MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING

Both Burke County and the State of North Carolina had previously declared a state of emergency which was ongoing as of June 15, 2021 due to the global COVID-19 pandemic. Following the N.C. Governor's Executive Order limiting mass gatherings and to protect the health of all meeting participants, attendance in the County Board Room, Burke Services Building, 110 N. Green Street in Morganton, was limited on a first come first served basis, social distancing measures were imposed inside the meeting room and face coverings were recommended. The 6:00 p.m. meeting was streamed live on the County's YouTube channel, BurkeCountyNC, and it was broadcast later on the local cable systems. The agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting as usual. Those presents were:

COMMISSIONERS PRESENT: Jeffrey C. Brittain, Chairman
Scott Mulwee, Vice Chairman
Wayne F. Abele, Sr.
Johnnie W. Carswell
Maynard M. Taylor

STAFF PRESENT: Bryan Steen, County Manager
Margaret Pierce, Deputy County Manager/Finance Director
J.R. Simpson, II, County Attorney
Kay H. Draughn, Clerk to the Board

CALL TO ORDER
Chairman Brittain called the meeting to order at 6:08 p.m. A retirement reception for Rebecca McLeod, Local Health Director, was held in the chambers prior to the meeting.

INVOCATION
Dr. Rex Shaver, Pleasant View Baptist Church, delivered the invocation.

PLEDGE OF ALLEGIANCE
J.R. Simpson, II, County Attorney, delivered the Pledge of Allegiance to the American flag.

APPROVAL OF AGENDA
Motion: To approve the agenda.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

APPROVAL OF MEETING MINUTES
Motion: To approve the minutes of the May 4, 2021 (pre-agenda), May 4, 2021 (recessed), May 25, 2021 (recessed-budget), and May 27, 2021 (recessed-budget) meetings as written.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

PRESENTATIONS

CM - RECOGNITION OF EMPLOYEE FOR COMPLETION OF SOG MUNICIPAL & COUNTY ADMINISTRATION COURSE

Information from the agenda packet:

> Lance Riddle, Executive Assistant to the County Manager/Deputy Clerk completed the virtual Municipal and County Administration course from the UNC School of Government at Chapel Hill. The comprehensive course is designed for appointed city and county officials whose responsibilities require an understanding of local government functions beyond individual areas of specialization. Major subject areas include local government law, organization and management, finance and budgeting, public employment law, planning and regulation of development, and municipal and county services.

County Manager Steen presented the course certificate to Mr. Riddle noting how much work went into the course and due to the COVID-19 pandemic, the program was provided electronically. Chairman Brittain thanked Mr. Riddle for his work and said they look forward to many years of his service in the future.

RESULT:	**NO ACTION TAKEN.**

BOC - RECOGNITION OF REBECCA MCLEOD, RETIRING LOCAL HEALTH DIRECTOR

Rebecca McLeod, the Local Health Director, is retiring at the end of June with 34 years of dedicated public service. Chairman Brittain recognized Commissioner Carswell, who serves on the Board of Health, to present Ms. McLeod a certificate of appreciation. Commissioner Carswell said there is nothing better that the Lord can do than to let someone become a servant and

when Ms. McLeod reaches Heaven, God will say "well done my good and faithful servant." Commissioner Carswell commended Ms. McLeod for her 34 years of service to the citizens of Burke County. A commemorative photo was taken with Commissioner Carswell, Mr. and Mrs. McLeod, and staff members from the Health Department.

Ms. McLeod then read the following statement:

> First, I thank my Lord and Savior for allowing me to be here to serve. Second, I want to thank Mack, my husband of 34.5 years. You have loved and supported me and been my anchor for all these years. I would not have been able to achieve my dreams and goals if you had not stood by my side. It has been my pleasure to serve the people of Burke County over the last 3.5 decades. It has also been my pleasure to work with an awesome staff. We have never had a lot of turn-over in public health, because we have dedicated people who wished to serve and give back to their communities. I thank my colleagues for their hard work, especially for the past 15 months. You are all rock stars! Keep up the great work! I would like to thank the Board of Health for being supportive of public health and myself for the past 10 years. They have allowed us to grow by encouraging us to take a leap of faith into areas that are not traditionally known as public health. Poverty, substance use disorder, mental health are not areas that public health is normally seen as a catalyst. Burke County is! Lisa Moore, you are the Queen Catalyst! We also have achieved the status as the only local health department in NC, besides Cabarrus Health Alliance, to become nationally accredited! But best of all, we have been able to develop, cultivate, and maintain strong community relationships. I am blessed to know that Burke County is unique because of those strong relationships, and I pray that will continue in the years to come. Last, but not least, thank you to County Administration and County Commissioners for supporting us for all these years and allowing public health to be innovative! If you had not allowed us to think outside of the box, cultivate those strong community partnerships, write grants, become PHAB accredited, you would not have the caliber of staff that are

present today at the Burke County Health Department. As a 34.5-year employee of Burke County, I say thank you. As a long time employee, it has been noticed that you look out for us, your county employees. It may never feel like we say thank you, but I say thank you. You have allowed us to protect and promote the health and wellbeing of the citizens of Burke County by providing the best possible services with adequate funding. Not many counties can say that. In closing, thank you to everyone, here in this room and who may be watching, including my family who could not be here tonight, thank you! To my family for the love and support you have given me, and to the citizens of Burke County, for trusting in public health to keep you educated so you could make informed decisions regarding your health and well-being. Keep up the great work! To our awesome public health family, you will be missed but you have a new day coming with a new leader who will further our cause even better than I have.

RESULT: NO ACTION TAKEN.

BOC - RECOGNITION OF GOVERNOR'S VOLUNTEER SERVICE AWARD
Information from the agenda packet:

The Governor's Volunteer Service Award honors the true spirit of volunteerism by recognizing individuals, groups and businesses that make a significant contribution to their community through volunteer service. Any person, group, or entity from the public, non-profit and private sector may be nominated for an award to their county award coordinator. County award coordinators submit their top 10 volunteer nominations per county. There are categories for the type of nominee (senior, youth, faith-based, family, group, business, etc.). Additional categories are based upon the area of service (animal, environmental, disaster, youth, preservation, etc.)

The Board is asked to recognize the recipients of the Governor's Volunteer Service Award at the regular meeting and take a commemorative group photo.

Page Pitts, J Iverson Riddle Developmental Center (JIRDC) Volunteer Services, said the award winners are from the Governor’s Volunteer Service Awards that are chosen from many of the service organizations in Burke County and they get the opportunity to select the people who give their time and service to Burke County. Volunteer Burke is an organization of volunteer managers and are the county coordinators of the Governor’s Volunteer Service Awards. Ms. Pitts said the Governor's Volunteer Service Award honors the true spirit of volunteerism by recognizing individuals, groups and businesses that make a significant contribution to their community through volunteer service. She thanked all the volunteers for making a difference in our community.

Alicia Lorenzo-Wilson, J Iverson Riddle Developmental Center (JIRDC) Dir. of Volunteer Services, thanked the Board for allowing them to recognize the award winners. She introduced Mary Rudisill, Gretchen Lowman, and Stephanie Smith, members of Volunteer Burke who assisted in the awards presentation. Ms. Lorenzo-Wilson then thanked others who assisted them by framing the awards and by providing media publicity. She then introduced the award winners: Lily Prebor, Maureen Dougher, Chasity Poteat Rice, Dr Jody Deacon, Jo Kioski, and Connie Berry. Browning Rochefort introduced the Governor’s Medallion Winner, John Widener.

Chairman Brittain said the Board of Commissioners is delighted to present each award winner a commemorative walking stick. He said there is no way to measure the value of all the volunteer work the award winners have done and all of the volunteer work that happens in Burke County every day. A commemorative photo was taken of the award winners and the Board.

Front row left to right: Lily Prebor, Maureen Dougher, Chasity Poteat Rice, Dr. Jody Deacon, Connie Berry, Jo Kioski, and John Widener
Back row left to right: Commissioner Maynard Taylor, Commissioner Wayne Abele, Vice Chairman Scott Mulwee, Commissioner Johnnie Carswell, and Chairman Jeff Brittain

RESULT: NO ACTION TAKEN.

SCHEDULED PUBLIC HEARINGS

COUNTY MANAGER - ADOPTION OF FY 21-22 BUDGET AND PUBLIC HEARING - 6:00 P.M.

County Manager Steen introduced the following agenda item and advised that the changes the Board requested during the budget meetings were incorporated into the budget document:

> The County Manager presented the recommended budget for FY 2021-2022 to the Board of Commissioners on Tuesday, May 18, 2021 with a continued tax rate of 69.5 cents per $100 valuation. A copy of the recommended budget was filed in the office of the Clerk to the Board that day and was available for public inspection on the County's website, www.burkenc.org, libraries and senior centers. Budget meetings were held at 2 p.m. on May 25th and May 27th in the Commissioners' Meeting Room, Burke Services Building, 110 N. Green Street in Morganton, NC. A public hearing on the recommended budget is required and citizens are encouraged to attend and present written or oral comments.

Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Taylor said in reviewing a budget, there are three (3) important concepts: truth / accuracacy of the numbers, balance of the budget, and how fair is the budget to the departments and to the taxpayers. He then compared the budgets for COVID-19 and various county departments to

budgets from five (5) years ago, noting the increase for each department as shown in the following document which he emailed to the Board earlier in the day.

Item / Topic	Page	5 year ago/2016-17	Year 2020 -21	year 2021 - 22	$$ Increased	Comment
No. of years to compared	all					Reduced from 5 years to just 2 years.
						Not able to review multiple year increases.
						? Decision made without addressing board.
Revenue / General Fund	4		92,493,150	94,527,930	2,034,780	
Revenue / Dept. Revenue	4		1,859,480	1,701,000	(158,480)	
Revenue / Other Funds	4		25,591,755	38,884,845	13,293,090	Net increase of this category..
Revenue / Total All Funds			118,084,905	133,412,775	15,327,870	Total increase of all revenue funds...
						Could not find "Fire Districts" in Budget!!
Covid Funds	4	N/A	5,374,115	17,575,650	12,201,535	Revenue Funds with no Expenditure info.
Fire District Fund		3,163,776	4,383,745	4,548,000	164,255	5 year increase of close to 1.4 million.
Animal Services	9	306,293	432,515	481,005	48,490	Sheriff kept the employees...really 600K+
						additional budget creation over 3 years. .
Burke County Schools	10	15,299,150	16,049,205	16,049,205	-	For Reference, no increase this year but
						most increases came from adding Nurses.
						Board should lean hard on state to transfer
						Nurses' cost to their budget.
School / Art. 39 sales tax	4	4,375,216	8,210,000	9,096,000	886,000	(These two revenue sources together has
School / Art. 42 sales tax	4	2,516,589	3,480,000	3,945,000	465,000	almost doubled in 5 years.) School nurses?
EMS	18	4,819,137	6,223,045	6,648,335	425,290	1.6 Million increase in 5 years.
Finance	19	504,296	588,145	605,680	17,535	20% increase in 5 years.
Sheriff Dept.	30	5,996,078	8,778,949	8,048,835	(730,114)	(These two items is 4 million increase and
Sheriff Dept. - Jail	31	3,265,338	4,790,660	5,220,735	430,075	we are 50% staffed. By the time the jail
						is paid for, pay increases and additional
						staff, tax payers will pay additional 90 K.
Information Technology	23	751,540	1,955,865	1,929,400	(26,465)	Over 250% in 5 years.. ???
DSS	15	17,735,757.00	17,724,167	18,474,030	749,863	How much of this is Burke County dollars?
Solid Waste -Revenues	40	5,260,016	5,488,341	5,628,085	139,744	
Solid Waste -Expenditures	41	5,260,016	4,467,240	4,579,405	112,165	
Solid Waste - Operations	42	3,895,582	1,021,101	1,048,680	27,579	
County Managers Office	13	261,098	325,350	452,640	127,290	70% increase in 5 years!
Tax Revaluation	34	160,969	226,835	664,750	437,915	Wow!
Permits & Fees	6		1,876,980	1,905,270	28,290	Listed separately in 2016-17 budget book.
						See information request # 5.
Total Budget		81,246,236	118,084,905	133,412,775	15,327,870	? ! ? !! ? !!!
Population Numbers		89,451	90565	90,645	80	5 year growth is only 1,204!!
Pages in Budget		172	58	42	(16)	130 fewer pages in 5 years...

Information not yet received:

1. Items and dollar amount in last years' budget that was not included or continued in this years' budget.
2. Total taxes received OVER budget for 2020-21 budget year.
3. Total increase in dollars for the 2 % COL increase for employees?
4. List of budget items that will be using fund balance to reach their budget.
5. Need a list or chart of permits and fees.

After reviewing the handout, Commissioner Taylor said in his mind this is an unhealthy budget

for the taxpayers of Burke County. He said Burke County is a healthy county and has been healthy for most of the time he has been on the Board, almost 20 years. Commissioner Taylor then expressed support for the Sheriff's new request to use lapse salary dollors to fund a jail lieutenant postion for FY 21-22, since he guarantees there is no impact on the budget. Further, he said he would make the motion at the appropriate time.

Vice Chairman Mulwee said with all due respect, Commissioner Taylor has not voted for a budget in five (5) years which means he has not voted for EMS stations, schools, employee pay increases, and other things that make the County run. He repudiated the figures that Commissioner Taylor presented. Vice Chairman Mulwee explained that the requested funding for the jail lieutenant's position and the increased cost of Animal Services is because the animal shelter was removed from the Sheriff's Office and the new department had to be staffed. He said the Baord must be responsible adults, invest in infrastructure and promote Burke County to ensure its advancement, noting that the only way to be progressive is if the budget increases somewhat. Vice Chairman Mulwee said if the Board voted against the budgets from the past five (5) years, citizens would have none of the services they currently have, and no employee raises would have been given in the past five (5) years. He further advised that the Board tries to take care of people, tries to promote Burke County, and tries to make it a better place for everyone. Regarding some of the increases that Commissioner Taylor mentioned, Vice Chairman Mulwee said Information Technology (IT) is very important and if the County does not maintain its IT infrastructure, then the County could be hijacked. While maintaining technological infrastructure does cost more, the Board does it to protect the County, and saves money for taxpayers in the long run. As someone who is a 20-year financial advisor with Edward Jones and does budgets for Western Piedmont Community College as well as the Tourism Development Authority, he encouraged citizens to review the County's budget and form their own opinion.

Commissioner Carswell said since he has been on the Board, this is the most balanced budget he has seen, and it is fair to the people. While he does not agree with some of the numbers that were presented tonight, he said he agrees with the numbers in the budget, noting they were vetted by the Board during several meetings as well as administrative staff. Further, he expressed pride with the fact that the school board did not ask for any extra funding this year. When he became a commissioner, he said County employees were woefully underpaid and now people are willing to work for the County and the turnover rate has decreased. He commented on how everything costs more than it used to and said thanks to this Board and prior Boards, the County is at the place where it can start to save money, purchase much needed equipment, and noted that water and sewer always costs the County money to operate. Commissioner Carswell then commented on the need to be visionaries and prepare for the future. He gave an example of how well the County fared during the COVID-19 global pandemic because of sound financial planning and having good personnel. He also commented on the receipt of ARP (American Rescue Plan) Act funds from the federal government but noted the County has not received the federal/state rules on how to spend it. He further advised that the County will be receiving money from the ongoing opioid lawsuit and the proceeds will go towards helping the citizens of Burke County impacted by substance abuse.

Commissioner Taylor said: (1) he is glad the Board members recognize that numbers do not lie; (2) it is obvious that the County has allowed some budgetary items to get out of hand; (3) the first thing to do is count the cost upfront, which is very scriptural, to ensure there is enough money to finish; (4) if there is a budget mistake, then the taxpayers pay for it; (5) and, it is a

mistake to not recognize and reduce inflated items.

Commissioner Abele spoke about the need to devote more resources now and in the future to improving the County's buildings to prevent further deterioration. As the Chair of the Western Piedmont Community College Board of Trustees, Vice Chairman Mulwee thanked the Commissioners for the $1 million budgetary commitment for the new trades building, a training facility and curriculum designed to increase the number of skilled tradesmen regionally, and said this item gets overlooked in the budget. Further, he asked if the tax rate was increased this year and County Manager Steen said no. Commissioner Taylor then commented that a lot of items and fees were increased in this year's budget.

With there being no further questions or comments from the Board, Chairman Brittain opened the public hearing at 7:03 p.m. The Public Hearing Notice was published in THE NEWS HERALD on May 19, 2021 and June 3, 2021. It was also posted to the County's website www.burkenc.org on May 19, 2021. One (1) citizen addressed the Board.

Timothy Green, 6181 North Shore Drive, asked Commissioner Taylor questions regarding the major increases in the budget. Additional questions and discussion ensued regarding the jail, the population increase for Burke County, new EMS facilities, budget control measures, and Information Technology expenses. Chairman Brittain and County Manager Steen also responded to questions posed by Mr. Green. In closing, Mr. Green expressed appreciation for everyone's hard work.

With there being no other public comments, Chairman Brittain closed this portion of the meeting.

Chairman Brittain explained that the Sheriff has requested to reinstate a Jail Sworn Lieutenant position that expires June 30, 2021, which was funded by using existing lapse salary funds in FY 20-21. The Sheriff would like to continue this process for FY 21-22 by utilizing lapsed salaries anticipated to occur from the 16 new, but unfilled, jail positions included in the recommended budget. The odds of all 16 positions being filled this year is highly unlikely, he said.

For reference, the following letter from the Sheriff was sent to the Board a few hours before the meeting:

> June 15, 2021
>
> Dear Burke County Commissioners,
>
> Good morning, I would respectfully ask that you consider the request below during this evening's budget meeting, June 15, 2021. The Sheriff Office's plan is not to spend any additional funds for jail staff in FY 21-22 than is allocated in the proposed FY 21-22 budget. With 16 vacancies and our staff needing help, we ask that we continue utilizing the Jail Lieutenant's position in FY 21-22 as the commissioners allowed us to use the position in the current FY 20-21 budget. This Lieutenant's position is working extremely well and will be significantly beneficial while we continue to pursue filling our vacancies. Again, in closing, continuing our current commissioners' plan into the FY 21-22 budget will not cost the county any more than what the proposed FY 21-22 staffing budget allocates.

Thank you for your consideration.

Steve E. Whisenant
Burke County Sheriff

Motion: To add the jail sworn lieutenant position using lapsed salaries to the budget.

RESULT:	**APPROVED [4 TO 1]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor
NAYS:	Scott Mulwee

Commissioner Taylor asked if the jail lieutenant position was just for the FY 21-22 budget year. Chairman Brittain responded in the affirmative.

Motion: To adopt the FY 21-22 Budget Ordinance (No. 2021-12) as presented. To approve a Memorandum of Agreement between Burke County and the Burke County Board of Education for FY 21-22. To authorize the County Manager to execute contracts with all nonprofit agencies that received funding in the FY 21-22 budget in accordance with NCGS 153A-449 and NCGS 159-40.

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell
NAYS:	Maynard M. Taylor

Commissioner Taylor said he will vote no because this is the third year in a row, he has not received information he requested regarding the budget and noted the Board is not supposed to vote until the Chairman makes sure all commissioners get their questions answered. J.R. Simpson, II, County Attorney, said the motion needs to accept the budget as presented with the amendment concerning the Sheriff's use of funds. Commissioner Carswell amended his motion to include the funding for the jail sworn lieutenant position.

Motion: To adopt the FY 21-22 Budget Ordinance (No. 2021-12) as presented with the amendment concerning the Sheriff's use of lapsed salaries for the jail sworn lieutenant position.

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell
NAYS:	Maynard M. Taylor

Ord. No. 2021-12 reads as follows:

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

SECTION I. BUDGET ADOPTION

There is hereby adopted the following Budget Ordinance for the County of Burke for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

GENERAL FUND

A. Revenues Anticipated:	SOURCE	AMOUNT
	Ad Valorem Taxes	$50,630,000
	Local Option Sales Taxes	$9,118,900
	Other Taxes	$1,503,000
	Permits and Fees	$1,905,270
	Intergovernmental Revenues	$18,581,420
	Sales and Services	$4,377,300
	Miscellaneous Revenues	$579,500
	Transfers from Other Funds	$6,272,335
	Fund Balance Appropriation	$1,993,440
	Fund Balance Appropriation Health Dept	$20,930
	Total Revenues - General Fund	**$94,982,095**

B. Expenditures Authorized:

General Government	County Manager	$452,640
	Courts	$19,150
	Debt Service	$7,808,385
	Elections	$516,840
	Finance	$605,680
	Garage	$91,660
	General Services	$832,860
	General Services - Buildings Summary	$2,170,285
	Governing Board	$197,070
	Human Resources	$651,770
	Information Technology	$1,929,400
	Legal Services	$169,920
	Non Departmental	$2,397,755
	Register of Deeds	$481,515
	Tax Assessors and Collections	$1,433,690
	Tax Revaluation	$664,750
	Subtotal	**$20,423,370**
Public Safety	Animal Services	$481,005
	Building Inspections	$282,760
	Communications	$2,327,930
	Community Development/Planning	$595,020
	Emergency Medical Services	$6,648,335
	Fire Marshal/Emergency Services	$331,645
	Other Public Safety	$752,130
	Sheriff	$8,056,835
	Sheriff - Jail	$5,226,985
	Subtotal	**$24,702,645**

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

Environmental Protection	Cooperative Extension Service		$403,730
	Soil and Water Conservation		$132,810
		Subtotal	**$536,540**
Transportation	Transportation		$70,865
		Subtotal	**$70,865**
Economic/Physical Development	Aids and Donations		$383,920
	Economic Development		$1,315,540
		Subtotal	**$1,699,460**
Human Services	Department of Social Services		$18,474,030
	Health Department		$3,555,220
	Mental Health		$210,695
	Senior Services		$485,960
	Veterans Services		$46,100
		Subtotal	**$22,772,005**
Education	Burke County Board of Education		$16,049,205
	Western Piedmont Community College		$3,627,610
		Subtotal	**$19,676,815**
Cultural and Recreational	Library		$1,528,310
	Recreation		$719,985
		Subtotal	**$2,248,295**
Transfers to Other Funds	Transfer to Sales Tax Fund 150		$250,000
	Transfer to Sales Tax Fund 151		$2,236,000
	Transfer to Solid Waste Fund		$366,100
		Subtotal	**$2,852,100**
		Total Expenditures - General Fund	**$94,982,095**

ARTICLE 42-HALF CENT SALES TAX FUND

A. Revenues Anticipated:	SOURCE	AMOUNT
	Article 42 Sales Tax	$3,255,000
	ABC Profit Distributions	$120,000
	Fines and Forfeitures	$310,000
	Interest Income	$10,000
	Transfer from General Fund	$250,000
	Total Revenues - Article 42 Sales Tax Fund	**$3,945,000**
B. Expenditures Authorized:	School Equipment/Capital Requests	$3,635,000
	Fines and Forfeitures	$310,000
	Total Expenditures - Article 42 Sales Tax Fund	**$3,945,000**

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

ARTICLE 39-ONE CENT SALES TAX FUND

A. Revenues Anticipated:	SOURCE	AMOUNT
	Article 39 Sales Tax	$6,000,000
	Lottery Funds	$860,000
	Medicaid Hold Harmless	$2,236,000
	Total Revenues - Article 39 Sales Tax Fund	**$9,096,000**
B. Expenditures Authorized:	School Equipment/Capital Requests	$2,824,150
	Transfer to General Fund - Debt Service	$5,126,850
	Transfer to General Fund - Maint/Repairs	$1,145,000
	Total Expenditures - Article 39 Sales Tax Fund	**$9,096,000**

EMERGENCY TELEPHONE SURCHARGE FUND

A. Revenues Anticipated:	SOURCE	AMOUNT
	Emergency Telephone Surcharge	$635,845
	Interest Income	$3,000
	Fund Balance Appropriation	$173,930
	Total Revenues - Emergency Telephone Surcharge Fund	**$812,775**
B. Expenditures Authorized:	Functions	$40,000
	Software	$235,275
	Employee Training	$25,000
	Telephone and Furniture	$109,500
	Hardware	$403,000
	Total Expenditures - Emergency Telephone Surcharge Fund	**$812,775**

COVID RELIEF PROJECTS FUND

A. Revenues Anticipated:	SOURCE	AMOUNT
	Federal ARP Funds	$17,575,650
	Total Revenues - COVID Relief Projects Fund	**$17,575,650**
B. Expenditures Authorized:	ARP Projects	$17,575,650
	Total Expenditures - COVID Relief Projects Fund	**$17,575,650**

DSS CLIENT TRUST FUND

A. Revenues Anticipated:	SOURCE	AMOUNT
	Client Funds Received	$275,000
	Total Revenues -DSS Client Trust Fund	**$275,000**
B. Expenditures Authorized:	Client Funds Paid Out	$275,000
	Total Expenditures -DSS Client Trust Fund	**$275,000**

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

FIRE TAX DISTRICTS FUND

A. Revenues Anticipated:

SOURCE	AMOUNT
Brendletown	$325,000
Carbon City	$12,000
Chesterfield	$162,000
Drowning Creek	$82,000
Enola	$115,000
George Hildebran	$295,000
Glen Alpine	$153,000
Icard	$650,000
Jonas Ridge	$177,000
Lake James	$230,000
Longtown	$157,000
Lovelady	$520,000
Oak Hill	$417,000
Salem	$340,000
Smokey Creek	$35,000
South Mountain	$100,000
Triple Community	$373,000
West End	$405,000
Total Revenues - Fire Districts Fund	**$4,548,000**

B. Expenditures Authorized:

Brendletown	$325,000
Carbon City	$12,000
Chesterfield	$162,000
Drowning Creek	$82,000
Enola	$115,000
George Hildebran	$295,000
Glen Alpine	$153,000
Icard	$650,000
Jonas Ridge	$177,000
Lake James	$230,000
Longtown	$157,000
Lovelady	$520,000
Oak Hill	$417,000
Salem	$340,000
Smokey Creek	$35,000
South Mountain	$100,000
Triple Community	$373,000
West End	$405,000
Total Expenditures - Fire Districts Fund	**$4,548,000**

WATER / SEWER FUND

A. Revenues Anticipated:

SOURCE	AMOUNT
Sales and Services	$1,749,400
Miscellaneous Revenues	$77,935
Total Revenues - Water/Sewer Fund	**$1,827,335**

B. Expenditures Authorized:

Operations	$1,827,335
Total Expenditures - Water/Sewer Fund	**$1,827,335**

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

SOLID WASTE FUNDS

A. Revenues Anticipated:	SOURCE	AMOUNT
	Intergovernmental Revenues	$182,000
	Charges for Services	$5,326,150
	Miscellaneous Revenues	$25,100
	Transfer from General Fund	$366,100
	Fund Balance Appropriated	$94,835
	Total Revenues - Solid Waste Fund	**$5,994,185**
B. Expenditures Authorized:	Disposal Operations	$4,945,505
	Collection Operations	$1,048,680
	Total Expenditures - Solid Waste Fund	**$5,994,185**

SECTION II. TAX RATES LEVIED

An ad valorem tax rate of $0.695 per $100 at full valuation is hereby established as the official tax rate for Burke County for the fiscal year 2021-2022. This rate shall be levied on the estimated taxable value at $7,375,861,125. Revenues are projected at a collection rate not to exceed the latest audited percentage.

Ad valorem tax rates as listed below per $100 at full valuation are hereby established as the official tax rates for Burke County Fire Protection Districts for the fiscal year 2021-2022. These rates shall be levied on the estimated taxable property situated in each district. Revenues are projected at a collection rate not to exceed the latest audited percentage for each district.

Fire District	Property Values	Tax Rate Per $100 of Value
Brendletown	$316,365,615	$ 0.105
Carbon City	$14,429,124	$ 0.080
Chesterfield	$180,582,520	$ 0.130
Drowning Creek	$66,649,487	$ 0.120
Enola	$113,557,942	$ 0.105
George Hildebran	$272,220,703	$ 0.110
Glen Alpine	$151,730,292	$ 0.100
Icard	$655,363,794	$ 0.100
Jonas Ridge	$131,654,236	$ 0.135
Lake James	$289,713,056	$ 0.080
Longtown	$130,617,112	$ 0.120
Lovelady	$501,733,626	$ 0.105
Oak Hill	$507,470,053	$ 0.090
Salem	$491,913,319	$ 0.070
Smokey Creek	$27,508,066	$ 0.118
South Mountain	$78,245,795	$ 0.136
Triple Community	$471,337,637	$ 0.078
West End	$374,113,498	$ 0.110

SECTION III. FEES

All fees are continued as previously imposed and adopted as shown on Attachment A - Schedule of Fees. Any fee not specifically listed on Attachment A shall be at the last adopted amount. All fees are considered civil penalties whether listed here or in individual ordinances.

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

SECTION IV. COMPENSATION AND BENEFITS

Employees shall receive a one-half percent (1/2%) merit increase in pay on each two year anniversary they have been in the same position. The actual percentage increase will be determined based on the number of years the employee is in their position and effective on each employee's anniversary date. Employees must have received a positive performance review on the County's established evaluation form with no formal disciplinary action during the performance period to be eligible for the increase.

If at any time during the year, the Burke County Manager finds any Burke County employee to be delinquent in any financial obligation to Burke County, the County Manager shall have the authority to suspend that employee from the Burke County merit pay plan for a period of two consecutive years from the date of discovery.

The County may pay a holiday bonus of $100 to all permanent full-time employees and a prorated amount to all regularly scheduled permanent part-time employees. Depending on the economy, the bonus may be paid in December in a separate payroll. Individuals must be continuously employed by the County in a full time or regularly scheduled permanent part time status from July 1, 2021 through Friday of the week prior to the payment date in order to receive the bonus.

SECTION V. PAY PLAN ADJUSTMENTS

The following changes are made to the County's Pay and Classification Plan:

Class Description	Existing Grade	New Grade
Administrative Specialist Supervisor	16	17
Administrative Technician	18	19
Assistant Register of Deeds	18	19
Community Employment Case Manager	19	20
Deputy Fire Marshal	20	23
Fire Inspector	19	22
Foreign Language Interpreter II	16	17
Income Maintenance Administrator I	26	27
Income Maintenance Caseworker I	15	16
Income Maintenance Caseworker II	17	18
Income Maintenance Caseworker III	19	20
Income Maintenance Investigator II	19	20
Income Maintenance Supervisor II	21	22
Income Maintenance Supervisor III	23	24
Medical Lab Technician II	18	19
Medical Lab Technologist I	22	23
Nutritionist I	18	19
Nutritionist II	21	22
Nutritionist III	23	24
Processing Assistant III	12	13
Processing Assistant IV	14	15
Processing Assistant V	16	17
Program Assistant IV	14	15
Program Assistant V	16	17
Public Health Education Specialist	20	21
Public Health Educator I	18	19
Public Health Educator II	22	23
Public Health Educator III	26	27

EMS pay plan positions A, B, C, D, and E will increase by 10% and the F, and G positions will increase by 15%.

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

The following position is hereby established and added as funded in the budget:

Assistant County Manager Grade 39

The following position is temporarily reinstated to expire June 30, 2022 with no increase to the budget:

Sheriff's Office, Jail Sworn Lieutenant (Position #1974)

SECTION VI. CHANGES TO BUDGETED POSITIONS

The following positions are eliminated effective July 1, 2021:

8 Part-time EMS Paramedics

The following positions are reclassified:

Accounting Clerk, 32 hours/week (Position #1011) to Accounting Specialist, 40 hours/week
Health Department Program Assistant IV (Position #1155) to Processing Assistant V
Human Resourse Specialist, 35 hours/week (Position #1013) to 40 hours/week
Library Program Specialist (Position #1084) to Senior Library Program Specialist
Solid Waste Truck Driver, 18 hours/week (Position #1695) to Truck Driver, 40 hours/week

SECTION VII. BOARD OF EDUCATION

General Statutes of the State of North Carolina provide for budgetary control measures to exist between the County and the public-school system. The Board of Commissioners hereby adopts the following measures for budget administration and review:

1. In accordance with North Carolina General Statute 115C-429(b) the Board of County Commissioners allocates current expense and capital outlay appropriations in lump sum for use by the Board of Education in accordance with the School Budget and Fiscal Control Act, except for an appropriation by function for school nurses.

Furthermore, pursuant to North Carolina General Statute 115C-433(b), the Board of Education must obtain the approval of the Board of County Commissioners for an amendment to the budget that increases or decreases the amount of the County appropriation allocated to a function by twenty-five percent (25%) or more from the amount contained in this budget ordinance adopted by the Burke County Board of Commissioners.

2. Further, budget requests are to be accompanied by the school system's State and Federal budgets as required by General Statue 115C-429(c) which states, the school board shall submit its entire budget to the County Commissioners, not just the part for which county support is requested.

3. The Board of Education shall make quarterly financial reports to the Board of Commissioners as to the disbursement and use of local monies granted to the Board of Education by the Board of Commissioners.

SECTION VIII. MANAGERIAL AUTHORITY

The County Manager shall have management authority for the budget in accordance with the February 21, 1995 action of the County Commissioners as follows:

> Approve budget amendments to receive and expend State, Federal and other non-tax revenues so long as the action does not commit additional property tax dollars, create additional positions, or initiate a new county function.

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

Approve budget adjustments for actual pass through of fire tax revenues received for respective fire departments.

Permit transfer of funds within and between departments so long as the action does not commit additional local tax dollars, create additional positions, or initiate a new county function.

Additionally, the County Manager is authorized as follows:

To impose a hiring freeze, a freeze on capital expenditures, a freeze on travel, and operating reductions up to ten percent (10%) as deemed necessary by Burke County management. The Burke County Board of Commissioners will serve as the Appellate Board for decisions made by the County Manager. All appeals will follow the usual and customary agenda process.

To require the pre-approval of all out of county travel to attend training classes, workshops, and/or conferences by the Department Head and County Manager prior to the training using the Travel Authorization form. Travel costs incurred without proper authorization may not be paid or be eligible for reimbursement.

To negotiate and approve change order increases up to $25,000 and all change orders reducing the total contract so long as such change orders do not significantly alter the scope or definition of the project or exceed budgeted funds.

To approve local grants without a local match and accept Federal and State grants without a local match pending Board approval.

To accept both monetary and property donations up to $25,000 and authorize the appropriate accounting entries.

To approve requests from departments for temporary fee decreases during the budget year for not more than one 90 day period per fiscal year.

To approve and execute contracts for budgeted expenditures up to $90,000 where such contracts are not required to be bid or which G.S. 143-131 allows contracts to be executed on informal bids. The exception to this shall be procurement decisions in which Board action is mandated by a State or Federal requirement.

To execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248 (b), 259, 449 and any similar statutes require such contracts.

To increase the starting salary for candidates for vacant positions up to the mid point of the salary range, as needed.

To review departmental appropriations quarterly and may transfer any anticipated excess funds to a budget account in order to preserve Fund Balance.

To exempt county projects from procurement requirements of Article 3D - Procurement of Architectural, Engineering, and Surveying Services, as permitted by G.S. 143-64.32. This authority may be delegated to the Deputy County Manager/Finance Director.

BUDGET ORDINANCE
FISCAL YEAR 2021-2022

SECTION IX. UTILIZATION OF BUDGET AND BUDGET ORDINANCE

This Ordinance shall be the basis of the financial plan for Burke County government during the 2021-2022 fiscal year. The County Manager shall administer the budget and he shall ensure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The Deputy County Manager/Finance Director shall establish and maintain records consistent with this ordinance and the appropriate statutes of the State of North Carolina.

A copy of this ordinance shall be furnished to the Clerk to the Board of Commissioners, the County Manager, and the Deputy County Manager/Finance Director to be kept on file by them for direction in the disbursement of funds.

Adopted this 15th day of June 2021.

Jeffrey C. Brittain, Chairman
Burke County Board of Commissioners

ATTEST:

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

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Ord. No. 2021-12

Attachment A - Schedule of Fees

Animal Control and Animal Services

Animal Control Civil Citation 1st offense	$50.00
Animal Control Civil Citation 2nd offense	$100.00
Animal Control Civil Citation 3rd offense	$200.00
Bite Quarantine Pick Up Fee	$20.00 per pet
Canine Adoption Fee	$125.00
Feline Adoption Fee	$90.00
General Board Fee	$10.00 per night
Isolation Cell Board Fee	$15.00 per night
Owner Surrender Fee per pet	$10.00 per pet
Rabies Vaccination	$10.00 per shot
Rescue Pull Fee Dog	$27.00
Rescue Pull Fee Puppy between 4 and 8 weeks old	$12.00
Spay/Neuter Fee	$60.00
Rescue Pull Fee Cat	$12.00
Rescue Pull Fee Kitten between 4 and 8 weeks old	$5.00
Veteran Disccount	10%
Working Cat Adoption Fee	$10.00

Building Inspection**

Minimum Residential (electric, plumbing, mechanical, building)	$75.00 per trade or sq ft fee, whichever is greater
Residential (unclassified)	$75.00
Minimum Commercial (electric, plumbing, mechanical, building)	$100.00 per trade or sq ft fee, whichever is greater
Commercial (unclassified)	$100.00
Mobile Home (Single/Double)	$200.00
Stick Built/Modular	based on sq ft
Plan Review Fee	$100.00
Above-Ground Pool	$75.00
In-Ground Pool	$150.00
Commercial Pool	$200.00
Day Care Consultations	$100.00
Commercial Signs	$100.00 - $200.00
Call Back	$75.00
Temporary Power	$250.00
Additional Inspection (regular bus hours)	$75.00
Additional Inspection (after hours/weekend)	$150.00 min
Homeowner Recovery Fund (as required by G.S. 87-15.6(b))	$10.00

* If work is performed before issue of permit, double permit fee.

**For the full modifiers and examples, see the Planning Department and chart at the end of the fee schedule.

DSS

Child Support Application	$25.00
NC Health Choice (1 child)	$50.00
NC Health Choice (2 or more children)	$100.00
HCWD enrollment	$50.00

EMS-Ambulance Services

All Transport Fees	135% of Medicare rates

Environmental Health	
On-Site Wastewater Permitting:	
Permitting New Type I, II, III Systems	$325.00
Permitting New Type IIIb (pump) Systems	$425.00
Permitting New Type IV Systems	$525.00
Permitting New Type V or VI Systems	$825.00
Expansion of Existing System	$175.00
Verification of Septic System	$100.00
Repair Permits	No Charge
Call Back Fee	$50.00
Addendum Fee	$50.00
Required Septic System Re-Inspections:	
Type IIIb System (every 5 years)	$100.00
Type IV System (every 3 years)	$125.00
Type V System (once per year)	$175.00
Type VI System (every 6 months)	$175.00
*Fee waived if owner has Certified Operator	
Private Well Water:	
New Well Permit	$325.00
Well Repair Permit	$175.00
Bacteriological Well Water Sample	$60.00
Chemical Well Water Sample	$110.00
Public Swimming Pools:	
Annual Permit Fee	$150.00
New Pool/Spa Plan Review	$250.00
Remodel Pool/Spa Plan Review	$150.00
Tattoo or Piercing Parlor/Artist:	
Tattoo or Piercing Parlor Annual Fee	$200.00
Tattoo or Piercing Artist	$200.00
Tattoo Artist/Parlor Plan Review	$200.00
Food Service:	
Plan Review (Restaurants, Food Stands, Meat Markets, School Lunchrooms)	$250.00
Plan Review (Mobile Food Unit)	$150.00
Plan Review (Push Cart)	$100.00
Temporary Food Permit	$75.00
Preliminary/Consultative Visit	$75.00

Fire Inspection Fees

Underground Storage Tank Removal Permit	$100.00
Underground Storage Tank Installation	$100.00
Aboveground Tank Installation	$50.00
Blasting Permit	$100.00
Bonfire Permit	$10.00
Fireworks Display Permit	$50.00
Foster Homes	$25.00
Family Care Homes	$50.00
Day Cares	$50.00
Assembly – Small	$50.00
Assembly – Large	$100.00
Business	$50.00
Factory – Less Than 10,000 Square Feet	$100.00
Factory – Over 10,000 Square Feet	$150.00
Hazardous	$100.00
Institutional	$100.00
Motels	$100.00
Storage – Less Than 10,000 Square Feet	$100.00
Storage – Over 10,000 Square Feet	$150.00
Fire Suppression System Over Cooking Operations	$25.00
Sprinkler Systems	$50.00

Foothills Higher Education Conference Center

	In-County Daily Rate	Damage Deposit (reimbursed if no damage)
Conference Area:		
North Hall or South Hall (7,360 sq ft, 350 ppl)	$650.00	$650.00
Multi-Purpose Room (14710 sq ft, 700 ppl)	$1,300.00	$1,300.00
Alcohol Fee (Must rent Multi-Purpose)	$250.00	
Utility usage per day Entire Room	$135.00	--
Kitchen (600 sq ft)	$300.00	--
Small Meeting(A/V equipped) (590 sq ft, 30 ppl)	$175.00	$50.00
Utility usage per day room C-139	$20.00	--
Break Out Rooms:		
Small Room(1000 sq ft, 40 ppl)	$100.00	$75.00
Utility Usage per day Rm. 131-133-146 or Kitchen	$25.00	--
Large Room (1680 sq ft, 60 ppl)	$150.00	$125.00
Utility usage per day Rm. 147-148	$35.00	--
County Department Fee (non-training events, 700 ppl)	$325.00	--

* If admission is charged- 10% of gross receipts or 10% of table sales

	Out-of-County Daily Rate	Damage Deposit (reimbursed if no damage)
Conference Area:		
North Hall or South Hall (7,360 sq ft, 350 ppl)	$675.00	$650.00
Multi-Purpose Room (14710 sq ft, 700 ppl)	$1,325.00	$1,300.00
Alcohol Fee (Must rent Multi-Purpose)	$250.00	
Utility usage per day Entire Room	--	--
Kitchen (600 sq ft)	$300.00	--
Small Meeting(A/V equipped) (590 sq ft, 30 ppl)	$200.00	$50.00
Utility usage per day room C-139	$20.00	

Foothills Higher Education Conference Center, continued		
Break Out Rooms:		
Small Room(1000 sq ft, 40 ppl)	$125.00	$75.00
Utility Usage per day Rm. 131-133-146 or Kitchen	--	--
Large Room (1680 sq ft, 60 ppl)	$175.00	$125.00
* If admission is charged- 10% of gross receipts or 10% of table sales		

IT/GIS	
Letter	$0.15
Map prints and copies	
Letter size map	$1.00
Ledger (11x17)	$1.00
Arch C (18x24)	$3.00
Arch D (24x36)	$6.00
Arch E (36x48)	$12.00
Oversize - per square foot	$1.00 per sq ft

Health Dept
Contact the Health Department for a complete list of fees.

Library	
Overdue Items	
Book/Audio/Magazine/Video/CD	.25 day/max $20.00
Story Kits/Theme Boxes	$1.00 day/max $20.00
Interlibrary Loans	.50 day
Copier, printer, & wordprocesser	.25 page
Fax	$1.00 page
Technology fee - card holder	$3.00 yr
visitor	$1.00 day

Parks / Recreation	
Picnic Shelters	
4 Hours	$35.00
8 Hours	$60.00
Ball Field Rentals	
Per Field per Day	$90.00
Per Field per day with Lights	$165.00
Per Hour per Field(Team Out- County)	$15.00
Per Hour Light Usage	$25.00
Ball Field Rentals	
Baseball and Softball (Tarheel dues addt'l)	$80.00 /team
Basketball	$95.00 /team
Football	$95.00 /team
Indoor Soccer	$70.00 /team
Outdoor Soccer	$80.00 /team
* If a team forfeits more than twice in a season, there is a $50.00 forfeit fee.	

Planning/Zoning	
Residential Zoning Permit	$35.00
Non-Residential Zoning Permit	$100.00
Non-Residential Zoning Permit & Minor Site Plan Review	$150.00
Non-Residential Zoning Permit & Major Site Plan Review	$250.00
Telecommunications Tower - New	$3,500.00
Telecommunications Tower - Co-location – Major Upgrade	$2,000.00
Telecommunications Tower - Co-location – Minor Upgrade	$1,000.00
Sign Permit	$50.00
Minor Shoreline Protection Permit	$150.00
Major Shoreline Protection Permit	$300.00
Re-inspection / Call Back Fee	$50.00
Rezoning Application	$650.00 + $25/ac
Zoning Ordinance Amendment	$650.00
Special Use Permit Application	$450.00
Zoning Variance Request	$450.00
Interpretation of Use District Map	$450.00
Zoning Appeal	$450.00
Zoning Conformity Letter	$35.00
Exempt Subdivision Review	$25.00
Minor Subdivision Review	$100.00
Major Subdivision Review (Prelim)	$500.00 + $5/lot
Major Subdivision Review (Final)	$500.00 + $3/lot
Street Signs	$200.00
Subdivision Appeal	$450.00
Subdivision Text Amendment	$650.00
Subdivision Variance Request	$450.00
Floodplain Development Permit	$100.00
Floodplain Ordinance Appeal	$450.00
Short Term Rental Permit	$100.00

* If work is performed before issue of permit, double permit fee.

