

## ***Sugarloaf Rural Heritage Overlay District General Information***

- The goal of the Sugarloaf Treasured Landscape Management Plan and the proposed overlay is to preserve the exceptional features of the Sugarloaf area for future generations.
- An overlay allows the County to create special zoning rules for a geographic area. In this case, the overlay is intended to address concerns and opportunities that are unique to the Sugarloaf area.

## ***Section by Section Summary of Bill 22-25***

The Sugarloaf Rural Heritage Overlay District would become part of the County's Code of Ordinances. Bill 22-25 was a County Council bill which would have amended the zoning code to implement the overlay recommendations. The information below summarizes each section of the bill.

§1-19-7.700: **SUGARLOAF RURAL HERITAGE OVERLAY DISTRICT**. The first section establishes purpose and intent for the proposed overlay, stating in part the purpose of the district is "to minimize or eliminate adverse impacts to water quality, forest resources, wildlife habitats, and scenic and rural landscape elements."

§1-19-7.710. **DEVELOPMENT IN THE SUGARLOAF RURAL HERITAGE OVERLAY ZONING DISTRICT**. Certain actions that a property owner wants to take with their land require County approval, for example subdivisions and site plans. This section sets standards for these land development applications in the overlay district. It specifies information what must be included in applications and requires minimizing the loss of forest and other green infrastructure. It also requires site plan approval from the Planning Commission for new or expanded wholesale nurseries and agritourism uses.

§1-19-7.720. **DESIGN STANDARDS NON-RESIDENTIAL DEVELOPMENT**. Design standards ensure new construction or expansion of non-residential, non-agricultural buildings and features are compatible with the area's natural and rural character. The standards address building and site features, lighting, and building footprint size. Refer to "Design Standards in the Sugarloaf Rural Heritage Overlay District" below for more details.

§ 1-19-7.730. **TREE CUTTING AND FORESTRY ACTIVITIES**. This section identifies the approvals necessary for tree cutting and forestry. It requires certain application information such as a map of sensitive environmental features. The overlay would establish a *Timber Harvest Streamside Management Zone* to prohibit tree harvesting within 50 feet of a water body in the overlay. Refer to "Tree Cutting and Forestry" below for more details.

§ 1-19-7.740. **PROHIBITED USES**. One purpose of zoning is to set what is or is not allowed on a property, or "uses." Uses may be prohibited or require special approval in a zoning district in order to protect the health, safety, and welfare of a community. In the Sugarloaf Rural Heritage Overlay District, some uses which might be allowed in a property's underlying zone would be prohibited under the overlay. Refer to "Prohibited Uses" below for more details.

§ 1-19-8.332. **COMMUNICATION TOWERS IN RC AND A DISTRICTS**. Communication towers in the overlay on property zoned Resource Conservation or Agricultural must be compatible in appearance and scale to their surroundings.

§ 1-19-10.700. **SOLAR FACILITY - COMMERCIAL FLOATING ZONE DISTRICT**. A commercial solar facility is defined as generating 200% more power than is required on the lot and supplies the excess energy into the grid. The overlay would restrict the placement of solar panels in relationship to streams and slopes, limit tree removal, and require native grasses and wildflower planting requirements in non-forest areas.

## ***Design Standards in the Sugarloaf Rural Heritage Overlay District***

**Purpose:** The purpose of design standards is to protect the Sugarloaf area's rural scenery and reduce the impact of buildings and human activity on the environment and wildlife.

### **When would the proposed design standards apply?**

- Only to non-residential, non-agricultural buildings. "Agriculture" means farming, grape production, fish culture, animal and poultry husbandry, and equine (horse) activities.
- Only to new construction or expansions/additions.

### What would the proposed design standards require?

- The design standards do not require the use of specific building materials.
- Buildings visible to the public cannot have long, uninterrupted, blank walls.
- Site entrance features like fences, walls, or signs must fit in with the area's rural character.
- Lighting cannot be taller than 4 feet (ground mounted) or 14 feet (building mounted). Lighting must have features like timers or motion sensors or have yellow/amber colored light.
- The footprint of new or expanded buildings cannot be larger than 15,000 ft<sup>2</sup>.
  - The building footprint limit does not apply to:
    - Residential buildings
    - Buildings used solely for agricultural activities
    - Agricultural-related enterprises such as agritourism, farm distilleries, farm wineries, farm breweries, and their tasting rooms.
  - An exemption may be granted by the Planning Commission when an applicant demonstrates the need for a larger building and environmental impacts are minimized.

### Which design standards apply to different building types?

	Building Appearance	Site Entrance Features Appearance	Lighting Requirements	Building Footprint May Not Exceed 15,000 ft <sup>2</sup>
Residential Buildings	Exempt	Exempt	Exempt	Exempt
Agricultural Buildings	Exempt	Exempt	Exempt	Exempt*
Agritourism	Applies	Applies	Applies	Exempt*
Farm Distillery, Farm Winery, or Farm Brewery and associated tasting rooms	Applies	Applies	Applies	Exempt*
All other Non-Residential, Non-Agricultural Buildings not specifically exempted	Applies	Applies	Applies	Applies

\*Exempt as long as the building is used solely for that purpose.

### Prohibited Uses

**Purpose:** The purposes of prohibiting certain uses in the Sugarloaf overlay are:

- To prevent sensitive natural resources from environmental damage like pollution.
- To preserve the rural character by preventing uses that create significant traffic and noise.

### What uses would be prohibited in the Sugarloaf Rural Heritage Overlay District?

- Prohibited uses in the overlay district belong to categories such as:
  - Solid Waste Operations (landfill, recycling, sludge pit, industrial waste)
  - Commercial Amusements (carnival, circus, rodeo, outdoor sports recreation facility)
  - Automobile and related services (RV storage facility)
  - Others including: Shooting range/club-trap, skeet, rifle, archery

### Tree Cutting and Forestry Activities

**Purpose:** Preserving the County's tree resources prevents erosion, preserves wildlife habitat, and preserves the natural pollution filtering function of trees.

### What would the Sugarloaf Rural Heritage Overlay District require for tree cutting/forestry activities?

- Today, forestry (including commercial) is permitted in the Sugarloaf area.
- Forestry would continue to be allowed in the overlay subject to the following:
  - Tree harvest or removal would not be permitted within 50 feet of a water body.
  - Approval of a timber harvest plan, grading permit, sediment and erosion control plan, and stream crossing/wetlands permits. Many of these approvals are already required under County or State law.
    - Specific materials including maps of environmental features and narrative must be submitted with an application.