				C	C	C	C	C	C	C	C

(f) *Development standards.*

- (1) Lot size standards. Any new lot created with greater than ten (10) percent of the area in the Steep Slope/High Elevation Overlay District after the effective date of this section shall be a minimum of 1.5 acres. This minimum lot size may be reduced through the approval of an Alternative Path Hillside Development Subdivision or a Conservation Development Subdivision.
- (2) Density standards. No more than two (2) dwelling units or two (2) principal buildings or structures per lot of record shall be allowed in the Steep Slope/High Elevation Overlay District.
- (3) Height standards. The maximum building height in the Steep Slope/High Elevation Overlay District shall be 35 feet.
- (4) Disturbed and Impervious standards.
 - (a) The maximum gross site area disturbance allowed in the Steep Slope/High Elevation Overlay District for any single lot, excluding disturbance for installation of individual septic systems, shall be:
 - for lots less than 2.0 acres shall be 0.3 acres
 - for lots 2.0 acres and larger shall be 15 percent
 - (b) The maximum gross site area impervious surface allowed in the Steep Slope/High Elevation Overlay District for any single lot shall be:
 - for lots less than 2.0 acres shall be 0.16 acres
 - for lots 2.0 acres and larger shall be 8 percent

These limits shall apply to individual lot improvements, including drives, utilities, and stormwater controls but shall not apply to installation of individual septic systems. When communal infrastructure, including but not limited to roadways, shared drives, public utilities, public facilities and stormwater controls, is installed in accordance with an approved minor or major subdivision plan, the disturbed and impervious area shall be regulated by the Land Development and Subdivision Ordinance and not by this article. When communal infrastructure is