Sheriff's Office	
Fingerprints	$10.00
New Conceal Carry Permit	$90.00
New Conceal Carry Permit - Active LEO	$80.00
New Conceal Carry Permit - Retired LEO	$45.00
Renewal Conceal Carry Permit	$75.00
Renewal Conceal Carry Permit - Retired LEO	$40.00
Handgun Purchase Permit	$5.00 each
Service Fee for Civil Papers	$30.00 per person
Sale of Property by Judgment (necessary expenses for sale)	5% on the first $500 2.5% on all sums over $500

Register of Deeds

Land Records:	
Instruments In General	$26.00 15 pages, $4 each additional page
Deeds of Trusts or Mortgages	$64.00 35 pages, $4 each additional page
State Excise Tax on Real Estate Conveyances	$2.00 per thousand ($1.00 up to $500.00)
Additional Index Reference on Assignment	$10.00
Additional Required Indexed Party (Over 20)	$2.00 per name
Multiple Instruments In one Document	$10.00 each additional instrument
Nonstandard Document	$25.00 + other applicable recording fees
Plats:	
Each Original or Revised Plat Recorded	$21.00 per sheet or page
Certified copy	$5.00
Uniform Commercial Code:	
One or Two Pages	$38.00
Three to Ten Pages	$45.00
Over Ten Pages	$45.00 10 pages, $2 each additional page
Removal of Graves Certificate	$12.00 first page, $3 each additional page
Right-Of-Way Plans:	
Each Original or Amended Plan And Profile Sheet	$21.00 first page, $5 each additional page
Certified copy	$5.00
Comparing copy for Certification	$5.00
Military Service Record:	
Filing And Recording Discharge	No Fee
1 Certified copy	No Fee
Certified copy which no other provision is made	$5 first page, $2 each additional page
Marriage License Fees:	
Issuing License	$60.00 - cash only
Delayed Certificate with 1 Certified copy	$20.00
Amendment of Marriage App, License or Certificate, with 1 certified copy	$10.00
Certified copy of a Vital Record (Birth, Death, Marriages)	$10.00
Register Birth Certificate:	
Prepare paperwork when birth to be registered in another county	$10.00
Register papers prepared in another county with 1 certified copy	$10.00
Prepare papers and register in the same county with 1 certified copy	$20.00
Amendment of Birth or Death Record:	
Prepare amendment affecting correction	$25.00
1 certified copy	$10.00
Legitimations:	
Prepare documents (does not include a certified copy)	$25.00
Certified copy of birth record	$10.00
Qualifications of Notary Public	$10.00
Notary Authentication	$5.00
Acknowledgements	$5.00 per signature, $10.00 per electronic
State Vital Records Search	$14.00
State Vital Records for Network Access	$24.00 first copy, $15.00 each additional copy

Register of Deeds, continued	
Miscellaneous Services:	
Passport Photo Service	$10.00 per 2x2 picture
Plain copies	$ .25 per page
Expedited Mail Services-Domestic	$16.00
Expedited Mail Services-International	$45.00

Tax	
Garnishment Fee	$30.00
NSF	$25.00 or 10%, whichever is greater
Room Occupancy Tax	6%
Failure to pay	$5.00 or 10%, whichever is greater
Failure to file	5% of tax + 5% for each month up to 25%
Leased Vehicles	County 1.5% of gross receipts
	Hickory 1.5% of gross receipts
ABC License	
On-premises malt (Beer)	$15.00
Off-premises malt (Beer)	$5.00
On-premises unfortified wine and/or fortified wine	$15.00
Off-premises unfortified wine and/or fortified wine	$10.00

Solid Waste Management	
Residential Dwelling Fee	
Regular Rate	$76.00 per year
Qualified Reduced Rate	$38.00 per year
Boiler Fuel	$11.75 per ton
Brush	$34.00 per ton
Commercial/Industrial	$73.00 per ton
Construction/Demolition	$40.00 per ton
Pallets	$43.00 per ton
Roofing Material	$40.00 per ton
Single Wide Mobile Homes	$575.00 each
Double Wide Mobile Homes	$700.00 each
Triple Wide Mobile Homes	$825.00 each
Rims with Tires (up to 20")	$3.50 per rim
Rims with Tires (Greater than 20")	$5.00 per rim
Sale of Wooden Pallets	$1.25 each
Weigh Truck only	$10.00 each

Ord. No. 2021-12

Water		
Basic Monthly Service	$25.00	
Consumption Rate - 1 to 4000 gallons	$4.65 per 1,000 gallons	
over 4000 gallons	$5.80 per 1,000 gallons	
	Tap	Meter
3/4"	$1,100.00	$200.00
1"	$1,400.00	$300.00
2"	$2,750.00	$750.00
3"	$7,750.00	$2,400.00
Irrigation meter	(Tap + meter) x 2	
Account Deposit	$150.00	
Re-connect	$50.00	
Data Log Report	$75.00	
Unauthorized Tap	$2,000.00	
Meter Tampering 1 offense	$500.00	
Meter Tampering 2 offense	Revocation	
Meter Re-installation	$125.00	
Late Fee	$10.00 or 10% of outstanding balance, whichever is greater	

Sewer	
Basic Monthly Service	$25.00
Consumption Rate	$5.80 per 1,000 gallons
Tap	
4"	$1,000.00
6"	$1,750.00
8"	$5,000.00
Account Deposit	$150.00
Unauthorized Tap	$2,000.00
Late Fee	$10.00 or 10% of outstanding balance, whichever is greater

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Group (2018 International Building Code)		Type of Construction/Cost of construction per sq. ft.								
		1-A	1-B	II-A	II-B	III-A	III-B	IV	V-A	V-B
A-1	Assembly, theaters, with stage	247.86	239.47	233.25	223.81	210.17	204.10	216.62	195.46	188.40
	Assembly, theaters, without stage	227.10	218.71	212.49	203.05	189.41	183.34	195.86	174.70	167.65
A-2	Assembly, nightclubs	191.96	186.56	182.12	174.70	164.94	160.39	168.64	149.29	144.33
	Assembly, restaurants, bars	190.96	185.56	180.12	173.70	162.94	159.39	167.64	147.29	143.33
A-3	Assembly, churches	229.69	221.30	215.08	205.64	192.37	187.27	198.45	177.66	170.60
A-3	Assembly, community halls, libraries	192.20	183.81	176.59	168.15	153.51	148.44	160.96	138.80	132.75
A-4	Assembly, arenas	226.10	217.71	210.49	202.05	187.41	182.34	194.86	172.70	166.65
B	Business	200.26	192.96	186.54	177.38	161.90	155.84	170.40	142.43	136.08
E	Educational	209.90	202.64	196.82	188.34	175.49	166.60	181.86	153.45	148.75
F-1	Factory and industrial, moderate hazard	117.60	112.19	105.97	101.84	91.54	87.26	97.61	75.29	70.95
F-2	Factory and industrial, low hazard	116.60	111.19	105.97	100.84	91.54	86.26	96.61	75.29	69.95
H-1	High hazard, explosives	109.99	104.58	99.35	94.22	85.14	79.87	89.99	68.89	N.P.
H234	High hazard	109.99	104.58	99.35	94.22	85.14	79.87	89.99	68.89	63.56
H-5	HPM	200.26	192.96	186.54	177.38	161.90	155.84	170.40	142.43	136.08
I-1	Institutional, supervised environment	197.83	191.05	185.12	177.91	163.28	158.81	178.06	146.98	142.33
I-2	Institutional, hospitals	335.53	328.23	321.81	312.65	296.45	N.P.	305.67	276.99	N.P.
I-2	Institutional, nursing homes	233.12	225.82	219.40	210.24	195.51	N.P.	203.26	176.05	N.P.
I-3	Institutional, restrained	227.71	220.41	213.99	204.83	190.84	183.78	197.85	171.37	163.02
I-4	Institutional, day care facilities	197.83	191.05	185.12	177.91	163.28	158.81	178.06	146.98	142.33
M	Mercantile	142.95	137.54	132.11	125.68	115.38	111.83	119.62	99.73	95.77
R-1	Residential, hotels	199.70	192.92	186.99	179.78	164.90	160.43	179.93	148.60	143.96
R-2	Residential, multiple family	167.27	160.49	154.56	147.35	133.71	129.23	147.50	117.40	112.76
R-3	Residential, one and two family	155.84	151.61	147.83	144.09	138.94	135.27	141.72	130.04	122.46
R-4	Residential, care/assisted living	197.83	191.05	185.12	177.91	163.28	158.81	178.06	146.98	142.33
S-1	Storage, moderate hazard	108.99	103.58	97.35	93.22	83.14	78.87	88.99	66.89	62.56
S-2	Storage, low hazard	107.99	102.58	97.35	92.22	83.14	77.87	87.99	66.89	61.56
U	Utility, miscellaneous	84.66	79.81	74.65	71.30	64.01	59.80	68.04	50.69	48.30
A. Private garages use Utility, miscellaneous										
B. Unfinished basements (all use group)= $22.45 per sq.ft.										
C. For shell only buildings deduct 20 percent.										
D. Remodel deduct 20 percent.										
E. N.P. = not permitted										

Source: International Code Council - Building Valuation Data (February 2020)

BOC - ORD. AMENDING CHAPTER 6, ANIMALS, BURKE CO. CODE OF ORDINANCES & PUBLIC HEARING - 6:00 PM

Chairman Brittain presented the following item:

> The following ordinance replaces seat No. 6 Member of a 501(c)3 animal rescue agency or foster agency with a At Large (breeder) and adds a At Large (large animal owner) seat to the Animal Advisory Board, increasing the membership from 7 to 8 members. The following ordinance also allows the Animal Services Director to vote in the event of a tie. A public hearing on the draft ordinance is recommended for public transparency.

He opened the floor for questions and comments from the Board. Commissioner Taylor asked Clerk Draughn to read the current Animal Advisory Board (AAB) roster.

At 7:19 p.m. Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021. There were three (3) people who addressed the Board.

Gwen Stephens, 211 Hilltop Street, Vice Chair of the AAB (Animal Advisory Board), said she was a member of the group that helped establish the AAB and the reason that there are two (2) rescue seats is because there are two (2) different types of rescues, foster based and shelter

based. She said the AAB depends on both types of rescues and the education / expertise they bring to the AAB. Ms. Stephens said she supports adding a breeder seat and a large animal owner seat, but a 501(c)3 seat should not be removed. She said Burke County has one of the very best advisory boards that has ever been in the surrounding area and if a 501(c)3 seat is removed, the AAB will be going backwards.

Gwen Hood said she represents the Burke County Animal Welfare Alliance, and she commended the AAB (Animal Advisory Board) and the Commissioners for adding members to the AAB. Ms. Hood said her concern is that a 501(c)3 seat is being removed, noting that they are assets. She then reviewed some of the many ways rescues help the community. She encouraged the Board to please reconsider keeping the two (2) 501(c)3 seats on the AAB and for the new member(s) to have qualification requirements like the other AAB seats. Ms. Hood said she is proud of the work that has been done regarding animal welfare in Burke County. Ms. Hood questioned why pets are no longer featured at the BOC meetings, noting that it helped with adoptions. Commissioner Taylor said animals have not been shown lately due to the COVID-19 pandemic. She asked to have the "pet of the month" item reinstated at BOC meetings since the pandemic has subsided and Chairman Brittain stated that he would respond directly to Ms. Hood later.

Timothy Greene, 6181 North Shore Drive, said he and his wife have been in the veterinarian business for 25 years. He said Ms. Stephens was right and there needs to be someone who speaks for the animals at the shelter, noting that many go up north, but many are also euthanized. He expressed his support for having two (2) 501(c)3 seats on the AAB (Animal Advisory Board), one (1) for a foster and one (1) for the shelter. Chairman Brittain said the two (2) 501(c)3 seats are not defined.

With there being no other public comments, Chairman Brittain closed this portion of the meeting. He thanked everyone who spoke to this item and said they will take their comments into consideration. However, he said, he does not think it is appropriate to change what has already been publicly noticed and then asked Attorney Simpson for his opinion. Attorney Simpson said after the public hearing, if the Board wants to change something, they are able to do so. Chairman Brittain reminded the Board they felt it was necessary to make these changes based on public comments received in May and said there are other sections of the animal ordinance that need to be considered that were tabled at the May meeting. He expressed comfort in moving forward with the item as it is written, and if the Board wishes to add another seat in the future, they can do that when they take up the remaining items on the animal ordinance. Commissioner Taylor agreed with Chairman Brittain and said he would want time to think / evaluate before any additional changes are made.

Motion: To adopt Ordinance No. 2021-11.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-11 reads as follows:

Burke County
North Carolina

Ordinance Amending Chapter 6, Animals
Burke County Code of Ordinances

New text is printed in **bold**. Text to be removed is printed in **bold** and contains a strikethrough mark.

ARTICLE I. – IN GENERAL

Sec. 6-11. Animal Advisory Board.
(a) Establishment and composition of the county animal advisory board. There is hereby created an animal advisory board to advise the county commissioners, county manager, and animal services director on matters related to the organization and operation of the county Animal Services Center. The advisory board shall be composed of ~~**seven**~~ **eight** members appointed by the board of commissioners. All members must reside at all times in the county. This board shall include one member, as defined by the listed parameters, for each of the following seats:
(1) Member of a 501(c)3 animal rescue agency or foster agency.
(2) Veterinarian (practicing or retired).
(3) Board of health member or designee, excluding health director.
(4) At large (pet owner).
(5) Law enforcement officer, excluding animal control officers.
(6) ~~**Member of a 501(c)3 animal rescue agency or foster agency**~~ **At large (breeder)**.
(7) At large (pet owner).
(8) At large (large animal owner)

(No changes to b – d.)

(e) The Animal Services Director or designee will attend all meetings of the Animal Advisory Board and shall be responsible for the proper advertisement of meetings. The Director shall also serve as the staff resource for the Board in its research and deliberations. However, the Director shall have no vote on any matter coming before the Board unless in the event of a tie ~~**due to a recused or absent member on a voting matter**~~.

(No changes to f – p.)

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

COMM. DEV. - ZONING TEXT AMENDMENT ZTA 2021-01 & PUBLIC HEARING - 6:00 PM
Shane Prisby, Interim Planning Director, presented the following item:

> The Community Development Department has been working to overhaul the County's Zoning Ordinance. This update will be the first major overhaul since the first Zoning Ordinance was adopted on November 21, 1996. The department assembled a committee consisting of diverse stakeholders including realtors, BDI employees, average citizens, builders, and a County Commissioner. With the committee's guidance, the department crafted a new Ordinance that clarifies zoning regulations, reflects current use trends/development practices, and is user-friendly. At the time of adoption, all new permits will follow the new Zoning Ordinance. Active permits that have a vested right will have the option to follow the old Zoning Ordinance or the new Zoning Ordinance, but that choice is binding. Active permits that do not have a vested right will be subject to the new Zoning Ordinance. Staff will handle these situations on a case-by-case basis as they arise. The new Zoning Ordinance is in conformity with the new statewide unified zoning laws, Chapter 160D of the North Carolina General Statute. Local governments have until July 1, 2021, to adopt these amendments, however Chapter 160D is currently in effect. Community Development Staff has already enacted 160D within the department and has been effectively implementing it since June 2020.

Mr. Prisby also thanked the members of the committee that worked on the new ordinance and helped guide the process. He also thanked Community Development staff for their work. He said while preparing for the meeting, they noticed the title of ordinance for the proposed zoning text amendment has a typo and the word "map" should be replaced with "ordinance."

Chairman Brittain asked Mr. Prisby to summarize this item. Mr. Prisby said they looked at the previous zoning ordinance to address inconsistencies and make it a user-friendly document to include pictures and make it more responsive than the existing document. He said they looked at ways to simplify different aspects of the ordinance and bring it into compliance with NCGS 160D.

At 7:39 p.m. Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021 and June 10, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021. There were several people who signed up to address the Board.

Derinda Stiene read the following statement:

> Good evening Honorable Burke County Commissioners.
> I am Derinda Stiene. My husband, John, and I are registered voters and permanent residents of Burke County, residing at 6201 North Shore Drive, Nebo, NC. We have lived at our home 21 years. Thank you to Bradley Kirkley, Jennifer Forney, Peter Minter, and the Committee for your hard work and diligence in revamping the Ordinance. It is much clearer and addresses several issues such as Short-Term Rentals that are ambiguous in the current ordinance. I am here to support the specific provisions of the Ordinance that address Short-Term Rentals (STRs) throughout Burke County and particularly the sections that address STRs in the River/Lake Overlay.

The proposed Ordinance would now require permits for STRs and sets forth regulations governing STRs including:

1. Maximum Overnight occupancy at 2 persons per bedroom. Currently all but 1 of the STRs in our area advertise room for 25% to 100% more occupants than will now be permitted. This excessive occupancy stresses the septic systems in the River/Lake Overlay District.
2. Designated local responsible party to resolve issues.
3. Parking limits and no on street parking.
4. Noise.
5. Trash and recycle disposal.
6. No advertising signs.
7. Collection all appropriate taxes and remittance to the State and Burke County.
8. Safety requirements.
9. No events to be hosted at the STRs.

Furthermore, provisions for enforcement and penalties are included.

On behalf of the majority of my neighborhood, I urge you, the County Commissioners, to approve the proposed Ordinance. Thank you.

John Van Riper, 6505 South Shore Drive, said their house is going to come under the new short-term rental (STR) zoning changes. He said they have always paid all their taxes on their STR and have been as proactive as possible with anyone who rents their house. Mr. Van Riper said he has been a fire fighter all his adult life, noting that he came to this area originally to fight fires and they liked it so much they bought a house here, but in order to do so, they would need to rent it out for part of the year. He said he has not been in a neighborhood as openly hostile as the Southern Shores Development. Mr. Van Riper said the rental houses have been there far longer than some of the newer houses in the neighborhood that have an issue with STR.

Lauren Van Riper, 6505 South Shore Drive, said she wants to acknowledge the hard work that has been put forth in the zoning amendments, but noted that a zoning official told her that this is a done deal and public comments will not make a difference. She said she hopes they are wrong, and this will make a difference to table the STR portion of the zoning amendments. Ms. Van Riper said she does agree that there needs to be regulations of STR, but it needs to be balanced and fair in its application. She said she is here to speak on behalf of the Burke County vacation rental owners who rent their homes but have not been given a fair chance to be heard. Ms. Van Riper said the STR specific zoning articles have been rushed to meet the state mandate, which is due next month, noting that they appeared May 3, public comments were May 6, Planning Board met May 27, revised articles were released that morning and passed and now sits before the Board of Commissioners in less than 42 days. She said in her opinion, they are riddled with inconsistencies and errors, specifically, they are harshly punitive to owners in the Holiday Shores neighborhood. Ms. Van Riper said there are only a couple of neighborhoods that have STRs and noted there are roughly 175 rentals in Burke County and over $750,000 in sales and use tax receipts in 2019, the Tourism Development Authority (TDA) did not know the County was including STRs in the new zoning, which has a sizeable impact to the County and tourism bottom lines. Ms. Van Riper said the home she purchased in Holiday Shores was for sale for five (5) years and has been a rental and STR for over 25 years which is longer than

most of the full-time residents have been there, noting that their STR is not new. She said a handful of people pushing for changes that affect 20-30 homes in a county of 90,000 could have been handled between neighbors. She said these changes have increased hostilities in the neighborhood into a pseudo police state, she then noted the difficulties she has with her neighbors, and the negative impact the new ordinance will cause her and her family.

Otis Wilson, 2231 North Point Street, said he has been in Burke County for over 30 years and he and his wife are pleased to be residents of Burke County. He said they live in Holiday Shores and some of his concerns regarding STR rentals revolve around failure to remit occupancy taxes to the state and county for homes being rented, parking issues, renters bringing in large groups, excessive noise, disrespect of property or neighborhood norms, and the strain on aging septic systems. Mr. Wilson commended Community Development staff for their work on the ordinance and requested the ordinance to be passed as presented.

Cliff Becktel, 1621 Linville Point, said he is a voter and a 25-year permanent resident of Burke County. He commended the Community Development staff who worked on revising the County's R-1 regulations. Mr. Becktel said the old regulations were becoming obsolete especially regarding STR (short-term rentals) rules which were causing much confusion and dissent among the neighbors. He said with the new regulations / overlay map, Burke County will be in a better position to regulate STRs / single family housing while still allowing homeowners control over their property and neighborhoods. He then gave an example of seeing a home in his neighborhood advertised for rent for 14 occupants while the house only had three (3) bedrooms and two (2) bathrooms, and how it would be a violation under the new R-1 zoning regulations. Mr. Becktel said he chose to purchase property and live at Lake James because it is Lake James, not Myrtle Beach.

Timothy Greene, 6181 North Shore Drive, thanked the Board and staff for the time and work they have put into the ordinance revisions. He said no one likes to be regulated, but there comes a time when you must and said in response to an earlier comment, that everyone drives by everyone's house in Holiday Shores because they have a community watch. Mr. Greene said these regulations are not about Holiday Shores in itself, they are county-wide, noting that everyone has the right to live in their home. He supported the approval of the new ordinance.

With there being no other public comments, Chairman Brittain closed this portion of the meeting.

Motion: To adopt Ordinance No. 2021-05 rescinding the existing Burke County Zoning Ordinance in its entirety and adopting the new Burke County Zoning Ordinance in its entirety in reference to Zoning Text Amendment ZTA 2021-01 and to adopt the following consistency statement:

Zoning Text Amendment ZTA 2021-01 is reasonable, conforms with the County's adopted Comprehensive Plan, and is in the public interest.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-05 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Ordinance
ZTA 2021-01

Be it ordained that the Burke County Zoning Ordinance is hereby amended as follows:

The existing Burke County Zoning Ordinance is rescinded in its entirety. The new Burke County Zoning Ordinance (Exhibit A) is adopted in its entirety.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

Note: Exhibit A is located at the end of this set of meeting minutes.

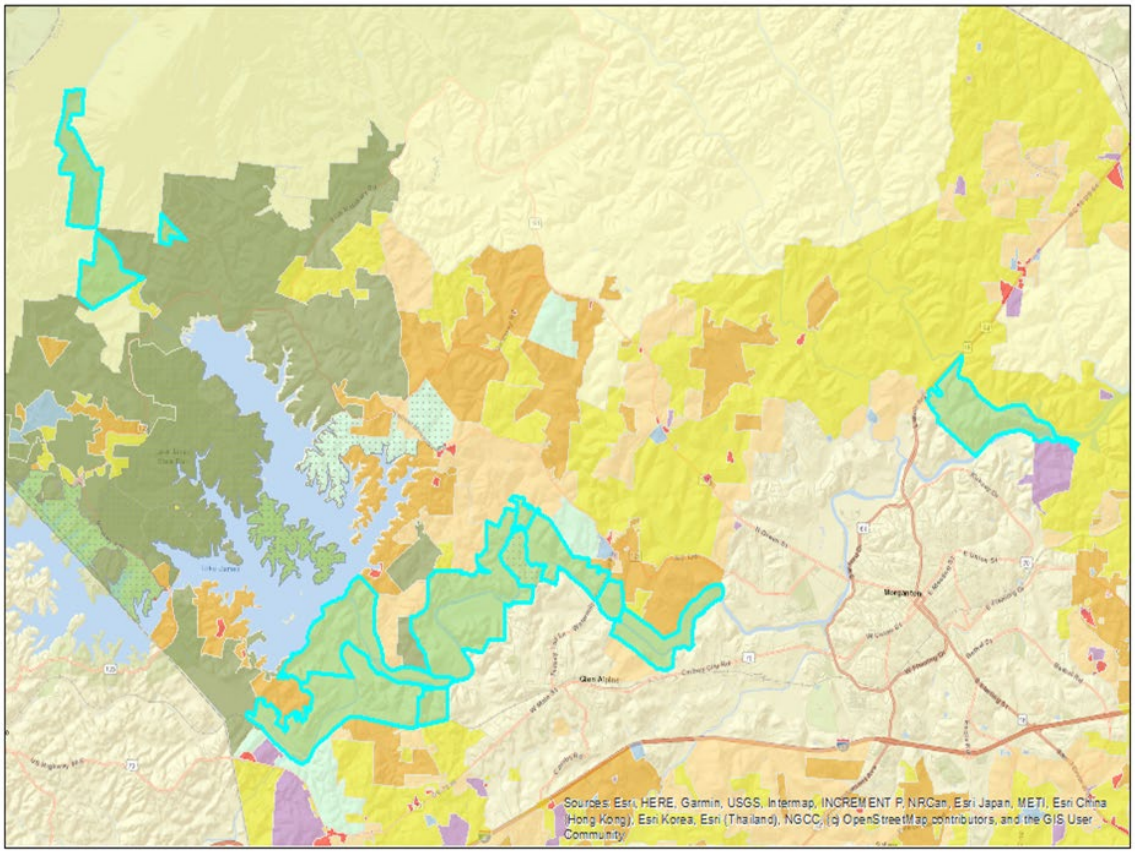
COMM. DEV. - ZONING MAP AMENDMENT ZMA 2021-04 & PUBLIC HEARING - 6:00 P.M.

Shane Prisby, Interim Planning Director, presented the following item:

> ZMA 2021-04 Background / Summary of Information: The Community Development Department has been working to overhaul the County's Zoning Ordinance. This update will be the first major overhaul since the first Zoning Ordinance was adopted on November 21, 1996. The Department assembled a committee consisting of diverse stakeholders including realtors, BDI employees, average citizens, builders, and a County Commissioner. With the committee's guidance, the department crafted a new Ordinance that clarifies zoning regulations, reflects current use trends/development practices, and is user-friendly. In the Current Zoning Ordinance, some the zoning districts were approved as "Parallel Conditional Districts". Although at the time, these districts were allowed by statute, the new NCGS Chapter 160D legislation prohibits the type of Conditional Districts that Burke County currently has in place. To comply with the new statute, all local jurisdictions statewide must repeal or convert those districts to the underlying general zoning district. The Department is recommending that Burke County rescind those districts and the corresponding development plans attached to them. Developments which were approved under those plans have already been approved. Those developments can continue to develop under the existing plans. Some proposed developments approved under such plans were never initiated. Those development plans would be rescinded along with the Conditional Zoning. All new development would be regulated by

the underlying zoning. There are no new developments proposed at this time which would be affected by those plans. The Department is proposing to rezone all four (4) conservation districts to one (1) Conservation (CON) District. Moving to one Conservation District would make things simpler for developers to understand and make it easier to review proposed development plans. The main change would be in the lot size/density requirement. The current Conservation Low-Density District requires a minimum lot size/density of 3.5 acres. The Conservation Estate Lot District (CD-E) requires a minimum lot size/density of 5.0 acres. The proposed Conservation District (CON) would reduce those minimums to a consistent 3.0 acres lot/density.

Below is a map of the existing land areas currently under the Conservation Estate Lot District. The parcels subject to this rezoning are outlined in the color teal. Specific parcels can be found on Exhibit A.



Summary

Staff is proposing to rezone one-hundred thirteen (113) parcels consisting of 5,006-acres from the Conservation Estate Lot District (CD-E) to the newly proposed "Conservation" (CON) District.

At 7:56 p.m., Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021 and June 10, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021. No one signed up to address the Board;

therefore, Chairman Brittain closed the public hearing.

Motion: To adopt an ordinance amending the Burke County Zoning Map as it relates to ZMA 2021-04, including Exhibit A—the affected parcel list and the statement of consistency.

Consistency Statement:
The proposed rezoning would consolidate all existing Conservation Districts, including the Conservation Estate-Lot District (CD-E), into one (1) "Conservation" District (CON). This change would remain in compliance with the 2016-2030 Burke County Strategic Land Use Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-06 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2021-04

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

The parcels of land shown on Exhibit A are hereby re-zoned **from** the Conservation Estate-Lot District **to** the Conservation District.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

ZMA 2021-04 Parcel Rezoning List Exhibit A reads as follows:

REID	PIN	ACREAGE	CURRENT ZONING	PROPOSED ZONING
1178	1752579820	23.95	CD-E	CON
6559	1763765191	345.94	CD-E	CON
6613	1763500112	125.9	CD-E	CON
16417	1763037100	1.25	CD-E	CON
16550	1763997417	19.91	CD-E	CON

16551	1763993934	8.71	CD-E	CON
16564	1752282674	0.2	CD-E	CON
16899	1774225799	14.49	CD-E	CON
16900	1774514334	363.07	CD-E	CON
16976	1753765975	9.57	CD-E	CON
16977	1753741426	215.86	CD-E	CON
17136	1763452968	499.98	CD-E	CON
17142	1773872034	99.08	CD-E	CON
17394	1774038378	8.76	CD-E	CON
17613	1764908317	2.52	CD-E	CON
17615	2704797620	523.22	CD-E	CON
17861	1746327857	28.74	CD-E	CON
17872	1746426639	12.98	CD-E	CON
18054	1763027895	1.05	CD-E	CON
18083	1753511837	0.86	CD-E	CON
18122	1752486198	57.47	CD-E	CON
18154	1752386243	66.11	CD-E	CON
18449	1763034613	17.27	CD-E	CON
19097	1753720152	0.37	CD-E	CON
19165	1763128211	1.78	CD-E	CON
19509	1764900453	20.83	CD-E	CON
19512	1774220987	30.4	CD-E	CON
20128	1736757413	235.17	CD-E	CON
20227	1763129123	1.71	CD-E	CON
20726	1752292437	16.24	CD-E	CON
20762	1763122306	2.66	CD-E	CON
22454	1773791132	1.41	CD-E	CON
22455	1773687642	7.06	CD-E	CON
23382	1752783857	22.57	CD-E	CON
23848	1774136725	10.56	CD-E	CON
23896	1763211963	2.63	CD-E	CON
25619	1752687476	16.74	CD-E	CON
25801	1753700108	240.26	CD-E	CON
26471	1763124222	2.4	CD-E	CON
27369	1763988385	106	CD-E	CON
28345	1763220112	1.85	CD-E	CON
28416	1763126127	2.88	CD-E	CON
28418	1763221351	1.61	CD-E	CON
30523	1763120507	1.34	CD-E	CON
31786	1763117837	0.7	CD-E	CON
32602	1763988639	0.74	CD-E	CON
33105	1752183950	37.87	CD-E	CON
33484	1736919162	4.82	CD-E	CON
36011	1774012761	14.68	CD-E	CON
36393	1753523140	2.03	CD-E	CON
36699	1753947891	4.94	CD-E	CON
37211	1783225927	66.6	CD-E	CON
37328	1752196742	7.54	CD-E	CON
37330	1752191986	15.4	CD-E	CON

38308	1753872488	17.18	CD-E	CON
38309	1753660010	32.58	CD-E	CON
38310	1753422262	0.5	CD-E	CON
38323	1736690725	151.8	CD-E	CON
39451	1774026629	26.46	CD-E	CON
39701	1764914884	35.53	CD-E	CON
40187	1763040448	14.4	CD-E	CON
41920	1753521118	1.18	CD-E	CON
42006	1753867683	2.86	CD-E	CON
44705	1773171602	1	CD-E	CON
44768	1763028771	1.06	CD-E	CON
46293	1753763118	31.82	CD-E	CON
46294	1753549855	20.61	CD-E	CON
46295	1753532554	6.15	CD-E	CON
46787	1783060448	31.67	CD-E	CON
46904	1763991940	1	CD-E	CON
48933	1764919057	10	CD-E	CON
49994	1753854864	33.39	CD-E	CON
51115	1763989083	1	CD-E	CON
51213	1783465109	125.54	CD-E	CON
51244	1763025922	5.24	CD-E	CON
51436	1752366736	53.65	CD-E	CON
52364	1773080811	0.04	CD-E	CON
52816	1773692994	18.43	CD-E	CON
52817	1773691425	14.63	CD-E	CON
52818	1773696118	1.11	CD-E	CON
52819	1773598068	3.28	CD-E	CON
52820	1773682965	3.7	CD-E	CON
52821	1773782557	6.08	CD-E	CON
53414	1763898812	2.97	CD-E	CON
53713	1752891557	22.83	CD-E	CON
53803	1752489354	6.75	CD-E	CON
54074	1746325430	0.98	CD-E	CON
54084	1783688234	69.22	CD-E	CON
54471	1753544156	41.59	CD-E	CON
54483	1773685725	1.75	CD-E	CON
54492	1773270777	26.56	CD-E	CON
54818	1773688760	0.95	CD-E	CON
54959	1764901706	0.96	CD-E	CON
55599	1753886797	1.21	CD-E	CON
55703	1773792073	13.35	CD-E	CON
56615	1773773724	1.42	CD-E	CON
56616	1773788558	26.15	CD-E	CON
57336	1753868170	2.95	CD-E	CON
57755	1773399102	29	CD-E	CON
57821	1753432282	3.27	CD-E	CON
57887	1763101425	442.73	CD-E	CON
58875	1753721770	24.57	CD-E	CON
58877	1753728482	13.76	CD-E	CON

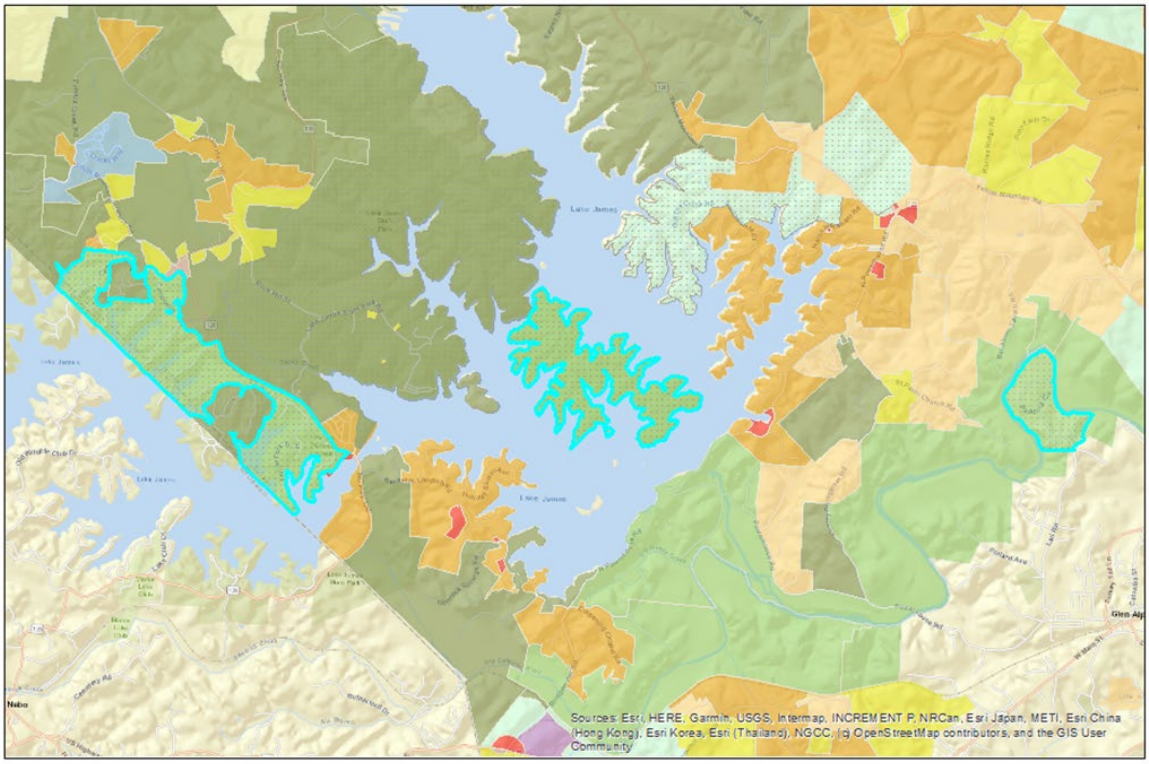
58951	1753955406	27.93	CD-E	CON
58952	1753975545	99.93	CD-E	CON
59090	1753535448	11.05	CD-E	CON
59145	1753513960	0.92	CD-E	CON
61408	1774135207	15.22	CD-E	CON
57888	1763326090	53.88	CD-E	CON
63966	1763517647	13.06	CD-E	CON
3762	1752283932	3.53	CD-E	CON
54120	1773692994	0	CD-E	CON
37211	1783225927	66.6	CD-E	CON

COMM. DEV. - ZONING MAP AMENDMENT, ZMA 2021-05 & PUBLIC HEARING - 6:00 PM

Shane Prisby, Interim Planning Director, presented the following item:

ZMA 2021-05 Background/Summary of Information: The Community Development Department has been working to overhaul the County's Zoning Ordinance. This update will be the first major overhaul since the first Zoning Ordinance was adopted on November 21, 1996. The Department assembled a committee consisting of diverse stakeholders including realtors, BDI employees, average citizens, builders, and a County Commissioner. With the committee's guidance, the department crafted a new Ordinance that clarifies zoning regulations, reflects current use trends/development practices, and is user-friendly. In the Current Zoning Ordinance, some the zoning districts were approved as "Parallel Conditional Districts". Although at the time, these districts were allowed by statute, the new NCGS Chapter160D legislation prohibits the type of Conditional Districts that Burke County currently has in place. To comply with the new statute, all local jurisdictions statewide must repeal or convert those districts to the underlying general zoning district. The Department is recommending that Burke County rescind those districts and the corresponding development plans attached to them. Developments which were approved under those plans have already been approved. Those developments can continue to develop under the existing plans. Some proposed developments approved under such plans were never initiated. Those development plans would be rescinded along with the Conditional Zoning. All new development would be regulated by the underlying zoning. There are no new developments proposed at this time which would be affected by those plans. The Department is proposing to rezone all four (4) conservation districts to one (1) Conservation (CON) District. Moving to one Conservation District would make things simpler for developers to understand and make it easier to review proposed development plans. The main change would be in the lot size/density requirement. The current Conservation Low-Density District requires a minimum lot size/density of 3.5 acres. The Conservation Estate Lot District (CD-E) requires a minimum lot size/density of 5.0 acres. The proposed Conservation District (CON) would reduce those minimums to a consistent 3.0 acres lot/density.

Below is a map of the existing land areas currently under the Conservation Estate Lot Conditional District. The parcels subject to this rezoning are outlined in the color teal**.** Please refer to Exhibit A for a list of affected parcels.



Summary: Due to the change in state statutes, staff is proposing to rezone all one-hundred fifty-eight (158) parcels consisting of 1,099.63-acres from the Conservation District-Estate Lot-Conditional District (CD-E-CD) to the newly proposed "Conservation" (CON) District. Please refer to Exhibit A for specific properties involved in this rezoning.

At 7:59 p.m., Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021 and June 10, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021.

Timothy Greene, 6181 North Shore Drive, asked a question concerning the proposed map amendment. There was no one else to address the Board; therefore, Chairman Brittain closed the public hearing.

Motion: To adopt Ord. No. 2021-07 amending the Burke County Zoning Map as it relates to ZMA 2021-05, including Exhibit A – affected parcels list, and adopt the consistency statement.

Consistency Statement:
The proposed rezoning would consolidate all existing Conservation Districts, including the Conservation Estate-Lot -Conditional District (CD-E-CD), into one (1) "Conservation" District (CON). This change would remain in compliance with the 2016-2030 Burke County Strategic Land Use Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-07 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2021-05

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

The parcels of land shown on Exhibit A are hereby re-zoned **from** the Conservation Estate-Lot-Conditional District **to** the Conservation District.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

The ZMA 2021-05 Parcel Rezoning List, Exhibit A, reads as follows:

REID	PIN	ACREAGE	CURRENT	PROPOSED
22940	1773292209	1.85	CD-E-CD	CON
22980	1773287724	1.16	CD-E-CD	CON
23064	1773392418	3.66	CD-E-CD	CON
23117	1773298572	1.75	CD-E-CD	CON
23146	1773390792	2.96	CD-E-CD	CON
23241	1773296333	2.18	CD-E-CD	CON
23242	1773295092	2.41	CD-E-CD	CON
23331	1773283822	2.04	CD-E-CD	CON
23368	1773281927	2.92	CD-E-CD	CON
23462	1773295552	1.99	CD-E-CD	CON
23681	1773292634	2.39	CD-E-CD	CON
23695	1773199307	3.15	CD-E-CD	CON
24058	1773197657	3.22	CD-E-CD	CON
24396	1773290916	2.07	CD-E-CD	CON
24410	1774108238	1.78	CD-E-CD	CON

24416	1774107602	1.01	CD-E-CD	CON
24488	1774106829	1.92	CD-E-CD	CON
24662	1774102817	1.65	CD-E-CD	CON
24724	1774102350	15.96	CD-E-CD	CON
24805	1774116340	4.44	CD-E-CD	CON
25039	1774112315	5.27	CD-E-CD	CON
25250	1774019231	4.97	CD-E-CD	CON
25258	1774007913	3.85	CD-E-CD	CON
25415	1774004692	3.62	CD-E-CD	CON
25417	1774004246	3.54	CD-E-CD	CON
25556	1773095943	2.43	CD-E-CD	CON
25613	1773097714	1.73	CD-E-CD	CON
25684	1773099593	2.67	CD-E-CD	CON
25804	1773192585	3.99	CD-E-CD	CON
25885	1773193153	2.1	CD-E-CD	CON
25907	1773195244	2.28	CD-E-CD	CON
25919	1773197029	1.93	CD-E-CD	CON
26029	1773186778	2.94	CD-E-CD	CON
26030	1773188427	2.99	CD-E-CD	CON
26031	1773280450	0.27	CD-E-CD	CON
26117	1773282444	1.72	CD-E-CD	CON
26175	1773285533	3.21	CD-E-CD	CON
26193	1773286331	0.42	CD-E-CD	CON
26221	1773183934	33.49	CD-E-CD	CON
26466	1773380851	1.34	CD-E-CD	CON
26644	1773289596	1.15	CD-E-CD	CON
39357	1734914275	21.73	CD-E-CD	CON
39358	1734916035	2.65	CD-E-CD	CON
39359	1734816258	6.15	CD-E-CD	CON
39360	1734812112	7.83	CD-E-CD	CON
39378	1734709839	2.74	CD-E-CD	CON
39392	1734707669	2.36	CD-E-CD	CON
39394	1734705529	2.09	CD-E-CD	CON
39422	1734703433	2.25	CD-E-CD	CON
39449	1734703125	4.72	CD-E-CD	CON
39467	1734708298	4.32	CD-E-CD	CON
39484	1734802458	5.07	CD-E-CD	CON
40251	1734450014	1.93	CD-E-CD	CON
40265	1734451109	1.7	CD-E-CD	CON
40418	1734451460	1.14	CD-E-CD	CON
40747	1734440835	1.67	CD-E-CD	CON
57297	1743380123	14.48	CD-E-CD	CON
57324	1744100196	2.58	CD-E-CD	CON
57325	1743190974	2.33	CD-E-CD	CON
57326	1743099762	2.09	CD-E-CD	CON

57352	1743097465	2.61	CD-E-CD	CON
57353	1743098360	2.22	CD-E-CD	CON
57357	1743191430	2.01	CD-E-CD	CON
57358	1743192599	1.79	CD-E-CD	CON
57359	1743194773	2.69	CD-E-CD	CON
57360	1743199305	2.65	CD-E-CD	CON
57382	1743195230	3.77	CD-E-CD	CON
57426	1743184856	3.17	CD-E-CD	CON
57427	1743182677	3.58	CD-E-CD	CON
57434	1743089558	2.27	CD-E-CD	CON
57437	1743088307	2.16	CD-E-CD	CON
57438	1743087124	2.49	CD-E-CD	CON
57439	1743076951	3.29	CD-E-CD	CON
57440	1743076653	3	CD-E-CD	CON
57441	1743076274	5.89	CD-E-CD	CON
57444	1743069886	2.97	CD-E-CD	CON
57452	1743161607	2.72	CD-E-CD	CON
57467	1743165110	5.28	CD-E-CD	CON
57472	1743171296	3.78	CD-E-CD	CON
57473	1743181072	2.42	CD-E-CD	CON
57478	1743182259	2.43	CD-E-CD	CON
57479	1743185299	2.3	CD-E-CD	CON
57485	1743175653	3	CD-E-CD	CON
57488	1743177366	3.4	CD-E-CD	CON
57499	1743179710	2.45	CD-E-CD	CON
57500	1743189057	2.09	CD-E-CD	CON
57509	1743282236	4.27	CD-E-CD	CON
57516	1743189744	2.34	CD-E-CD	CON
57519	1743199071	2.63	CD-E-CD	CON
57520	1744105286	9.57	CD-E-CD	CON
57524	1743197736	5.69	CD-E-CD	CON
57525	1743187557	1.58	CD-E-CD	CON
57533	1743174968	3.9	CD-E-CD	CON
57556	1743163711	2.33	CD-E-CD	CON
58402	1773391019	3.73	CD-E-CD	CON
59424	1734341619	1.31	CD-E-CD	CON
59436	1734249663	1.36	CD-E-CD	CON
59437	1734249432	1.4	CD-E-CD	CON
59450	1734249231	1.48	CD-E-CD	CON
59465	1734245690	2.04	CD-E-CD	CON
59509	1734247995	4.33	CD-E-CD	CON
59510	1734350127	3.62	CD-E-CD	CON
59533	1734351514	3.65	CD-E-CD	CON
59549	1734344721	5.03	CD-E-CD	CON
59695	1734716444	4.14	CD-E-CD	CON

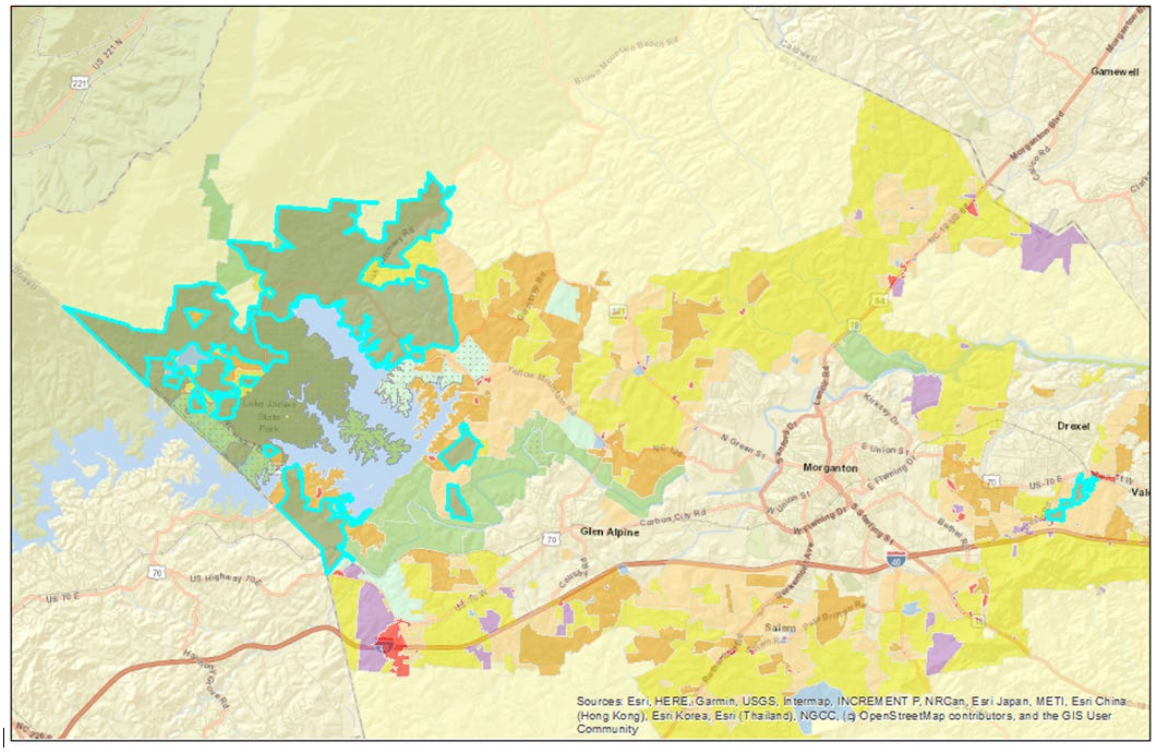
59767	1734713239	3.4	CD-E-CD	CON
59768	1734619190	2.24	CD-E-CD	CON
59769	1734607675	1.56	CD-E-CD	CON
59773	1734605652	3.31	CD-E-CD	CON
59774	1734615116	2.58	CD-E-CD	CON
59775	1734616367	1.82	CD-E-CD	CON
59776	1734618486	1.77	CD-E-CD	CON
59777	1734710670	1.82	CD-E-CD	CON
59778	1734712725	1.79	CD-E-CD	CON
59779	1734714837	3.22	CD-E-CD	CON
59780	1734726106	3.45	CD-E-CD	CON
59781	1734724893	14.01	CD-E-CD	CON
59782	1734722483	5.41	CD-E-CD	CON
59783	1734732090	2.02	CD-E-CD	CON
59784	1734626432	8.03	CD-E-CD	CON
59785	1734623085	6.33	CD-E-CD	CON
59786	1734611814	3.61	CD-E-CD	CON
59787	1734517660	2.81	CD-E-CD	CON
59792	1734515897	1.94	CD-E-CD	CON
59793	1734622762	9.17	CD-E-CD	CON
59794	1734526392	3.42	CD-E-CD	CON
59795	1734527643	2.84	CD-E-CD	CON
59796	1734529798	2.25	CD-E-CD	CON
59797	1734621938	1.56	CD-E-CD	CON
59798	1734633016	2.46	CD-E-CD	CON
59799	1734636467	2.88	CD-E-CD	CON
59800	1734636684	4.41	CD-E-CD	CON
59801	1734633713	20.46	CD-E-CD	CON
59802	1734630790	3.72	CD-E-CD	CON
59803	1734538511	3.77	CD-E-CD	CON
59804	1734533154	6.95	CD-E-CD	CON
59805	1734429814	6.13	CD-E-CD	CON
59806	1734438470	5.72	CD-E-CD	CON
59807	1734531615	16.93	CD-E-CD	CON
59808	1734533677	2.45	CD-E-CD	CON
59809	1734535859	2.78	CD-E-CD	CON
59814	1734337774	29.23	CD-E-CD	CON
59815	1734640164	0.64	CD-E-CD	CON
59816	1734822029	12.55	CD-E-CD	CON
59826	1734357002	26.43	CD-E-CD	CON
61230	1743288524	0.3	CD-E-CD	CON
61231	1743287268	5.08	CD-E-CD	CON
61232	1743380095	3.99	CD-E-CD	CON
61233	1743276627	3.15	CD-E-CD	CON
61234	1743274338	2.08	CD-E-CD	CON

61235	1743262785	5.45	CD-E-CD	CON
61236	1743265988	3.06	CD-E-CD	CON
61237	1743371558	3.79	CD-E-CD	CON
61238	1743383158	6.89	CD-E-CD	CON
62744	1734648629	24.62	CD-E-CD	CON
24227	1774107002	2.01	CD-E-CD	CON
62933	1773196807	0.56	CD-E-CD	CON
62408	1744810974	423.7	CD-E-CD	CON

COMM. DEV. - ZONING MAP AMENDMENT, ZMA 2021-06 & PUBLIC HEARING - 6:00 P.M.

Shane Prisby, Interim Planning Director, presented the following item:

ZMA 2021-06 - Summary of Information / Background: The Community Development Department has been working to overhaul the County's Zoning Ordinance. This update will be the first major overhaul since the first Zoning Ordinance was adopted on November 21, 1996. The Department assembled a committee consisting of diverse stakeholders including realtors, BDI employees, average citizens, builders, and a County Commissioner. With the committee's guidance, the department crafted a new Ordinance that clarifies zoning regulations, reflects current use trends/development practices, and is user-friendly. In the Current Zoning Ordinance, some the zoning districts were approved as "Parallel Conditional Districts". Although at the time, these districts were allowed by statute, the new NCGS Chapter 160D legislation prohibits the type of Conditional Districts that Burke County currently has in place. To comply with the new statute, all local jurisdictions statewide must repeal or convert those districts to the underlying general zoning district. The Department is recommending that Burke County rescind those districts and the corresponding development plans attached to them. Developments which were approved under those plans have already been approved. Those developments can continue to develop under the existing plans. Some proposed developments approved under such plans were never initiated. Those development plans would be rescinded along with the Conditional Zoning. All new development would be regulated by the underlying zoning. There are no new developments proposed at this time which would be affected by those plans. The Department is proposing to rezone all four (4) conservation districts to one (1) Conservation (CON) District. Moving to one Conservation District would make things simpler for developers to understand and make it easier to review proposed development plans. The main change would be in the lot size/density requirement. The current Conservation Low-Density District requires a minimum lot size/density of 3.5 acres. The Conservation Estate Lot District (CD-E) requires a minimum lot size/density of 5.0 acres. The proposed Conservation District (CON) would reduce those minimums to a consistent 3.0 acres lot/density. Below is a map of the existing land areas currently under the Conservation Low-Density District. The parcels subject to this rezoning are outlined in the color teal.



Summary: Due to the change in state statutes, staff is proposing to rezone all four-hundred seventy-one (471) parcels consisting of 9,860-acres from the Conservation Low-Density District (CD-L) to the Conservation District (CON).

At 8:00 p.m., Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021 and June 10, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021. No one signed up to address the Board; therefore, Chairman Brittain closed the public hearing.

Motion: To adopt Ord. No. 2021-08 amending the Burke County Zoning Map, including Exhibit A – the affected parcels list, and the related consistency statement.

Consistency Statement:
The proposed rezoning would consolidate all existing Conservation Districts, including the Conservation Low-Density- District (CD-L), into one (1) "Conservation" District (CON). This change would remain in compliance with the 2016-2030 Burke County Strategic Land Use Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Mulwee, Vice Chairman
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-08 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2021-06

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

The parcels of land shown on Exhibit A are hereby re-zoned **from** the Conservation Low-Density District **to** the Conservation District.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

The ZMA 2021-06 Parcel Rezoning List, Exhibit A, reads as follows:

REID	PIN	ACREAGE	CURRENT ZONING	PROPOSED ZONING
2512	1735528423	0.39	CD-L	CON
2645	1725816831	51.37	CD-L	CON
3616	1734459659	17.2	CD-L	CON
5108	2723842034	6.34	CD-L	CON
5614	1745388520	22.2	CD-L	CON
5615	1734384657	22.95	CD-L	CON
6551	1735927560	43.81	CD-L	CON
6566	1744291845	11.17	CD-L	CON
6611	1742976999	112.73	CD-L	CON
6743	1734575082	10.09	CD-L	CON
7342	1734740146	1	CD-L	CON
8198	1756226490	27.81	CD-L	CON
9499	2723966100	10	CD-L	CON
9753	2723736646	1.71	CD-L	CON
9754	2723737083	10.86	CD-L	CON
9840	1755569319	190.66	CD-L	CON
9856	1745048566	0.53	CD-L	CON
9899	1755526012	2	CD-L	CON
10560	2733060131	1.07	CD-L	CON
10767	1745300787	3	CD-L	CON
10830	2733041765	1.09	CD-L	CON
10831	2733042775	0.38	CD-L	CON
10832	2733041972	0.2	CD-L	CON
11121	2733050803	2.17	CD-L	CON
11122	2733062049	1.82	CD-L	CON

11419	2723831873	2.36	CD-L	CON
11524	2733161710	0.99	CD-L	CON
11868	2733054060	1.22	CD-L	CON
11885	2733066602	0.47	CD-L	CON
12048	2723732321	5.77	CD-L	CON
12468	2723967960	5.87	CD-L	CON
13495	1756327057	6.64	CD-L	CON
13497	1756522180	10.2	CD-L	CON
14693	2733051096	2.32	CD-L	CON
14751	2723721682	2.8	CD-L	CON
15195	1756743664	2.96	CD-L	CON
15198	1756844610	0.91	CD-L	CON
15357	1765117816	16.49	CD-L	CON
15690	1734873091	14.16	CD-L	CON
16295	2733162873	2.39	CD-L	CON
16337	1734481525	2.02	CD-L	CON
16708	1766157704	39.87	CD-L	CON
16714	1766164982	0.33	CD-L	CON
16715	1756969605	119.05	CD-L	CON
16716	1755966559	31.19	CD-L	CON
16718	1755867355	7.3	CD-L	CON
16720	1755472233	56.31	CD-L	CON
16742	1765135663	64.92	CD-L	CON
16752	1765013880	0.18	CD-L	CON
16754	1765128236	24.87	CD-L	CON
16825	1745179262	0.56	CD-L	CON
16827	1745369914	18.03	CD-L	CON
16828	1745257972	10.02	CD-L	CON
16829	1745574689	29.04	CD-L	CON
16856	1745035479	12.02	CD-L	CON
16857	1745140190	1.71	CD-L	CON
16858	1745216075	12.04	CD-L	CON
16952	1743573742	39.86	CD-L	CON
17135	1763247663	115.49	CD-L	CON
17300	1745205077	0.57	CD-L	CON
17552	1755880407	15.08	CD-L	CON
17557	1755767699	46.99	CD-L	CON
17764	1746433849	4.38	CD-L	CON
17779	1746533836	2.65	CD-L	CON
17780	1746437516	4.63	CD-L	CON
17781	1746435700	4.33	CD-L	CON
17782	1746438358	3.44	CD-L	CON
17783	1746466204	2.11	CD-L	CON
17784	1746531181	3.89	CD-L	CON
17785	1746530234	3.8	CD-L	CON
17786	1746524806	8.44	CD-L	CON
17789	1746349153	4.42	CD-L	CON
17790	1746347320	4.38	CD-L	CON
17791	1746527655	9.91	CD-L	CON

17792	1746621522	3.18	CD-L	CON
17793	1746623444	2.41	CD-L	CON
17794	1746628366	1.75	CD-L	CON
17795	1746626387	1.45	CD-L	CON
17796	1746368890	1.57	CD-L	CON
17797	1746622938	2.66	CD-L	CON
17798	1746625886	3.59	CD-L	CON
17799	1746629803	4.09	CD-L	CON
17859	1746722204	1.36	CD-L	CON
17860	1746720321	1.53	CD-L	CON
17863	1746540197	2.46	CD-L	CON
17864	1746446538	3.06	CD-L	CON
17865	1746448405	2.71	CD-L	CON
17866	1746449340	2.76	CD-L	CON
17867	1746359764	3	CD-L	CON
17868	1746359965	2.83	CD-L	CON
17869	1746369162	2.26	CD-L	CON
17870	1746359574	2.88	CD-L	CON
17871	1746359304	3.06	CD-L	CON
17873	1746625338	1.74	CD-L	CON
17874	1746534786	3.04	CD-L	CON
17875	1746536556	3.19	CD-L	CON
17876	1746443952	2.92	CD-L	CON
17877	1746455591	2.87	CD-L	CON
17878	1746455289	3.42	CD-L	CON
17879	1746454140	3.42	CD-L	CON
17880	1746455971	2.86	CD-L	CON
17881	1746455792	2.91	CD-L	CON
17882	1746463669	3.55	CD-L	CON
17883	1746369278	2.06	CD-L	CON
17884	1746369483	2.45	CD-L	CON
17885	1746358125	1.97	CD-L	CON
17886	1746466412	3.2	CD-L	CON
17887	1746348936	2.12	CD-L	CON
17888	1746348718	1.98	CD-L	CON
17889	1746465180	2.4	CD-L	CON
17890	1746441615	1.94	CD-L	CON
17891	1746347680	1.95	CD-L	CON
17892	1746369652	1.96	CD-L	CON
17893	1746443651	2.36	CD-L	CON
17894	1746441063	4.43	CD-L	CON
17895	1746542033	2.87	CD-L	CON
18105	1755992739	21.1	CD-L	CON
18131	1745114931	11.3	CD-L	CON
18251	1735640309	30.46	CD-L	CON
18440	1755805475	25.54	CD-L	CON
18441	1745028983	4.33	CD-L	CON
18627	1734790277	112.74	CD-L	CON
18948	1756027851	24.19	CD-L	CON

18950	1755275086	1.93	CD-L	CON
18951	1755149278	2.5	CD-L	CON
19044	1735357006	1.88	CD-L	CON
19350	1764315352	2.34	CD-L	CON
19564	1765074449	19.78	CD-L	CON
19588	1734744554	6.98	CD-L	CON
20076	1745304460	10	CD-L	CON
20142	1743299955	24.62	CD-L	CON
20151	1765093053	66.5	CD-L	CON
20605	1735810112	5.65	CD-L	CON
20664	1735811683	2.52	CD-L	CON
21205	1745357315	85.61	CD-L	CON
21591	1755837737	29.16	CD-L	CON
21859	1735523070	50.43	CD-L	CON
21948	1735224609	11.52	CD-L	CON
22579	1745402302	20.65	CD-L	CON
23475	2733069010	1.57	CD-L	CON
23881	1745300267	4	CD-L	CON
23898	1756150462	138.72	CD-L	CON
24182	2733066144	2.82	CD-L	CON
24212	1735612513	6.28	CD-L	CON
24885	1735723280	4.19	CD-L	CON
24923	1755915668	34.74	CD-L	CON
25015	1756167876	68.11	CD-L	CON
25136	1756855228	22.69	CD-L	CON
25828	2723952250	11.12	CD-L	CON
25838	2723957048	6.98	CD-L	CON
26027	2723965734	0.96	CD-L	CON
26541	2733056648	1.33	CD-L	CON
26572	2723627629	3.18	CD-L	CON
26754	1735005824	86.77	CD-L	CON
26755	1766053336	33.79	CD-L	CON
26758	1766049581	26.88	CD-L	CON
26768	1756971409	209.59	CD-L	CON
26961	2723625731	3.18	CD-L	CON
26990	2723721937	10.48	CD-L	CON
26996	2723629647	3.18	CD-L	CON
27438	1734636873	0.37	CD-L	CON
28538	1756205482	77	CD-L	CON
28740	1745008185	28.15	CD-L	CON
28891	1764319858	0.62	CD-L	CON
29265	1756954207	1.16	CD-L	CON
29388	1735902335	11.09	CD-L	CON
29625	1734879002	4	CD-L	CON
29626	1744075660	34.21	CD-L	CON
29627	1755935990	113.86	CD-L	CON
29632	1734675395	108.01	CD-L	CON
29642	1735327663	91.25	CD-L	CON
29643	1735248173	100.4	CD-L	CON

29897	1745374063	1.98	CD-L	CON
29983	2723848052	0.88	CD-L	CON
29999	2733068653	3.2	CD-L	CON
30033	1756539891	35.59	CD-L	CON
30046	1756942690	19.66	CD-L	CON
30049	1756407568	0.81	CD-L	CON
30051	1756623841	2.54	CD-L	CON
30148	1735351923	27.6	CD-L	CON
30149	1735634116	129.85	CD-L	CON
30152	1734274698	42.51	CD-L	CON
30767	1735527550	0.37	CD-L	CON
31233	1755858342	65.46	CD-L	CON
31345	1735569789	608.33	CD-L	CON
31351	1746562509	10.12	CD-L	CON
31471	1756612024	96.11	CD-L	CON
31475	1765164201	162.27	CD-L	CON
32406	2733069278	1.91	CD-L	CON
32427	1763196289	19.64	CD-L	CON
32449	1745371336	0.34	CD-L	CON
32960	1756639802	4.37	CD-L	CON
33185	2733165709	0.25	CD-L	CON
35595	1755772658	19.7	CD-L	CON
36190	1743820609	2.92	CD-L	CON
36336	1735833221	30.11	CD-L	CON
36337	1745114116	29.15	CD-L	CON
36338	1735811960	30.9	CD-L	CON
36811	1745012288	45.29	CD-L	CON
37271	1735818540	32.95	CD-L	CON
37348	1746436935	1.06	CD-L	CON
37628	2723943245	2.62	CD-L	CON
38387	1734292528	19.82	CD-L	CON
38526	2723623951	2.48	CD-L	CON
38858	1734767891	26.66	CD-L	CON
38859	1734950680	35.69	CD-L	CON
38873	1745953933	2.58	CD-L	CON
38874	1745962174	3.37	CD-L	CON
39007	1734563836	1	CD-L	CON
39050	1755224345	0.16	CD-L	CON
39066	1734561579	0.85	CD-L	CON
39185	1763292763	12.84	CD-L	CON
39261	1734735871	11.44	CD-L	CON
39363	2733059504	0.33	CD-L	CON
39552	1756330610	2.01	CD-L	CON
39577	2733058610	0.29	CD-L	CON
39683	1756749689	8.72	CD-L	CON
39791	1756324798	6.56	CD-L	CON
39902	1745465280	18.11	CD-L	CON
39917	1735614286	0.01	CD-L	CON
40083	1745201855	10.45	CD-L	CON

40700	1735353084	0.05	CD-L	CON
40757	1725525706	29.73	CD-L	CON
40837	2733150761	0.36	CD-L	CON
41127	2733040736	7.58	CD-L	CON
41135	2733058870	0.37	CD-L	CON
41136	2733059764	0.39	CD-L	CON
41402	1765128716	24.81	CD-L	CON
41718	1755823673	11.45	CD-L	CON
41790	2733161123	0.56	CD-L	CON
42074	1734560389	11.59	CD-L	CON
42128	1765019568	4.79	CD-L	CON
42606	1744298825	5.28	CD-L	CON
42607	1744296229	9.04	CD-L	CON
42608	1745206286	4.99	CD-L	CON
42791	2733161084	0.81	CD-L	CON
43079	2723977153	0.62	CD-L	CON
43228	1725520236	5.94	CD-L	CON
43230	1725428684	5.98	CD-L	CON
43234	1725429878	5.95	CD-L	CON
43236	1725436107	5.96	CD-L	CON
43314	1755812736	11.1	CD-L	CON
43495	1743546972	214.45	CD-L	CON
43666	1745463831	2.3	CD-L	CON
44046	1735610173	5.67	CD-L	CON
44047	1735614032	6.33	CD-L	CON
44534	1735617221	2.02	CD-L	CON
45163	1756844391	4.28	CD-L	CON
45504	1756745208	5.23	CD-L	CON
46149	1745770954	53.54	CD-L	CON
46256	1755166248	119.15	CD-L	CON
46296	1735029163	38.08	CD-L	CON
47805	1756748079	5.6	CD-L	CON
49458	1755825590	2.27	CD-L	CON
50607	1756740601	13.94	CD-L	CON
50608	1756933722	36.95	CD-L	CON
50861	1756627948	4.62	CD-L	CON
51080	1745476298	27.97	CD-L	CON
51152	1755973722	10.86	CD-L	CON
51239	1745670815	4.53	CD-L	CON
51356	1745466671	0.45	CD-L	CON
51666	1743805480	197.69	CD-L	CON
51667	1742998531	8.85	CD-L	CON
51737	1734836763	4.89	CD-L	CON
53012	1756745932	1.51	CD-L	CON
53137	2733060473	0.66	CD-L	CON
53138	2723969466	0.58	CD-L	CON
54081	1766189175	9.34	CD-L	CON
54363	1735202032	1.58	CD-L	CON
54582	1756251051	4.77	CD-L	CON

54687	1735361627	17.68	CD-L	CON
55051	1756731473	6.16	CD-L	CON
55215	1735370457	14.73	CD-L	CON
55287	1756733668	2.9	CD-L	CON
55524	1756724880	44.76	CD-L	CON
55525	1756739504	7.55	CD-L	CON
57534	1734551072	1.14	CD-L	CON
57535	1734459296	1.12	CD-L	CON
57547	1734459020	1.1	CD-L	CON
57554	1734457379	1.21	CD-L	CON
57562	1734446920	1.31	CD-L	CON
57563	1734445695	1.14	CD-L	CON
57564	1734444483	1.02	CD-L	CON
57565	1734447422	1.03	CD-L	CON
57594	1734449494	1.16	CD-L	CON
57607	1734448644	1.67	CD-L	CON
57634	1734540698	1.5	CD-L	CON
57661	1756741270	1.41	CD-L	CON
57683	1734458270	0.4	CD-L	CON
57697	1734540940	0.28	CD-L	CON
57700	2733067046	0.51	CD-L	CON
57752	1764413710	1.92	CD-L	CON
57769	1725242867	75.54	CD-L	CON
57783	1734456154	1.11	CD-L	CON
57784	1735353489	1.23	CD-L	CON
58172	1756534567	1.51	CD-L	CON
58300	1724975693	0.19	CD-L	CON
58307	1765215319	1.5	CD-L	CON
58322	1724975813	2.15	CD-L	CON
58324	1724973828	1.55	CD-L	CON
58328	1724976504	0.14	CD-L	CON
58429	2733057698	0.03	CD-L	CON
58442	1745289242	22.65	CD-L	CON
58443	1745299047	22.83	CD-L	CON
58444	1745282159	15.94	CD-L	CON
58499	1724996128	10.14	CD-L	CON
58503	1743823093	11.02	CD-L	CON
58504	1743828433	10	CD-L	CON
58515	1724975476	1.59	CD-L	CON
58601	2733057567	0.04	CD-L	CON
58885	1746568351	10.12	CD-L	CON
58886	1746768056	10.16	CD-L	CON
58887	1746663043	10.09	CD-L	CON
58888	1746851413	10.01	CD-L	CON
58889	1746657641	10.08	CD-L	CON
58890	1746842953	10.01	CD-L	CON
58891	1746750279	10.12	CD-L	CON
58892	1746842532	9.91	CD-L	CON
58893	1746742952	10.12	CD-L	CON

58894	1746849655	10.12	CD-L	CON
58895	1746743511	10.12	CD-L	CON
58896	1746945549	10.11	CD-L	CON
58897	1746643617	10.12	CD-L	CON
58898	1746949933	10.12	CD-L	CON
58899	1746559162	10.1	CD-L	CON
58900	1746955375	10.12	CD-L	CON
58901	1746557686	10.12	CD-L	CON
58902	1746858462	10.12	CD-L	CON
58903	1746551809	10.12	CD-L	CON
58904	1746855973	10.25	CD-L	CON
58905	1746554052	10.12	CD-L	CON
58906	1746866331	10.48	CD-L	CON
58907	1746541719	11.57	CD-L	CON
58908	1746764232	10.18	CD-L	CON
58909	1746667466	10.25	CD-L	CON
58955	1734544671	9.34	CD-L	CON
59114	1743730320	10.01	CD-L	CON
59115	1743627708	10.01	CD-L	CON
59116	1743735007	13.85	CD-L	CON
59117	1743726451	11.87	CD-L	CON
59118	1743922998	13.62	CD-L	CON
59357	1743613636	45.34	CD-L	CON
59832	1724980332	3.44	CD-L	CON
59834	1724887268	1.13	CD-L	CON
59864	1724797363	2.03	CD-L	CON
59865	1724890308	2.76	CD-L	CON
59866	1724797786	2.01	CD-L	CON
59871	1725706531	2.12	CD-L	CON
59872	1725703797	1.73	CD-L	CON
59873	1725709660	1.52	CD-L	CON
59874	1725801879	1.92	CD-L	CON
59875	1725813032	2.62	CD-L	CON
59876	1725813302	3.46	CD-L	CON
59877	1725718233	3.37	CD-L	CON
59878	1725706988	1.82	CD-L	CON
59879	1725707727	1.57	CD-L	CON
59880	1725715107	2.25	CD-L	CON
59881	1724895600	26.75	CD-L	CON
59968	1735727465	8.18	CD-L	CON
60453	1725422933	126.37	CD-L	CON
60454	1725604757	2.64	CD-L	CON
60472	1734869970	3.07	CD-L	CON
60485	1725601848	3.73	CD-L	CON
60493	1755971522	20.88	CD-L	CON
60904	1756410904	63.77	CD-L	CON
60905	1756427594	11.77	CD-L	CON
60906	1756523502	10.25	CD-L	CON
61025	1735214727	46.66	CD-L	CON

61118	1756537648	35.89	CD-L	CON
61401	2733066459	1.2	CD-L	CON
61402	2733065666	0.33	CD-L	CON
61743	1724794437	1.85	CD-L	CON
61744	1724793741	2.16	CD-L	CON
61745	1724791988	3.66	CD-L	CON
61746	1725609244	3.5	CD-L	CON
61747	1725607549	3.27	CD-L	CON
61748	1725700682	2.38	CD-L	CON
61749	1725608905	4.36	CD-L	CON
61750	1725803508	1.98	CD-L	CON
61751	1725806745	2.21	CD-L	CON
61752	1725808534	2.09	CD-L	CON
61753	1725806400	1.51	CD-L	CON
61754	1725900214	3.55	CD-L	CON
61755	1724992922	2.15	CD-L	CON
61756	1724994713	2.44	CD-L	CON
61757	1724996404	2.74	CD-L	CON
61758	1724996110	2.69	CD-L	CON
61759	1724985745	2.64	CD-L	CON
61760	1724981922	2.79	CD-L	CON
61761	1724992144	1.8	CD-L	CON
61762	1724990383	3.32	CD-L	CON
61763	1724899507	4.33	CD-L	CON
61764	1724897950	3.09	CD-L	CON
61765	1725804165	2.79	CD-L	CON
61766	1725800289	1.82	CD-L	CON
61769	1725707269	2.01	CD-L	CON
61774	1763337308	10.07	CD-L	CON
61798	1753117974	4.12	CD-L	CON
62447	1755544906	4.56	CD-L	CON
62510	1753333286	4.58	CD-L	CON
62613	1753330073	1.37	CD-L	CON
62614	1753229894	2.16	CD-L	CON
62615	1753228649	2.06	CD-L	CON
62616	1753227527	1.92	CD-L	CON
62617	1753226341	3.32	CD-L	CON
62628	1753222241	4.28	CD-L	CON
62629	1753126472	3.07	CD-L	CON
62632	1734852020	40.75	CD-L	CON
62633	1734832902	7.78	CD-L	CON
62634	1734747781	7.63	CD-L	CON
62743	1734467096	9.21	CD-L	CON
62604	1755602746	20.58	CD-L	CON
62786	1755604422	16.69	CD-L	CON
62787	1754692981	15.46	CD-L	CON
62788	1755608069	16.27	CD-L	CON
18888	1735347759	3.38	CD-L	CON
57558	1735349541	4.08	CD-L	CON

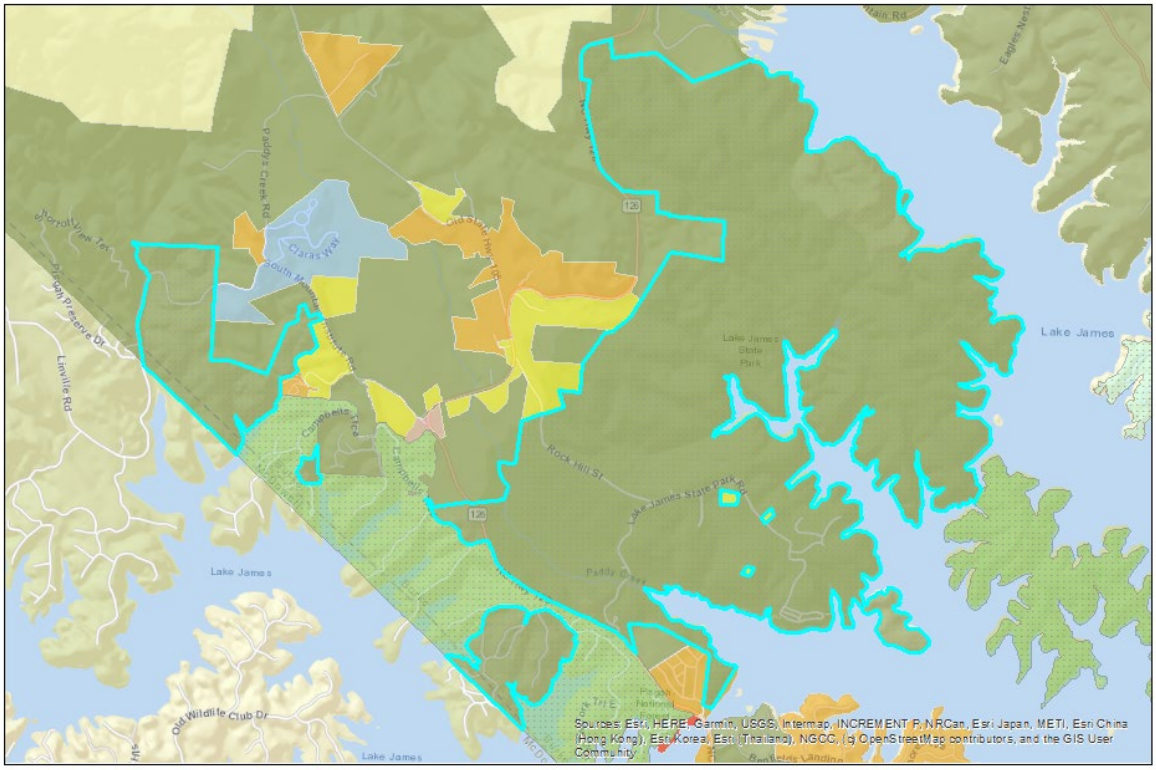
62856	1754895990	0.59	CD-L	CON
62857	1755047121	10.62	CD-L	CON
61152	1755243599	128.91	CD-L	CON
17862	1746722703	4.62	CD-L	CON
33462	1746608596	1333.98	CD-L	CON
63057	1745863337	2.24	CD-L	CON
63058	1745967480	0.6	CD-L	CON
63059	1755077434	0.96	CD-L	CON
62826	1764327490	9.14	CD-L	CON
28882	1764325212	4.76	CD-L	CON
63146	1745168964	2.16	CD-L	CON
63147	1745270040	1.58	CD-L	CON
63148	1745272073	2.19	CD-L	CON
63149	1745168365	3.66	CD-L	CON
63150	1745260521	2.18	CD-L	CON
63151	1745264628	5.5	CD-L	CON
31346	1745262127	12.99	CD-L	CON
63152	1745153569	9.02	CD-L	CON
61767	1724892728	6.16	CD-L	CON
9842	1765213426	6.41	CD-L	CON
63265	1765116505	4	CD-L	CON
62606	1755440365	167.1	CD-L	CON
63272	1755427415	34.46	CD-L	CON
63273	1755314904	10.31	CD-L	CON
63274	1755314713	11.1	CD-L	CON
16824	1745277037	1.52	CD-L	CON
63609	1734176045	5.33	CD-L	CON
62605	1755510152	151.76	CD-L	CON
63689	1755618712	2.49	CD-L	CON
17700	1755871864	10.77	CD-L	CON
63702	1755875500	3.56	CD-L	CON
59868	1725703388	3.78	CD-L	CON
16986	1753143856	29.47	CD-L	CON
63892	1753038285	1.42	CD-L	CON
16983	1753021294	41.3	CD-L	CON
6742	1734554757	9.18	CD-L	CON
61442	1743932830	10.17	CD-L	CON
26067	1764305043	151.87	CD-L	CON
61770	1763494592	8.2	CD-L	CON
63990	1764416249	1.84	CD-L	CON
63992	1763482785	1.62	CD-L	CON
8192	1756222310	40	CD-L	CON
64130	1756131396	54.32	CD-L	CON
31343	1725517622	259.26	CD-L	CON
60483	1725603839	5.03	CD-L	CON
64133	1725615332	2.75	CD-L	CON
9913	1743836518	40.15	CD-L	CON
64136	1743824536	2.03	CD-L	CON
62448	1755648253	69.28	CD-L	CON

64283	1755636324	23.87	CD-L	CON
64284	1755724821	31.68	CD-L	CON
12012	2723843387	12.64	CD-L	CON
61668	1756242010	11.7	CD-L	CON
23899	1756150462		CD-L	CON

COMM. DEV. - ZONING MAP AMENDMENT, ZMA 2021-07 & PUBLIC HEARING - 6:00 P.M.

Shane Prisby, Interim Planning Director, presented the following item:

ZMA 2021-07 Background/Summary of Information: The Community Development Department has been working to overhaul the County's Zoning Ordinance. This update will be the first major overhaul since the first Zoning Ordinance was adopted on November 21, 1996. The Department assembled a committee consisting of diverse stakeholders including realtors, BDI employees, average citizens, builders, and a County Commissioner. With the committee's guidance, the department crafted a new Ordinance that clarifies zoning regulations, reflects current use trends/development practices, and is user-friendly. In the Current Zoning Ordinance, some the zoning districts were approved as "Parallel Conditional Districts". Although at the time, these districts were allowed by statute, the new NCGS Chapter 160D legislation prohibits the type of Conditional Districts that Burke County currently has in place. To comply with the new statute, all local jurisdictions statewide must repeal or convert those districts to the underlying general zoning district. The Department is recommending that Burke County rescind those districts and the corresponding development plans attached to them. Developments which were approved under those plans have already been approved. Those developments can continue to develop under the existing plans. Some proposed developments approved under such plans were never initiated. Those development plans would be rescinded along with the Conditional Zoning. All new development would be regulated by the underlying zoning. There are no new developments proposed at this time which would be affected by those plans. The Department is proposing to rezone all four (4) conservation districts to one (1) Conservation (CON) District. Moving to one Conservation District would make things simpler for developers to understand and make it easier to review proposed development plans. The main change would be in the lot size/density requirement. The current Conservation Low-Density District requires a minimum lot size/density of 3.5 acres. The Conservation Estate Lot District (CD-E) requires a minimum lot size/density of 5.0 acres. The proposed Conservation District (CON) would reduce those minimums to a consistent 3.0 acres lot/density. Below is a map of the existing land areas currently under the Conservation Low-Density Conditional District. The parcels subject to this rezoning are outlined in the color teal.



Summary: Due to the change in state statutes, staff is proposing to rezone all one-hundred nineteen (119) parcels consisting of 3,145-acres from the Conservation Low Density-Conditional District (CD-L-CD) to the newly proposed "Conservation" (CON) District. Please refer to Exhibit A for the list of affected parcels.

At 8:01 p.m., Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021 and June 10, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021.

Tim Greene, 6181 N. Shore Drive, asked a clarifying question about the proposed map amendment. With there being no one else to address the Board; Chairman Brittain closed the public hearing.

Motion: To adopt Ord. No. 2021-09 amending the Burke County Zoning Map as it relates to ZMA 2021-07, including Exhibit A – the affected parcels list, and the related consistency statement.

Consistency Statement:
The proposed rezoning would consolidate all existing Conservation Districts, including the Conservation Low-Density-Conditional District (CD-L-CD), into one (1) "Conservation" District (CON). This change would remain in compliance with the 2016-2030 Burke County Strategic Land Use Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-09 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2021-07

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

The parcels of land shown on Exhibit A are hereby re-zoned **from** the Conservation Low-Density Conditional District **to** the Conservation District.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

The ZMA 2021-07 Parcel Rezoning List, Exhibit A, reads as follows:

REID	PIN	ACREAGE	CURRENT ZONING	PROPOSED ZONING
33414	1734096422	50.55	CD-L-CD	CON
39931	1744510887	0.58	CD-L-CD	CON
40004	1744437919	1.52	CD-L-CD	CON
58873	1744015107	4.58	CD-L-CD	CON
58874	1745811314	124.1	CD-L-CD	CON
62232	1733997569	1.5	CD-L-CD	CON
62233	1733997345	1.72	CD-L-CD	CON
62234	1733996029	1.64	CD-L-CD	CON
62235	1733985709	2.58	CD-L-CD	CON
62236	1733995330	2.15	CD-L-CD	CON
62237	1733987809	0.12	CD-L-CD	CON
62238	1733987624	1.5	CD-L-CD	CON
62239	1733988684	1.5	CD-L-CD	CON
62240	1733989785	0.92	CD-L-CD	CON
62241	1743080921	1.89	CD-L-CD	CON
62242	1743090175	2.52	CD-L-CD	CON

62243	1743091375	2.29	CD-L-CD	CON
62244	1743092551	1.99	CD-L-CD	CON
62245	1743092776	1.61	CD-L-CD	CON
62246	1744004251	12.52	CD-L-CD	CON
62247	1744003170	2.73	CD-L-CD	CON
62248	1744001464	0.34	CD-L-CD	CON
62407	1734940379	3.45	CD-L-CD	CON
62756	1734803009	2.09	CD-L-CD	CON
62757	1733893821	2.53	CD-L-CD	CON
62758	1733894422	1.4	CD-L-CD	CON
62759	1733891347	2.63	CD-L-CD	CON
62760	1733797596	1.88	CD-L-CD	CON
62766	1733991073	5.57	CD-L-CD	CON
62767	1733897461	1.87	CD-L-CD	CON
62768	1733899384	2.09	CD-L-CD	CON
62769	1733991376	2.24	CD-L-CD	CON
62770	1733993409	2.03	CD-L-CD	CON
62771	1733993761	1.56	CD-L-CD	CON
62772	1733994902	1.51	CD-L-CD	CON
62773	1734905106	2.08	CD-L-CD	CON
62231	1734908572	2.41	CD-L-CD	CON
62774	1733997822	3.74	CD-L-CD	CON
62775	1733999946	2.55	CD-L-CD	CON
62764	1733888986	3.82	CD-L-CD	CON
63280	1733894164	1.61	CD-L-CD	CON
63281	1733980554	4.21	CD-L-CD	CON
63282	1733982259	2.18	CD-L-CD	CON
63283	1733983093	1.52	CD-L-CD	CON
63284	1733893001	0.55	CD-L-CD	CON
63285	1733884965	1.05	CD-L-CD	CON
63286	1733886826	1.36	CD-L-CD	CON
63361	1724977810	0.04	CD-L-CD	CON
59813	1734441222	1.7	CD-L-CD	CON
63438	1734349176	0.98	CD-L-CD	CON
63439	1734442198	0.5	CD-L-CD	CON
63440	1734440420	1.5	CD-L-CD	CON
63441	1734440553	1.27	CD-L-CD	CON
63442	1734440675	1.27	CD-L-CD	CON
63443	1734442832	0.45	CD-L-CD	CON
31341	1734376533	26.01	CD-L-CD	CON
63560	1734481226	2.18	CD-L-CD	CON
59698	1724978936	17.18	CD-L-CD	CON
63561	1734181490	7.52	CD-L-CD	CON
63562	1734172983	2.83	CD-L-CD	CON
63563	1734085448	10.65	CD-L-CD	CON
63564	1734170834	2.5	CD-L-CD	CON
63565	1734082183	7.08	CD-L-CD	CON
63566	1734078674	2.22	CD-L-CD	CON
63567	1734072786	4.95	CD-L-CD	CON

63568	1734073447	7.03	CD-L-CD	CON
63569	1734076363	3.3	CD-L-CD	CON
63570	1734075106	2.86	CD-L-CD	CON
63571	1734064867	3.25	CD-L-CD	CON
63572	1734065624	1.5	CD-L-CD	CON
63575	1734069109	4.98	CD-L-CD	CON
63576	1734172369	3.53	CD-L-CD	CON
63577	1734171063	3.25	CD-L-CD	CON
63578	1734162738	3.76	CD-L-CD	CON
63579	1734162516	4.29	CD-L-CD	CON
63580	1734162384	3.5	CD-L-CD	CON
63581	1734163145	3.39	CD-L-CD	CON
63582	1734154906	2.68	CD-L-CD	CON
63583	1734154788	2.7	CD-L-CD	CON
63588	1734241908	0.92	CD-L-CD	CON
63589	1734251124	2.03	CD-L-CD	CON
63590	1734250365	2.06	CD-L-CD	CON
63591	1734250521	2.05	CD-L-CD	CON
63592	1734250701	2.12	CD-L-CD	CON
63593	1734159985	2.08	CD-L-CD	CON
63594	1734169221	2.01	CD-L-CD	CON
63595	1734168465	2.05	CD-L-CD	CON
63596	1734168678	2.56	CD-L-CD	CON
63597	1734260971	4.14	CD-L-CD	CON
63598	1734263762	2.67	CD-L-CD	CON
63599	1734264541	2.58	CD-L-CD	CON
63600	1734264209	3.59	CD-L-CD	CON
63601	1734252955	2.09	CD-L-CD	CON
63602	1734254723	2.02	CD-L-CD	CON
63603	1734265097	2.44	CD-L-CD	CON
63604	1734258906	2.04	CD-L-CD	CON
63605	1734269153	2.12	CD-L-CD	CON
63606	1734269475	3.1	CD-L-CD	CON
63607	1734269644	2.29	CD-L-CD	CON
63608	1734268832	2.28	CD-L-CD	CON
63610	1734255643	0.9	CD-L-CD	CON
62230	1734904821	1.59	CD-L-CD	CON
64360	1734902701	2.34	CD-L-CD	CON
64361	1734902488	2.6	CD-L-CD	CON
64362	1734808512	3.66	CD-L-CD	CON
64363	1734808287	2.21	CD-L-CD	CON
64364	1734808131	2.1	CD-L-CD	CON
64365	1733897986	1.99	CD-L-CD	CON
64366	1733897749	2.15	CD-L-CD	CON
64367	1733899791	2.91	CD-L-CD	CON
64368	1734808820	3.71	CD-L-CD	CON
59812	1734738453	7.91	CD-L-CD	CON
64369	1734823862	2.37	CD-L-CD	CON
64370	1734735232	2	CD-L-CD	CON

64371	1734738109	1.95	CD-L-CD	CON
64372	1734739085	1.86	CD-L-CD	CON
64373	1734820850	1.95	CD-L-CD	CON
62762	1733799277	0.18	CD-L-CD	CON
62408	1744810974	2632	CD-L-CD	CON

COMM. DEV. - ZONING MAP AMENDMENT ZMA 2021-08 & PUBLIC HEARING - 6:00 P.M.

Shane Prisby, Interim Planning Director, presented the following item:

> ZMA 2021-08 Background / Summary of Information: The Community Development Department has been working to overhaul the County's Zoning Ordinance. This update will be the first major overhaul since the first Zoning Ordinance was adopted on November 21, 1996. The department assembled a committee consisting of diverse stakeholders including realtors, BDI employees, average citizens, builders, and a County Commissioner. With the committee's guidance, the department crafted a new Ordinance that clarifies zoning regulations, reflects current use trends/development practices, and is user-friendly. In the current Burke County Zoning Ordinance, only the I-40 and Scenic Overlay Districts have development standards for non-residential development. If someone proposed a commercial, institutional, or industrial development anywhere outside of these overlays, there are no requirements for parking, landscaping, building orientation, building materials, etc. In the new Zoning Ordinance, the Department is proposing to make many of the non-residential development standards apply county-wide. This would render the I-40 overlay superfluous and the department is requesting that it be rescinded as part of the adoption of the new Zoning Ordinance. Below is a map of the existing land areas currently within the I-40 Overlay District. The parcels subject to this rezoning are shaded in pink.

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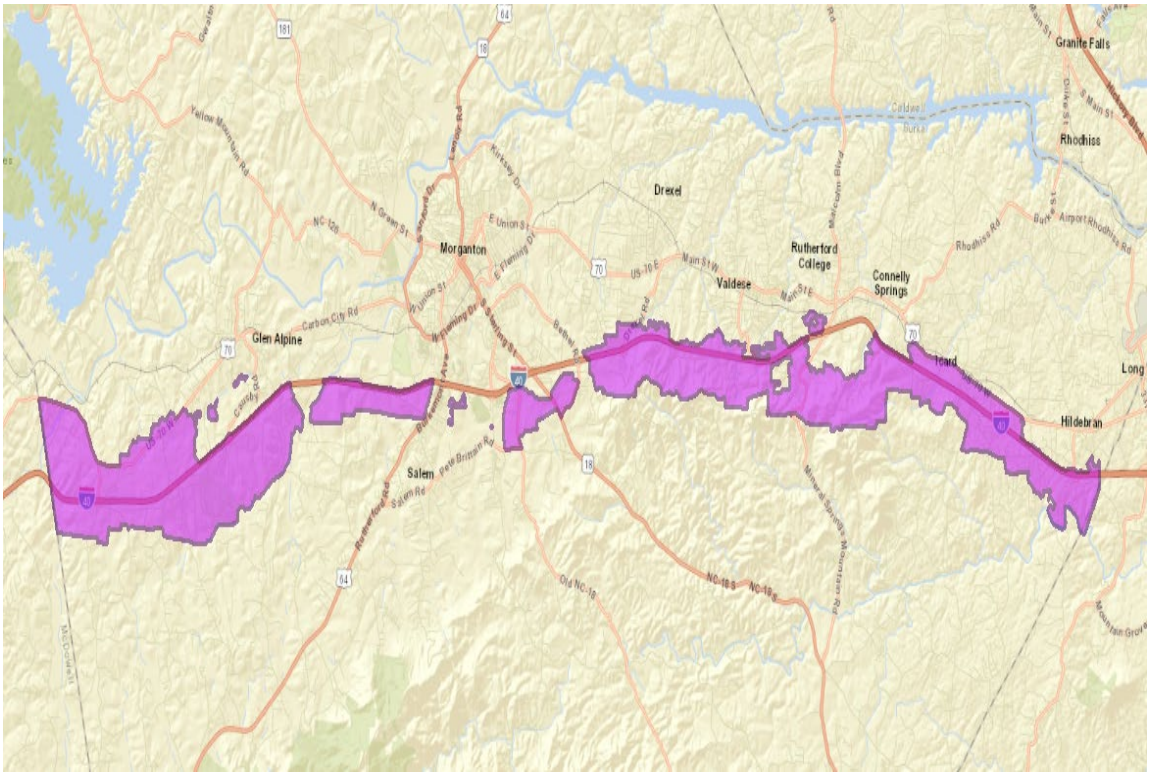

Summary: Due to the proposed county-wide expansion of non-residential development standards, staff is proposing to rescind the I-40 Overlay District and remove all three-thousand seven hundred thirty-two (3,732) parcels consisting of 12,361-acres from that district. Those parcels will still be regulated by their corresponding general zoning districts.

Chairman Brittain opened the floor for questions and comments from the Board. Vice Chairman Mulwee commended Mr. Prisby and the Community Development staff for their work on the revised zoning ordinance. Commissioner Taylor, speaking to the audience, said the Board asks most of their questions during the pre-agenda meeting. He said he conferred with several people, and he thought there would be some resistance to this item, but everyone seemed to be happy with the item. He commended Mr. Prisby and the Community Development staff for their hard work.

At 8:05 p.m., Chairman Brittain opened the public hearing. The Public Hearing Notice was published in THE NEWS HERALD on June 3, 2021 and June 10, 2021. It was also posted to the County's website, www.burkennc.org, on June 3, 2021. No one signed up to address the Board; therefore, Chairman Brittain closed the public hearing.

Motion: To adopt an Ordinance (No. 2021-10) amending the Burke County Zoning Map as it relates to ZMA 2021-08, including Exhibit A—the affected parcels list and the statement of consistency.

Consistency Statement:
The proposed rezoning would rescind the I-40 Overlay District after establishing non-residential development standards countywide through the adoption of the 2021 Zoning Ordinance. This change would maintain compliance with the 2016-

2030 Burke County Strategic Land Use Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Ord. No. 2021-10 reads as follows:

Burke County
North Carolina

An Ordinance Amending the Official Burke County Zoning Map
ZMA 2021-08

Be it ordained that the Official Burke County Zoning Map is hereby amended as follows:

The I-40 Overlay District shall be removed from the parcels of land shown on Exhibit A. The parcels shall retain their underlying general zoning districts.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

Exhibit A
ZMA 2021-08 Affected Parcels List:

REID	PIN	ACREAGE	CURRENT OVERLAY	PROPOSED OVERLAY
31056	2723411322	2.97	I-40 OVERLAY	NONE
43925	2732882143	0.6	I-40 OVERLAY	NONE
11117	2742662989	0.78	I-40 OVERLAY	NONE
21696	1762813522	4.68	I-40 OVERLAY	NONE
7837	2742684952	0.3	I-40 OVERLAY	NONE
39289	2742689734	1.15	I-40 OVERLAY	NONE
7924	2742680094	5.87	I-40 OVERLAY	NONE
7925	2742692481	1.59	I-40 OVERLAY	NONE
7838	2742358646	9.36	I-40 OVERLAY	NONE
7926	2742684465	12.57	I-40 OVERLAY	NONE
12936	2742695329	3.52	I-40 OVERLAY	NONE
33601	2742693030	3.54	I-40 OVERLAY	NONE
33603	2742689258	7	I-40 OVERLAY	NONE
48427	2742466335	0.95	I-40 OVERLAY	NONE

49414	2742465262	0.63	I-40 OVERLAY	NONE
7850	2742077690	12.35	I-40 OVERLAY	NONE
12432	2742582176	9.28	I-40 OVERLAY	NONE
7854	2743106639	0.42	I-40 OVERLAY	NONE
21952	2762072557	0.5	I-40 OVERLAY	NONE
10390	2733100696	1.43	I-40 OVERLAY	NONE
7870	2742469986	0.75	I-40 OVERLAY	NONE
35063	2742464222	7.68	I-40 OVERLAY	NONE
35064	2742465518	3.21	I-40 OVERLAY	NONE
41633	2742774778	9.18	I-40 OVERLAY	NONE
48428	2742467943	1	I-40 OVERLAY	NONE
44916	2742674150	1.06	I-40 OVERLAY	NONE
36788	2742188642	0.41	I-40 OVERLAY	NONE
38379	2742087809	0.37	I-40 OVERLAY	NONE
38651	2743206343	1.47	I-40 OVERLAY	NONE
38652	2743205057	2.64	I-40 OVERLAY	NONE
38653	2742294730	2.25	I-40 OVERLAY	NONE
8002	2732660796	6.89	I-40 OVERLAY	NONE
30521	2733402645	4.02	I-40 OVERLAY	NONE
30529	2733309399	6.49	I-40 OVERLAY	NONE
35123	2733401187	1.04	I-40 OVERLAY	NONE
8009	2733414006	1.7	I-40 OVERLAY	NONE
11421	2733414216	0.81	I-40 OVERLAY	NONE
30522	2733403856	1.25	I-40 OVERLAY	NONE
22065	2762921616	0.33	I-40 OVERLAY	NONE
22066	2762920571	0.37	I-40 OVERLAY	NONE
22067	2762921581	0.41	I-40 OVERLAY	NONE
8097	2772512719	0.43	I-40 OVERLAY	NONE
7990	2772018916	1.1	I-40 OVERLAY	NONE
8035	2772318007	10.54	I-40 OVERLAY	NONE
28871	2772114960	0.78	I-40 OVERLAY	NONE
21364	2781198356	0.97	I-40 OVERLAY	NONE
33649	2732665707	0.76	I-40 OVERLAY	NONE
63481	2772112910	0.72	I-40 OVERLAY	NONE
42165	1771170273	1.03	I-40 OVERLAY	NONE
59752	1771690740	10.12	I-40 OVERLAY	NONE
27119	1772431260	3.79	I-40 OVERLAY	NONE
8000	2772119675	0.8	I-40 OVERLAY	NONE
42479	2772327228	0.52	I-40 OVERLAY	NONE
46677	2772327430	0.51	I-40 OVERLAY	NONE
8096	2772523122	0.25	I-40 OVERLAY	NONE
8098	2772522059	0.82	I-40 OVERLAY	NONE
30247	2772521029	1.19	I-40 OVERLAY	NONE
53342	2772410337	0.09	I-40 OVERLAY	NONE
53343	2772410253	0.46	I-40 OVERLAY	NONE
45426	2772412056	5.03	I-40 OVERLAY	NONE
45427	2772411471	0.7	I-40 OVERLAY	NONE
16544	2752873365	8.13	I-40 OVERLAY	NONE
8100	2732666997	5.12	I-40 OVERLAY	NONE
15541	2772227890	5.68	I-40 OVERLAY	NONE
35439	2772223578	1.24	I-40 OVERLAY	NONE

35440	2772232167	7.58	I-40 OVERLAY	NONE
8024	2772417096	2.03	I-40 OVERLAY	NONE
30245	2772419572	3.18	I-40 OVERLAY	NONE
8139	2772407758	2.06	I-40 OVERLAY	NONE
35319	2762927830	0.52	I-40 OVERLAY	NONE
29933	2702927831	3.5	I-40 OVERLAY	NONE
36273	1772313714	0.49	I-40 OVERLAY	NONE
46329	1771282893	0.64	I-40 OVERLAY	NONE
48310	2762929905	0.73	I-40 OVERLAY	NONE
39922	2762485458	1.67	I-40 OVERLAY	NONE
7563	1782158834	0.91	I-40 OVERLAY	NONE
8238	2732989659	0.78	I-40 OVERLAY	NONE
58611	2742081636	0.45	I-40 OVERLAY	NONE
1022	2702968017	0.21	I-40 OVERLAY	NONE
1054	2702956995	1.51	I-40 OVERLAY	NONE
33994	2702959928	0.69	I-40 OVERLAY	NONE
33995	2702956649	1.41	I-40 OVERLAY	NONE
8256	2723303830	3.5	I-40 OVERLAY	NONE
27005	2762772353	2.63	I-40 OVERLAY	NONE
20709	1752151456	3.12	I-40 OVERLAY	NONE
34027	2722382937	2.07	I-40 OVERLAY	NONE
13662	2743810838	4.43	I-40 OVERLAY	NONE
63538	1762518527	3.38	I-40 OVERLAY	NONE
8328	1762028381	19.05	I-40 OVERLAY	NONE
22555	1762009512	96.86	I-40 OVERLAY	NONE
16123	1792650339	0.95	I-40 OVERLAY	NONE
30457	1792559558	0.72	I-40 OVERLAY	NONE
53113	2732687011	1.04	I-40 OVERLAY	NONE
45233	1761995407	1.28	I-40 OVERLAY	NONE
1871	1752713069	0.45	I-40 OVERLAY	NONE
45094	1761763987	0.75	I-40 OVERLAY	NONE
5291	1771280951	0.57	I-40 OVERLAY	NONE
59565	2762923708		I-40 OVERLAY	NONE
26634	2772154520	0.65	I-40 OVERLAY	NONE
30723	2772701837	1.61	I-40 OVERLAY	NONE
8424	1742957013	3.94	I-40 OVERLAY	NONE
14070	2732663577	0.6	I-40 OVERLAY	NONE
9717	2732663477	0.44	I-40 OVERLAY	NONE
37767	1751795590	1.25	I-40 OVERLAY	NONE
25365	1751794786	7.85	I-40 OVERLAY	NONE
12266	2733105820	0.6	I-40 OVERLAY	NONE
35448	2733106520	1	I-40 OVERLAY	NONE
35452	2733106743	0.75	I-40 OVERLAY	NONE
35459	2733102680	0.98	I-40 OVERLAY	NONE
41177	2733102796	0.92	I-40 OVERLAY	NONE
56818	2733104543	0.62	I-40 OVERLAY	NONE
39407	1782061534	0.37	I-40 OVERLAY	NONE
40423	1771187641	0.68	I-40 OVERLAY	NONE
24793	1751799102	0.46	I-40 OVERLAY	NONE
16462	1751789969	0.47	I-40 OVERLAY	NONE
30682	1772214571	1.03	I-40 OVERLAY	NONE

31152	1772803691	0.57	I-40 OVERLAY	NONE
23371	2772252297	0.15	I-40 OVERLAY	NONE
43238	2772252280	0.18	I-40 OVERLAY	NONE
24757	2772030883	0.61	I-40 OVERLAY	NONE
43752	1772837615	3.95	I-40 OVERLAY	NONE
13280	2743300878	9.07	I-40 OVERLAY	NONE
45397	1772530751	1.53	I-40 OVERLAY	NONE
45399	1772531755	1.53	I-40 OVERLAY	NONE
19365	2762675527	0.54	I-40 OVERLAY	NONE
5122	1772933862	0.44	I-40 OVERLAY	NONE
43467	1761980252	1.07	I-40 OVERLAY	NONE
43468	1761983282	2	I-40 OVERLAY	NONE
11381	2723718791	0.35	I-40 OVERLAY	NONE
11765	2723719689	0.35	I-40 OVERLAY	NONE
63719	1772617582	13.13	I-40 OVERLAY	NONE
59749	1772618865	3.36	I-40 OVERLAY	NONE
17144	1782653677	241.39	I-40 OVERLAY	NONE
11378	2723812336	2	I-40 OVERLAY	NONE
33618	2723709773	2.11	I-40 OVERLAY	NONE
42488	1771094558	0.55	I-40 OVERLAY	NONE
48309	2772020708	0.52	I-40 OVERLAY	NONE
28930	2781098360	0.42	I-40 OVERLAY	NONE
37680	1772908596	0.51	I-40 OVERLAY	NONE
59408	1762225521	0.52	I-40 OVERLAY	NONE
4763	1762224491	0.58	I-40 OVERLAY	NONE
8690	1751981756	10.73	I-40 OVERLAY	NONE
4954	2723104272	12.34	I-40 OVERLAY	NONE
45259	1761698115	0.65	I-40 OVERLAY	NONE
45252	1761796200	0.59	I-40 OVERLAY	NONE
44765	2732460843	0.65	I-40 OVERLAY	NONE
27427	2772604892	1.23	I-40 OVERLAY	NONE
40964	1761273846	1.82	I-40 OVERLAY	NONE
7371	1782058883	1	I-40 OVERLAY	NONE
9486	1782068015	0.48	I-40 OVERLAY	NONE
21013	1772945254	0.43	I-40 OVERLAY	NONE
27667	1772947233	0.46	I-40 OVERLAY	NONE
57705	1772947136	0.16	I-40 OVERLAY	NONE
25033	2772713290	0.59	I-40 OVERLAY	NONE
25034	2772714237	0.45	I-40 OVERLAY	NONE
9004	1792563393	0.43	I-40 OVERLAY	NONE
16065	1792561394	0.8	I-40 OVERLAY	NONE
31129	1772901855	0.42	I-40 OVERLAY	NONE
9528	1772921833	1.37	I-40 OVERLAY	NONE
36304	1772310785	0.51	I-40 OVERLAY	NONE
36303	1772310980	0.61	I-40 OVERLAY	NONE
32892	1772840581	1.35	I-40 OVERLAY	NONE
20822	2772153931	0.64	I-40 OVERLAY	NONE
39404	1772968460	0.38	I-40 OVERLAY	NONE
861	2712775669	1.01	I-40 OVERLAY	NONE
31110	1782153705	0.45	I-40 OVERLAY	NONE
51419	1751883720		I-40 OVERLAY	NONE

43623	2732462759	1.38	I-40 OVERLAY	NONE
4297	1792664038	8.9	I-40 OVERLAY	NONE
60220	1762129531	5.29	I-40 OVERLAY	NONE
27540	1762222422	2.64	I-40 OVERLAY	NONE
60217	1762222197	0.34	I-40 OVERLAY	NONE
60219	1762129991	4.77	I-40 OVERLAY	NONE
51242	2771596484	5.25	I-40 OVERLAY	NONE
53024	1761487440	2.29	I-40 OVERLAY	NONE
16318	1761482248	3.86	I-40 OVERLAY	NONE
1409	1782140941	0.48	I-40 OVERLAY	NONE
1635	1782049866	0.45	I-40 OVERLAY	NONE
20748	1761792823	0.34	I-40 OVERLAY	NONE
45245	1761981846	4.18	I-40 OVERLAY	NONE
18298	2772343504	0.42	I-40 OVERLAY	NONE
1905	1772212208	0.52	I-40 OVERLAY	NONE
39609	2722278387	40.16	I-40 OVERLAY	NONE
59937	1771386208	0.93	I-40 OVERLAY	NONE
59938	1771385414	1.02	I-40 OVERLAY	NONE
44330	2781081265		I-40 OVERLAY	NONE
9299	1792878571	1.27	I-40 OVERLAY	NONE
9300	1792866537	4.3	I-40 OVERLAY	NONE
9301	1792878185	2.94	I-40 OVERLAY	NONE
9726	2732980125	9.28	I-40 OVERLAY	NONE
16505	2732987679	0.62	I-40 OVERLAY	NONE
17586	2742081440	1.83	I-40 OVERLAY	NONE
33652	2732988367	4.29	I-40 OVERLAY	NONE
12742	2733805309	0.98	I-40 OVERLAY	NONE
15592	2732762768	5	I-40 OVERLAY	NONE
38553	2732775126	1.61	I-40 OVERLAY	NONE
17585	2732970609	5.14	I-40 OVERLAY	NONE
33613	2732768921	3.75	I-40 OVERLAY	NONE
37305	2732866545	60.74	I-40 OVERLAY	NONE
14063	2742252924	1.16	I-40 OVERLAY	NONE
36680	2732880193	1.39	I-40 OVERLAY	NONE
48500	2781396009	1.12	I-40 OVERLAY	NONE
28478	2772150978	1.79	I-40 OVERLAY	NONE
57592	2722498406	2.75	I-40 OVERLAY	NONE
41723	1772956488	0.78	I-40 OVERLAY	NONE
54204	1771370463	0.68	I-40 OVERLAY	NONE
9751	1751891029	1.14	I-40 OVERLAY	NONE
5618	2712259759	4.1	I-40 OVERLAY	NONE
9190	2712356416	18.48	I-40 OVERLAY	NONE
63156	1761972205	0.6	I-40 OVERLAY	NONE
9792	1772953370	0.54	I-40 OVERLAY	NONE
39416	1782064415	0.36	I-40 OVERLAY	NONE
39410	1782064505	0.34	I-40 OVERLAY	NONE
43483	1761973402	2.53	I-40 OVERLAY	NONE
43469	1761974214	1.34	I-40 OVERLAY	NONE
63157	1761970275	0.55	I-40 OVERLAY	NONE
45356	2742785690	1	I-40 OVERLAY	NONE
9518	2732754921	6.31	I-40 OVERLAY	NONE

33614	2732669296	1.76	I-40 OVERLAY	NONE
36124	2732764281	2.01	I-40 OVERLAY	NONE
36125	2732762322	0.37	I-40 OVERLAY	NONE
42335	2732765402	1.51	I-40 OVERLAY	NONE
60297	2732764596	0.66	I-40 OVERLAY	NONE
1534	2712760517	0.45	I-40 OVERLAY	NONE
1533	2712760652	0.12	I-40 OVERLAY	NONE
43874	1782022695	0.68	I-40 OVERLAY	NONE
9862	1782020893	1.43	I-40 OVERLAY	NONE
7654	1751566683	7.01	I-40 OVERLAY	NONE
45290	1761785920	0.52	I-40 OVERLAY	NONE
45291	1761785880	0.43	I-40 OVERLAY	NONE
45292	1761786710	0.42	I-40 OVERLAY	NONE
45293	1761786429	1.47	I-40 OVERLAY	NONE
45332	1761774100	0.62	I-40 OVERLAY	NONE
45334	1761767715	2.54	I-40 OVERLAY	NONE
45335	1761764747	0.67	I-40 OVERLAY	NONE
45336	1761762797	0.8	I-40 OVERLAY	NONE
24447	2781096340	5.8	I-40 OVERLAY	NONE
32027	2772024978	3.48	I-40 OVERLAY	NONE
31118	1762515611	3.65	I-40 OVERLAY	NONE
21735	1762011558	3.48	I-40 OVERLAY	NONE
23356	1752908914	2.51	I-40 OVERLAY	NONE
50050	2722589031	0.68	I-40 OVERLAY	NONE
15459	1761085116	0.1	I-40 OVERLAY	NONE
9888	1751960861	27	I-40 OVERLAY	NONE
30368	1751978809	13.68	I-40 OVERLAY	NONE
36279	1772317098	0.86	I-40 OVERLAY	NONE
36280	1772316036	0.69	I-40 OVERLAY	NONE
42015	1771081516	0.69	I-40 OVERLAY	NONE
62597	1782243667	16.24	I-40 OVERLAY	NONE
63168	1782242975	0.84	I-40 OVERLAY	NONE
49082	1782251499	1.88	I-40 OVERLAY	NONE
40732	1782158342	1.01	I-40 OVERLAY	NONE
62598	1782250220	1.14	I-40 OVERLAY	NONE
62599	1782159231	0.15	I-40 OVERLAY	NONE
23289	1752103310	68.44	I-40 OVERLAY	NONE
41768	2722288607	2.98	I-40 OVERLAY	NONE
13557	2742089814	1.47	I-40 OVERLAY	NONE
33121	2733604601	1.83	I-40 OVERLAY	NONE
35516	2733606587	4.3	I-40 OVERLAY	NONE
21196	2772061475	0.85	I-40 OVERLAY	NONE
18112	1752158403	3.7	I-40 OVERLAY	NONE
20396	1752154574	0.8	I-40 OVERLAY	NONE
20630	1782046327	2.63	I-40 OVERLAY	NONE
3387	1771893973	0.58	I-40 OVERLAY	NONE
3388	1772802070	0.47	I-40 OVERLAY	NONE
9945	1772900505	1.34	I-40 OVERLAY	NONE
9946	1772900246	11.3	I-40 OVERLAY	NONE
31139	1772805376	0.49	I-40 OVERLAY	NONE
31140	1772805255	0.48	I-40 OVERLAY	NONE

31141	1772805124	0.51	I-40 OVERLAY	NONE
31142	1772804063	0.49	I-40 OVERLAY	NONE
55530	2772349300	0.97	I-40 OVERLAY	NONE
8308	1782049552	0.56	I-40 OVERLAY	NONE
21795	2772251003	2.68	I-40 OVERLAY	NONE
24025	2772030235	1.47	I-40 OVERLAY	NONE
29720	2772031374	0.95	I-40 OVERLAY	NONE
43762	1762904172	2.16	I-40 OVERLAY	NONE
58039	1762901170	3.83	I-40 OVERLAY	NONE
45247	1761982405	4.09	I-40 OVERLAY	NONE
10121	2762938528	0.51	I-40 OVERLAY	NONE
17520	2762178644	1.29	I-40 OVERLAY	NONE
47461	2771696489	5.99	I-40 OVERLAY	NONE
15050	2753908039	0.94	I-40 OVERLAY	NONE
10051	2732760712	0.93	I-40 OVERLAY	NONE
59757	1772609387	10.36	I-40 OVERLAY	NONE
26143	2753907372	0.44	I-40 OVERLAY	NONE
12380	2762095548	6.85	I-40 OVERLAY	NONE
10060	2762090736	1.76	I-40 OVERLAY	NONE
10061	2762093913	3.19	I-40 OVERLAY	NONE
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10430	1792253786	156.66	I-40 OVERLAY	NONE
14099	2742189921	5.64	I-40 OVERLAY	NONE
35902	1751990446	1.14	I-40 OVERLAY	NONE
59053	2772222276	2.12	I-40 OVERLAY	NONE
26075	1782016976	2.48	I-40 OVERLAY	NONE
28260	1782028414	3.7	I-40 OVERLAY	NONE
30693	1782016723	3.83	I-40 OVERLAY	NONE
28259	1782027126	2.54	I-40 OVERLAY	NONE
18407	1752619109	0.89	I-40 OVERLAY	NONE
10194	1761383784	0.07	I-40 OVERLAY	NONE
9980	1782161898	3.6	I-40 OVERLAY	NONE
38413	1782160800	3.69	I-40 OVERLAY	NONE
19385	1771587639	6.52	I-40 OVERLAY	NONE
31091	1771586091	8.91	I-40 OVERLAY	NONE
35100	1771582571	1.63	I-40 OVERLAY	NONE
36291	1771390738	1.46	I-40 OVERLAY	NONE
36292	1771392629	1.02	I-40 OVERLAY	NONE
54221	1771492452	22.3	I-40 OVERLAY	NONE
54222	1771682671	8.48	I-40 OVERLAY	NONE
54225	1771594331	0.75	I-40 OVERLAY	NONE
54941	1771596591	1.13	I-40 OVERLAY	NONE
54976	1771693121	0.99	I-40 OVERLAY	NONE
54980	1771691144	0.84	I-40 OVERLAY	NONE
54982	1771596253	0.98	I-40 OVERLAY	NONE
55019	1771595000	1.43	I-40 OVERLAY	NONE
55055	1771481468	1.03	I-40 OVERLAY	NONE
55093	1771389722	0.82	I-40 OVERLAY	NONE
55108	1771397010	1.27	I-40 OVERLAY	NONE
55133	1771389996	0.99	I-40 OVERLAY	NONE
55216	1771482827	0.99	I-40 OVERLAY	NONE

55252	1771483748	1.16	I-40 OVERLAY	NONE
55263	1771484792	1.27	I-40 OVERLAY	NONE
55290	1771488713	1.1	I-40 OVERLAY	NONE
55297	1771580789	0.99	I-40 OVERLAY	NONE
55298	1771582839	0.98	I-40 OVERLAY	NONE
55309	1771593008	1.04	I-40 OVERLAY	NONE
57191	1771486087	8.57	I-40 OVERLAY	NONE
36293	1771394717	1.46	I-40 OVERLAY	NONE
20039	1761565227	2.51	I-40 OVERLAY	NONE
32889	1761565623	1	I-40 OVERLAY	NONE
28233	1772527452	4.09	I-40 OVERLAY	NONE
54196	1771368989	0.51	I-40 OVERLAY	NONE
54197	1771368911	0.53	I-40 OVERLAY	NONE
59121	1761991025	0.72	I-40 OVERLAY	NONE
10105	2732566499	3.53	I-40 OVERLAY	NONE
18990	2762930212	6.05	I-40 OVERLAY	NONE
32710	1751870240	0.45	I-40 OVERLAY	NONE
29013	1751871602	0.46	I-40 OVERLAY	NONE
39582	1751778658	0.39	I-40 OVERLAY	NONE
41412	1751779536	0.7	I-40 OVERLAY	NONE
15167	2762668771	0.33	I-40 OVERLAY	NONE
13136	2733708586	1.95	I-40 OVERLAY	NONE
32712	1751870488	0.45	I-40 OVERLAY	NONE
41413	1751779540	0.57	I-40 OVERLAY	NONE
32711	1751870363	0.45	I-40 OVERLAY	NONE
47547	1751779219	0.76	I-40 OVERLAY	NONE
29024	1772420361	5.57	I-40 OVERLAY	NONE
29023	1772401652	54.25	I-40 OVERLAY	NONE
49598	2732998020	2.91	I-40 OVERLAY	NONE
12388	2732280743	10.42	I-40 OVERLAY	NONE
24188	1752708636	1.03	I-40 OVERLAY	NONE
51838	1752706635	1.05	I-40 OVERLAY	NONE
53661	1772626423	3.01	I-40 OVERLAY	NONE
15876	2762677666	0.11	I-40 OVERLAY	NONE
19367	2762677606	0.44	I-40 OVERLAY	NONE
30568	2762678646	0.52	I-40 OVERLAY	NONE
27155	2772113930	0.7	I-40 OVERLAY	NONE
4635	2732699833	0.47	I-40 OVERLAY	NONE
32897	2732790925	0.71	I-40 OVERLAY	NONE
44524	1751751425	24.31	I-40 OVERLAY	NONE
29071	1751976004	0.45	I-40 OVERLAY	NONE
29072	1761161897	16	I-40 OVERLAY	NONE
5318	1751877485	0.52	I-40 OVERLAY	NONE
22746	1751878366	2	I-40 OVERLAY	NONE
7147	2702955339	0.52	I-40 OVERLAY	NONE
14560	2742584857	2.4	I-40 OVERLAY	NONE
1506	2732392930	0.25	I-40 OVERLAY	NONE
45288	1761784633	0.57	I-40 OVERLAY	NONE
16121	1792555033	0.57	I-40 OVERLAY	NONE
32073	2772346981	0.91	I-40 OVERLAY	NONE
25607	2772613444	0.3	I-40 OVERLAY	NONE

61488	2772612474	0.16	I-40 OVERLAY	NONE
33621	2732563617	2.33	I-40 OVERLAY	NONE
58926	1771377437	0.51	I-40 OVERLAY	NONE
19553	2772156775	1.22	I-40 OVERLAY	NONE
61581	2772157637	0.13	I-40 OVERLAY	NONE
55047	1771486391	1.56	I-40 OVERLAY	NONE
29310	1772218393	0.42	I-40 OVERLAY	NONE
437	2712687230	0.45	I-40 OVERLAY	NONE
13654	2733400954	1.63	I-40 OVERLAY	NONE
14584	2733002675	0.19	I-40 OVERLAY	NONE
29691	1761858384	1	I-40 OVERLAY	NONE
22198	2762566430	0.45	I-40 OVERLAY	NONE
47400	2781292044	1.06	I-40 OVERLAY	NONE
29204	2772056905	0.4	I-40 OVERLAY	NONE
20009	1782156603	0.5	I-40 OVERLAY	NONE
16274	1751966768	3.43	I-40 OVERLAY	NONE
16275	1751978261	2.62	I-40 OVERLAY	NONE
17124	1762410126	0.86	I-40 OVERLAY	NONE
10471	2722998226	3.46	I-40 OVERLAY	NONE
11736	2722993134	20.61	I-40 OVERLAY	NONE
12381	2722985335	9.14	I-40 OVERLAY	NONE
11738	2732091676	1.16	I-40 OVERLAY	NONE
12382	2732081768	15.2	I-40 OVERLAY	NONE
58913	1771470796	0.68	I-40 OVERLAY	NONE
58914	1771471962	0.91	I-40 OVERLAY	NONE
59953	1771288872	0.95	I-40 OVERLAY	NONE
29209	1752915892	2	I-40 OVERLAY	NONE
29213	1752914285	0.69	I-40 OVERLAY	NONE
44856	1752916605	1.18	I-40 OVERLAY	NONE
44857	1752918877	0.3	I-40 OVERLAY	NONE
47164	1752916204	0.26	I-40 OVERLAY	NONE
10238	1751787682	1.3	I-40 OVERLAY	NONE
29211	1752915520	0.49	I-40 OVERLAY	NONE
44855	1752915308	0.56	I-40 OVERLAY	NONE
29216	1752919517	2.23	I-40 OVERLAY	NONE
55527	1762010302	0.85	I-40 OVERLAY	NONE
39598	1752915148	0.09	I-40 OVERLAY	NONE
49703	1752915892		I-40 OVERLAY	NONE
33025	1751761296	23.97	I-40 OVERLAY	NONE
29224	1751771152	24.32	I-40 OVERLAY	NONE
6488	2722099517	2.91	I-40 OVERLAY	NONE
46145	1771178258	0.6	I-40 OVERLAY	NONE
46214	1771179190	0.84	I-40 OVERLAY	NONE
46215	1771271146	0.93	I-40 OVERLAY	NONE
48304	2722375377	1.88	I-40 OVERLAY	NONE
57682	1772527056	6.35	I-40 OVERLAY	NONE
64318	1772621116	0.11	I-40 OVERLAY	NONE
29232	1772518485	17.31	I-40 OVERLAY	NONE
9617	2772615152	3.43	I-40 OVERLAY	NONE
558	2742395447	2.98	I-40 OVERLAY	NONE
14700	2742099656	3.5	I-40 OVERLAY	NONE

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48254	1761968328	0.6	I-40 OVERLAY	NONE
48255	1761969348	0.54	I-40 OVERLAY	NONE
48256	1771060327	0.54	I-40 OVERLAY	NONE
48257	1771061346	0.56	I-40 OVERLAY	NONE
19262	2762187186	0.93	I-40 OVERLAY	NONE
36750	2762835826	0.73	I-40 OVERLAY	NONE
42148	2762187009	0.57	I-40 OVERLAY	NONE
29302	2762175947	1.54	I-40 OVERLAY	NONE
19274	2762837923	0.71	I-40 OVERLAY	NONE
51171	2722486778	0.79	I-40 OVERLAY	NONE
62696	2762185241	1.16	I-40 OVERLAY	NONE
51640	1762323122	7.56	I-40 OVERLAY	NONE
51641	1762313526	7.56	I-40 OVERLAY	NONE
40955	1762117548	1.15	I-40 OVERLAY	NONE
42142	1762124281		I-40 OVERLAY	NONE
55963	1762115894	0.53	I-40 OVERLAY	NONE
53971	1762029294	0.14	I-40 OVERLAY	NONE
18868	1772059332	1.05	I-40 OVERLAY	NONE
27261	1762408923	0.52	I-40 OVERLAY	NONE
38450	1762328925	1.67	I-40 OVERLAY	NONE
48272	1771065062	0.89	I-40 OVERLAY	NONE
48273	1771064054	0.87	I-40 OVERLAY	NONE
48274	1771063024	0.71	I-40 OVERLAY	NONE
48275	1771062018	0.68	I-40 OVERLAY	NONE
29322	2781384637	2	I-40 OVERLAY	NONE
41670	1771092504	0.74	I-40 OVERLAY	NONE
37585	2732373724	7.24	I-40 OVERLAY	NONE
37586	2732370417	6.1	I-40 OVERLAY	NONE
55422	2722878363	17.06	I-40 OVERLAY	NONE
37638	2732299325	0.91	I-40 OVERLAY	NONE
38414	1782068144	0.01	I-40 OVERLAY	NONE
44205	1772532033	7.77	I-40 OVERLAY	NONE
44573	1761476582	0.74	I-40 OVERLAY	NONE
48298	2722378554	1.49	I-40 OVERLAY	NONE
28480	2771893610	8.4	I-40 OVERLAY	NONE
14274	2742297860	3.6	I-40 OVERLAY	NONE
55259	2742670176	4.05	I-40 OVERLAY	NONE
1217	1782032819	0.31	I-40 OVERLAY	NONE
24558	1782031836	0.94	I-40 OVERLAY	NONE
10594	2742660629	3.07	I-40 OVERLAY	NONE
10598	2742661409	0.98	I-40 OVERLAY	NONE
38428	1752052954	3.56	I-40 OVERLAY	NONE
62536	1752051903	0.14	I-40 OVERLAY	NONE
23115	2762079769	0.3	I-40 OVERLAY	NONE
13234	2733708391	0.4	I-40 OVERLAY	NONE
32495	2733800127	0.73	I-40 OVERLAY	NONE
37910	2733802400	3	I-40 OVERLAY	NONE
55194	1772004241	0.32	I-40 OVERLAY	NONE
55023	1771584636	1.45	I-40 OVERLAY	NONE

29505	1772720582	20.98	I-40 OVERLAY	NONE
44926	1772712858	1.08	I-40 OVERLAY	NONE
29950	2781185769	4.86	I-40 OVERLAY	NONE
26116	2762675848	0.71	I-40 OVERLAY	NONE
33143	2762628941	1.99	I-40 OVERLAY	NONE
29453	2762627686	3.21	I-40 OVERLAY	NONE
3685	1772938388	0.47	I-40 OVERLAY	NONE
42311	2722998750	0.11	I-40 OVERLAY	NONE
10998	2722999740	0.75	I-40 OVERLAY	NONE
18487	2772519795	0.54	I-40 OVERLAY	NONE
42344	2762945347	1.24	I-40 OVERLAY	NONE
18852	2762934507	0.82	I-40 OVERLAY	NONE
17932	2772132635	0.63	I-40 OVERLAY	NONE
20622	2781273166	16.42	I-40 OVERLAY	NONE
29400	2781192970	0.75	I-40 OVERLAY	NONE
54904	2781194976	0.5	I-40 OVERLAY	NONE
14406	2723312934	3.3	I-40 OVERLAY	NONE
57589	2722591128	2.67	I-40 OVERLAY	NONE
57590	2722499015	1.25	I-40 OVERLAY	NONE
29401	2781169803	17.62	I-40 OVERLAY	NONE
14886	2762583305	1	I-40 OVERLAY	NONE
10669	2742969989	21.01	I-40 OVERLAY	NONE
10055	2762089402	2.5	I-40 OVERLAY	NONE
43459	2762086589	1.04	I-40 OVERLAY	NONE
14283	2742667668	0.5	I-40 OVERLAY	NONE
14287	2742668738	5.3	I-40 OVERLAY	NONE
14405	2723314913	2	I-40 OVERLAY	NONE
56265	2723600195	4.38	I-40 OVERLAY	NONE
10658	2732780597	1.86	I-40 OVERLAY	NONE
63266	2732687798	6.17	I-40 OVERLAY	NONE
32716	1751872155	0.49	I-40 OVERLAY	NONE
38224	2712162827	6.47	I-40 OVERLAY	NONE
23307	1782022150	0.53	I-40 OVERLAY	NONE
23374	1782022041	0.51	I-40 OVERLAY	NONE
50374	2781082472	0.53	I-40 OVERLAY	NONE
45278	1761771001	0.72	I-40 OVERLAY	NONE
39608	2723510398	1	I-40 OVERLAY	NONE
10684	2723501280	2.63	I-40 OVERLAY	NONE
35606	2723408107	2.57	I-40 OVERLAY	NONE
46433	1762647296	3.81	I-40 OVERLAY	NONE
45644	1752914061	0.39	I-40 OVERLAY	NONE
40938	2742181781	2.99	I-40 OVERLAY	NONE
12582	2712243189	0.7	I-40 OVERLAY	NONE
951	1772226224	1.87	I-40 OVERLAY	NONE
952	1772225506	0.23	I-40 OVERLAY	NONE
953	1772227258	1.43	I-40 OVERLAY	NONE
12043	1772225691	0.23	I-40 OVERLAY	NONE
23244	1772224512	0.23	I-40 OVERLAY	NONE
23246	1772223437	0.17	I-40 OVERLAY	NONE
36855	1772229472	0.89	I-40 OVERLAY	NONE
1903	1772228230	0.97	I-40 OVERLAY	NONE

5233	1772223077	0.46	I-40 OVERLAY	NONE
19139	1772223390	0.88	I-40 OVERLAY	NONE
19140	1772223187	0.45	I-40 OVERLAY	NONE
10695	2732395753	2.24	I-40 OVERLAY	NONE
13616	2743305942	2.34	I-40 OVERLAY	NONE
10696	2732876614	0.9	I-40 OVERLAY	NONE
33629	2722590925	14.84	I-40 OVERLAY	NONE
29319	2762166230	6.05	I-40 OVERLAY	NONE
29320	2762164329	1.97	I-40 OVERLAY	NONE
31125	1772807756	0.44	I-40 OVERLAY	NONE
30649	1772959502	1.17	I-40 OVERLAY	NONE
29675	1762534990	1.86	I-40 OVERLAY	NONE
28408	1762633716	1	I-40 OVERLAY	NONE
43111	1762630676	3.8	I-40 OVERLAY	NONE
29661	1761280691	1.4	I-40 OVERLAY	NONE
54013	1762531265	0.87	I-40 OVERLAY	NONE
56201	1761280819	1.88	I-40 OVERLAY	NONE
39526	2762580328	0.54	I-40 OVERLAY	NONE
50720	2762582404	0.6	I-40 OVERLAY	NONE
29673	1762531093	3.85	I-40 OVERLAY	NONE
16527	1761087762	5.4	I-40 OVERLAY	NONE
26469	1762531881	0.5	I-40 OVERLAY	NONE
29668	2762182264	4.41	I-40 OVERLAY	NONE
49913	2762182264		I-40 OVERLAY	NONE
16240	1761766082	15.33	I-40 OVERLAY	NONE
43673	2732174088	13.61	I-40 OVERLAY	NONE
28592	1761852739	2.16	I-40 OVERLAY	NONE
11552	2723911105	0.64	I-40 OVERLAY	NONE
11003	2733305498	6.52	I-40 OVERLAY	NONE
48232	2762557953	0.29	I-40 OVERLAY	NONE
11392	2723818195	2	I-40 OVERLAY	NONE
10789	2723910238	0.54	I-40 OVERLAY	NONE
35602	1761762409	8.49	I-40 OVERLAY	NONE
29679	1761855324	7.27	I-40 OVERLAY	NONE
43167	1761854579	1.17	I-40 OVERLAY	NONE
43898	1761856749	4.88	I-40 OVERLAY	NONE
9532	1762908842	1.16	I-40 OVERLAY	NONE
6953	1772323474	1.54	I-40 OVERLAY	NONE
14920	1772626920	0.63	I-40 OVERLAY	NONE
28868	2762928671	0.52	I-40 OVERLAY	NONE
10811	2742499554	6.1	I-40 OVERLAY	NONE
47612	2742573383	0.43	I-40 OVERLAY	NONE
36692	2732883079	1.09	I-40 OVERLAY	NONE
53954	2723819974	0.01	I-40 OVERLAY	NONE
53960	2723819910	0.01	I-40 OVERLAY	NONE
49405	1772836340	4	I-40 OVERLAY	NONE
1464	2733001152	0.76	I-40 OVERLAY	NONE
42202	1771172040	1.61	I-40 OVERLAY	NONE
20886	2772349823	0.41	I-40 OVERLAY	NONE
14501	2732498356	27.56	I-40 OVERLAY	NONE
21821	1782069133	0.43	I-40 OVERLAY	NONE

35692	1772858431	0.6	I-40 OVERLAY	NONE
655	1761369562	0.83	I-40 OVERLAY	NONE
46594	1761369356	1.92	I-40 OVERLAY	NONE
48830	2742579631	3.17	I-40 OVERLAY	NONE
45303	1761785296	0.69	I-40 OVERLAY	NONE
3160	2712144258	1.12	I-40 OVERLAY	NONE
20334	1772928634	0.46	I-40 OVERLAY	NONE
35217	1761462664	2.08	I-40 OVERLAY	NONE
753	1761462591	1.34	I-40 OVERLAY	NONE
46222	1761465436	0.5	I-40 OVERLAY	NONE
2004	1762329139	5.61	I-40 OVERLAY	NONE
25399	2762469163	1.14	I-40 OVERLAY	NONE
41801	1771081871	0.86	I-40 OVERLAY	NONE
22765	2762279561	2.25	I-40 OVERLAY	NONE
38372	1761699781	0.58	I-40 OVERLAY	NONE
17522	2762464124	4.04	I-40 OVERLAY	NONE
27108	2762467766	28.5	I-40 OVERLAY	NONE
27493	2762261653	9.56	I-40 OVERLAY	NONE
38709	2762363534	67.07	I-40 OVERLAY	NONE
45013	2762466135	1.03	I-40 OVERLAY	NONE
60001	2762248585	28.19	I-40 OVERLAY	NONE
33308	2762747593	33.36	I-40 OVERLAY	NONE
64152	2762756361	1.52	I-40 OVERLAY	NONE
13229	2743309418	5.64	I-40 OVERLAY	NONE
13585	2743604608	3.43	I-40 OVERLAY	NONE
32279	2762850429	2.08	I-40 OVERLAY	NONE
38236	2743508304	7.46	I-40 OVERLAY	NONE
41987	2762862693	4.47	I-40 OVERLAY	NONE
9463	1762605822	3.96	I-40 OVERLAY	NONE
9500	1762617148	66.05	I-40 OVERLAY	NONE
58282	1762603031	1.59	I-40 OVERLAY	NONE
58283	1762600393	7.62	I-40 OVERLAY	NONE
58284	1762600767	3.34	I-40 OVERLAY	NONE
11164	2733908229	3.7	I-40 OVERLAY	NONE
31023	2723413051	8.93	I-40 OVERLAY	NONE
31024	2723318024	1.3	I-40 OVERLAY	NONE
31026	2723314080	1.4	I-40 OVERLAY	NONE
32013	2762685381	0.39	I-40 OVERLAY	NONE
32014	2762685293	0.32	I-40 OVERLAY	NONE
3407	2712022574	1.01	I-40 OVERLAY	NONE
29788	2772504931	1	I-40 OVERLAY	NONE
24334	1772928734	0.44	I-40 OVERLAY	NONE
46060	1771194098	0.65	I-40 OVERLAY	NONE
45331	1761777258	2.76	I-40 OVERLAY	NONE
21014	1772945365	0.41	I-40 OVERLAY	NONE
29795	1772947354	0.42	I-40 OVERLAY	NONE
44749	1772912181	0.53	I-40 OVERLAY	NONE
46072	1771182888	0.5	I-40 OVERLAY	NONE
26081	1782011402	0.42	I-40 OVERLAY	NONE
40797	2762827833	2	I-40 OVERLAY	NONE
29847	2752797546	11.62	I-40 OVERLAY	NONE

30310	2762581814	1.26	I-40 OVERLAY	NONE
10956	2733109533	1.28	I-40 OVERLAY	NONE
33325	2733107555	1.15	I-40 OVERLAY	NONE
27130	2762826543	1.78	I-40 OVERLAY	NONE
45406	1751896646		I-40 OVERLAY	NONE
27946	1751697884	1.75	I-40 OVERLAY	NONE
31108	1782065247	0.6	I-40 OVERLAY	NONE
35048	2742369782	5.86	I-40 OVERLAY	NONE
11009	2742570225	3	I-40 OVERLAY	NONE
5480	1792553847	1.49	I-40 OVERLAY	NONE
4989	1772102030	1.51	I-40 OVERLAY	NONE
26322	1762414492	0.3	I-40 OVERLAY	NONE
31094	1751861671	0.74	I-40 OVERLAY	NONE
49571	2723900035	1.28	I-40 OVERLAY	NONE
26076	1782051404	1.18	I-40 OVERLAY	NONE
26816	1782060084	0.56	I-40 OVERLAY	NONE
11026	2723610762	0.82	I-40 OVERLAY	NONE
11027	2723619399	1	I-40 OVERLAY	NONE
37352	2723518793	0.69	I-40 OVERLAY	NONE
44548	2723517489	0.99	I-40 OVERLAY	NONE
36957	2723516751	2.17	I-40 OVERLAY	NONE
37188	2723611528	1.38	I-40 OVERLAY	NONE
30684	1772945746	1.31	I-40 OVERLAY	NONE
24843	2723611832	0.46	I-40 OVERLAY	NONE
44357	2723610762		I-40 OVERLAY	NONE
19596	1752706321	0.53	I-40 OVERLAY	NONE
17419	2712463759	2.87	I-40 OVERLAY	NONE
34004	2712463184	2.21	I-40 OVERLAY	NONE
5867	2712468367	15.79	I-40 OVERLAY	NONE
61695	2781278725	5.19	I-40 OVERLAY	NONE
41956	1761989718	0.87	I-40 OVERLAY	NONE
27223	2772515340	0.3	I-40 OVERLAY	NONE
33178	2772514167	1.52	I-40 OVERLAY	NONE
55507	2722559823	0.58	I-40 OVERLAY	NONE
6801	2712053515	0.79	I-40 OVERLAY	NONE
2204	2712053308	1.93	I-40 OVERLAY	NONE
6138	2702959542	1.29	I-40 OVERLAY	NONE
38403	1772126167	0.06	I-40 OVERLAY	NONE
38404	1772127272	0.08	I-40 OVERLAY	NONE
38405	1772129360	0.14	I-40 OVERLAY	NONE
38406	1772221358	0.21	I-40 OVERLAY	NONE
38407	1772222442	0.22	I-40 OVERLAY	NONE
38417	1772119976	7	I-40 OVERLAY	NONE
38424	1772128276	0.1	I-40 OVERLAY	NONE
38427	1772220354	0.18	I-40 OVERLAY	NONE
55077	2762734713	7.49	I-40 OVERLAY	NONE
62746	2733007566	0.28	I-40 OVERLAY	NONE
36270	1772300793	1.52	I-40 OVERLAY	NONE
36285	1772300591	0.78	I-40 OVERLAY	NONE
2221	1782022991	0.72	I-40 OVERLAY	NONE
23549	1782022797	0.45	I-40 OVERLAY	NONE

20475	1762538771	1	I-40 OVERLAY	NONE
27447	1762433283	0.67	I-40 OVERLAY	NONE
46243	1771272334	1.1	I-40 OVERLAY	NONE
15064	1772924329	0.55	I-40 OVERLAY	NONE
2308	1782031350	0.56	I-40 OVERLAY	NONE
356	2712674923	3.5	I-40 OVERLAY	NONE
5844	1772215147	0.75	I-40 OVERLAY	NONE
5843	1772215007	0.96	I-40 OVERLAY	NONE
18454	1762419370	1.92	I-40 OVERLAY	NONE
7973	1762510145	0.57	I-40 OVERLAY	NONE
47823	2712058381	0	I-40 OVERLAY	NONE
3813	2712058144	2.88	I-40 OVERLAY	NONE
39743	2742674207	1.71	I-40 OVERLAY	NONE
2470	2702154380	1.02	I-40 OVERLAY	NONE
8411	2772347362	0.53	I-40 OVERLAY	NONE
11090	2732686351	2.86	I-40 OVERLAY	NONE
51364	2712058381	2.95	I-40 OVERLAY	NONE
50235	2742670176		I-40 OVERLAY	NONE
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5243	2712049095	1.16	I-40 OVERLAY	NONE
15178	1752532347	1.25	I-40 OVERLAY	NONE
17731	2742874753	0.67	I-40 OVERLAY	NONE
33651	2742875475	5.31	I-40 OVERLAY	NONE
11096	2742851241	26.62	I-40 OVERLAY	NONE
64022	1752531558	1.02	I-40 OVERLAY	NONE
20988	1772945576	0.51	I-40 OVERLAY	NONE
11615	2723611317	2.44	I-40 OVERLAY	NONE
54502	2742858114	23.67	I-40 OVERLAY	NONE
46033	1761699453	0.72	I-40 OVERLAY	NONE
45258	1761699156	0.64	I-40 OVERLAY	NONE
26733	2733009619	0.7	I-40 OVERLAY	NONE
15179	1752533201	0.46	I-40 OVERLAY	NONE
44889	1761587639		I-40 OVERLAY	NONE
18453	1762525904	0.45	I-40 OVERLAY	NONE
54205	1771278596	0.66	I-40 OVERLAY	NONE
20239	1772959234	0.47	I-40 OVERLAY	NONE
20236	1782040928	3.63	I-40 OVERLAY	NONE
55053	1771484391	1.48	I-40 OVERLAY	NONE
13230	2733706278	0.91	I-40 OVERLAY	NONE
14900	1751872592	0.4	I-40 OVERLAY	NONE
32496	2733708177	0.72	I-40 OVERLAY	NONE
42055	1771080237	0.97	I-40 OVERLAY	NONE
3682	1772938427	0.46	I-40 OVERLAY	NONE
14550	2742591181	0.91	I-40 OVERLAY	NONE
3341	2702868592	2.16	I-40 OVERLAY	NONE
33996	2702869884	2.43	I-40 OVERLAY	NONE
19984	1772216206	0.51	I-40 OVERLAY	NONE
57727	1782757102	0.7	I-40 OVERLAY	NONE
14425	2781399408	1.39	I-40 OVERLAY	NONE
19551	2772050226	1.23	I-40 OVERLAY	NONE
25411	1751786854	0.32	I-40 OVERLAY	NONE

5725	1751785996	0.66	I-40 OVERLAY	NONE
33646	2732775789	0.15	I-40 OVERLAY	NONE
43839	2772057605	2.56	I-40 OVERLAY	NONE
56116	1761464946	3.02	I-40 OVERLAY	NONE
14913	1761463727	2.2	I-40 OVERLAY	NONE
9983	1752902380	1.14	I-40 OVERLAY	NONE
25434	1751991992	0.93	I-40 OVERLAY	NONE
29305	1752902024	0.5	I-40 OVERLAY	NONE
11153	2732774352	0.43	I-40 OVERLAY	NONE
28492	2762491169	0.86	I-40 OVERLAY	NONE
11154	2732774692	1	I-40 OVERLAY	NONE
19932	2762566230	1.21	I-40 OVERLAY	NONE
50365	2781086567	0.5	I-40 OVERLAY	NONE
2531	2712143086	0.71	I-40 OVERLAY	NONE
2532	2712134989	0.36	I-40 OVERLAY	NONE
22944	2762967543	2.01	I-40 OVERLAY	NONE
56553	2762967791	0.5	I-40 OVERLAY	NONE
15132	2772054209	5.41	I-40 OVERLAY	NONE
19550	2772052698	2.09	I-40 OVERLAY	NONE
43840	2772054687	1.02	I-40 OVERLAY	NONE
54186	1771461889	1.24	I-40 OVERLAY	NONE
29700	1782056261	1.34	I-40 OVERLAY	NONE
40675	2712142097	0.84	I-40 OVERLAY	NONE
2556	2723206692	3.98	I-40 OVERLAY	NONE
39347	1751975156	0.52	I-40 OVERLAY	NONE
53178	1751762687	0.59	I-40 OVERLAY	NONE
42489	1771095703	0.7	I-40 OVERLAY	NONE
11167	2743005278	2.7	I-40 OVERLAY	NONE
17336	2743001277	0.79	I-40 OVERLAY	NONE
14995	2752975196	14.91	I-40 OVERLAY	NONE
36772	2762970040	0.38	I-40 OVERLAY	NONE
15033	2771898200	0.22	I-40 OVERLAY	NONE
61463	2771897264	1.47	I-40 OVERLAY	NONE
15312	2762922330	1	I-40 OVERLAY	NONE
25216	2762564476	0.99	I-40 OVERLAY	NONE
31123	1772807593	0.43	I-40 OVERLAY	NONE
31124	1772805571	0.56	I-40 OVERLAY	NONE
44079	1772806590	0.5	I-40 OVERLAY	NONE
19486	2762935567	0.71	I-40 OVERLAY	NONE
19319	2772063126	1	I-40 OVERLAY	NONE
28631	1782054386	1.09	I-40 OVERLAY	NONE
27148	1771591765	3.99	I-40 OVERLAY	NONE
4209	1772854215	6.26	I-40 OVERLAY	NONE
38695	2762671183	0.79	I-40 OVERLAY	NONE
27694	2762673170	0.2	I-40 OVERLAY	NONE
38696	2762671085	0.31	I-40 OVERLAY	NONE
38697	2762663958	0.51	I-40 OVERLAY	NONE
47297	1792866969	0.27	I-40 OVERLAY	NONE
57068	2723411886	0.06	I-40 OVERLAY	NONE
39686	2722560133	1.09	I-40 OVERLAY	NONE
42383	2722587152	0.51	I-40 OVERLAY	NONE

47463	2771696905	1.17	I-40 OVERLAY	NONE
11379	2723613378	0.61	I-40 OVERLAY	NONE
32719	1751862707	0.51	I-40 OVERLAY	NONE
36744	2732886227	0.82	I-40 OVERLAY	NONE
42484	1771094249	0.73	I-40 OVERLAY	NONE
29361	2762750453	0.52	I-40 OVERLAY	NONE
48267	1771151974	3	I-40 OVERLAY	NONE
57032	1771287461	0.66	I-40 OVERLAY	NONE
56757	1771284190	0.71	I-40 OVERLAY	NONE
29877	2772025140	2.04	I-40 OVERLAY	NONE
926	2712770211	17	I-40 OVERLAY	NONE
7370	1792561133	0.94	I-40 OVERLAY	NONE
39141	2702952523	0.99	I-40 OVERLAY	NONE
43603	2702952659	2	I-40 OVERLAY	NONE
25796	1772925919	1.03	I-40 OVERLAY	NONE
21015	1772945465	0.41	I-40 OVERLAY	NONE
53250	1772620407	1.32	I-40 OVERLAY	NONE
38685	2781194825	0.38	I-40 OVERLAY	NONE
15711	1792669613	6.99	I-40 OVERLAY	NONE
18499	2772318996	0.93	I-40 OVERLAY	NONE
18496	2772329229	0.39	I-40 OVERLAY	NONE
34950	2772506161	0.35	I-40 OVERLAY	NONE
43122	2772505199	1.21	I-40 OVERLAY	NONE
46583	2772506165	0.14	I-40 OVERLAY	NONE
11373	2723615891	5.54	I-40 OVERLAY	NONE
43837	1761876815	1.44	I-40 OVERLAY	NONE
45319	1761877740	1.86	I-40 OVERLAY	NONE
45320	1761873877	2.16	I-40 OVERLAY	NONE
15255	1752050328	0.54	I-40 OVERLAY	NONE
41571	1752614322	0.45	I-40 OVERLAY	NONE
18567	1752613347	0.38	I-40 OVERLAY	NONE
45430	1772015302	1.31	I-40 OVERLAY	NONE
13655	2733411170	0.67	I-40 OVERLAY	NONE
21168	2762952538	0.66	I-40 OVERLAY	NONE
31149	1772801665	0.44	I-40 OVERLAY	NONE
27041	1751886573	0.5	I-40 OVERLAY	NONE
45243	1761991275	4.35	I-40 OVERLAY	NONE
50367	2781084693	0.52	I-40 OVERLAY	NONE
45308	1761881621	1.25	I-40 OVERLAY	NONE
45307	1761788589	1.27	I-40 OVERLAY	NONE
62587	2772120708	4.12	I-40 OVERLAY	NONE
62586	2772125822	18.65	I-40 OVERLAY	NONE
18317	2772038323	0.84	I-40 OVERLAY	NONE
62588	2772123301	4.17	I-40 OVERLAY	NONE
39349	2772039370	1.23	I-40 OVERLAY	NONE
63154	2722480721	0.97	I-40 OVERLAY	NONE
45305	1761788307	1.17	I-40 OVERLAY	NONE
25506	2762675968	0.27	I-40 OVERLAY	NONE
45374	1751895830		I-40 OVERLAY	NONE
321	1762542478	0.94	I-40 OVERLAY	NONE
17517	2762272628	0.73	I-40 OVERLAY	NONE

39547	2762273712	0.54	I-40 OVERLAY	NONE
45266	1761688256	1.94	I-40 OVERLAY	NONE
56794	1762335160	0.5	I-40 OVERLAY	NONE
9426	1762335967	2.34	I-40 OVERLAY	NONE
51700	1762334428	3.81	I-40 OVERLAY	NONE
17516	2762270655	0.98	I-40 OVERLAY	NONE
27429	2762177859	0.5	I-40 OVERLAY	NONE
18304	2772248448	1.53	I-40 OVERLAY	NONE
45386	2722994787	1.37	I-40 OVERLAY	NONE
45445	2722996786	1.02	I-40 OVERLAY	NONE
45857	2723904261	0.98	I-40 OVERLAY	NONE
47636	2723905051	0.91	I-40 OVERLAY	NONE
49433	2762073745	2.01	I-40 OVERLAY	NONE
58641	1762537887	0.54	I-40 OVERLAY	NONE
23275	1772954384	1.13	I-40 OVERLAY	NONE
32273	2743007085	1.14	I-40 OVERLAY	NONE
51319	2781085170	0.5	I-40 OVERLAY	NONE
24612	2772901169	4.06	I-40 OVERLAY	NONE
32036	2781253586	25.45	I-40 OVERLAY	NONE
50228	2772905310	5	I-40 OVERLAY	NONE
32293	2732792215	1.71	I-40 OVERLAY	NONE
14180	2742660082	10	I-40 OVERLAY	NONE
25486	1742959760	3.86	I-40 OVERLAY	NONE
48278	1761969018	0.84	I-40 OVERLAY	NONE
21769	2781394726	0.59	I-40 OVERLAY	NONE
50667	2781395721	0.61	I-40 OVERLAY	NONE
50668	2781396614	0.56	I-40 OVERLAY	NONE
50673	2782308010	0.5	I-40 OVERLAY	NONE
50674	2782306085	0.5	I-40 OVERLAY	NONE
50675	2781395989	0.5	I-40 OVERLAY	NONE
30565	2781391672	0.33	I-40 OVERLAY	NONE
48828	2742566533	5.13	I-40 OVERLAY	NONE
11436	2732799020	0.9	I-40 OVERLAY	NONE
50364	2781087553	0.5	I-40 OVERLAY	NONE
53926	2781088806	0.51	I-40 OVERLAY	NONE
11386	2723715593	1.4	I-40 OVERLAY	NONE
11387	2723714525	0.68	I-40 OVERLAY	NONE
11388	2723705713	2.22	I-40 OVERLAY	NONE
20591	2781099433	0.59	I-40 OVERLAY	NONE
4345	1792754459	0.99	I-40 OVERLAY	NONE
57739	2732791123	1.08	I-40 OVERLAY	NONE
36742	1751791935	0.58	I-40 OVERLAY	NONE
19366	2762675636	0.47	I-40 OVERLAY	NONE
20768	1772100030	1.91	I-40 OVERLAY	NONE
15266	1772903697	0.67	I-40 OVERLAY	NONE
44324	2723219975	0	I-40 OVERLAY	NONE
52462	1782045083	1	I-40 OVERLAY	NONE
23588	1762418561	0.6	I-40 OVERLAY	NONE
16567	1762414207	0.29	I-40 OVERLAY	NONE
19650	1761499739	19.69	I-40 OVERLAY	NONE
33126	1762408631	18.12	I-40 OVERLAY	NONE

16566	1762419862	0.55	I-40 OVERLAY	NONE
26057	1761592700	1.3	I-40 OVERLAY	NONE
20975	1761499371	0.51	I-40 OVERLAY	NONE
16576	1762437328	0.93	I-40 OVERLAY	NONE
18159	1761476700	1.43	I-40 OVERLAY	NONE
35228	1761380122		I-40 OVERLAY	NONE
16525	1761188152	2.07	I-40 OVERLAY	NONE
29674	1762437154	0.79	I-40 OVERLAY	NONE
28609	1762428421	1.3	I-40 OVERLAY	NONE
18163	1761070420	1.48	I-40 OVERLAY	NONE
21565	1751978555	0.4	I-40 OVERLAY	NONE
46391	2722379299	1.07	I-40 OVERLAY	NONE
18109	1762435268	0.75	I-40 OVERLAY	NONE
51642	1762218564	7.56	I-40 OVERLAY	NONE
50058	1772828096	1.39	I-40 OVERLAY	NONE
18040	1772959989	0.72	I-40 OVERLAY	NONE
25077	2762653725	21.9	I-40 OVERLAY	NONE
25066	2762569522	3.22	I-40 OVERLAY	NONE
44629	2762651147	0.64	I-40 OVERLAY	NONE
17518	2762276671	5.69	I-40 OVERLAY	NONE
17519	2762270364	4.59	I-40 OVERLAY	NONE
20696	2762274516	1	I-40 OVERLAY	NONE
20969	2762273255	0.83	I-40 OVERLAY	NONE
47731	2742585312	0.08	I-40 OVERLAY	NONE
47732	2742256731	0.07	I-40 OVERLAY	NONE
47733	2742457328	0.02	I-40 OVERLAY	NONE
55334	2732682153	0.61	I-40 OVERLAY	NONE
11858	2732683353	3.02	I-40 OVERLAY	NONE
26834	1772947682	0.43	I-40 OVERLAY	NONE
18100	1751569223	1.09	I-40 OVERLAY	NONE
30269	2772613246	1.39	I-40 OVERLAY	NONE
27589	2772615551	2.77	I-40 OVERLAY	NONE
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26099	1772927823	1.29	I-40 OVERLAY	NONE
64003	1762228707	0.75	I-40 OVERLAY	NONE
48311	2772020936	0.57	I-40 OVERLAY	NONE
13911	2762675723	0.19	I-40 OVERLAY	NONE
19826	2762672661	0.9	I-40 OVERLAY	NONE
56475	2722793175	10.12	I-40 OVERLAY	NONE
36297	1772304211	1.32	I-40 OVERLAY	NONE
63633	1761978065	0.35	I-40 OVERLAY	NONE
17521	2762356559	1.64	I-40 OVERLAY	NONE
22901	2772144685	4	I-40 OVERLAY	NONE
58583	2762925373	0.45	I-40 OVERLAY	NONE
27793	1772925188	0.27	I-40 OVERLAY	NONE
32474	1772926300	0.88	I-40 OVERLAY	NONE
59173	1761376589		I-40 OVERLAY	NONE
15430	1761587639	1	I-40 OVERLAY	NONE
15446	1761376589	0.63	I-40 OVERLAY	NONE
24070	1762903658	11.68	I-40 OVERLAY	NONE
25330	1772226686	0.23	I-40 OVERLAY	NONE

25331	1772227780	0.26	I-40 OVERLAY	NONE
18892	2772036641	1.22	I-40 OVERLAY	NONE
35978	1762013301	0.52	I-40 OVERLAY	NONE
42457	1771173298	0.69	I-40 OVERLAY	NONE
42459	1771174158	0.64	I-40 OVERLAY	NONE
13156	2732799222	0.64	I-40 OVERLAY	NONE
1637	2712479330	5.21	I-40 OVERLAY	NONE
44412	2722682189	0.67	I-40 OVERLAY	NONE
27180	2762938803	0.62	I-40 OVERLAY	NONE
10030	2742587929	1.78	I-40 OVERLAY	NONE
55591	2742586621	1.57	I-40 OVERLAY	NONE
39204	2762555769	0.21	I-40 OVERLAY	NONE
23155	2772020181	1	I-40 OVERLAY	NONE
23156	2762928283	0.1	I-40 OVERLAY	NONE
27951	2762674330	0.34	I-40 OVERLAY	NONE
27284	1782156235	2.13	I-40 OVERLAY	NONE
36099	1751777623	1.05	I-40 OVERLAY	NONE
58817	1751782023	0.92	I-40 OVERLAY	NONE
36089	1751786110	1.2	I-40 OVERLAY	NONE
52020	1751777922	0.44	I-40 OVERLAY	NONE
36100	1751779675	0.57	I-40 OVERLAY	NONE
30371	1751774647	0.94	I-40 OVERLAY	NONE
15315	2762677968	0.5	I-40 OVERLAY	NONE
63635	1761968889	0.35	I-40 OVERLAY	NONE
63636	1761969823	0.35	I-40 OVERLAY	NONE
63637	1761969799	0.35	I-40 OVERLAY	NONE
15432	1772965020	8.74	I-40 OVERLAY	NONE
46275	1771282689	0.69	I-40 OVERLAY	NONE
5827	1772202981	0.54	I-40 OVERLAY	NONE
12957	2732893301	1.97	I-40 OVERLAY	NONE
11579	2723601790	2.05	I-40 OVERLAY	NONE
36041	2723601942	0.26	I-40 OVERLAY	NONE
9186	1782058045	0.95	I-40 OVERLAY	NONE
59641	1762348130	0	I-40 OVERLAY	NONE
608	2723205920	0.6	I-40 OVERLAY	NONE
31055	2723311345	19.45	I-40 OVERLAY	NONE
46330	1771282975	0.62	I-40 OVERLAY	NONE
29034	1772118117	0.63	I-40 OVERLAY	NONE
31098	1772116430	0.44	I-40 OVERLAY	NONE
29033	1772117353	1.3	I-40 OVERLAY	NONE
29035	1772118034	0.76	I-40 OVERLAY	NONE
29036	1772109915	0.52	I-40 OVERLAY	NONE
43169	1762444090	3.36	I-40 OVERLAY	NONE
48849	1762437959	0.11	I-40 OVERLAY	NONE
52023	1762435109	1.25	I-40 OVERLAY	NONE
18793	1762447228	3.84	I-40 OVERLAY	NONE
18794	1762438919	0.91	I-40 OVERLAY	NONE
40018	1762438898	0.29	I-40 OVERLAY	NONE
24981	1762330184	0.98	I-40 OVERLAY	NONE
56792	1762236150	4.9	I-40 OVERLAY	NONE
33468	2762648891	3.81	I-40 OVERLAY	NONE

23125	2772020408	0.33	I-40 OVERLAY	NONE
22318	2762666387	0.35	I-40 OVERLAY	NONE
17514	2762280078	1.14	I-40 OVERLAY	NONE
42009	1782032694	0.86	I-40 OVERLAY	NONE
42387	1782037545	1.42	I-40 OVERLAY	NONE
44972	1772910953	0.71	I-40 OVERLAY	NONE
11563	2742676629	4.38	I-40 OVERLAY	NONE
36278	1772318300	0.83	I-40 OVERLAY	NONE
18455	1762536826	0.54	I-40 OVERLAY	NONE
20477	1762542689	0.3	I-40 OVERLAY	NONE
58331	1762806078	0.01	I-40 OVERLAY	NONE
24383	1761896986	1.5	I-40 OVERLAY	NONE
44987	1761895820	0.38	I-40 OVERLAY	NONE
60484	1772726866	0.69	I-40 OVERLAY	NONE
41585	1772728479	18.25	I-40 OVERLAY	NONE
30436	2723202531	0.35	I-40 OVERLAY	NONE
18872	1772932103	0.72	I-40 OVERLAY	NONE
18884	1761063515	0.48	I-40 OVERLAY	NONE
2524	2712021515	0.37	I-40 OVERLAY	NONE
5825	1772211068	0.51	I-40 OVERLAY	NONE
23585	1772213766	0.54	I-40 OVERLAY	NONE
18691	2781280487	2.11	I-40 OVERLAY	NONE
18960	2781280136	0.8	I-40 OVERLAY	NONE
42348	1771164983	1.33	I-40 OVERLAY	NONE
58502	1792469697	0.29	I-40 OVERLAY	NONE
11616	2742476458	1.24	I-40 OVERLAY	NONE
42303	2733208329	2.32	I-40 OVERLAY	NONE
8087	2723412585	0.88	I-40 OVERLAY	NONE
3484	2722296776	0.83	I-40 OVERLAY	NONE
3483	2722298798	0.91	I-40 OVERLAY	NONE
8086	2723412417	1.1	I-40 OVERLAY	NONE
11594	2723712494	0.83	I-40 OVERLAY	NONE
33617	2723701668	1.22	I-40 OVERLAY	NONE
20306	2762165651	0.92	I-40 OVERLAY	NONE
11599	2723512848	2.4	I-40 OVERLAY	NONE
11611	2723509654	4.51	I-40 OVERLAY	NONE
40937	2742184779	3.1	I-40 OVERLAY	NONE
46344	2742477758	1	I-40 OVERLAY	NONE
46354	2742476241	2.48	I-40 OVERLAY	NONE
40813	2723714369	0.85	I-40 OVERLAY	NONE
11598	2723711472	1	I-40 OVERLAY	NONE
33616	2723700669	1.52	I-40 OVERLAY	NONE
11628	2742475874	0.7	I-40 OVERLAY	NONE
46352	2742476579	1.14	I-40 OVERLAY	NONE
46353	2742475771	0.3	I-40 OVERLAY	NONE
47991	2722374757	2	I-40 OVERLAY	NONE
12723	2752049588	59.6	I-40 OVERLAY	NONE
13609	2752477781	722.66	I-40 OVERLAY	NONE
3511	2702143633	2.12	I-40 OVERLAY	NONE
30657	1782159691	0.98	I-40 OVERLAY	NONE
31132	1772904952	0.45	I-40 OVERLAY	NONE

31130	1772902991	0.86	I-40 OVERLAY	NONE
45323	1761778970	1.67	I-40 OVERLAY	NONE
20253	2772413676	0.86	I-40 OVERLAY	NONE
20255	2772413489	0.74	I-40 OVERLAY	NONE
39371	1752704512	5.35	I-40 OVERLAY	NONE
42060	1751898869	0.42	I-40 OVERLAY	NONE
25560	1761691844	0.53	I-40 OVERLAY	NONE
9925	1751890480	0.44	I-40 OVERLAY	NONE
19056	1751799375	0.45	I-40 OVERLAY	NONE
19058	1752916423	0.46	I-40 OVERLAY	NONE
30699	1751891293	0.73	I-40 OVERLAY	NONE
14868	2732784672	0.73	I-40 OVERLAY	NONE
32294	2732786346	1.05	I-40 OVERLAY	NONE
46569	2732785532	0.2	I-40 OVERLAY	NONE
49256	2732785401	2.9	I-40 OVERLAY	NONE
45287	1761783757	0.46	I-40 OVERLAY	NONE
21708	2772809223	0.64	I-40 OVERLAY	NONE
22240	2772808546	2.32	I-40 OVERLAY	NONE
24811	2772807364	1	I-40 OVERLAY	NONE
28476	2772809399	0.79	I-40 OVERLAY	NONE
45773	2772808175	0.19	I-40 OVERLAY	NONE
61739	2772900597	0.03	I-40 OVERLAY	NONE
61738	2772900468	0.01	I-40 OVERLAY	NONE
18503	2771898383	3.23	I-40 OVERLAY	NONE
42506	1772008050	1.26	I-40 OVERLAY	NONE
2114	1762411188	0.86	I-40 OVERLAY	NONE
48236	1772110299	2	I-40 OVERLAY	NONE
26538	1772857826	16.52	I-40 OVERLAY	NONE
43810	1782871007	0.19	I-40 OVERLAY	NONE
3536	1782871182	1.04	I-40 OVERLAY	NONE
221	2772145492	0.36	I-40 OVERLAY	NONE
56051	1752051178	0.86	I-40 OVERLAY	NONE
52050	1772950551	0.55	I-40 OVERLAY	NONE
42285	2772034169	0.51	I-40 OVERLAY	NONE
24026	2762935104	1.04	I-40 OVERLAY	NONE
61900	1762320522	1.6	I-40 OVERLAY	NONE
47039	1751899930	0.04	I-40 OVERLAY	NONE
19123	1751896984	0.62	I-40 OVERLAY	NONE
18495	2772619446	1.25	I-40 OVERLAY	NONE
49409	2772618232	1.51	I-40 OVERLAY	NONE
59720	1761991418		I-40 OVERLAY	NONE
45229	1761991418	0.63	I-40 OVERLAY	NONE
45227	1761898489	0.65	I-40 OVERLAY	NONE
9836	1772938933	2.66	I-40 OVERLAY	NONE
54185	1771460787	1.08	I-40 OVERLAY	NONE
54199	1771365971	0.57	I-40 OVERLAY	NONE
54200	1771374070	0.73	I-40 OVERLAY	NONE
38225	2722588221	0.52	I-40 OVERLAY	NONE
5989	1782055782	0.54	I-40 OVERLAY	NONE
5990	1782056797	0.53	I-40 OVERLAY	NONE
19144	1782054688	0.54	I-40 OVERLAY	NONE

33175	1762556021	1.02	I-40 OVERLAY	NONE
36757	1762557177	0.81	I-40 OVERLAY	NONE
12384	2732088725	10.42	I-40 OVERLAY	NONE
18134	1751776914	0.74	I-40 OVERLAY	NONE
18082	1751969909	1	I-40 OVERLAY	NONE
4289	1792454719	36.11	I-40 OVERLAY	NONE
41773	1771092008	0.91	I-40 OVERLAY	NONE
59949	1771390127	0.74	I-40 OVERLAY	NONE
27907	1782052769	0.42	I-40 OVERLAY	NONE
18976	2763003215	1.98	I-40 OVERLAY	NONE
37463	2763000338	2.28	I-40 OVERLAY	NONE
41327	2743602139	1.94	I-40 OVERLAY	NONE
13430	2742691865	3.4	I-40 OVERLAY	NONE
48677	2743694823	1.85	I-40 OVERLAY	NONE
23299	1772959313	0.54	I-40 OVERLAY	NONE
51322	2781081265	0.5	I-40 OVERLAY	NONE
24600	1752704014	0.97	I-40 OVERLAY	NONE
62528	1762317727	3.41	I-40 OVERLAY	NONE
43422	1761964151	1.88	I-40 OVERLAY	NONE
3662	2712667491	2.09	I-40 OVERLAY	NONE
3671	1782154407	1.53	I-40 OVERLAY	NONE
22546	1761098406	10.75	I-40 OVERLAY	NONE
19227	1751198605	2	I-40 OVERLAY	NONE
18859	1772632396	0.66	I-40 OVERLAY	NONE
16554	1761073751	0.2	I-40 OVERLAY	NONE
19239	1761074481	9.6	I-40 OVERLAY	NONE
19240	1761070588	0.52	I-40 OVERLAY	NONE
38371	2722589193	0.54	I-40 OVERLAY	NONE
27701	1782153143	1	I-40 OVERLAY	NONE
31126	1772808768	0.42	I-40 OVERLAY	NONE
38994	1751788031	0.94	I-40 OVERLAY	NONE
21703	1761171522	0.5	I-40 OVERLAY	NONE
45281	1761780796	0.58	I-40 OVERLAY	NONE
19273	2762846171	1.06	I-40 OVERLAY	NONE
23999	2772504477	1.49	I-40 OVERLAY	NONE
12149	2762670883	4.92	I-40 OVERLAY	NONE
11740	2742666921	2.2	I-40 OVERLAY	NONE
42040	1771080440	0.84	I-40 OVERLAY	NONE
45262	1761688644	0.67	I-40 OVERLAY	NONE
19316	2762937507	0.5	I-40 OVERLAY	NONE
39171	1762520938	1.39	I-40 OVERLAY	NONE
52465	1752708814	1.11	I-40 OVERLAY	NONE
52466	1752706905	1.17	I-40 OVERLAY	NONE
22072	1772907610	0.39	I-40 OVERLAY	NONE
45237	1761990707	0.63	I-40 OVERLAY	NONE
45238	1761991716	0.61	I-40 OVERLAY	NONE
53167	2762488343	0.14	I-40 OVERLAY	NONE
24081	2762486252	2.91	I-40 OVERLAY	NONE
53165	2762478905	2.09	I-40 OVERLAY	NONE
53166	2762570923	2.62	I-40 OVERLAY	NONE
24080	2762487490	0.56	I-40 OVERLAY	NONE

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23137	1772108373	0.89	I-40 OVERLAY	NONE
23245	1772200770	0.54	I-40 OVERLAY	NONE
29821	1772107530	0.95	I-40 OVERLAY	NONE
29157	1772201622	0.58	I-40 OVERLAY	NONE
54834	1772107230	1.05	I-40 OVERLAY	NONE
5822	1772109867	0.54	I-40 OVERLAY	NONE
5823	1772200718	0.55	I-40 OVERLAY	NONE
58668	1772103753	1	I-40 OVERLAY	NONE
60289	1772103833	0.55	I-40 OVERLAY	NONE
58321	1772113433	0.26	I-40 OVERLAY	NONE
58609	1762322924	0.53	I-40 OVERLAY	NONE
58637	1792663633	8.28	I-40 OVERLAY	NONE
45417	2732561902	2.06	I-40 OVERLAY	NONE
18228	2762355376	2.36	I-40 OVERLAY	NONE
25764	2723829017	0.67	I-40 OVERLAY	NONE
55427	2722681742	22.75	I-40 OVERLAY	NONE
15233	1782866602	7.34	I-40 OVERLAY	NONE
19427	1782152719	0.52	I-40 OVERLAY	NONE
6368	2712060240	0.55	I-40 OVERLAY	NONE
19443	1761584781	0.66	I-40 OVERLAY	NONE
19439	1761793538	5.88	I-40 OVERLAY	NONE
3864	1761264956	28.71	I-40 OVERLAY	NONE
19457	1761468360	0.98	I-40 OVERLAY	NONE
54673	1761562584	1.38	I-40 OVERLAY	NONE
19456	1761561166	4.34	I-40 OVERLAY	NONE
19442	1762507136	1.32	I-40 OVERLAY	NONE
19444	1761597810	1.35	I-40 OVERLAY	NONE
32957	1761594855	4.29	I-40 OVERLAY	NONE
9719	2742084979	2.4	I-40 OVERLAY	NONE
20279	1782156573	0.59	I-40 OVERLAY	NONE
50846	1762427724	0.5	I-40 OVERLAY	NONE
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42709	2762565692	0.31	I-40 OVERLAY	NONE
59002	2762567625	0.05	I-40 OVERLAY	NONE
44460	2772348845	0.58	I-40 OVERLAY	NONE
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30244	2771693814	2.79	I-40 OVERLAY	NONE
30312	2762752324	0.56	I-40 OVERLAY	NONE
25392	2762275907	0.95	I-40 OVERLAY	NONE
58301	2762161664	0.53	I-40 OVERLAY	NONE
21849	1782156908	0.86	I-40 OVERLAY	NONE
35067	2771799620	0.86	I-40 OVERLAY	NONE
53080	2771890273	4.18	I-40 OVERLAY	NONE
49774	2771890273		I-40 OVERLAY	NONE
19544	2772057075	3.9	I-40 OVERLAY	NONE
19545	2772047835	1.4	I-40 OVERLAY	NONE
16662	2772159408	0.68	I-40 OVERLAY	NONE
19547	2772159257	0.53	I-40 OVERLAY	NONE
60667	2772159323	0.31	I-40 OVERLAY	NONE
63711	2772157439	0.63	I-40 OVERLAY	NONE

19541	2772802785	4.46	I-40 OVERLAY	NONE
19533	2771797031	4.91	I-40 OVERLAY	NONE
12870	2732590633	3.9	I-40 OVERLAY	NONE
46103	1771184574	0.64	I-40 OVERLAY	NONE
7982	2762946387	1.24	I-40 OVERLAY	NONE
3925	2762955666	4.38	I-40 OVERLAY	NONE
19565	2762959687	4.96	I-40 OVERLAY	NONE
43841	2762958333	1.09	I-40 OVERLAY	NONE
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62469	1772738707	1	I-40 OVERLAY	NONE
38171	2723103874	1.57	I-40 OVERLAY	NONE
575	1782066668	10.51	I-40 OVERLAY	NONE
38449	1762337432	3.2	I-40 OVERLAY	NONE
5	2781191358	1.05	I-40 OVERLAY	NONE
13606	2742263054	1.17	I-40 OVERLAY	NONE
54072	1761585005	9.54	I-40 OVERLAY	NONE
54073	1761660083	4.86	I-40 OVERLAY	NONE
23425	1762431073	2.35	I-40 OVERLAY	NONE
46396	2722379126	1	I-40 OVERLAY	NONE
48156	2722377153	0.77	I-40 OVERLAY	NONE
48179	2722376120	0.64	I-40 OVERLAY	NONE
25294	1772211204	0.39	I-40 OVERLAY	NONE
25295	1772210185	0.45	I-40 OVERLAY	NONE
19776	1762436413	0.77	I-40 OVERLAY	NONE
58819	1751770729	0.08	I-40 OVERLAY	NONE
19594	1751679715	1.24	I-40 OVERLAY	NONE
19603	1751678640	1.14	I-40 OVERLAY	NONE
31105	1751676887	2.22	I-40 OVERLAY	NONE
40167	1772844711	0.96	I-40 OVERLAY	NONE
29318	2762561281	0.7	I-40 OVERLAY	NONE
40632	2732666651	0.88	I-40 OVERLAY	NONE
2311	1772939686	0.55	I-40 OVERLAY	NONE
2154	2722293397	1.35	I-40 OVERLAY	NONE
2992	2722293633	0.3	I-40 OVERLAY	NONE
2993	2722293143	0.93	I-40 OVERLAY	NONE
48178	1772912629	2.38	I-40 OVERLAY	NONE
33321	2762754835	1.59	I-40 OVERLAY	NONE
51294	1772830287	0.99	I-40 OVERLAY	NONE
60218	1762222909	4.99	I-40 OVERLAY	NONE
43484	1761982092	2.9	I-40 OVERLAY	NONE
28281	2772143052	2	I-40 OVERLAY	NONE
52037	2762771592	1.76	I-40 OVERLAY	NONE
38042	2702144414	0.79	I-40 OVERLAY	NONE
54179	1771363819	0.59	I-40 OVERLAY	NONE
54198	1771366899	0.54	I-40 OVERLAY	NONE
46135	1771280303	0.82	I-40 OVERLAY	NONE
46136	1771280223	0.75	I-40 OVERLAY	NONE
63450	1771280185	0.3	I-40 OVERLAY	NONE
46185	1771176200	0.59	I-40 OVERLAY	NONE
59755	1771795448	10.72	I-40 OVERLAY	NONE
7499	1792660002	1.1	I-40 OVERLAY	NONE

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59954	1771289638	1.02	I-40 OVERLAY	NONE
38207	2732673084	0.46	I-40 OVERLAY	NONE
64430	1762504521	0.85	I-40 OVERLAY	NONE
26618	1761585571	1	I-40 OVERLAY	NONE
55423	2722876810	20.11	I-40 OVERLAY	NONE
62745	2733007657	0.65	I-40 OVERLAY	NONE
20468	1782011532	0.43	I-40 OVERLAY	NONE
37050	1782011661	0.34	I-40 OVERLAY	NONE
2307	1782030467	0.56	I-40 OVERLAY	NONE
37113	1751791875	0.54	I-40 OVERLAY	NONE
24269	1751879857	5.5	I-40 OVERLAY	NONE
27147	1772436556	3.12	I-40 OVERLAY	NONE
27219	1762800868	1.29	I-40 OVERLAY	NONE
46397	2722378796	1.04	I-40 OVERLAY	NONE
51164	2722482668	0.92	I-40 OVERLAY	NONE
55432	2722694711	2.79	I-40 OVERLAY	NONE
57586	2722599456	0.09	I-40 OVERLAY	NONE
46398	2722373917	0.31	I-40 OVERLAY	NONE
48300	2722386041	1.17	I-40 OVERLAY	NONE
48301	2722377735	1.02	I-40 OVERLAY	NONE
51173	2722485437	0.96	I-40 OVERLAY	NONE
51176	2722472925	0.76	I-40 OVERLAY	NONE
52776	2722382149	0.5	I-40 OVERLAY	NONE
55429	2722580586	11.87	I-40 OVERLAY	NONE
55430	2722474536	14.09	I-40 OVERLAY	NONE
24378	1772634111	0.67	I-40 OVERLAY	NONE
29968	2733407732	6.84	I-40 OVERLAY	NONE
43383	2733417149	0.87	I-40 OVERLAY	NONE
53385	1762908374	0.35	I-40 OVERLAY	NONE
15903	2732396505	0.8	I-40 OVERLAY	NONE
21956	1772638528	3	I-40 OVERLAY	NONE
18406	1772641150	22.67	I-40 OVERLAY	NONE
44014	1772737565	1	I-40 OVERLAY	NONE
51293	1772830561	2	I-40 OVERLAY	NONE
10152	2742280540	2.13	I-40 OVERLAY	NONE
19785	1752055517	1.75	I-40 OVERLAY	NONE
23318	2762954064	1.16	I-40 OVERLAY	NONE
21917	1762741812	0.7	I-40 OVERLAY	NONE
19797	1762742818	0.88	I-40 OVERLAY	NONE
14906	1761486188	0.4	I-40 OVERLAY	NONE
15444	1761487167	0.12	I-40 OVERLAY	NONE
19798	1761485178	0.37	I-40 OVERLAY	NONE
39314	2742255995	1.94	I-40 OVERLAY	NONE
19489	1762743817	0.55	I-40 OVERLAY	NONE
5720	2712060114	1.22	I-40 OVERLAY	NONE
24735	1782164026	0.68	I-40 OVERLAY	NONE
14911	1762319390	0.4	I-40 OVERLAY	NONE
56879	1771286141	0.87	I-40 OVERLAY	NONE
43825	2762579282	3.29	I-40 OVERLAY	NONE
19818	1782047629	1.36	I-40 OVERLAY	NONE

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19848	2762860942	0.9	I-40 OVERLAY	NONE
63035	1772725696	0.71	I-40 OVERLAY	NONE
19830	1782010923	0.52	I-40 OVERLAY	NONE
11377	2723616529	3.5	I-40 OVERLAY	NONE
10837	2723813971	8.03	I-40 OVERLAY	NONE
214	2712689118	0.54	I-40 OVERLAY	NONE
43078	2723817976	0.22	I-40 OVERLAY	NONE
40116	2723817879	0.13	I-40 OVERLAY	NONE
10838	2723816930	0.58	I-40 OVERLAY	NONE
19752	1782048880	0.46	I-40 OVERLAY	NONE
19820	1782048457	0.53	I-40 OVERLAY	NONE
43919	2781164980	17.93	I-40 OVERLAY	NONE
37587	2732275356	3.74	I-40 OVERLAY	NONE
10779	2723106857	1.17	I-40 OVERLAY	NONE
32247	2723104667	0.58	I-40 OVERLAY	NONE
16622	2723717617	0.39	I-40 OVERLAY	NONE
18013	1762641557	0.4	I-40 OVERLAY	NONE
41657	1772005139	0.43	I-40 OVERLAY	NONE
25323	2771991392	0.6	I-40 OVERLAY	NONE
25934	2762396363	2.03	I-40 OVERLAY	NONE
37715	1762532784	0.28	I-40 OVERLAY	NONE
43901	1762534741	0.42	I-40 OVERLAY	NONE
28984	1762536506	0.22	I-40 OVERLAY	NONE
19973	2781085845	0.82	I-40 OVERLAY	NONE
50368	2781084607	0.52	I-40 OVERLAY	NONE
50369	2781083712	0.52	I-40 OVERLAY	NONE
50370	2781081797	0.77	I-40 OVERLAY	NONE
50371	2781080505	0.5	I-40 OVERLAY	NONE
50372	2781080591	0.51	I-40 OVERLAY	NONE
50373	2781081487	0.51	I-40 OVERLAY	NONE
50377	2781087219	0.83	I-40 OVERLAY	NONE
50379	2781088230	0.55	I-40 OVERLAY	NONE
50380	2781087001	0.62	I-40 OVERLAY	NONE
51318	2781085011	0.5	I-40 OVERLAY	NONE
51320	2781083156	0.5	I-40 OVERLAY	NONE
51321	2781082250	0.5	I-40 OVERLAY	NONE
51324	2771989383	0.51	I-40 OVERLAY	NONE
51325	2771988388	0.52	I-40 OVERLAY	NONE
51327	2781083257	0.69	I-40 OVERLAY	NONE
51328	2771988086	0.66	I-40 OVERLAY	NONE
51329	2771989082	0.68	I-40 OVERLAY	NONE
51330	2781070977	0.7	I-40 OVERLAY	NONE
51331	2781071953	0.81	I-40 OVERLAY	NONE
51332	2781072848	0.82	I-40 OVERLAY	NONE
51333	2781073833	0.83	I-40 OVERLAY	NONE
51334	2781074717	0.83	I-40 OVERLAY	NONE
51335	2781075703	0.83	I-40 OVERLAY	NONE
54488	2781096062	0.5	I-40 OVERLAY	NONE
19928	2762666867	2.83	I-40 OVERLAY	NONE
64196	1752618011	1.57	I-40 OVERLAY	NONE

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48259	1771063364	0.64	I-40 OVERLAY	NONE
45248	1761890247	0.75	I-40 OVERLAY	NONE
567	2742673498	2.51	I-40 OVERLAY	NONE
47401	2781284960	7.8	I-40 OVERLAY	NONE
57710	2781295089	2.19	I-40 OVERLAY	NONE
14599	2732893033	1.19	I-40 OVERLAY	NONE
23398	1762427875	0.68	I-40 OVERLAY	NONE
48266	1771162224	3.26	I-40 OVERLAY	NONE
24504	1772956095	0.95	I-40 OVERLAY	NONE
47900	1771199177	0.61	I-40 OVERLAY	NONE
39097	2733802116	1.07	I-40 OVERLAY	NONE
13261	2733803125	0.48	I-40 OVERLAY	NONE
25329	1772321851	0.57	I-40 OVERLAY	NONE
54449	1762803461	2.7	I-40 OVERLAY	NONE
40816	2733804184	0.5	I-40 OVERLAY	NONE
63031	1762339956	1.02	I-40 OVERLAY	NONE
8003	2772422362	6.2	I-40 OVERLAY	NONE
4294	1792751643	0.4	I-40 OVERLAY	NONE
45631	1792751997	4.6	I-40 OVERLAY	NONE
4907	1792757019	4.7	I-40 OVERLAY	NONE
8388	1782860938	1.26	I-40 OVERLAY	NONE
59952	1771288905	0.89	I-40 OVERLAY	NONE
37344	2712266009	0.8	I-40 OVERLAY	NONE
4292	1782767793	1.37	I-40 OVERLAY	NONE
4323	1792551608	0.45	I-40 OVERLAY	NONE
4324	1792551307	0.37	I-40 OVERLAY	NONE
4326	1792551507	0.37	I-40 OVERLAY	NONE
16070	1792551407	0.37	I-40 OVERLAY	NONE
4320	1792656580	1.39	I-40 OVERLAY	NONE
4910	1792752183	6	I-40 OVERLAY	NONE
4322	1792551085	0.7	I-40 OVERLAY	NONE
60324	1792756921	5.36	I-40 OVERLAY	NONE
4288	1792653368	9.55	I-40 OVERLAY	NONE
4317	1792650756	0.37	I-40 OVERLAY	NONE
41253	1792758499	1.89	I-40 OVERLAY	NONE
4193	1792752558	0.43	I-40 OVERLAY	NONE
4298	1792759817	6.79	I-40 OVERLAY	NONE
4314	1792658253	7.5	I-40 OVERLAY	NONE
4332	1792754906	2.11	I-40 OVERLAY	NONE
298	1792759216	0.22	I-40 OVERLAY	NONE
4296	1792851745	2.99	I-40 OVERLAY	NONE
45400	1772438763	1.98	I-40 OVERLAY	NONE
45396	1772439531	0.79	I-40 OVERLAY	NONE
59942	1771380344	0.76	I-40 OVERLAY	NONE
2544	1771199330	0.61	I-40 OVERLAY	NONE
3307	1782020139	0.92	I-40 OVERLAY	NONE
20032	1772927074	1.88	I-40 OVERLAY	NONE
8428	1782056475	0.47	I-40 OVERLAY	NONE
8429	1782057570	0.55	I-40 OVERLAY	NONE
24506	1782059307	0.49	I-40 OVERLAY	NONE

24507	1782058312	0.42	I-40 OVERLAY	NONE
38398	1772637127	10.1	I-40 OVERLAY	NONE
14409	2723501545	4.22	I-40 OVERLAY	NONE
36272	1772313920	0.72	I-40 OVERLAY	NONE
20054	2781386816	0.88	I-40 OVERLAY	NONE
7953	2772417628	0.75	I-40 OVERLAY	NONE
370	1772828589	0.47	I-40 OVERLAY	NONE
27980	2762672212	0.49	I-40 OVERLAY	NONE
15213	1772826602	0.59	I-40 OVERLAY	NONE
58882	2762751804	1.66	I-40 OVERLAY	NONE
32676	2712073191	3.34	I-40 OVERLAY	NONE
22467	1752804280	1.07	I-40 OVERLAY	NONE
32713	1751873611	0.32	I-40 OVERLAY	NONE
32714	1751872481	0.49	I-40 OVERLAY	NONE
32715	1751872278	0.48	I-40 OVERLAY	NONE
5836	1772218052	0.53	I-40 OVERLAY	NONE
45282	1761781658	0.64	I-40 OVERLAY	NONE
45284	1761782571	0.66	I-40 OVERLAY	NONE
5830	1772206406	0.61	I-40 OVERLAY	NONE
5831	1772206594	0.56	I-40 OVERLAY	NONE
5832	1772207662	0.32	I-40 OVERLAY	NONE
2310	1772947453	0.43	I-40 OVERLAY	NONE
2615	1772947572	0.44	I-40 OVERLAY	NONE
57133	1772745463	0.8	I-40 OVERLAY	NONE
63112	1772746537	0.87	I-40 OVERLAY	NONE
53607	1751882074	1.68	I-40 OVERLAY	NONE
24046	1772922788	0.66	I-40 OVERLAY	NONE
5940	2742680712	3.75	I-40 OVERLAY	NONE
36281	1772314097	0.64	I-40 OVERLAY	NONE
36276	1772315313	0.55	I-40 OVERLAY	NONE
36282	1772313068	0.63	I-40 OVERLAY	NONE
34035	1752037379	62.63	I-40 OVERLAY	NONE
35062	1752135812	1	I-40 OVERLAY	NONE
2484	1792565569	8.24	I-40 OVERLAY	NONE
20161	2772319624	0.87	I-40 OVERLAY	NONE
45301	1761784019	0.86	I-40 OVERLAY	NONE
40121	2762583743	1.94	I-40 OVERLAY	NONE
58920	1771371926	0.58	I-40 OVERLAY	NONE
33667	2742259576	0.73	I-40 OVERLAY	NONE
6498	1751671402	13.06	I-40 OVERLAY	NONE
27332	1751684787	0.66	I-40 OVERLAY	NONE
30356	1751378091	176.22	I-40 OVERLAY	NONE
32965	1751568904	3.33	I-40 OVERLAY	NONE
33080	1751290064	9.77	I-40 OVERLAY	NONE
33131	1752153768	15.53	I-40 OVERLAY	NONE
33132	1752421266	550.76	I-40 OVERLAY	NONE
33133	1742955916	4.47	I-40 OVERLAY	NONE
20193	1772827601	0.52	I-40 OVERLAY	NONE
22472	1772967375	0.39	I-40 OVERLAY	NONE
23581	1761690636	0.24	I-40 OVERLAY	NONE
27398	1761599721	0.3	I-40 OVERLAY	NONE

43082	1761598674	0.2	I-40 OVERLAY	NONE
19100	1751895548	0.25	I-40 OVERLAY	NONE
18795	1762425936	0.82	I-40 OVERLAY	NONE
23397	1762424624	5.26	I-40 OVERLAY	NONE
50457	1762424848	0.49	I-40 OVERLAY	NONE
20195	1772823346	2.74	I-40 OVERLAY	NONE
20431	1772829889	0.73	I-40 OVERLAY	NONE
10511	2733805193	0.56	I-40 OVERLAY	NONE
45257	1761790146	0.57	I-40 OVERLAY	NONE
49193	1761791148	0.28	I-40 OVERLAY	NONE
18660	1782013135	10.53	I-40 OVERLAY	NONE
19360	2772030548	0.51	I-40 OVERLAY	NONE
12034	2742199488	1	I-40 OVERLAY	NONE
63762	2742290610	0.49	I-40 OVERLAY	NONE
11091	2743306174	1.68	I-40 OVERLAY	NONE
5042	2742092667	1.27	I-40 OVERLAY	NONE
50375	2781083378	0.56	I-40 OVERLAY	NONE
24828	2762082735	1.38	I-40 OVERLAY	NONE
10191	2762676195	0.73	I-40 OVERLAY	NONE
50376	2781084373	0.56	I-40 OVERLAY	NONE
50746	2712263312	2.2	I-40 OVERLAY	NONE
15665	2712264164	1.89	I-40 OVERLAY	NONE
2246	1782059172	0.95	I-40 OVERLAY	NONE
20305	2762162923	1.9	I-40 OVERLAY	NONE
18491	2762172167	0.97	I-40 OVERLAY	NONE
20308	2762077055	5.18	I-40 OVERLAY	NONE
21951	2762066600	6.16	I-40 OVERLAY	NONE
22735	2772152912	0.77	I-40 OVERLAY	NONE
57104	2762069992	1.96	I-40 OVERLAY	NONE
21759	2772028246	3.16	I-40 OVERLAY	NONE
49470	2772027596	1.24	I-40 OVERLAY	NONE
12125	2723300740	3.8	I-40 OVERLAY	NONE
6018	1782020574	0.44	I-40 OVERLAY	NONE
4975	1761791687	0.73	I-40 OVERLAY	NONE
4648	2702954212	0.69	I-40 OVERLAY	NONE
58912	1771378707	0.76	I-40 OVERLAY	NONE
14395	1772622452	2.26	I-40 OVERLAY	NONE
34013	2712146026	1.27	I-40 OVERLAY	NONE
13602	2742354461	3.26	I-40 OVERLAY	NONE
31143	1772802133	0.56	I-40 OVERLAY	NONE
31151	1772803708	0.59	I-40 OVERLAY	NONE
31150	1772801875	0.6	I-40 OVERLAY	NONE
20319	1772419708	48.55	I-40 OVERLAY	NONE
28431	2772151378	0.14	I-40 OVERLAY	NONE
2798	2722297143	4.38	I-40 OVERLAY	NONE
32246	2723108694	1.92	I-40 OVERLAY	NONE
54180	1771364736	0.69	I-40 OVERLAY	NONE
20354	1751552918	8.54	I-40 OVERLAY	NONE
25706	1751459661	2.01	I-40 OVERLAY	NONE
30337	1751567063	1.05	I-40 OVERLAY	NONE
47862	1772833454	3.1	I-40 OVERLAY	NONE

64002	1762228881	0.75	I-40 OVERLAY	NONE
3683	1772937586	0.45	I-40 OVERLAY	NONE
23587	2781299570	2.18	I-40 OVERLAY	NONE
43381	2781391614	0.09	I-40 OVERLAY	NONE
35320	2762925637	1.1	I-40 OVERLAY	NONE
51168	2722484609	0.74	I-40 OVERLAY	NONE
62656	2732192858	3.74	I-40 OVERLAY	NONE
28934	2772327565	1.03	I-40 OVERLAY	NONE
14095	2742184101	0.48	I-40 OVERLAY	NONE
9003	1792564392	0.45	I-40 OVERLAY	NONE
59303	2771961319	12.08	I-40 OVERLAY	NONE
19171	2772504706	0.75	I-40 OVERLAY	NONE
32261	2723202785	2.32	I-40 OVERLAY	NONE
27574	2762585628	1.72	I-40 OVERLAY	NONE
45317	1761885382	3.14	I-40 OVERLAY	NONE
45329	1761774305	0.58	I-40 OVERLAY	NONE
45272	1761678103	0.94	I-40 OVERLAY	NONE
15048	1782159712	0.9	I-40 OVERLAY	NONE
4773	1792554565	0.36	I-40 OVERLAY	NONE
4774	1792554465	0.37	I-40 OVERLAY	NONE
4775	1792554365	0.37	I-40 OVERLAY	NONE
42512	1772007297	0.89	I-40 OVERLAY	NONE
45279	1761780937	0.57	I-40 OVERLAY	NONE
11380	2723617355	0.38	I-40 OVERLAY	NONE
41679	1771090326	0.83	I-40 OVERLAY	NONE
20471	1761176775	1	I-40 OVERLAY	NONE
36094	1762524943	0.1	I-40 OVERLAY	NONE
20473	1751968653	0.68	I-40 OVERLAY	NONE
16545	1761380122	6.29	I-40 OVERLAY	NONE
20474	1761380869	4.72	I-40 OVERLAY	NONE
57802	1761283901	4.72	I-40 OVERLAY	NONE
57803	1761285952	4.72	I-40 OVERLAY	NONE
57804	1761287992	4.72	I-40 OVERLAY	NONE
57805	1761383972	4.72	I-40 OVERLAY	NONE
57806	1761387904	4.72	I-40 OVERLAY	NONE
16158	1751969597	0.8	I-40 OVERLAY	NONE
20476	1761064775	7.18	I-40 OVERLAY	NONE
61570	1761171758	0.45	I-40 OVERLAY	NONE
61571	1761182082	1.36	I-40 OVERLAY	NONE
20478	1761173910	0.27	I-40 OVERLAY	NONE
18593	2772151483	0.15	I-40 OVERLAY	NONE
41111	2772151590	0.13	I-40 OVERLAY	NONE
63371	2772059344	3.64	I-40 OVERLAY	NONE
22739	2772152492	0.16	I-40 OVERLAY	NONE
9799	2772153409	0.15	I-40 OVERLAY	NONE
54584	2772151371	0.11	I-40 OVERLAY	NONE
59824	2772150618	1.51	I-40 OVERLAY	NONE
56415	2762555769		I-40 OVERLAY	NONE
31147	1772801463	0.46	I-40 OVERLAY	NONE
54190	1771471389	0.96	I-40 OVERLAY	NONE
1126	2702959344	0.78	I-40 OVERLAY	NONE

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18855	1772923793	1	I-40 OVERLAY	NONE
48281	1761966068	1.48	I-40 OVERLAY	NONE
62657	2732193699	0.7	I-40 OVERLAY	NONE
52689	1762821323	2	I-40 OVERLAY	NONE
15923	1762719891	17.8	I-40 OVERLAY	NONE
20506	1762813922	0.85	I-40 OVERLAY	NONE
20244	1782040724	0.47	I-40 OVERLAY	NONE
20245	1782040644	0.59	I-40 OVERLAY	NONE
20797	1782042794	1.56	I-40 OVERLAY	NONE
24281	1762649529	0.28	I-40 OVERLAY	NONE
46331	1771292048	0.54	I-40 OVERLAY	NONE
9071	2702979148	0.41	I-40 OVERLAY	NONE
50366	2781085680	0.52	I-40 OVERLAY	NONE
2726	2702955553	0.43	I-40 OVERLAY	NONE
26632	2772354092	1.25	I-40 OVERLAY	NONE
48293	2772343825		I-40 OVERLAY	NONE
27954	2772032823	0.6	I-40 OVERLAY	NONE
20981	1772846876	1.07	I-40 OVERLAY	NONE
60505	1761554875	1.17	I-40 OVERLAY	NONE
12890	2733504693	18.87	I-40 OVERLAY	NONE
12891	2733601698	1.07	I-40 OVERLAY	NONE
39112	2733504805	4.01	I-40 OVERLAY	NONE
39149	2733507992	11.36	I-40 OVERLAY	NONE
39209	2733601264	4.67	I-40 OVERLAY	NONE
23277	2723909371	0.26	I-40 OVERLAY	NONE
36032	1762909848	2.16	I-40 OVERLAY	NONE
4863	2712670968	0.5	I-40 OVERLAY	NONE
4859	2712670851	0.41	I-40 OVERLAY	NONE
14601	1772967645	1.68	I-40 OVERLAY	NONE
3613	1792669011	4.96	I-40 OVERLAY	NONE
5838	1772219415	0.46	I-40 OVERLAY	NONE
6250	1772839381	1.42	I-40 OVERLAY	NONE
6251	1772930186	1.22	I-40 OVERLAY	NONE
42113	1771073519	0.59	I-40 OVERLAY	NONE
63271	1771074418	0.59	I-40 OVERLAY	NONE
63634	1761968977	0.35	I-40 OVERLAY	NONE
63641	1771063719	0.36	I-40 OVERLAY	NONE
42778	1771072280	22.51	I-40 OVERLAY	NONE
20625	1762640554	0.33	I-40 OVERLAY	NONE
23556	1762546359	1.52	I-40 OVERLAY	NONE
24282	1762526116	0.54	I-40 OVERLAY	NONE
24283	1762548514	2.68	I-40 OVERLAY	NONE
26621	1761489570	2.4	I-40 OVERLAY	NONE
55418	2732071112	8.19	I-40 OVERLAY	NONE
23698	2762662532	0.5	I-40 OVERLAY	NONE
21949	2762675131	0.66	I-40 OVERLAY	NONE
57334	2723210182	4.71	I-40 OVERLAY	NONE
39405	1772969455	0.37	I-40 OVERLAY	NONE
31002	2743723006	1.4	I-40 OVERLAY	NONE
31131	2743713456	4.93	I-40 OVERLAY	NONE

44692	2743726082	2.02	I-40 OVERLAY	NONE
12393	2732383668	17.79	I-40 OVERLAY	NONE
12394	2732388385	11.97	I-40 OVERLAY	NONE
12435	2732399100	5.6	I-40 OVERLAY	NONE
10943	2743724800	14.02	I-40 OVERLAY	NONE
12437	2743715811	4.65	I-40 OVERLAY	NONE
13873	2743109039	2.6	I-40 OVERLAY	NONE
12433	2743626362	2.08	I-40 OVERLAY	NONE
12434	2743626610	1.6	I-40 OVERLAY	NONE
22056	2762920616	0.35	I-40 OVERLAY	NONE
22057	2762829626	0.36	I-40 OVERLAY	NONE
11410	2762922617	0.19	I-40 OVERLAY	NONE
18074	2762921845	0.38	I-40 OVERLAY	NONE
26660	2762829856	0.38	I-40 OVERLAY	NONE
26661	2762920846	0.38	I-40 OVERLAY	NONE
40562	2762923708	1.23	I-40 OVERLAY	NONE
53826	1771283057	0.59	I-40 OVERLAY	NONE
39943	2772116950	1	I-40 OVERLAY	NONE
28271	2762726445	1.01	I-40 OVERLAY	NONE
56752	2742583922	0.53	I-40 OVERLAY	NONE
45254	1761793290	0.57	I-40 OVERLAY	NONE
12561	2723204671	0.88	I-40 OVERLAY	NONE
6149	2702868002	8.8	I-40 OVERLAY	NONE
43556	2702953940	3	I-40 OVERLAY	NONE
51569	2702855609	1.69	I-40 OVERLAY	NONE
20695	2762173832	1.08	I-40 OVERLAY	NONE
17513	2762272959	0.96	I-40 OVERLAY	NONE
12265	2733404125	3.07	I-40 OVERLAY	NONE
5842	1772205917	0.7	I-40 OVERLAY	NONE
31101	1772204742	1.2	I-40 OVERLAY	NONE
31102	1772205836	0.45	I-40 OVERLAY	NONE
13173	2742590380	0.46	I-40 OVERLAY	NONE
51815	2742591248	0.06	I-40 OVERLAY	NONE
6850	2702155914	2.1	I-40 OVERLAY	NONE
199	2732796868	3.4	I-40 OVERLAY	NONE
201	2732792940	0.6	I-40 OVERLAY	NONE
58911	1771379607	0.59	I-40 OVERLAY	NONE
38693	2771995010	2.9	I-40 OVERLAY	NONE
33254	2771875298	31.28	I-40 OVERLAY	NONE
54832	2771971412	26.46	I-40 OVERLAY	NONE
20747	1762013578	2.7	I-40 OVERLAY	NONE
44932	2742291875	0.5	I-40 OVERLAY	NONE
14097	2732660465	1.3	I-40 OVERLAY	NONE
57233	1772908434	0.43	I-40 OVERLAY	NONE
39834	1751775683	1.48	I-40 OVERLAY	NONE
36939	1761758389	1.83	I-40 OVERLAY	NONE
51157	1772009796	1.16	I-40 OVERLAY	NONE
43444	1772009953	0.97	I-40 OVERLAY	NONE
43445	1772019039	0.97	I-40 OVERLAY	NONE
20767	1772018275	0.95	I-40 OVERLAY	NONE
20773	2762724337	0.59	I-40 OVERLAY	NONE

39408	1782062529	0.36	I-40 OVERLAY	NONE
4991	1772104000	1.53	I-40 OVERLAY	NONE
51159	1772102285	1	I-40 OVERLAY	NONE
50669	2781397543	0.5	I-40 OVERLAY	NONE
50670	2781398648	0.5	I-40 OVERLAY	NONE
20735	1772210532	0.65	I-40 OVERLAY	NONE
20736	1772119445	0.71	I-40 OVERLAY	NONE
20781	2772153618	0.34	I-40 OVERLAY	NONE
41103	2732391080	0.84	I-40 OVERLAY	NONE
45158	2732776290	1.02	I-40 OVERLAY	NONE
45159	2732777591	4.04	I-40 OVERLAY	NONE
45273	1761771611	0.49	I-40 OVERLAY	NONE
45339	1761669801	0.62	I-40 OVERLAY	NONE
45260	1761688923	0.47	I-40 OVERLAY	NONE
45333	1761777051	2.61	I-40 OVERLAY	NONE
45341	1761666853	1	I-40 OVERLAY	NONE
58796	1751876303	0.46	I-40 OVERLAY	NONE
25509	1772934703	0.44	I-40 OVERLAY	NONE
5784	2712555424	10.69	I-40 OVERLAY	NONE
41142	1762905285	0.46	I-40 OVERLAY	NONE
37486	2771792626	11.2	I-40 OVERLAY	NONE
45294	1761783377	1.68	I-40 OVERLAY	NONE
14600	2723514931	0.9	I-40 OVERLAY	NONE
45297	1761781073	0.51	I-40 OVERLAY	NONE
39167	2733706628	1.58	I-40 OVERLAY	NONE
44951	2733706488	1.17	I-40 OVERLAY	NONE
28078	2762924352	0.62	I-40 OVERLAY	NONE
45275	1761770398	0.71	I-40 OVERLAY	NONE
51238	1761878839	0.58	I-40 OVERLAY	NONE
38528	2723911350	0.27	I-40 OVERLAY	NONE
38529	2723911438	0.21	I-40 OVERLAY	NONE
39021	2752151582	59.64	I-40 OVERLAY	NONE
22350	2772342677	0.64	I-40 OVERLAY	NONE
20848	2772148403	1.4	I-40 OVERLAY	NONE
20850	2772149551	0.59	I-40 OVERLAY	NONE
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35677	2781391210	2.34	I-40 OVERLAY	NONE
20905	2762931921	2.44	I-40 OVERLAY	NONE
25604	2781095405	0.68	I-40 OVERLAY	NONE
19563	2772158208	0.58	I-40 OVERLAY	NONE
45309	1761788820	1.19	I-40 OVERLAY	NONE
45249	1761799245	0.73	I-40 OVERLAY	NONE
22199	2772133757	1.5	I-40 OVERLAY	NONE
30624	2772041225	0.77	I-40 OVERLAY	NONE
20900	2772340659	1.92	I-40 OVERLAY	NONE
3811	2752161285	10.05	I-40 OVERLAY	NONE
45311	1761787959	1.37	I-40 OVERLAY	NONE
45313	1761894256	1.57	I-40 OVERLAY	NONE
21296	2781192522	0.25	I-40 OVERLAY	NONE
57937	2702972069	2.8	I-40 OVERLAY	NONE
43040	2762062833	2	I-40 OVERLAY	NONE

31128	1772900852	0.43	I-40 OVERLAY	NONE
27799	1772626713	0.83	I-40 OVERLAY	NONE
45280	1761780846	0.47	I-40 OVERLAY	NONE
53639	1762122261	1.01	I-40 OVERLAY	NONE
23120	1772939260	0.46	I-40 OVERLAY	NONE
22151	2762353256	0.52	I-40 OVERLAY	NONE
13049	2723619751	1.4	I-40 OVERLAY	NONE
33609	2742453168	0.57	I-40 OVERLAY	NONE
48827	2742574425	0.46	I-40 OVERLAY	NONE
21051	1772926557	0.83	I-40 OVERLAY	NONE
3714	1772950345	0.83	I-40 OVERLAY	NONE
46456	1792853609	5.76	I-40 OVERLAY	NONE
29690	1782046859	1.41	I-40 OVERLAY	NONE
12389	2732284481	11.98	I-40 OVERLAY	NONE
12392	2732289732	9.52	I-40 OVERLAY	NONE
37278	2732295117	8.94	I-40 OVERLAY	NONE
12959	2732299732	3.28	I-40 OVERLAY	NONE
45286	1761782878	0.61	I-40 OVERLAY	NONE
9424	2762856865	0.84	I-40 OVERLAY	NONE
55766	2762867040	0.78	I-40 OVERLAY	NONE
10154	2743303044	2.86	I-40 OVERLAY	NONE
2451	1782143715	0.47	I-40 OVERLAY	NONE
16944	1782142892	0.07	I-40 OVERLAY	NONE
29359	2781195340	7.42	I-40 OVERLAY	NONE
45342	1761676162	1.16	I-40 OVERLAY	NONE
23372	2772156289	0.45	I-40 OVERLAY	NONE
31127	1772809759	0.41	I-40 OVERLAY	NONE
28520	2762952748	1.92	I-40 OVERLAY	NONE
42485	1771094455	0.7	I-40 OVERLAY	NONE
47618	2722480983	1.03	I-40 OVERLAY	NONE
15916	1762521460	1.53	I-40 OVERLAY	NONE
55342	1762524369	1	I-40 OVERLAY	NONE
52758	1752254056	2	I-40 OVERLAY	NONE
60022	1792558027	2.45	I-40 OVERLAY	NONE
33506	1792557280	1.91	I-40 OVERLAY	NONE
36268	1772301908	0.96	I-40 OVERLAY	NONE
21126	1752700680	2	I-40 OVERLAY	NONE
19809	1752700764	2.78	I-40 OVERLAY	NONE
18429	1752609522	0.91	I-40 OVERLAY	NONE
55424	2722882225	22.6	I-40 OVERLAY	NONE
3667	2702929528	0.43	I-40 OVERLAY	NONE
12777	2723702696	2.86	I-40 OVERLAY	NONE
59410	1762225864	0.54	I-40 OVERLAY	NONE
21202	2762854345	1.57	I-40 OVERLAY	NONE
21183	2762859169	1.35	I-40 OVERLAY	NONE
37682	2762940628	1.62	I-40 OVERLAY	NONE
49469	2762858251	0.7	I-40 OVERLAY	NONE
37683	2762941625	1.42	I-40 OVERLAY	NONE
21185	2762950160	0.5	I-40 OVERLAY	NONE
21180	2762758281	0.82	I-40 OVERLAY	NONE
41632	2762757285	0.63	I-40 OVERLAY	NONE

47107	2762079551		I-40 OVERLAY	NONE
48618	2762856337	1.3	I-40 OVERLAY	NONE
49468	2762857273	0.8	I-40 OVERLAY	NONE
59936	1771385143	0.69	I-40 OVERLAY	NONE
40163	2732276385	3.37	I-40 OVERLAY	NONE
30671	1782151295	0.93	I-40 OVERLAY	NONE
12804	2743301587	1.41	I-40 OVERLAY	NONE
36871	2762856291	0.03	I-40 OVERLAY	NONE
41028	2762856106	0.96	I-40 OVERLAY	NONE
58818	1751771780	1.03	I-40 OVERLAY	NONE
19927	2762767704	7.29	I-40 OVERLAY	NONE
25322	2771991236	0.41	I-40 OVERLAY	NONE
62612	2712987234	0.29	I-40 OVERLAY	NONE
45471	2712986118	1.55	I-40 OVERLAY	NONE
48268	1771059967	0.82	I-40 OVERLAY	NONE
48269	1771058978	0.87	I-40 OVERLAY	NONE
11979	2743202659	0.5	I-40 OVERLAY	NONE
51446	2743201748	0.15	I-40 OVERLAY	NONE
51446	2743201748	0.15	I-40 OVERLAY	NONE
9990	2762682437	0.18	I-40 OVERLAY	NONE
21768	2781397801	0.5	I-40 OVERLAY	NONE
50676	2781396808	0.5	I-40 OVERLAY	NONE
25517	2762678144	0.68	I-40 OVERLAY	NONE
22422	1782030052	0.46	I-40 OVERLAY	NONE
5246	1792565391	0.46	I-40 OVERLAY	NONE
58610	1762333020	0.53	I-40 OVERLAY	NONE
33157	2772042412	2	I-40 OVERLAY	NONE
12834	2752067767	4.78	I-40 OVERLAY	NONE
53358	2752163817	0.93	I-40 OVERLAY	NONE
36101	2772508709	0.99	I-40 OVERLAY	NONE
27140	2762865215	7.12	I-40 OVERLAY	NONE
47303	2752165870	2.99	I-40 OVERLAY	NONE
62415	2752172086	1.26	I-40 OVERLAY	NONE
21352	2772415915	0.43	I-40 OVERLAY	NONE
21353	2772411650	0.8	I-40 OVERLAY	NONE
27892	2762582039	2.5	I-40 OVERLAY	NONE
21413	2772338628	2.53	I-40 OVERLAY	NONE
21414	2772337825	0.95	I-40 OVERLAY	NONE
21429	2772063455	0.37	I-40 OVERLAY	NONE
63486	2752175408	10.1	I-40 OVERLAY	NONE
48405	2743311212		I-40 OVERLAY	NONE
35441	2781093118	1.39	I-40 OVERLAY	NONE
50069	2781093375	0.05	I-40 OVERLAY	NONE
8781	2702957501	0.43	I-40 OVERLAY	NONE
10167	1752900584	6.7	I-40 OVERLAY	NONE
21532	1752809934	2.05	I-40 OVERLAY	NONE
32061	2771986663	7.1	I-40 OVERLAY	NONE
45251	1761797201	0.61	I-40 OVERLAY	NONE
16560	1751556568	0.37	I-40 OVERLAY	NONE
25800	1752804582	0.45	I-40 OVERLAY	NONE
60863	1751557546	0.99	I-40 OVERLAY	NONE

60864	1751555509	0.12	I-40 OVERLAY	NONE
12889	2723427006	0.62	I-40 OVERLAY	NONE
39923	2762388527	3.36	I-40 OVERLAY	NONE
21767	2762564785	1.19	I-40 OVERLAY	NONE
37588	2732264752	1.09	I-40 OVERLAY	NONE
9712	1751884964	1.43	I-40 OVERLAY	NONE
27257	1782056989	0.68	I-40 OVERLAY	NONE
34143	1751876453	0.76	I-40 OVERLAY	NONE
5320	1751874483	1.05	I-40 OVERLAY	NONE
45276	1761770295	0.67	I-40 OVERLAY	NONE
19674	1762828120	2.69	I-40 OVERLAY	NONE
52560	1762521750	0.5	I-40 OVERLAY	NONE
12912	2742581515	5.34	I-40 OVERLAY	NONE
29298	1782038265	6.26	I-40 OVERLAY	NONE
45369	1782034296	3.29	I-40 OVERLAY	NONE
51639	1762211543	4.91	I-40 OVERLAY	NONE
13789	1762226149	6.94	I-40 OVERLAY	NONE
29313	1762115442	2	I-40 OVERLAY	NONE
30354	1762328682	3.22	I-40 OVERLAY	NONE
61899	1762324624	4.27	I-40 OVERLAY	NONE
19799	1762211939	1	I-40 OVERLAY	NONE
30421	1762119540	1	I-40 OVERLAY	NONE
21614	2762467185	1.2	I-40 OVERLAY	NONE
12270	2732197907	0.87	I-40 OVERLAY	NONE
20826	2762683337	0.83	I-40 OVERLAY	NONE
38698	2762771876	1.9	I-40 OVERLAY	NONE
38699	2762770752	1.14	I-40 OVERLAY	NONE
38700	2762772696	0.71	I-40 OVERLAY	NONE
25079	2762735247	31.61	I-40 OVERLAY	NONE
13148	2742696020	1	I-40 OVERLAY	NONE
62416	2752079004	2.21	I-40 OVERLAY	NONE
41329	2742696884	3.01	I-40 OVERLAY	NONE
41328	2743606351	5.84	I-40 OVERLAY	NONE
48540	2762824721	5.94	I-40 OVERLAY	NONE
64168	2762074345	0.19	I-40 OVERLAY	NONE
42138	2762075448	0.52	I-40 OVERLAY	NONE
21668	2752989684	2.24	I-40 OVERLAY	NONE
21662	2752985188	1.6	I-40 OVERLAY	NONE
21663	2752987471	2.32	I-40 OVERLAY	NONE
21664	2752984585	4.77	I-40 OVERLAY	NONE
41918	2752984045	1.5	I-40 OVERLAY	NONE
21667	2752982457	0.52	I-40 OVERLAY	NONE
58664	2752981912	1.51	I-40 OVERLAY	NONE
15306	2752898365	0.66	I-40 OVERLAY	NONE
21653	2752898051	13.29	I-40 OVERLAY	NONE
21654	2752890083	2.54	I-40 OVERLAY	NONE
10475	2752883639	8.11	I-40 OVERLAY	NONE
28039	2752894462	2.29	I-40 OVERLAY	NONE
16237	2752988143	2	I-40 OVERLAY	NONE
21670	2762080264	3.2	I-40 OVERLAY	NONE
2949	1772509720	10.29	I-40 OVERLAY	NONE

44685	1772604929	0.41	I-40 OVERLAY	NONE
64319	1772509918	2.99	I-40 OVERLAY	NONE
16062	1792660246	1.23	I-40 OVERLAY	NONE
26667	2762829391	1	I-40 OVERLAY	NONE
30655	1762426150	11.95	I-40 OVERLAY	NONE
59756	1771796916	15.84	I-40 OVERLAY	NONE
42078	1771080162	1.02	I-40 OVERLAY	NONE
46137	1771270478	0.58	I-40 OVERLAY	NONE
21682	2781380714	3.3	I-40 OVERLAY	NONE
30248	2781381905	2.59	I-40 OVERLAY	NONE
37652	2781288593	2.89	I-40 OVERLAY	NONE
29323	2781397225	0.97	I-40 OVERLAY	NONE
37242	2781287107	3.71	I-40 OVERLAY	NONE
35920	2781288316	2.5	I-40 OVERLAY	NONE
47859	2762761063	1.88	I-40 OVERLAY	NONE
31085	1762709627	1.87	I-40 OVERLAY	NONE
32744	1752064010	1.22	I-40 OVERLAY	NONE
47763	2762069641	2.06	I-40 OVERLAY	NONE
9808	2762198780	0.72	I-40 OVERLAY	NONE
17510	2762281575	2.82	I-40 OVERLAY	NONE
22764	2762380352	9.72	I-40 OVERLAY	NONE
23905	2762292084	8.25	I-40 OVERLAY	NONE
24516	2762196135	20	I-40 OVERLAY	NONE
29719	2762194797	9	I-40 OVERLAY	NONE
32072	2762667163	4.9	I-40 OVERLAY	NONE
32150	2763008265	5.73	I-40 OVERLAY	NONE
64324	2762098846	6.12	I-40 OVERLAY	NONE
21707	2762750682	3.19	I-40 OVERLAY	NONE
14987	2772506873	0.96	I-40 OVERLAY	NONE
42495	1771095867	0.94	I-40 OVERLAY	NONE
2309	1782030516	0.54	I-40 OVERLAY	NONE
7966	2772110962	0.96	I-40 OVERLAY	NONE
46750	1772425835	4.05	I-40 OVERLAY	NONE
46260	1771282519	0.53	I-40 OVERLAY	NONE
5839	1772219631	0.52	I-40 OVERLAY	NONE
26233	2762847878	0.37	I-40 OVERLAY	NONE
10984	2732391602	0.48	I-40 OVERLAY	NONE
21659	2762179899	1.08	I-40 OVERLAY	NONE
8341	2742080881	1.17	I-40 OVERLAY	NONE
59947	1771381998	0.98	I-40 OVERLAY	NONE
59956	1771288497	0.71	I-40 OVERLAY	NONE
8691	1751898324	0.83	I-40 OVERLAY	NONE
9715	1751896287	0.65	I-40 OVERLAY	NONE
23454	1762719642	2.5	I-40 OVERLAY	NONE
20036	1762722699	25	I-40 OVERLAY	NONE
45435	1762719891	0	I-40 OVERLAY	NONE
46334	1771292119	0.54	I-40 OVERLAY	NONE
9716	2732881464	2	I-40 OVERLAY	NONE
13319	2732882723	2.69	I-40 OVERLAY	NONE
16597	2732885931	3.62	I-40 OVERLAY	NONE
36743	2732884246	1	I-40 OVERLAY	NONE

11143	2742095897	0.74	I-40 OVERLAY	NONE
63111	2762670533	3.21	I-40 OVERLAY	NONE
39315	2742258553	0.82	I-40 OVERLAY	NONE
60648	1772912915	0.88	I-40 OVERLAY	NONE
12724	2743820263	0.71	I-40 OVERLAY	NONE
57132	1772745305	0.85	I-40 OVERLAY	NONE
22330	2772043001	0.84	I-40 OVERLAY	NONE
21762	2772149740	2	I-40 OVERLAY	NONE
21765	1782157464	0.58	I-40 OVERLAY	NONE
29116	2762488922	1	I-40 OVERLAY	NONE
30271	2772610012	1.07	I-40 OVERLAY	NONE
36305	1772310682	0.53	I-40 OVERLAY	NONE
36306	1772310489	0.56	I-40 OVERLAY	NONE
36307	1772310385	0.69	I-40 OVERLAY	NONE
35901	2762849066	0.67	I-40 OVERLAY	NONE
19942	2762487932	0.9	I-40 OVERLAY	NONE
21815	2762489848	1.44	I-40 OVERLAY	NONE
21527	2781093607	0.4	I-40 OVERLAY	NONE
41660	1772003223	0.42	I-40 OVERLAY	NONE
21800	2762935388	0.51	I-40 OVERLAY	NONE
47952	2762936394	0.85	I-40 OVERLAY	NONE
11585	2742292051	1.64	I-40 OVERLAY	NONE
12963	2732783101	6.7	I-40 OVERLAY	NONE
18507	1772947761	0.5	I-40 OVERLAY	NONE
8217	2771896090	5.2	I-40 OVERLAY	NONE
16321	2772255493	0.7	I-40 OVERLAY	NONE
41163	2772350118	0.96	I-40 OVERLAY	NONE
51375	2772258281	0.82	I-40 OVERLAY	NONE
210	2712576793	6.5	I-40 OVERLAY	NONE
41668	1771092858	0.68	I-40 OVERLAY	NONE
57122	1772003325	0.34	I-40 OVERLAY	NONE
56527	1772001573	0.33	I-40 OVERLAY	NONE
29672	1761174572	0.44	I-40 OVERLAY	NONE
45264	1761689476	0.49	I-40 OVERLAY	NONE
8005	2772410996	1.96	I-40 OVERLAY	NONE
44100	2762740663	0.67	I-40 OVERLAY	NONE
52666	2781394294		I-40 OVERLAY	NONE
8335	2772705965	2.89	I-40 OVERLAY	NONE
61506	1772420767	1.1	I-40 OVERLAY	NONE
62802	1772421601	0.51	I-40 OVERLAY	NONE
21338	2781394294	2.4	I-40 OVERLAY	NONE
23799	2771999437	0.94	I-40 OVERLAY	NONE
32309	1772917940	0.85	I-40 OVERLAY	NONE
21931	1772927294	0.6	I-40 OVERLAY	NONE
35044	1752155171	4.57	I-40 OVERLAY	NONE
24795	1762420935	1.2	I-40 OVERLAY	NONE
1188	2712052164	1.83	I-40 OVERLAY	NONE
45285	1761792030	0.61	I-40 OVERLAY	NONE
24509	1762841692	27.44	I-40 OVERLAY	NONE
15915	1762833155	31.53	I-40 OVERLAY	NONE
36962	1762749093	4.77	I-40 OVERLAY	NONE

48365	1762836156	1.85	I-40 OVERLAY	NONE
19126	1751897891	0.46	I-40 OVERLAY	NONE
2914	1762659092	1.36	I-40 OVERLAY	NONE
52719	2723722293	1.06	I-40 OVERLAY	NONE
856	1751798330	0.62	I-40 OVERLAY	NONE
62035	2742176894	4.25	I-40 OVERLAY	NONE
40002	2742185103	0.51	I-40 OVERLAY	NONE
37727	1752707370	0.6	I-40 OVERLAY	NONE
57291	1782060669	1.88	I-40 OVERLAY	NONE
52600	2782209063	2.12	I-40 OVERLAY	NONE
24570	2782301195	0.71	I-40 OVERLAY	NONE
52601	2781391968	0.5	I-40 OVERLAY	NONE
15527	2781298625	1.13	I-40 OVERLAY	NONE
42886	2781297377	1.03	I-40 OVERLAY	NONE
23636	1772937021	1.43	I-40 OVERLAY	NONE
30598	2772041012	0.77	I-40 OVERLAY	NONE
61742	1772913501	1.05	I-40 OVERLAY	NONE
32473	1772632078	1.17	I-40 OVERLAY	NONE
46056	1771185882	0.68	I-40 OVERLAY	NONE
19838	2762573578	8.23	I-40 OVERLAY	NONE
42470	1771094030	0.63	I-40 OVERLAY	NONE
21294	2781192693	0.77	I-40 OVERLAY	NONE
56936	1772740133	3.84	I-40 OVERLAY	NONE
13064	2742783670	2	I-40 OVERLAY	NONE
9292	1792874283	6.73	I-40 OVERLAY	NONE
2306	1782031318	0.56	I-40 OVERLAY	NONE
28032	2781094518	0.78	I-40 OVERLAY	NONE
11279	2743208560	2.25	I-40 OVERLAY	NONE
22682	2762933883	0.6	I-40 OVERLAY	NONE
35065	2772210921	0.63	I-40 OVERLAY	NONE
46455	2772118869	0.86	I-40 OVERLAY	NONE
31087	1752904846	0.61	I-40 OVERLAY	NONE
44854	1752918239	1.42	I-40 OVERLAY	NONE
47095	1752916265	0.32	I-40 OVERLAY	NONE
134	2712681266	6.49	I-40 OVERLAY	NONE
21861	1772925613	0.82	I-40 OVERLAY	NONE
54820	1772942464	1.63	I-40 OVERLAY	NONE
9255	2702647111	0.94	I-40 OVERLAY	NONE
21661	2762076307	0.58	I-40 OVERLAY	NONE
64167	2762074280	1.09	I-40 OVERLAY	NONE
55962	2762071191	1	I-40 OVERLAY	NONE
36157	2762072238	0.55	I-40 OVERLAY	NONE
39037	2762073106	0.36	I-40 OVERLAY	NONE
49430	2762073060	0.5	I-40 OVERLAY	NONE
10021	2772054956	0.84	I-40 OVERLAY	NONE
43809	1761892258	0.8	I-40 OVERLAY	NONE
56192	2712049705	1.29	I-40 OVERLAY	NONE
14178	2732391833	0.41	I-40 OVERLAY	NONE
151	2702957186	0.47	I-40 OVERLAY	NONE
46030	1761695456	0.54	I-40 OVERLAY	NONE
46031	1761696486	0.57	I-40 OVERLAY	NONE

22200	1751556854	0.83	I-40 OVERLAY	NONE
22201	1751652820	8.74	I-40 OVERLAY	NONE
23317	2762943398	1.74	I-40 OVERLAY	NONE
28697	2762942425	0.71	I-40 OVERLAY	NONE
41397	2722386850	4.36	I-40 OVERLAY	NONE
8759	2762846219	0.25	I-40 OVERLAY	NONE
38172	2723106636	1.06	I-40 OVERLAY	NONE
14394	2723909166	0.77	I-40 OVERLAY	NONE
26902	2763003510	4.24	I-40 OVERLAY	NONE
42892	2742252528	2	I-40 OVERLAY	NONE
43222	2742253466	3.42	I-40 OVERLAY	NONE
28166	2781290160	0.73	I-40 OVERLAY	NONE
57501	1771083699	0.8	I-40 OVERLAY	NONE
22713	2772155479	0.64	I-40 OVERLAY	NONE
51161	2722480122	0.66	I-40 OVERLAY	NONE
35099	1771488386	1.52	I-40 OVERLAY	NONE
55044	1771580493	1.65	I-40 OVERLAY	NONE
21215	2772033862	0.55	I-40 OVERLAY	NONE
36754	2772036842	1.62	I-40 OVERLAY	NONE
22609	1782052588	1.16	I-40 OVERLAY	NONE
27141	2762859749	1.78	I-40 OVERLAY	NONE
29708	2742085292	0.29	I-40 OVERLAY	NONE
46731	2742088150	1.3	I-40 OVERLAY	NONE
29106	2762388914	13.73	I-40 OVERLAY	NONE
12056	2723516974	1.66	I-40 OVERLAY	NONE
22319	2723712787	0.79	I-40 OVERLAY	NONE
24033	2723711791	0.45	I-40 OVERLAY	NONE
23004	2723717473	1.6	I-40 OVERLAY	NONE
39763	2723810455	0.28	I-40 OVERLAY	NONE
15967	2723719381	0.72	I-40 OVERLAY	NONE
59049	2723720022	1.1	I-40 OVERLAY	NONE
60201	2723712998	0.51	I-40 OVERLAY	NONE
13110	2742185310	0.14	I-40 OVERLAY	NONE
33639	2742182253	0.97	I-40 OVERLAY	NONE
47507	2742171773	4.62	I-40 OVERLAY	NONE
21856	2772257220	2.25	I-40 OVERLAY	NONE
13104	2742086100	0.06	I-40 OVERLAY	NONE
13134	2732491263	2.63	I-40 OVERLAY	NONE
13118	2742174741	2.43	I-40 OVERLAY	NONE
33137	2742188445	0.74	I-40 OVERLAY	NONE
13094	2742194645	1.49	I-40 OVERLAY	NONE
13121	2742195758	0.81	I-40 OVERLAY	NONE
55958	2742182008	0.94	I-40 OVERLAY	NONE
50119	2742088271	0.86	I-40 OVERLAY	NONE
36442	2742180299	0.44	I-40 OVERLAY	NONE
16077	2742191686	1.03	I-40 OVERLAY	NONE
13132	2742192846	0.9	I-40 OVERLAY	NONE
9583	2742088526	3.4	I-40 OVERLAY	NONE
55416	2732069602	9.39	I-40 OVERLAY	NONE
55417	2732078135	9.66	I-40 OVERLAY	NONE
42796	2712148049	1.2	I-40 OVERLAY	NONE

15662	2712147037	0.16	I-40 OVERLAY	NONE
41023	2712147310	1.48	I-40 OVERLAY	NONE
41022	2712242486	0.98	I-40 OVERLAY	NONE
28275	1772825603	0.56	I-40 OVERLAY	NONE
39031	2762777149	0.6	I-40 OVERLAY	NONE
22431	2762777443	0.67	I-40 OVERLAY	NONE
24817	2762776536	0.68	I-40 OVERLAY	NONE
22430	2762774049	2.88	I-40 OVERLAY	NONE
15259	2762777558	0.43	I-40 OVERLAY	NONE
22439	1772823912	1.15	I-40 OVERLAY	NONE
45302	1761785134	0.63	I-40 OVERLAY	NONE
45557	1772634312	0.62	I-40 OVERLAY	NONE
46443	2762842053	1.7	I-40 OVERLAY	NONE
18229	2762844400	2.03	I-40 OVERLAY	NONE
47344	2762844068	1.34	I-40 OVERLAY	NONE
26911	2762654029	0.69	I-40 OVERLAY	NONE
39138	2762655025	0.86	I-40 OVERLAY	NONE
39260	1782152502	0.8	I-40 OVERLAY	NONE
17128	1762428574	0.22	I-40 OVERLAY	NONE
43960	1762427556	0.49	I-40 OVERLAY	NONE
22535	2762879054	0.4	I-40 OVERLAY	NONE
5027	2712053963	3.26	I-40 OVERLAY	NONE
5028	2712053678	1.22	I-40 OVERLAY	NONE
22477	1782064252	0.58	I-40 OVERLAY	NONE
55419	2732078775	12.15	I-40 OVERLAY	NONE
55421	2722974406	10.49	I-40 OVERLAY	NONE
59951	1771297028	0.86	I-40 OVERLAY	NONE
22754	1762645508	0.75	I-40 OVERLAY	NONE
50787	1761468429	0.95	I-40 OVERLAY	NONE
54672	1761560451	1	I-40 OVERLAY	NONE
41669	1771092714	0.66	I-40 OVERLAY	NONE
13500	2762161177	0.52	I-40 OVERLAY	NONE
26240	2762161297	0.5	I-40 OVERLAY	NONE
22493	1782160148	0.3	I-40 OVERLAY	NONE
44650	1772112659	0.39	I-40 OVERLAY	NONE
58922	1771373871	0.51	I-40 OVERLAY	NONE
2111	1782860024	4.84	I-40 OVERLAY	NONE
3075	1792550991	0.5	I-40 OVERLAY	NONE
3076	1792551899	0.48	I-40 OVERLAY	NONE
54970	1782043576	1.41	I-40 OVERLAY	NONE
30674	1772921500	0.99	I-40 OVERLAY	NONE
46289	2732468907	1.42	I-40 OVERLAY	NONE
42621	2732468802	0.67	I-40 OVERLAY	NONE
64224	2762625436	1.01	I-40 OVERLAY	NONE
64225	2762627422	0.92	I-40 OVERLAY	NONE
51174	2722484248	1.89	I-40 OVERLAY	NONE
64406	2762490270	0.01	I-40 OVERLAY	NONE
22541	2762490213	0.47	I-40 OVERLAY	NONE
22549	2762580214	1	I-40 OVERLAY	NONE
5880	2712661402	37.24	I-40 OVERLAY	NONE
27864	2772415581	0.63	I-40 OVERLAY	NONE

5512	2712142442	1.9	I-40 OVERLAY	NONE
57034	2712140340	1.12	I-40 OVERLAY	NONE
32717	1751872033	0.5	I-40 OVERLAY	NONE
20139	2762926572	0.35	I-40 OVERLAY	NONE
20140	2762925572	0.34	I-40 OVERLAY	NONE
13282	2742292606	1.14	I-40 OVERLAY	NONE
28428	1761690982	0.64	I-40 OVERLAY	NONE
52559	1762810162	0.5	I-40 OVERLAY	NONE
32718	1751862910	0.51	I-40 OVERLAY	NONE
22570	2762168822	1.42	I-40 OVERLAY	NONE
22569	2762178028	1.87	I-40 OVERLAY	NONE
22568	2762176588	0.73	I-40 OVERLAY	NONE
50004	2762175162	1	I-40 OVERLAY	NONE
54181	1771366608	0.83	I-40 OVERLAY	NONE
57502	1771083584	0.9	I-40 OVERLAY	NONE
54226	1771691399	1.95	I-40 OVERLAY	NONE
16365	1751663415	7.45	I-40 OVERLAY	NONE
21525	2781199006	0.65	I-40 OVERLAY	NONE
24561	2781199117	0.12	I-40 OVERLAY	NONE
15009	2781187987	0.41	I-40 OVERLAY	NONE
17157	2781188868	0.69	I-40 OVERLAY	NONE
17180	2781189748	0.38	I-40 OVERLAY	NONE
12383	2732085727	10.53	I-40 OVERLAY	NONE
18231	2762359418	2.13	I-40 OVERLAY	NONE
27330	1751175565	84.84	I-40 OVERLAY	NONE
59950	1771297250	0.75	I-40 OVERLAY	NONE
23174	1752615247	0.82	I-40 OVERLAY	NONE
20671	2762174644	0.87	I-40 OVERLAY	NONE
30619	2762174530	0.87	I-40 OVERLAY	NONE
21655	2762172448	1.75	I-40 OVERLAY	NONE
21119	1772537638	0.49	I-40 OVERLAY	NONE
29144	2762488692	1.1	I-40 OVERLAY	NONE
61957	2772500723	0.86	I-40 OVERLAY	NONE
61958	2772501669	0.61	I-40 OVERLAY	NONE
55609	1761173968	0.95	I-40 OVERLAY	NONE
18309	2733301430	3.03	I-40 OVERLAY	NONE
32357	2772515673	0.26	I-40 OVERLAY	NONE
9718	2732863979	5.3	I-40 OVERLAY	NONE
10778	2723203439	0.37	I-40 OVERLAY	NONE
28743	1772933414	0.59	I-40 OVERLAY	NONE
32706	1751769655	0.79	I-40 OVERLAY	NONE
43894	1761874571	7.11	I-40 OVERLAY	NONE
43895	1761865459	22.72	I-40 OVERLAY	NONE
43897	1761875114	6.97	I-40 OVERLAY	NONE
25405	1772321381	4.65	I-40 OVERLAY	NONE
22734	2772152605	0.37	I-40 OVERLAY	NONE
22737	2762928590	0.29	I-40 OVERLAY	NONE
44863	2702963350	6.53	I-40 OVERLAY	NONE
22758	2772415699	0.78	I-40 OVERLAY	NONE
41144	1762645257	3.69	I-40 OVERLAY	NONE
41238	2762942730	0.5	I-40 OVERLAY	NONE

18252	1761377680	0.5	I-40 OVERLAY	NONE
21179	2762969174	3.18	I-40 OVERLAY	NONE
13048	2723710792	1	I-40 OVERLAY	NONE
25719	2762760943	1.14	I-40 OVERLAY	NONE
30691	1772216671	1.33	I-40 OVERLAY	NONE
27972	2762675430	0.7	I-40 OVERLAY	NONE
55882	1772408212	3.73	I-40 OVERLAY	NONE
12294	2742595133	0.75	I-40 OVERLAY	NONE
11019	2723906245	1.89	I-40 OVERLAY	NONE
41875	2723902075	1.28	I-40 OVERLAY	NONE
49507	2722991871	2.7	I-40 OVERLAY	NONE
37473	1762547038	1.34	I-40 OVERLAY	NONE
33037	1762636107	19.96	I-40 OVERLAY	NONE
20035	1762549185	4.7	I-40 OVERLAY	NONE
62911	1762641272	1.97	I-40 OVERLAY	NONE
47192	1772749329	0.89	I-40 OVERLAY	NONE
19158	1772945907	0.44	I-40 OVERLAY	NONE
22820	1772954096	0.43	I-40 OVERLAY	NONE
24154	1772954166	0.45	I-40 OVERLAY	NONE
24989	1772933008	0.73	I-40 OVERLAY	NONE
25521	1772933094	0.71	I-40 OVERLAY	NONE
26136	1782162069	0.44	I-40 OVERLAY	NONE
45310	1761880882	1.02	I-40 OVERLAY	NONE
45312	1761890020	0.94	I-40 OVERLAY	NONE
14181	2742553985	9.61	I-40 OVERLAY	NONE
13233	2732677872	2.31	I-40 OVERLAY	NONE
5481	1792563130	0.49	I-40 OVERLAY	NONE
5483	1792564088	0.49	I-40 OVERLAY	NONE
61489	1792562099	0.44	I-40 OVERLAY	NONE
37898	2723719457	0.31	I-40 OVERLAY	NONE
43983	2723718457	0.38	I-40 OVERLAY	NONE
30636	2772242185	1.22	I-40 OVERLAY	NONE
47105	2742787165		I-40 OVERLAY	NONE
13270	2742984418	28.06	I-40 OVERLAY	NONE
27778	2762925502	0.18	I-40 OVERLAY	NONE
13254	2732674886	0.8	I-40 OVERLAY	NONE
25609	2762941178	0.94	I-40 OVERLAY	NONE
61555	2762849221	0.13	I-40 OVERLAY	NONE
22868	2762945022	0.65	I-40 OVERLAY	NONE
30599	2762943083	0.65	I-40 OVERLAY	NONE
8361	2732676501	1.97	I-40 OVERLAY	NONE
552	2743311411	4.1	I-40 OVERLAY	NONE
12958	2733203405	4.8	I-40 OVERLAY	NONE
14420	2732789641	0.56	I-40 OVERLAY	NONE
33647	2732789805	0.62	I-40 OVERLAY	NONE
42855	2732789734	0.42	I-40 OVERLAY	NONE
44082	2743311212	4.15	I-40 OVERLAY	NONE
13267	2732577565	29.92	I-40 OVERLAY	NONE
13747	2732587440	12.02	I-40 OVERLAY	NONE
60326	2732675207	1.26	I-40 OVERLAY	NONE
57138	2742457115	0.08	I-40 OVERLAY	NONE

12019	2742485609	4.14	I-40 OVERLAY	NONE
565	2742752031	12.53	I-40 OVERLAY	NONE
22955	2762928385	0.31	I-40 OVERLAY	NONE
22956	2762927289	0.47	I-40 OVERLAY	NONE
29970	2742787165	10.29	I-40 OVERLAY	NONE
15854	1751994078	5.58	I-40 OVERLAY	NONE
39539	2723510652	0.44	I-40 OVERLAY	NONE
39576	2723417831	4.36	I-40 OVERLAY	NONE
47371	2723418644	1.64	I-40 OVERLAY	NONE
8228	1752807545	1.47	I-40 OVERLAY	NONE
20321	1772326653	2.81	I-40 OVERLAY	NONE
21198	2772060092	0.82	I-40 OVERLAY	NONE
54962	1771594565	1.77	I-40 OVERLAY	NONE
3149	2732655929	7.18	I-40 OVERLAY	NONE
16124	1792558532	0.47	I-40 OVERLAY	NONE
16066	1792565086	0.48	I-40 OVERLAY	NONE
33505	1792567074	0.4	I-40 OVERLAY	NONE
16067	1792566085	0.47	I-40 OVERLAY	NONE
45380	2722997957	0.47	I-40 OVERLAY	NONE
16068	1792557829	0.46	I-40 OVERLAY	NONE
16069	1792555897	0.41	I-40 OVERLAY	NONE
45543	2722996986	0.12	I-40 OVERLAY	NONE
57131	1772744256	0.84	I-40 OVERLAY	NONE
51323	2781080279	0.51	I-40 OVERLAY	NONE
59753	1771688972	10.05	I-40 OVERLAY	NONE
24962	1772058024	1.35	I-40 OVERLAY	NONE
26051	1772142709	1	I-40 OVERLAY	NONE
47914	1771178053	0.8	I-40 OVERLAY	NONE
23069	2772158730	0.96	I-40 OVERLAY	NONE
24505	1782020450	0.92	I-40 OVERLAY	NONE
22130	1772928418	0.44	I-40 OVERLAY	NONE
61499	1772928513	0.45	I-40 OVERLAY	NONE
55521	2712242198	0.75	I-40 OVERLAY	NONE
6286	1772102449	5.03	I-40 OVERLAY	NONE
51158	1772009314	0.09	I-40 OVERLAY	NONE
41676	1771092316	0.78	I-40 OVERLAY	NONE
10787	2723814312	0.29	I-40 OVERLAY	NONE
36008	2723815401	0.65	I-40 OVERLAY	NONE
13366	2732770132	1.09	I-40 OVERLAY	NONE
56795	2732772207	2.61	I-40 OVERLAY	NONE
57328	2732679272	0.11	I-40 OVERLAY	NONE
13365	2732678276	0.86	I-40 OVERLAY	NONE
23114	1751894168	0.73	I-40 OVERLAY	NONE
23733	1751893206	0.08	I-40 OVERLAY	NONE
30698	1751893380	0.52	I-40 OVERLAY	NONE
51657	1751987970	1	I-40 OVERLAY	NONE
44747	1772915374	0.58	I-40 OVERLAY	NONE
37139	1761688573		I-40 OVERLAY	NONE
19147	2762677892	0.17	I-40 OVERLAY	NONE
18866	2762679047	0.75	I-40 OVERLAY	NONE
21838	2772136877	0.5	I-40 OVERLAY	NONE

27421	2772135868	1	I-40 OVERLAY	NONE
54068	2772418679	0.77	I-40 OVERLAY	NONE
43121	2772601116	1.45	I-40 OVERLAY	NONE
62739	2771598890	5	I-40 OVERLAY	NONE
21847	2772348082	4.49	I-40 OVERLAY	NONE
62740	2771598657	1.2	I-40 OVERLAY	NONE
44644	2772509156	0.9	I-40 OVERLAY	NONE
20902	2772340824	0.45	I-40 OVERLAY	NONE
32963	2772248732	0.89	I-40 OVERLAY	NONE
20959	1772942241	1.5	I-40 OVERLAY	NONE
23206	2772612707	0.12	I-40 OVERLAY	NONE
27815	2772515563	0.37	I-40 OVERLAY	NONE
23897	2762680376	1.09	I-40 OVERLAY	NONE
19324	2762966619	0.56	I-40 OVERLAY	NONE
27695	1772824968	1.15	I-40 OVERLAY	NONE
37589	2732179101	11.41	I-40 OVERLAY	NONE
45328	1761777631	2.98	I-40 OVERLAY	NONE
60561	2723910717	0.56	I-40 OVERLAY	NONE
20700	1782053885	0.85	I-40 OVERLAY	NONE
23254	1772947835	0.98	I-40 OVERLAY	NONE
13139	2743000107	0.63	I-40 OVERLAY	NONE
42450	1771172356	0.85	I-40 OVERLAY	NONE
7538	2702939212	1.7	I-40 OVERLAY	NONE
40091	2742350684	0.63	I-40 OVERLAY	NONE
5209	2772612753	0.19	I-40 OVERLAY	NONE
16557	2772613652	1.78	I-40 OVERLAY	NONE
16558	2772610553	5.69	I-40 OVERLAY	NONE
30613	2772515442	0.6	I-40 OVERLAY	NONE
36620	2772601801	2.96	I-40 OVERLAY	NONE
40696	2772509493	6.69	I-40 OVERLAY	NONE
17922	2772518757	0.8	I-40 OVERLAY	NONE
28753	2772517843	0.21	I-40 OVERLAY	NONE
28754	2772517626	0.49	I-40 OVERLAY	NONE
34151	1772817874	1.92	I-40 OVERLAY	NONE
58991	2762838646	0.92	I-40 OVERLAY	NONE
44751	1772914181	0.53	I-40 OVERLAY	NONE
15539	2772132364	1.01	I-40 OVERLAY	NONE
29459	2772132437	0.36	I-40 OVERLAY	NONE
47439	2772130380	0.88	I-40 OVERLAY	NONE
18297	2772340467	1.05	I-40 OVERLAY	NONE
40910	1762426150		I-40 OVERLAY	NONE
20901	2772244802	1.59	I-40 OVERLAY	NONE
23854	1762418704	0.26	I-40 OVERLAY	NONE
18774	1762436886	1.47	I-40 OVERLAY	NONE
63030	1762348130	1.02	I-40 OVERLAY	NONE
15637	1782876064	0.54	I-40 OVERLAY	NONE
25791	2723003078	2.73	I-40 OVERLAY	NONE
623	2712268315	1	I-40 OVERLAY	NONE
19876	1782162269	0.59	I-40 OVERLAY	NONE
48279	1761968009	0.72	I-40 OVERLAY	NONE
52757	1762906267	0.37	I-40 OVERLAY	NONE

23470	1772922473	0.81	I-40 OVERLAY	NONE
12108	2723318961	11.18	I-40 OVERLAY	NONE
23343	2772036268	1.31	I-40 OVERLAY	NONE
23354	1762503784	0.94	I-40 OVERLAY	NONE
36269	1772301804	0.85	I-40 OVERLAY	NONE
45234	1761896733	0.52	I-40 OVERLAY	NONE
54202	1771372252	0.72	I-40 OVERLAY	NONE
16528	1761076973	3.38	I-40 OVERLAY	NONE
30399	1751978411	0.8	I-40 OVERLAY	NONE
47986	1761470932	1.36	I-40 OVERLAY	NONE
24675	1761079994	3.2	I-40 OVERLAY	NONE
18160	1751979654	0.28	I-40 OVERLAY	NONE
38435	1761799888	14.62	I-40 OVERLAY	NONE
16531	1761179848	7.25	I-40 OVERLAY	NONE
21897	1761361993	22.56	I-40 OVERLAY	NONE
23365	1761375901	5.68	I-40 OVERLAY	NONE
23366	1761173343	3	I-40 OVERLAY	NONE
40965	1761276848	2.16	I-40 OVERLAY	NONE
29676	1761182753	8	I-40 OVERLAY	NONE
23498	1761175571	0.44	I-40 OVERLAY	NONE
23367	1761279650	1	I-40 OVERLAY	NONE
44214	1761373885	0.82	I-40 OVERLAY	NONE
23364	1761368928	17.45	I-40 OVERLAY	NONE
57738	1761167985	10.53	I-40 OVERLAY	NONE
19601	1752707415	1.22	I-40 OVERLAY	NONE
45255	1761792149	0.53	I-40 OVERLAY	NONE
43750	1772836936	3.72	I-40 OVERLAY	NONE
43749	1772842244	4.24	I-40 OVERLAY	NONE
44613	1761891268	0.93	I-40 OVERLAY	NONE
58919	1771370919	0.67	I-40 OVERLAY	NONE
14914	1761472197	2	I-40 OVERLAY	NONE
20809	1751882561	0.82	I-40 OVERLAY	NONE
20810	1751884503	0.5	I-40 OVERLAY	NONE
24102	1751789578	0.79	I-40 OVERLAY	NONE
25699	2772033300	0.58	I-40 OVERLAY	NONE
22782	2772052973	0.34	I-40 OVERLAY	NONE
55420	2722978688	13.7	I-40 OVERLAY	NONE
47951	2762938301	0.89	I-40 OVERLAY	NONE
47953	2762939206	1.23	I-40 OVERLAY	NONE
48264	1771068391	0.57	I-40 OVERLAY	NONE
48265	1771160300	0.49	I-40 OVERLAY	NONE
23395	1772956265	0.94	I-40 OVERLAY	NONE
30680	1782050617	0.47	I-40 OVERLAY	NONE
45337	1761761739	0.77	I-40 OVERLAY	NONE
23396	1762520629	0.62	I-40 OVERLAY	NONE
52561	1762523616	0.5	I-40 OVERLAY	NONE
43599	1762544149	1	I-40 OVERLAY	NONE
23401	1762544643	0.96	I-40 OVERLAY	NONE
23554	1762528769	7.55	I-40 OVERLAY	NONE
23555	1762733769	22	I-40 OVERLAY	NONE
43598	1762544440	1	I-40 OVERLAY	NONE

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13658	2743821620	3.24	I-40 OVERLAY	NONE
46249	2743823430	0.13	I-40 OVERLAY	NONE
17930	2772520382	0.83	I-40 OVERLAY	NONE
28875	2772343145	0.52	I-40 OVERLAY	NONE
9612	2772345233	1.44	I-40 OVERLAY	NONE
26682	2772345504	3	I-40 OVERLAY	NONE
58915	1771388074	0.81	I-40 OVERLAY	NONE
58916	1771480020	0.78	I-40 OVERLAY	NONE
497	2723514238	3.5	I-40 OVERLAY	NONE
44611	2723517392	0.89	I-40 OVERLAY	NONE
14093	2732494722	2	I-40 OVERLAY	NONE
23414	1751565249	1.51	I-40 OVERLAY	NONE
35966	1751563317	0.7	I-40 OVERLAY	NONE
24027	2762839080	3.55	I-40 OVERLAY	NONE
56412	1761598747	0.3	I-40 OVERLAY	NONE
58011	1782757317	0.63	I-40 OVERLAY	NONE
10435	1782855637	34.7	I-40 OVERLAY	NONE
13317	2742493644	1.58	I-40 OVERLAY	NONE
54177	1771370099	0.66	I-40 OVERLAY	NONE
23319	2762946072	0.63	I-40 OVERLAY	NONE
857	2712985793	0.88	I-40 OVERLAY	NONE
858	1792567289	0.51	I-40 OVERLAY	NONE
859	1792566390	0.49	I-40 OVERLAY	NONE
45289	1761794091	0.49	I-40 OVERLAY	NONE
19598	1752706195	1.04	I-40 OVERLAY	NONE
44057	2762754448	1.75	I-40 OVERLAY	NONE
23003	2723810587	0.6	I-40 OVERLAY	NONE
23053	1772153183	1.82	I-40 OVERLAY	NONE
31133	1772906817	0.58	I-40 OVERLAY	NONE
5143	2712671960	0.83	I-40 OVERLAY	NONE
37584	2732377495	10.21	I-40 OVERLAY	NONE
45223	1761893535	0.42	I-40 OVERLAY	NONE
5907	2712760791	0.56	I-40 OVERLAY	NONE
20774	1772114683	3.44	I-40 OVERLAY	NONE
31362	2742598952	1.44	I-40 OVERLAY	NONE
42340	2742599711	1.69	I-40 OVERLAY	NONE
64160	2742599348	3.83	I-40 OVERLAY	NONE
35666	1762436703	0.53	I-40 OVERLAY	NONE
14602	2732392611	0.5	I-40 OVERLAY	NONE
14603	2732392727	0.4	I-40 OVERLAY	NONE
29349	1762448537	11.39	I-40 OVERLAY	NONE
3433	1762347207	4.89	I-40 OVERLAY	NONE
54106	1762347207	0	I-40 OVERLAY	NONE
48970	2723724242	3.63	I-40 OVERLAY	NONE
32151	2781094888	1.99	I-40 OVERLAY	NONE
36118	2781092920	0.41	I-40 OVERLAY	NONE
36223	1752526462	0.46	I-40 OVERLAY	NONE
5509	1782022279	1.43	I-40 OVERLAY	NONE
45277	1761770193	0.66	I-40 OVERLAY	NONE
45324	1761776920	1.83	I-40 OVERLAY	NONE

54178	1771371090	0.56	I-40 OVERLAY	NONE
11402	2722491911	5.45	I-40 OVERLAY	NONE
41259	1762909347	0.4	I-40 OVERLAY	NONE
48826	2742561663	8.29	I-40 OVERLAY	NONE
13193	2742358314	3.32	I-40 OVERLAY	NONE
57728	1782757206	0.71	I-40 OVERLAY	NONE
7564	1772935447	0.44	I-40 OVERLAY	NONE
24814	1772934644	0.44	I-40 OVERLAY	NONE
24815	1772934595	0.44	I-40 OVERLAY	NONE
30238	1752140645	6.88	I-40 OVERLAY	NONE
31148	1772801594	0.48	I-40 OVERLAY	NONE
22784	2762829408	0.28	I-40 OVERLAY	NONE
23832	1751796264	0.71	I-40 OVERLAY	NONE
22637	2772512213	1.42	I-40 OVERLAY	NONE
22643	2772512482	1.76	I-40 OVERLAY	NONE
29863	2772022484	1.26	I-40 OVERLAY	NONE
6822	1762808064	0.76	I-40 OVERLAY	NONE
27720	1752809012	0.88	I-40 OVERLAY	NONE
45271	1761679123	0.85	I-40 OVERLAY	NONE
18363	2772031557	0.51	I-40 OVERLAY	NONE
8485	2772440508	0.43	I-40 OVERLAY	NONE
5234	1772213972	0.91	I-40 OVERLAY	NONE
43217	2732885056	0.74	I-40 OVERLAY	NONE
12568	1772936256	0.76	I-40 OVERLAY	NONE
21840	2772230757	0.7	I-40 OVERLAY	NONE
21954	2772233563	1.9	I-40 OVERLAY	NONE
21955	2772139526	3.82	I-40 OVERLAY	NONE
45300	1761783023	0.82	I-40 OVERLAY	NONE
30673	1782160014	0.5	I-40 OVERLAY	NONE
34152	1782140558	0.54	I-40 OVERLAY	NONE
15681	1782143049	4.03	I-40 OVERLAY	NONE
36335	1782140218	0.5	I-40 OVERLAY	NONE
60478	1782140142	0.76	I-40 OVERLAY	NONE
9416	1762707960	0.33	I-40 OVERLAY	NONE
47412	1772747079	2.61	I-40 OVERLAY	NONE
27776	1752712122	0.92	I-40 OVERLAY	NONE
25489	1751899549	0.95	I-40 OVERLAY	NONE
42471	1771094144	0.7	I-40 OVERLAY	NONE
10729	2712062915	3.4	I-40 OVERLAY	NONE
9335	2712142600	1	I-40 OVERLAY	NONE
30468	2712267007	0.62	I-40 OVERLAY	NONE
16117	1792553616	0.35	I-40 OVERLAY	NONE
16118	1792554675	0.38	I-40 OVERLAY	NONE
62716	1792553178	1.73	I-40 OVERLAY	NONE
16073	1792553306	0.36	I-40 OVERLAY	NONE
16074	1792553406	0.37	I-40 OVERLAY	NONE
16075	1792553516	0.36	I-40 OVERLAY	NONE
970	1771197593	0.54	I-40 OVERLAY	NONE
53175	1751766814	0.57	I-40 OVERLAY	NONE
53176	1751764865	0.57	I-40 OVERLAY	NONE
31135	1772907873	0.57	I-40 OVERLAY	NONE

31136	1772908946	0.44	I-40 OVERLAY	NONE
59750	1772600317	9.67	I-40 OVERLAY	NONE
59751	1772600044	10	I-40 OVERLAY	NONE
27179	1772535240	4.01	I-40 OVERLAY	NONE
23937	1752612446	1.06	I-40 OVERLAY	NONE
23941	1752527314	0.46	I-40 OVERLAY	NONE
9341	2742351308	0.55	I-40 OVERLAY	NONE
38966	1761681836	1.01	I-40 OVERLAY	NONE
33199	1761682593	26.99	I-40 OVERLAY	NONE
5120	1772933912	0.5	I-40 OVERLAY	NONE
28648	1762647801	0.87	I-40 OVERLAY	NONE
27843	2762923582	0.09	I-40 OVERLAY	NONE
28749	1772933396	0.37	I-40 OVERLAY	NONE
41133	1772934269	0.25	I-40 OVERLAY	NONE
18501	2771993782	3.1	I-40 OVERLAY	NONE
23992	2772906013	3.93	I-40 OVERLAY	NONE
32096	2772909199	1.59	I-40 OVERLAY	NONE
23693	1752609826	0.99	I-40 OVERLAY	NONE
21184	2772044454	3.38	I-40 OVERLAY	NONE
30662	2772142519	0.48	I-40 OVERLAY	NONE
24000	2762947774	7.76	I-40 OVERLAY	NONE
57205	2742986263	1.1	I-40 OVERLAY	NONE
5848	2712362286	7.77	I-40 OVERLAY	NONE
5942	2712368223	4.06	I-40 OVERLAY	NONE
5781	2712679878	0.35	I-40 OVERLAY	NONE
15632	2712770600	0.47	I-40 OVERLAY	NONE
44024	2712771509	0.99	I-40 OVERLAY	NONE
5849	2712677569	1.5	I-40 OVERLAY	NONE
59422	2772213923	2.48	I-40 OVERLAY	NONE
16457	2772225299	3.1	I-40 OVERLAY	NONE
17131	1752806286	3.18	I-40 OVERLAY	NONE
44023	2712679753	0.74	I-40 OVERLAY	NONE
41369	1782976101	1.07	I-40 OVERLAY	NONE
10370	1782961649	6.64	I-40 OVERLAY	NONE
5882	1782974007	0.97	I-40 OVERLAY	NONE
11733	2723812714	2.19	I-40 OVERLAY	NONE
5847	2712460281	1.4	I-40 OVERLAY	NONE
34002	2712455700	7.74	I-40 OVERLAY	NONE
5806	2712468974	7	I-40 OVERLAY	NONE
5808	2712688052	1.25	I-40 OVERLAY	NONE
33660	2712677978	0.58	I-40 OVERLAY	NONE
10903	2702166237	0.42	I-40 OVERLAY	NONE
44756	2702167137	0.66	I-40 OVERLAY	NONE
45306	1761881321	3.3	I-40 OVERLAY	NONE
51326	2771987115	0.73	I-40 OVERLAY	NONE
28955	2772503614	0.38	I-40 OVERLAY	NONE
29503	2762082289	0.4	I-40 OVERLAY	NONE
46144	1771179377	0.69	I-40 OVERLAY	NONE
6013	1792559746	0.38	I-40 OVERLAY	NONE
57290	1782060835	2.19	I-40 OVERLAY	NONE
39667	1762510514	1.13	I-40 OVERLAY	NONE

41996	1761989569	0.64	I-40 OVERLAY	NONE
5824	1772218875	1.84	I-40 OVERLAY	NONE
29314	1762214565	7.26	I-40 OVERLAY	NONE
21669	1761768444	2.5	I-40 OVERLAY	NONE
41909	1761769138	0.4	I-40 OVERLAY	NONE
43463	1761861304	2.5	I-40 OVERLAY	NONE
23363	1761188763	6.32	I-40 OVERLAY	NONE
5966	2702969882	0.52	I-40 OVERLAY	NONE
51288	2702967708	3.15	I-40 OVERLAY	NONE
22951	2772347544	1.79	I-40 OVERLAY	NONE
14872	2742158491	4.49	I-40 OVERLAY	NONE
48406	2743311212		I-40 OVERLAY	NONE
53959	2722295101	0.28	I-40 OVERLAY	NONE
56793	1762334026	0.52	I-40 OVERLAY	NONE
1697	2722294049	0.59	I-40 OVERLAY	NONE
24186	2762578392	0.31	I-40 OVERLAY	NONE
45224	1761895540	0.65	I-40 OVERLAY	NONE
45225	1761896468	0.63	I-40 OVERLAY	NONE
44148	2771595871	0.82	I-40 OVERLAY	NONE
42150	2732890956	0.45	I-40 OVERLAY	NONE
42151	2732799997	0.07	I-40 OVERLAY	NONE
24210	1752447423	1.84	I-40 OVERLAY	NONE
10635	1792778093	7.02	I-40 OVERLAY	NONE
32950	1782867807	2.95	I-40 OVERLAY	NONE
13553	2732799788	0.89	I-40 OVERLAY	NONE
8815	1792550175	0.5	I-40 OVERLAY	NONE
53179	1751764665	0.59	I-40 OVERLAY	NONE
53180	1751766625	0.59	I-40 OVERLAY	NONE
48260	1771064384	0.58	I-40 OVERLAY	NONE
48261	1771065393	0.59	I-40 OVERLAY	NONE
37713	1772849982	2.97	I-40 OVERLAY	NONE
59046	1772847864	1	I-40 OVERLAY	NONE
6066	1782875374	1.4	I-40 OVERLAY	NONE
22618	1751897715	0.43	I-40 OVERLAY	NONE
57670	2772347965	0.26	I-40 OVERLAY	NONE
3687	1772939219	0.45	I-40 OVERLAY	NONE
53174	1751767884	0.57	I-40 OVERLAY	NONE
45327	1761773564	0.71	I-40 OVERLAY	NONE
45261	1761688729	0.48	I-40 OVERLAY	NONE
6123	2712020526	0.43	I-40 OVERLAY	NONE
19929	2762664422	1.66	I-40 OVERLAY	NONE
19930	2762761613	1.05	I-40 OVERLAY	NONE
42091	1771071894	0.73	I-40 OVERLAY	NONE
42107	1771072761	0.69	I-40 OVERLAY	NONE
46399	1771283431	23.23	I-40 OVERLAY	NONE
61834	1761997051	20.72	I-40 OVERLAY	NONE
61837	1771371722	12	I-40 OVERLAY	NONE
61838	1771475942	12.12	I-40 OVERLAY	NONE
61836	1771263788	30.94	I-40 OVERLAY	NONE
61835	1771078019	8.6	I-40 OVERLAY	NONE
3030	1771182124	69.17	I-40 OVERLAY	NONE

36295	1772304015	0.67	I-40 OVERLAY	NONE
37581	2732570232	6.73	I-40 OVERLAY	NONE
37582	2732475127	9.98	I-40 OVERLAY	NONE
37583	2732471226	8.97	I-40 OVERLAY	NONE
40936	2742182450	2.78	I-40 OVERLAY	NONE
9582	2742085746	1.12	I-40 OVERLAY	NONE
30601	2762962753	4.26	I-40 OVERLAY	NONE
36088	1751783064	0.86	I-40 OVERLAY	NONE
42079	1771071948	0.77	I-40 OVERLAY	NONE
54593	1752057092	10.07	I-40 OVERLAY	NONE
56266	2722599997	3.4	I-40 OVERLAY	NONE
6140	2712042923	0.99	I-40 OVERLAY	NONE
48299	2722374078	0.5	I-40 OVERLAY	NONE
24272	1772057574	2.32	I-40 OVERLAY	NONE
32959	1772153512	9.46	I-40 OVERLAY	NONE
33033	1762648665	0.15	I-40 OVERLAY	NONE
43178	2762870462	0.87	I-40 OVERLAY	NONE
39412	1782062315	0.38	I-40 OVERLAY	NONE
44748	1772911089	0.61	I-40 OVERLAY	NONE
11481	2743306424	1.2	I-40 OVERLAY	NONE
11480	2743304356	2	I-40 OVERLAY	NONE
64332	1762706646	0.74	I-40 OVERLAY	NONE
45235	1761897775	0.6	I-40 OVERLAY	NONE
48270	1771067071	0.88	I-40 OVERLAY	NONE
48271	1771066051	0.81	I-40 OVERLAY	NONE
24434	1762704644	4.01	I-40 OVERLAY	NONE
46075	1771183746	0.59	I-40 OVERLAY	NONE
45274	1761771522	0.62	I-40 OVERLAY	NONE
17130	1752802503	10.85	I-40 OVERLAY	NONE
11595	2742886288	2.27	I-40 OVERLAY	NONE
40078	2742883318	3.98	I-40 OVERLAY	NONE
43470	2742356598	3.18	I-40 OVERLAY	NONE
23722	2762685164	0.49	I-40 OVERLAY	NONE
23723	2762685065	0.25	I-40 OVERLAY	NONE
23068	2772159697	0.95	I-40 OVERLAY	NONE
28093	2762922581	0.35	I-40 OVERLAY	NONE
24869	2762952018	0.73	I-40 OVERLAY	NONE
48421	2752887558	3.49	I-40 OVERLAY	NONE
12967	2732794291	5.57	I-40 OVERLAY	NONE
33661	2732795464	1.95	I-40 OVERLAY	NONE
33666	2732797011	0.33	I-40 OVERLAY	NONE
54503	2742955009	22.91	I-40 OVERLAY	NONE
6282	2712898856	8.82	I-40 OVERLAY	NONE
63749	2713901172	3.87	I-40 OVERLAY	NONE
64270	2712999859	1.52	I-40 OVERLAY	NONE
64271	2723000129	5.03	I-40 OVERLAY	NONE
64272	2713906215	0.59	I-40 OVERLAY	NONE
42699	2712993874	0.85	I-40 OVERLAY	NONE
53432	2771692109	14.74	I-40 OVERLAY	NONE
12632	1782877152	0.46	I-40 OVERLAY	NONE
63263	1772622856	0.43	I-40 OVERLAY	NONE

24946	1782022590	0.89	I-40 OVERLAY	NONE
18555	1751699685	3.01	I-40 OVERLAY	NONE
24973	1751791007	15.12	I-40 OVERLAY	NONE
45263	1761688573	0.77	I-40 OVERLAY	NONE
9714	1751896442	0.88	I-40 OVERLAY	NONE
30645	1751897578	0.04	I-40 OVERLAY	NONE
51233	2752970551	11.95	I-40 OVERLAY	NONE
24992	1772622742	0.8	I-40 OVERLAY	NONE
28035	2771982608	1.09	I-40 OVERLAY	NONE
27109	2762472919	13.37	I-40 OVERLAY	NONE
37232	2762386244	2.37	I-40 OVERLAY	NONE
46104	1771185455	0.93	I-40 OVERLAY	NONE
45267	1761688072	1.16	I-40 OVERLAY	NONE
11255	1772963484	1.43	I-40 OVERLAY	NONE
38964	1762410992	0.98	I-40 OVERLAY	NONE
45221	1761894751	0.4	I-40 OVERLAY	NONE
45222	1761893692	0.43	I-40 OVERLAY	NONE
25056	2723209447	1.1	I-40 OVERLAY	NONE
30902	2732599610	1	I-40 OVERLAY	NONE
33663	2732690135	6.47	I-40 OVERLAY	NONE
33665	2732693440	10.78	I-40 OVERLAY	NONE
30583	2762556911	0.47	I-40 OVERLAY	NONE
25065	2762567076	0.68	I-40 OVERLAY	NONE
49625	2762564160	1.95	I-40 OVERLAY	NONE
25078	2762566259	1.32	I-40 OVERLAY	NONE
9857	2762661389	0.39	I-40 OVERLAY	NONE
27124	2762752188	0.44	I-40 OVERLAY	NONE
47333	2762752017	0.61	I-40 OVERLAY	NONE
22408	2762659034	2.19	I-40 OVERLAY	NONE
11897	2742488506	4.37	I-40 OVERLAY	NONE
13656	2742487972	1	I-40 OVERLAY	NONE
39413	1782061310	0.38	I-40 OVERLAY	NONE
41631	1772003661	0.34	I-40 OVERLAY	NONE
42504	1772006096	1.05	I-40 OVERLAY	NONE
15250	1752050207	0.16	I-40 OVERLAY	NONE
61786	1742968176	0.21	I-40 OVERLAY	NONE
62535	1742969030	1.49	I-40 OVERLAY	NONE
61677	1742967001	1.48	I-40 OVERLAY	NONE
15853	1752060038	0.13	I-40 OVERLAY	NONE
33239	1742968292	0.85	I-40 OVERLAY	NONE
50580	2722470897	0.59	I-40 OVERLAY	NONE
8259	2733206319	0.73	I-40 OVERLAY	NONE
36051	2762775549	0.53	I-40 OVERLAY	NONE
58918	1771375985	0.73	I-40 OVERLAY	NONE
25564	1782150587	0.92	I-40 OVERLAY	NONE
41667	1772003011	0.86	I-40 OVERLAY	NONE
19837	1761859778	0.76	I-40 OVERLAY	NONE
9947	1772624532	1.65	I-40 OVERLAY	NONE
62800	2772021660	0.67	I-40 OVERLAY	NONE
61527	2742578400	0.72	I-40 OVERLAY	NONE
41770	1761999283	0.82	I-40 OVERLAY	NONE

25185	2762774671	0.52	I-40 OVERLAY	NONE
25189	2772325223	4.5	I-40 OVERLAY	NONE
31154	1762849535	2	I-40 OVERLAY	NONE
25194	1782010783	0.94	I-40 OVERLAY	NONE
28889	2762821455	1.15	I-40 OVERLAY	NONE
5939	2712564124	5.5	I-40 OVERLAY	NONE
27989	2781090690	0.97	I-40 OVERLAY	NONE
45325	1761774748	0.55	I-40 OVERLAY	NONE
45326	1761774603	0.65	I-40 OVERLAY	NONE
46335	1771291358	1.11	I-40 OVERLAY	NONE
54189	1771471292	1.62	I-40 OVERLAY	NONE
25210	1782059663	0.74	I-40 OVERLAY	NONE
36116	2722589216	0.19	I-40 OVERLAY	NONE
25212	1762544874	0.84	I-40 OVERLAY	NONE
42333	2732469797	0.27	I-40 OVERLAY	NONE
63638	1771060882	0.49	I-40 OVERLAY	NONE
39415	1772969119	0.38	I-40 OVERLAY	NONE
8023	2772429203	3.41	I-40 OVERLAY	NONE
41202	1762908209	0.33	I-40 OVERLAY	NONE
57139	1772742687	10.05	I-40 OVERLAY	NONE
13697	2742257179	1.81	I-40 OVERLAY	NONE
13281	2743300123	2	I-40 OVERLAY	NONE
56256	1772534950	0.87	I-40 OVERLAY	NONE
25304	1772535985	2.99	I-40 OVERLAY	NONE
25577	1772637915	3.48	I-40 OVERLAY	NONE
29486	1772647760	13.26	I-40 OVERLAY	NONE
33032	1762859174	6.14	I-40 OVERLAY	NONE
29884	2772329652	0.57	I-40 OVERLAY	NONE
26930	2781294530	1.13	I-40 OVERLAY	NONE
43566	2772608707	3.08	I-40 OVERLAY	NONE
45250	1761798209	0.55	I-40 OVERLAY	NONE
16357	1762913461	0.28	I-40 OVERLAY	NONE
20679	1762817207	16.77	I-40 OVERLAY	NONE
60296	1762815799	0.96	I-40 OVERLAY	NONE
33628	2722382748	2.14	I-40 OVERLAY	NONE
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41643	1752523899		I-40 OVERLAY	NONE
25336	1752523899	2.01	I-40 OVERLAY	NONE
58923	1771374773	0.51	I-40 OVERLAY	NONE
58924	1771375674	0.51	I-40 OVERLAY	NONE
58925	1771376555	0.51	I-40 OVERLAY	NONE
21010	1772945043	0.66	I-40 OVERLAY	NONE
21011	1772936843	0.46	I-40 OVERLAY	NONE
21012	1772936902	0.45	I-40 OVERLAY	NONE
21016	1772945155	0.42	I-40 OVERLAY	NONE
27405	1751555658	0.7	I-40 OVERLAY	NONE
29841	1782020675	0.46	I-40 OVERLAY	NONE
64454	2762560167	0.06	I-40 OVERLAY	NONE
48825	2742454968	10.25	I-40 OVERLAY	NONE
49099	2742457848	1.72	I-40 OVERLAY	NONE

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42336	2732764672	0.86	I-40 OVERLAY	NONE
37630	1742958307	1.86	I-40 OVERLAY	NONE
33659	2712586180	4.32	I-40 OVERLAY	NONE
13276	2733512362	6.27	I-40 OVERLAY	NONE
13833	2762964046	0.69	I-40 OVERLAY	NONE
55765	2762966026	1.48	I-40 OVERLAY	NONE
55426	2722782416	15	I-40 OVERLAY	NONE
13816	2732196791	0.94	I-40 OVERLAY	NONE
46477	1772942920	0.56	I-40 OVERLAY	NONE
25514	1751787974	0.63	I-40 OVERLAY	NONE
45265	1761780348	0.48	I-40 OVERLAY	NONE
56407	1751895830	0.73	I-40 OVERLAY	NONE
18900	1751892863	7.56	I-40 OVERLAY	NONE
17132	1751895681	0.07	I-40 OVERLAY	NONE
18901	1751896646	0.38	I-40 OVERLAY	NONE
29430	2781196879	2.33	I-40 OVERLAY	NONE
41940	2762965408	0.92	I-40 OVERLAY	NONE
48790	1761650649	2	I-40 OVERLAY	NONE
36274	1772313612	0.48	I-40 OVERLAY	NONE
36087	1751773707	1.01	I-40 OVERLAY	NONE
5826	1772202929	0.52	I-40 OVERLAY	NONE
19985	1772216325	0.52	I-40 OVERLAY	NONE
11317	2742595381	1.81	I-40 OVERLAY	NONE
25566	1761464311	2.59	I-40 OVERLAY	NONE
25557	1782020024	0.46	I-40 OVERLAY	NONE
12962	2732679897	0.83	I-40 OVERLAY	NONE
39406	1782060449	0.37	I-40 OVERLAY	NONE
36283	1772304951	1.04	I-40 OVERLAY	NONE
969	2712576269	9.99	I-40 OVERLAY	NONE
24289	2772512612	0.81	I-40 OVERLAY	NONE
57503	1771083470	0.95	I-40 OVERLAY	NONE
16238	1751997499	17.04	I-40 OVERLAY	NONE
25611	2772254017	0.86	I-40 OVERLAY	NONE
44746	1772914337	0.53	I-40 OVERLAY	NONE
20307	2762168600	1.32	I-40 OVERLAY	NONE
49357	2772501214	1.1	I-40 OVERLAY	NONE
29882	2762582832	0.85	I-40 OVERLAY	NONE
17511	2762086360	1.95	I-40 OVERLAY	NONE
7562	1782157911	0.89	I-40 OVERLAY	NONE
13352	2732695907	6.22	I-40 OVERLAY	NONE
13353	2733607107	1.8	I-40 OVERLAY	NONE
42334	2732466833	0.39	I-40 OVERLAY	NONE
35141	1752608787	0.58	I-40 OVERLAY	NONE
55764	2762965258	0.6	I-40 OVERLAY	NONE
55763	2762967207	0.51	I-40 OVERLAY	NONE
38970	2772033462	0.43	I-40 OVERLAY	NONE
39411	1782063410	0.37	I-40 OVERLAY	NONE
54781	2742663451	1.14	I-40 OVERLAY	NONE
35636	2742664993	0.44	I-40 OVERLAY	NONE
14269	2742663790	3.32	I-40 OVERLAY	NONE

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46952	2762846990	0.5	I-40 OVERLAY	NONE
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54171	1771275572	1.03	I-40 OVERLAY	NONE
11583	2742297271	4.6	I-40 OVERLAY	NONE
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45296	1761781108	0.49	I-40 OVERLAY	NONE
62929	2723200933	2.3	I-40 OVERLAY	NONE
5833	1772208702	0.91	I-40 OVERLAY	NONE
36275	1772313419	0.46	I-40 OVERLAY	NONE
36302	1772313354	0.74	I-40 OVERLAY	NONE
16039	1752241219	5.02	I-40 OVERLAY	NONE
26435	1752242083	1.51	I-40 OVERLAY	NONE
30681	1772213345	1.38	I-40 OVERLAY	NONE
5834	1772208812	0.61	I-40 OVERLAY	NONE
5835	1772208932	0.56	I-40 OVERLAY	NONE
11110	2732771781	1.1	I-40 OVERLAY	NONE
25809	2723418972	4.3	I-40 OVERLAY	NONE
35171	2723506726	1.33	I-40 OVERLAY	NONE
13876	2743002329	1	I-40 OVERLAY	NONE
21958	2762481496	0.91	I-40 OVERLAY	NONE
42493	2772316990	0.62	I-40 OVERLAY	NONE
5597	2712675660	3.42	I-40 OVERLAY	NONE
12875	2732296744	2.7	I-40 OVERLAY	NONE
35668	2732293736	3.93	I-40 OVERLAY	NONE
13811	2732199758	3.75	I-40 OVERLAY	NONE
30315	1772310196	1.37	I-40 OVERLAY	NONE
24463	2762949268	2.54	I-40 OVERLAY	NONE
40157	2742883050	5.18	I-40 OVERLAY	NONE
49013	2742970818	2.04	I-40 OVERLAY	NONE
13881	2742889196	3.92	I-40 OVERLAY	NONE
25896	2781175982	6.46	I-40 OVERLAY	NONE
28539	2762963146	0.42	I-40 OVERLAY	NONE
22567	2762176383	1.48	I-40 OVERLAY	NONE
54201	1771373171	0.74	I-40 OVERLAY	NONE
25936	2772063303	0.63	I-40 OVERLAY	NONE
11328	2742351790	0.67	I-40 OVERLAY	NONE
12375	2732190957	1	I-40 OVERLAY	NONE
18409	1752710165	0.57	I-40 OVERLAY	NONE
24942	1772858234	0.78	I-40 OVERLAY	NONE
41612	1772856299	1.03	I-40 OVERLAY	NONE
57036	1772859227	0.04	I-40 OVERLAY	NONE
45465	1751786110		I-40 OVERLAY	NONE
15566	2772024606	2.15	I-40 OVERLAY	NONE
13016	2723415932	1.31	I-40 OVERLAY	NONE
13928	2743106067	3.3	I-40 OVERLAY	NONE
15946	1752526513	0.52	I-40 OVERLAY	NONE
42682	2772024748	1.31	I-40 OVERLAY	NONE
44899	2722998923	0.34	I-40 OVERLAY	NONE
42101	2722998963	0.11	I-40 OVERLAY	NONE
26016	2722999961	1.13	I-40 OVERLAY	NONE

44898	2722998711	0.28	I-40 OVERLAY	NONE
50949	2722999961	0	I-40 OVERLAY	NONE
49574	2742350304	0.48	I-40 OVERLAY	NONE
18296	2772023241	0.35	I-40 OVERLAY	NONE
10670	2742254299	3.07	I-40 OVERLAY	NONE
43588	1772913960	0.75	I-40 OVERLAY	NONE
45246	1761981695	4.07	I-40 OVERLAY	NONE
31054	2723405462	3.97	I-40 OVERLAY	NONE
24199	1782063158	0.58	I-40 OVERLAY	NONE
1150	1771198492	0.61	I-40 OVERLAY	NONE
36222	2772066178	4.02	I-40 OVERLAY	NONE
44632	2712670556	0.83	I-40 OVERLAY	NONE
49058	2712671662	0.57	I-40 OVERLAY	NONE
45413	2732465808	1.45	I-40 OVERLAY	NONE
61508	2762675383	0.72	I-40 OVERLAY	NONE
26626	1761497047	0.82	I-40 OVERLAY	NONE
26131	2732098769	3.5	I-40 OVERLAY	NONE
51341	1761651806	2	I-40 OVERLAY	NONE
44255	2732395009	0.76	I-40 OVERLAY	NONE
31144	1772802276	0.53	I-40 OVERLAY	NONE
26150	2772244406	2.6	I-40 OVERLAY	NONE
45244	1761898055	1.79	I-40 OVERLAY	NONE
27229	2762680521	1.16	I-40 OVERLAY	NONE
11383	2733706170	0.93	I-40 OVERLAY	NONE
59122	1761994025	1.85	I-40 OVERLAY	NONE
30528	2742351270	1.2	I-40 OVERLAY	NONE
14010	2733704393	1.9	I-40 OVERLAY	NONE
47062	1761579313	55.47	I-40 OVERLAY	NONE
3686	1772937645	0.46	I-40 OVERLAY	NONE
7163	2723115072	0.75	I-40 OVERLAY	NONE
7242	1782873211	1.05	I-40 OVERLAY	NONE
44750	1772913181	0.47	I-40 OVERLAY	NONE
53697	2762848869	0.45	I-40 OVERLAY	NONE
24444	2762849137	0.49	I-40 OVERLAY	NONE
20502	2762576275	1.57	I-40 OVERLAY	NONE
46494	1772942731	2.1	I-40 OVERLAY	NONE
54172	1771276473	0.69	I-40 OVERLAY	NONE
53353	2712060662	1.32	I-40 OVERLAY	NONE
53975	2712061427	1.1	I-40 OVERLAY	NONE
22021	1762547993	0.94	I-40 OVERLAY	NONE
40685	2772329443	0.49	I-40 OVERLAY	NONE
44309	1762643800	0.79	I-40 OVERLAY	NONE
54174	1771276281	0.8	I-40 OVERLAY	NONE
11030	2723512594	2	I-40 OVERLAY	NONE
13451	2732680846	10.8	I-40 OVERLAY	NONE
30320	1772819395	0.86	I-40 OVERLAY	NONE
44008	1772910059	1	I-40 OVERLAY	NONE
31119	1772815000	6.44	I-40 OVERLAY	NONE
45569	1772817345	3.38	I-40 OVERLAY	NONE
45570	1772819840	1.77	I-40 OVERLAY	NONE
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55913	2742271713	12.89	I-40 OVERLAY	NONE
55913	2742271713	12.89	I-40 OVERLAY	NONE
10547	2742065918	36.35	I-40 OVERLAY	NONE
55917	2742267530	16.56	I-40 OVERLAY	NONE
57099	2742370546	1.61	I-40 OVERLAY	NONE
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55917	2742267530	16.56	I-40 OVERLAY	NONE
55914	2742275434	3.48	I-40 OVERLAY	NONE
57096	2742277570	1.84	I-40 OVERLAY	NONE
55914	2742275434	3.48	I-40 OVERLAY	NONE
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28181	2762587324	3.13	I-40 OVERLAY	NONE
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37768	2782302693	0.55	I-40 OVERLAY	NONE
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47813	1772113205	1.6	I-40 OVERLAY	NONE
14996	2762293367	1.5	I-40 OVERLAY	NONE
61966	2762391011	8.27	I-40 OVERLAY	NONE
22842	2772500967	0.62	I-40 OVERLAY	NONE
17947	2771888534	0.37	I-40 OVERLAY	NONE
17948	2771982292	7.16	I-40 OVERLAY	NONE
17949	2771887362	1.7	I-40 OVERLAY	NONE
17950	2771980799	1.14	I-40 OVERLAY	NONE
17951	2771882670	12.95	I-40 OVERLAY	NONE
26297	2771889646	0.63	I-40 OVERLAY	NONE
45283	1761782519	0.69	I-40 OVERLAY	NONE
26287	2771897883	7.7	I-40 OVERLAY	NONE
26302	2772510190	0.46	I-40 OVERLAY	NONE
8848	1772906613	0.42	I-40 OVERLAY	NONE
30401	1761472997	6.49	I-40 OVERLAY	NONE
18164	1762417457	0.3	I-40 OVERLAY	NONE
27612	1761471644	0.69	I-40 OVERLAY	NONE
26340	1762417720	0.18	I-40 OVERLAY	NONE
27469	1762413224	1.06	I-40 OVERLAY	NONE
26338	1772144973	3.74	I-40 OVERLAY	NONE
27286	1772827690	0.49	I-40 OVERLAY	NONE
23499	1762427968	0.43	I-40 OVERLAY	NONE
15887	2742085475	2.38	I-40 OVERLAY	NONE
26375	2762939537	0.5	I-40 OVERLAY	NONE
24700	2772328873	0.93	I-40 OVERLAY	NONE
27607	2772121201	2.16	I-40 OVERLAY	NONE
24454	2772708378	2.53	I-40 OVERLAY	NONE
56231	2772803321	6.04	I-40 OVERLAY	NONE
36300	1772304548	0.7	I-40 OVERLAY	NONE
36301	1772304649	1.2	I-40 OVERLAY	NONE
23423	1751788794	0.46	I-40 OVERLAY	NONE
21596	1751880787	0.55	I-40 OVERLAY	NONE

21597	1751881789	0.65	I-40 OVERLAY	NONE
27611	1761582222	0.25	I-40 OVERLAY	NONE
32420	1761582298	0.5	I-40 OVERLAY	NONE
23831	2723615354	0.38	I-40 OVERLAY	NONE
45338	1761760719	0.67	I-40 OVERLAY	NONE
63820	2712669821	3.87	I-40 OVERLAY	NONE
54229	1771598487	0.99	I-40 OVERLAY	NONE
46390	2722471339	0.76	I-40 OVERLAY	NONE
56267	2722598793	3.95	I-40 OVERLAY	NONE
54804	2781282696	1.13	I-40 OVERLAY	NONE
10070	2762963012	0.57	I-40 OVERLAY	NONE
29952	2762960158	3.56	I-40 OVERLAY	NONE
10904	2702145684	1	I-40 OVERLAY	NONE
13364	2732679453	1.1	I-40 OVERLAY	NONE
63761	2742290737	0.8	I-40 OVERLAY	NONE
23291	2762962306	0.83	I-40 OVERLAY	NONE
59302	2762960158		I-40 OVERLAY	NONE
26455	2762969499	2	I-40 OVERLAY	NONE
35861	2733806348	1	I-40 OVERLAY	NONE
13367	2732773533	1.88	I-40 OVERLAY	NONE
45314	1761893094	2.3	I-40 OVERLAY	NONE
13140	2742184311	0.67	I-40 OVERLAY	NONE
54203	1771371362	0.71	I-40 OVERLAY	NONE
7446	1752121274	116.73	I-40 OVERLAY	NONE
44915	1752147187	1.58	I-40 OVERLAY	NONE
59263	1752148377	1.25	I-40 OVERLAY	NONE
38226	2712991018	0.23	I-40 OVERLAY	NONE
56263	2723608000	9.22	I-40 OVERLAY	NONE
7449	2722093630	0.6	I-40 OVERLAY	NONE
23002	1772828982	0.74	I-40 OVERLAY	NONE
3721	2702954425	0.49	I-40 OVERLAY	NONE
18472	2762935823	0.61	I-40 OVERLAY	NONE
59409	1762224786	0.52	I-40 OVERLAY	NONE
15212	1772922213	2.01	I-40 OVERLAY	NONE
28412	1752701236	1.63	I-40 OVERLAY	NONE
56101	2762676887	0.5	I-40 OVERLAY	NONE
34146	1772702903	16.06	I-40 OVERLAY	NONE
8172	1772717190	20.98	I-40 OVERLAY	NONE
26535	1752915080	0.4	I-40 OVERLAY	NONE
12386	2732184734	10.46	I-40 OVERLAY	NONE
13305	2732979533	21.48	I-40 OVERLAY	NONE
46150	1771175384	0.85	I-40 OVERLAY	NONE
30667	1782010204	0.43	I-40 OVERLAY	NONE
12910	2742592782	4.47	I-40 OVERLAY	NONE
57591	2722495386	2.23	I-40 OVERLAY	NONE
26625	1761499104	0.62	I-40 OVERLAY	NONE
53863	1761590118	0.13	I-40 OVERLAY	NONE
16577	1762428618	0.48	I-40 OVERLAY	NONE
23399	1762522794	0.12	I-40 OVERLAY	NONE
26622	1762520534	0.26	I-40 OVERLAY	NONE
39313	1762522565	1.06	I-40 OVERLAY	NONE

18158	1761470615	0.2	I-40 OVERLAY	NONE
26624	1761482895	1.26	I-40 OVERLAY	NONE
49658	1762647296		I-40 OVERLAY	NONE
15919	1761581309	0.6	I-40 OVERLAY	NONE
51162	2722481243	1.03	I-40 OVERLAY	NONE
51163	2722482403	0.9	I-40 OVERLAY	NONE
50960	1792458251	3.59	I-40 OVERLAY	NONE
59604	2772343825		I-40 OVERLAY	NONE
19870	2762093237	2.95	I-40 OVERLAY	NONE
19871	2762098174	6.6	I-40 OVERLAY	NONE
26633	2772343825	1.75	I-40 OVERLAY	NONE
53679	2772343825		I-40 OVERLAY	NONE
49564	2752064299	1.99	I-40 OVERLAY	NONE
43899	1761964729	7.2	I-40 OVERLAY	NONE
41949	2772035237	0.42	I-40 OVERLAY	NONE
30635	2772242289	0.95	I-40 OVERLAY	NONE
41947	2772246218	1	I-40 OVERLAY	NONE
19242	2702972069	5.54	I-40 OVERLAY	NONE
57940	2702972069	1.48	I-40 OVERLAY	NONE
57941	2702972069	1.3	I-40 OVERLAY	NONE
3015	2702972069	2.8	I-40 OVERLAY	NONE
26677	1752609384	0.86	I-40 OVERLAY	NONE
53917	2772255258	1.24	I-40 OVERLAY	NONE
56414	1772732978	0.86	I-40 OVERLAY	NONE
54183	1771368647	0.75	I-40 OVERLAY	NONE
26683	2772342399	0.19	I-40 OVERLAY	NONE
45270	1761677437	1.54	I-40 OVERLAY	NONE
57189	1761679427	1.44	I-40 OVERLAY	NONE
54187	1771472003	0.84	I-40 OVERLAY	NONE
26696	2772156032	5.5	I-40 OVERLAY	NONE
18305	2772154300	0.59	I-40 OVERLAY	NONE
20050	2772155350	0.59	I-40 OVERLAY	NONE
11028	2723609730	2.27	I-40 OVERLAY	NONE
33615	2723605772	8.52	I-40 OVERLAY	NONE
13102	2732393632	0.64	I-40 OVERLAY	NONE
14057	2732393748	0.45	I-40 OVERLAY	NONE
42103	2772352112	0.7	I-40 OVERLAY	NONE
7681	2702959028	0.53	I-40 OVERLAY	NONE
26715	2762753287	0.45	I-40 OVERLAY	NONE
26716	2762659429	0.63	I-40 OVERLAY	NONE
29887	2772607256	5.5	I-40 OVERLAY	NONE
59946	1771382867	1.01	I-40 OVERLAY	NONE
46032	1761698414	0.51	I-40 OVERLAY	NONE
8530	2762721394	1.49	I-40 OVERLAY	NONE
38792	2762629318	1	I-40 OVERLAY	NONE
17920	2762926970	0.52	I-40 OVERLAY	NONE
53637	2772344073	0.61	I-40 OVERLAY	NONE
27593	2772340373	0.61	I-40 OVERLAY	NONE
56232	2772248228	0.74	I-40 OVERLAY	NONE
56233	2772248036	1.62	I-40 OVERLAY	NONE
56234	2772341100	1.4	I-40 OVERLAY	NONE

26782	2772334950	1.16	I-40 OVERLAY	NONE
14132	2743814952	8.91	I-40 OVERLAY	NONE
14133	2743827521	5.36	I-40 OVERLAY	NONE
27003	2723413617	0.88	I-40 OVERLAY	NONE
28989	1782012819	0.66	I-40 OVERLAY	NONE
47611	2722480852	0.95	I-40 OVERLAY	NONE
58971	2712450844	1.92	I-40 OVERLAY	NONE
28629	1782052129	2.58	I-40 OVERLAY	NONE
19452	1751578065	1.99	I-40 OVERLAY	NONE
8814	1792556488	0.46	I-40 OVERLAY	NONE
26841	2772501456	3	I-40 OVERLAY	NONE
26843	2772057905	0.41	I-40 OVERLAY	NONE
20089	2772033597	0.57	I-40 OVERLAY	NONE
4955	2723009562	4.36	I-40 OVERLAY	NONE
8595	2723005297	1.73	I-40 OVERLAY	NONE
41569	1772001374	0.63	I-40 OVERLAY	NONE
42550	1772005852	0.97	I-40 OVERLAY	NONE
42631	1772006967	0.86	I-40 OVERLAY	NONE
42548	1772006790	1.04	I-40 OVERLAY	NONE
41645	1772004466	0.41	I-40 OVERLAY	NONE
41655	1772005302	0.38	I-40 OVERLAY	NONE
42670	1772016099	0.06	I-40 OVERLAY	NONE
42788	1772017113	0.05	I-40 OVERLAY	NONE
42794	1772017037	0.12	I-40 OVERLAY	NONE
57119	1772004399	0.36	I-40 OVERLAY	NONE
57121	1772004511	0.39	I-40 OVERLAY	NONE
59935	1771384045	0.56	I-40 OVERLAY	NONE
59939	1771383305	0.69	I-40 OVERLAY	NONE
59941	1771381222	0.55	I-40 OVERLAY	NONE
59943	1771382426	0.74	I-40 OVERLAY	NONE
59944	1771384508	0.68	I-40 OVERLAY	NONE
59945	1771383714	0.97	I-40 OVERLAY	NONE
59948	1771391018	0.86	I-40 OVERLAY	NONE
59955	1771380527	0.74	I-40 OVERLAY	NONE
16289	1771196869	2.84	I-40 OVERLAY	NONE
29155	1772201093	8.77	I-40 OVERLAY	NONE
29158	1772201565	0.34	I-40 OVERLAY	NONE
42282	2762965722	0.52	I-40 OVERLAY	NONE
41035	2712149269	1.2	I-40 OVERLAY	NONE
5031	2712240037	0.98	I-40 OVERLAY	NONE
34008	2712241412	1.2	I-40 OVERLAY	NONE
29156	1772203482	0.64	I-40 OVERLAY	NONE
26058	1761599987	0.6	I-40 OVERLAY	NONE
46062	1771192079	1.35	I-40 OVERLAY	NONE
16623	2772153507	0.16	I-40 OVERLAY	NONE
43995	2732167622	1.06	I-40 OVERLAY	NONE
44928	2732168655	0.92	I-40 OVERLAY	NONE
14166	2732494498	0.88	I-40 OVERLAY	NONE
61221	2702250862	1.66	I-40 OVERLAY	NONE
2407	2702252705	1.68	I-40 OVERLAY	NONE
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51166	2722494197	3.26	I-40 OVERLAY	NONE
32281	2772704432	17.13	I-40 OVERLAY	NONE
42229	2742257715	0.54	I-40 OVERLAY	NONE
46497	2742257673	1.04	I-40 OVERLAY	NONE
26241	2762162561	1.85	I-40 OVERLAY	NONE
14349	2742451414	6.64	I-40 OVERLAY	NONE
30292	2752977778	0.95	I-40 OVERLAY	NONE
51225	2752973854	10.78	I-40 OVERLAY	NONE
44938	2762566811	0.2	I-40 OVERLAY	NONE
32908	1761475361	3.02	I-40 OVERLAY	NONE
14177	2742588637	3.75	I-40 OVERLAY	NONE
42238	2781394989	0.37	I-40 OVERLAY	NONE
52603	2781393957	2.64	I-40 OVERLAY	NONE
52599	2782207036	1.93	I-40 OVERLAY	NONE
1291	2712050964	0.64	I-40 OVERLAY	NONE
24571	2782204160	1.11	I-40 OVERLAY	NONE
24575	2781293897	1.12	I-40 OVERLAY	NONE
24576	2781295951	0.91	I-40 OVERLAY	NONE
23362	1761277883	0.46	I-40 OVERLAY	NONE
30664	1751873853	0.84	I-40 OVERLAY	NONE
49384	1751884180	1.12	I-40 OVERLAY	NONE
43620	1752909783	1.89	I-40 OVERLAY	NONE
55062	1771480664	0.9	I-40 OVERLAY	NONE
37045	2771796682	11.2	I-40 OVERLAY	NONE
12709	2742486192	3.8	I-40 OVERLAY	NONE
8728	2722294656	0.62	I-40 OVERLAY	NONE
25802	1752718050	1.15	I-40 OVERLAY	NONE
40021	1751797017	0.3	I-40 OVERLAY	NONE
21199	2763000036	1.6	I-40 OVERLAY	NONE
13847	2732981768	21.74	I-40 OVERLAY	NONE
43920	2733700315	3.5	I-40 OVERLAY	NONE
24674	1761078158	2.94	I-40 OVERLAY	NONE
29336	2772251524	1.12	I-40 OVERLAY	NONE
30570	2772253417	1.7	I-40 OVERLAY	NONE
42688	2772152117	0.85	I-40 OVERLAY	NONE
24701	2772502922	0.75	I-40 OVERLAY	NONE
29490	2772512056	0.4	I-40 OVERLAY	NONE
15712	1792763920	7.02	I-40 OVERLAY	NONE
24621	1762000949	1.09	I-40 OVERLAY	NONE
55787	1772759100	12.02	I-40 OVERLAY	NONE
23641	1762535264	0.25	I-40 OVERLAY	NONE
28991	1762535482	1	I-40 OVERLAY	NONE
46568	2743000986	1.16	I-40 OVERLAY	NONE
24671	2723903332	1.7	I-40 OVERLAY	NONE
24284	1762528116	9.64	I-40 OVERLAY	NONE
24773	1782061079	0.58	I-40 OVERLAY	NONE
42169	2772506649	0.32	I-40 OVERLAY	NONE
12387	2732187731	10.42	I-40 OVERLAY	NONE
27175	2723910667	0.35	I-40 OVERLAY	NONE
27610	1762536741	0.53	I-40 OVERLAY	NONE
48096	1762535730	0.08	I-40 OVERLAY	NONE

5463	2712998420	4.11	I-40 OVERLAY	NONE
24816	1762536622	0.18	I-40 OVERLAY	NONE
20360	1772913542	1.05	I-40 OVERLAY	NONE
3684	1772936794	0.44	I-40 OVERLAY	NONE
28979	2762083671	0.94	I-40 OVERLAY	NONE
42733	2712996937	2.66	I-40 OVERLAY	NONE
19970	1782062163	0.58	I-40 OVERLAY	NONE
22471	1782165161	0.29	I-40 OVERLAY	NONE
26665	1782154986	0.46	I-40 OVERLAY	NONE
12569	1772935387	0.45	I-40 OVERLAY	NONE
48262	1771066392	0.62	I-40 OVERLAY	NONE
48263	1771067391	0.54	I-40 OVERLAY	NONE
48276	1771061120	0.63	I-40 OVERLAY	NONE
48277	1771060018	0.49	I-40 OVERLAY	NONE
57120	1772003528	0.42	I-40 OVERLAY	NONE
41666	1772001041	0.51	I-40 OVERLAY	NONE
20952	2762963381	0.41	I-40 OVERLAY	NONE
47104	1752809934		I-40 OVERLAY	NONE
54184	1771369781	0.9	I-40 OVERLAY	NONE
57033	1771286325	0.64	I-40 OVERLAY	NONE
45318	1761886068	2.3	I-40 OVERLAY	NONE
21190	2772712096	1.21	I-40 OVERLAY	NONE
16316	2781293253	1.88	I-40 OVERLAY	NONE
17958	2781292489	1	I-40 OVERLAY	NONE
26935	2772424329	0.94	I-40 OVERLAY	NONE
5418	1752143976	4.09	I-40 OVERLAY	NONE
46630	2772602284	1.06	I-40 OVERLAY	NONE
17954	2781296730	0.54	I-40 OVERLAY	NONE
17955	2781296518	0.71	I-40 OVERLAY	NONE
17956	2781296405	0.68	I-40 OVERLAY	NONE
17957	2781295392	0.67	I-40 OVERLAY	NONE
4392	1771290014	0.58	I-40 OVERLAY	NONE
13003	2733702161	3.13	I-40 OVERLAY	NONE
26951	2762079551	4.41	I-40 OVERLAY	NONE
47108	2762079551		I-40 OVERLAY	NONE
26952	2762779318	1.48	I-40 OVERLAY	NONE
28640	2762775362	1.02	I-40 OVERLAY	NONE
39030	2762777301	0.25	I-40 OVERLAY	NONE
24344	1762648765	0.38	I-40 OVERLAY	NONE
17129	1762742367	0.75	I-40 OVERLAY	NONE
23197	1762742254	0.75	I-40 OVERLAY	NONE
26962	2723219975	3.4	I-40 OVERLAY	NONE
17409	2742691296	0.54	I-40 OVERLAY	NONE
35337	2742691193	0.14	I-40 OVERLAY	NONE
14286	2742390866	1.48	I-40 OVERLAY	NONE
63155	2722389690	0.97	I-40 OVERLAY	NONE
26976	2722389448	1.06	I-40 OVERLAY	NONE
48963	2722385459	0.48	I-40 OVERLAY	NONE
20173	1761698660	0.82	I-40 OVERLAY	NONE
26993	2733005623	1.36	I-40 OVERLAY	NONE
22896	2772135583	0.54	I-40 OVERLAY	NONE

10812	2743501068	1.27	I-40 OVERLAY	NONE
38317	2702843187	121.19	I-40 OVERLAY	NONE
38684	2782107182	0.29	I-40 OVERLAY	NONE
38787	2772330038	4.2	I-40 OVERLAY	NONE
40176	2723803647	4.96	I-40 OVERLAY	NONE
11618	2742871486	6.15	I-40 OVERLAY	NONE
14299	2742764378	129.06	I-40 OVERLAY	NONE
33602	2742657070	13.59	I-40 OVERLAY	NONE
24131	1751885786	1.77	I-40 OVERLAY	NONE
24132	1751883720	0.28	I-40 OVERLAY	NONE
52980	1751882865	0.44	I-40 OVERLAY	NONE
27086	2772329107	0.37	I-40 OVERLAY	NONE
31146	1772801249	0.48	I-40 OVERLAY	NONE
48087	2722374343	0.67	I-40 OVERLAY	NONE
48302	2722373111	0.51	I-40 OVERLAY	NONE
48303	2722373228	0.55	I-40 OVERLAY	NONE
20909	1752242820	14.18	I-40 OVERLAY	NONE
45240	1761993736	0.63	I-40 OVERLAY	NONE
45241	1761994746	0.63	I-40 OVERLAY	NONE
47321	2772327110	0.8	I-40 OVERLAY	NONE
54981	1771598290	1.03	I-40 OVERLAY	NONE
29849	1752806861	3.79	I-40 OVERLAY	NONE
20257	1782041311	5.28	I-40 OVERLAY	NONE
47758	2723908221	1.16	I-40 OVERLAY	NONE
54489	2781088758	0.66	I-40 OVERLAY	NONE
53925	2781087815	0.73	I-40 OVERLAY	NONE
36079	2732685016	0.93	I-40 OVERLAY	NONE
40883	2732676840	0.79	I-40 OVERLAY	NONE
48737	2772514529	0.79	I-40 OVERLAY	NONE
27173	1772012155	2.54	I-40 OVERLAY	NONE
16047	1772010081	3.59	I-40 OVERLAY	NONE
16296	1772019669	5.58	I-40 OVERLAY	NONE
27176	1772014167	1.48	I-40 OVERLAY	NONE
27117	2772515729	0.97	I-40 OVERLAY	NONE
22220	2772513831	0.82	I-40 OVERLAY	NONE
27165	2772134591	0.3	I-40 OVERLAY	NONE
27126	2762852471	2.7	I-40 OVERLAY	NONE
27127	2772049029	9.55	I-40 OVERLAY	NONE
21656	2752986869	4.77	I-40 OVERLAY	NONE
42884	1772723582	1.05	I-40 OVERLAY	NONE
10173	2772133489	0.47	I-40 OVERLAY	NONE
35779	2722387330	4.23	I-40 OVERLAY	NONE
50962	2722385190	0.28	I-40 OVERLAY	NONE
45316	1761884672	2.35	I-40 OVERLAY	NONE
23734	1751893101	0.4	I-40 OVERLAY	NONE
47595	1772738322	2	I-40 OVERLAY	NONE
20010	1782154697	0.99	I-40 OVERLAY	NONE
20194	1772827312	2.88	I-40 OVERLAY	NONE
42135	1772829360	1.02	I-40 OVERLAY	NONE
46102	1771183695	0.53	I-40 OVERLAY	NONE
54175	1771278133	1.61	I-40 OVERLAY	NONE

56881	1771288085	0.87	I-40 OVERLAY	NONE
11604	2723714841	0.71	I-40 OVERLAY	NONE
29454	2762553965	2.3	I-40 OVERLAY	NONE
2774	2722297436	3.53	I-40 OVERLAY	NONE
7007	2722396358	20.61	I-40 OVERLAY	NONE
15920	1761489108	0.46	I-40 OVERLAY	NONE
45231	1761993438	0.63	I-40 OVERLAY	NONE
45230	1761992428	0.65	I-40 OVERLAY	NONE
13409	2742353716	0.74	I-40 OVERLAY	NONE
42793	2732892865	1.4	I-40 OVERLAY	NONE
13731	2732894843	1.56	I-40 OVERLAY	NONE
8370	2712158681	84.21	I-40 OVERLAY	NONE
7805	2712066660	13.55	I-40 OVERLAY	NONE
7847	2762836581	6.93	I-40 OVERLAY	NONE
6512	2712241174	0.81	I-40 OVERLAY	NONE
7491	2702939040	0.63	I-40 OVERLAY	NONE
7814	2712030075	0.59	I-40 OVERLAY	NONE
7815	2712021847	0.35	I-40 OVERLAY	NONE
7819	2712020706	1.11	I-40 OVERLAY	NONE
36938	1761762091	0.67	I-40 OVERLAY	NONE
12837	2742456439	2.47	I-40 OVERLAY	NONE
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49216	2742458590	0.84	I-40 OVERLAY	NONE
54193	1771378327	0.58	I-40 OVERLAY	NONE
62034	2742187234	1.21	I-40 OVERLAY	NONE
55054	1771482483	1.4	I-40 OVERLAY	NONE
30318	1772847460	10.09	I-40 OVERLAY	NONE
58012	1782757501	0.69	I-40 OVERLAY	NONE
13211	2743202102	1.82	I-40 OVERLAY	NONE
48239	2742577824	0.81	I-40 OVERLAY	NONE
48829	2742577048	4.84	I-40 OVERLAY	NONE
57587	2722594220	1.53	I-40 OVERLAY	NONE
39178	2742570687	4.88	I-40 OVERLAY	NONE
29759	1752533133	0.34	I-40 OVERLAY	NONE
17123	1761080685	8.76	I-40 OVERLAY	NONE
21539	2772330960	1.65	I-40 OVERLAY	NONE
28867	2772330794	1.9	I-40 OVERLAY	NONE
28033	2771982664	0.55	I-40 OVERLAY	NONE
13761	2732891845	0.88	I-40 OVERLAY	NONE
42152	2732799938	0.52	I-40 OVERLAY	NONE
8071	1771280767	0.52	I-40 OVERLAY	NONE
48419	2752981667	3.49	I-40 OVERLAY	NONE
48420	2752889037	1.74	I-40 OVERLAY	NONE
48422	2752888320	3.49	I-40 OVERLAY	NONE
46141	2752981290	1.75	I-40 OVERLAY	NONE
27004	2723414754	1	I-40 OVERLAY	NONE
49952	2742469835	0.62	I-40 OVERLAY	NONE
57791	1751876869	3.64	I-40 OVERLAY	NONE
19455	1762504346	1.07	I-40 OVERLAY	NONE
35178	1762507344	0.93	I-40 OVERLAY	NONE
19454	1762516070	9.63	I-40 OVERLAY	NONE

9304	1792863605	7	I-40 OVERLAY	NONE
35057	2742366713	7.2	I-40 OVERLAY	NONE
55425	2722881898	21.8	I-40 OVERLAY	NONE
63170	2722798093	16.5	I-40 OVERLAY	NONE
27359	1761060852	1	I-40 OVERLAY	NONE
43114	1762539229	7.55	I-40 OVERLAY	NONE
27367	1762649181	0.17	I-40 OVERLAY	NONE
30646	1762411435	0.62	I-40 OVERLAY	NONE
17126	1762319327	0.5	I-40 OVERLAY	NONE
50937	1761276848		I-40 OVERLAY	NONE
17125	1762318162	0.45	I-40 OVERLAY	NONE
31120	1772905616	0.42	I-40 OVERLAY	NONE
29502	2762084058	1.21	I-40 OVERLAY	NONE
53177	1751762885	0.57	I-40 OVERLAY	NONE
41617	1772002538	0.43	I-40 OVERLAY	NONE
54069	2772417366	1.82	I-40 OVERLAY	NONE
51170	2722487993	1.26	I-40 OVERLAY	NONE
27391	1762430529	4.19	I-40 OVERLAY	NONE
27383	1762433762	3.31	I-40 OVERLAY	NONE
55275	1771486741	1.28	I-40 OVERLAY	NONE
22222	1772826995	1.8	I-40 OVERLAY	NONE
46582	2772602051	0.94	I-40 OVERLAY	NONE
8190	2702957327	0.78	I-40 OVERLAY	NONE
10732	2702955169	0.63	I-40 OVERLAY	NONE
27411	1762755298	7.23	I-40 OVERLAY	NONE
9748	2772605437	0.98	I-40 OVERLAY	NONE
27422	2772140795	2	I-40 OVERLAY	NONE
27423	2772141995	0.95	I-40 OVERLAY	NONE
21839	2772236932	0.23	I-40 OVERLAY	NONE
28999	2772244059	0.7	I-40 OVERLAY	NONE
29000	2772246008	1	I-40 OVERLAY	NONE
37375	1782025414	0.91	I-40 OVERLAY	NONE
2448	1782157002	1.53	I-40 OVERLAY	NONE
2449	1782145964	0.72	I-40 OVERLAY	NONE
20575	1782036768	6.71	I-40 OVERLAY	NONE
2450	1782144877	0.54	I-40 OVERLAY	NONE
33306	1782143891	0.53	I-40 OVERLAY	NONE
36413	1782039987	5.25	I-40 OVERLAY	NONE
104	1782141677	1.04	I-40 OVERLAY	NONE
52814	1782142593	0.65	I-40 OVERLAY	NONE
61674	1782144128	1.78	I-40 OVERLAY	NONE
15682	1782147456	12.41	I-40 OVERLAY	NONE
7961	2772220547	9.59	I-40 OVERLAY	NONE
17931	2772322474	18.88	I-40 OVERLAY	NONE
30625	2772310281	31.48	I-40 OVERLAY	NONE
53689	2772212190	13.61	I-40 OVERLAY	NONE
22279	2723402181	3.17	I-40 OVERLAY	NONE
7005	2722285588	3.54	I-40 OVERLAY	NONE
27569	1772829566	0.47	I-40 OVERLAY	NONE
45253	1761795210	0.64	I-40 OVERLAY	NONE
6050	2702959733	1.46	I-40 OVERLAY	NONE

44247	1762511284	1.33	I-40 OVERLAY	NONE
37738	1762412580	0.34	I-40 OVERLAY	NONE
27451	1762414558	0.54	I-40 OVERLAY	NONE
20017	1762416128	2.15	I-40 OVERLAY	NONE
63878	1762411656	2.44	I-40 OVERLAY	NONE
27462	1762415399	1.05	I-40 OVERLAY	NONE
41662	1772001125	0.45	I-40 OVERLAY	NONE
31122	1772902632	0.67	I-40 OVERLAY	NONE
50204	2702967420	3.54	I-40 OVERLAY	NONE
53584	1792561305	0.3	I-40 OVERLAY	NONE
4458	1792462672	8.69	I-40 OVERLAY	NONE
63428	1792467636	0.69	I-40 OVERLAY	NONE
7036	1782756887	2.11	I-40 OVERLAY	NONE
28639	2762557856	0.29	I-40 OVERLAY	NONE
18931	1782010363	0.41	I-40 OVERLAY	NONE
43541	1761972892	2.64	I-40 OVERLAY	NONE
43540	1761973602	2.58	I-40 OVERLAY	NONE
18635	2762939852	0.6	I-40 OVERLAY	NONE
18636	2762949051	0.6	I-40 OVERLAY	NONE
8269	2762927562	0.35	I-40 OVERLAY	NONE
61965	2762297057	8.21	I-40 OVERLAY	NONE
59940	1771382149	0.55	I-40 OVERLAY	NONE
20707	1752041519	25.54	I-40 OVERLAY	NONE
8414	1762433028	1.5	I-40 OVERLAY	NONE
15594	2732195837	2.18	I-40 OVERLAY	NONE
18161	1762416636	0.35	I-40 OVERLAY	NONE
20785	2772517003	0.42	I-40 OVERLAY	NONE
36199	2772247941	1.31	I-40 OVERLAY	NONE
27539	1762523096	0.2	I-40 OVERLAY	NONE
15918	1762513954	2.38	I-40 OVERLAY	NONE
23361	1762521085	1	I-40 OVERLAY	NONE
20060	1761174776	0.6	I-40 OVERLAY	NONE
20470	1761584318	1	I-40 OVERLAY	NONE
25332	1772228785	0.33	I-40 OVERLAY	NONE
26620	1762533817	0.4	I-40 OVERLAY	NONE
31116	1772229798	0.32	I-40 OVERLAY	NONE
27364	1761183192	0.5	I-40 OVERLAY	NONE
23402	1762531561	7.04	I-40 OVERLAY	NONE
24813	1762203868	6.55	I-40 OVERLAY	NONE
15917	1762521265	1.21	I-40 OVERLAY	NONE
63953	1762524240	1.18	I-40 OVERLAY	NONE
27552	1761299884	34.28	I-40 OVERLAY	NONE
30369	1762400017	25	I-40 OVERLAY	NONE
38920	1772635620	1.22	I-40 OVERLAY	NONE
19986	1772216465	0.53	I-40 OVERLAY	NONE
22959	2762926392	0.48	I-40 OVERLAY	NONE
27565	2762484666	2.33	I-40 OVERLAY	NONE
37233	2762486910	0.43	I-40 OVERLAY	NONE
41973	2723217784	0.23	I-40 OVERLAY	NONE
46277	2732984293	1.63	I-40 OVERLAY	NONE
58976	2732787805	0.06	I-40 OVERLAY	NONE

27572	2762567791	0.4	I-40 OVERLAY	NONE
30270	2772519194	0.97	I-40 OVERLAY	NONE
35424	2723505535	3.83	I-40 OVERLAY	NONE
44628	2762653102	0.67	I-40 OVERLAY	NONE
27608	2753907445	1.18	I-40 OVERLAY	NONE
19645	2762837892	0.38	I-40 OVERLAY	NONE
23860	2762835793	0.9	I-40 OVERLAY	NONE
27601	1782163057	0.66	I-40 OVERLAY	NONE
8270	2732780953	1.5	I-40 OVERLAY	NONE
63267	2732783804	2.02	I-40 OVERLAY	NONE
41917	2732891043	1.21	I-40 OVERLAY	NONE
28197	1762807445	2.87	I-40 OVERLAY	NONE
14430	2742169470	6.02	I-40 OVERLAY	NONE
54191	1771379596	0.84	I-40 OVERLAY	NONE
48380	2712672963	0.57	I-40 OVERLAY	NONE
11999	2742168143	6.8	I-40 OVERLAY	NONE
60078	1762227615	0.82	I-40 OVERLAY	NONE
39414	1782060215	0.38	I-40 OVERLAY	NONE
43770	1782769828	0.33	I-40 OVERLAY	NONE
40032	1782768938	1.25	I-40 OVERLAY	NONE
62611	2722181212	165.73	I-40 OVERLAY	NONE
42524	1772007478	1.45	I-40 OVERLAY	NONE
40810	2762827498	1.27	I-40 OVERLAY	NONE
17512	2762189101	1.06	I-40 OVERLAY	NONE
57129	1772743027	0.87	I-40 OVERLAY	NONE
57130	1772743187	1.26	I-40 OVERLAY	NONE
58741	1772428961	6.3	I-40 OVERLAY	NONE
37468	2781393378	0.93	I-40 OVERLAY	NONE
14446	2733002248	1	I-40 OVERLAY	NONE
46057	1771185945	0.57	I-40 OVERLAY	NONE
28923	2781180535	0.56	I-40 OVERLAY	NONE
24853	1762646685	1.19	I-40 OVERLAY	NONE
60463	2762952580	0.22	I-40 OVERLAY	NONE
21042	1772952418	0.64	I-40 OVERLAY	NONE
31100	1772203833	0.51	I-40 OVERLAY	NONE
40973	2762451751	0.25	I-40 OVERLAY	NONE
21188	2772059904	0.36	I-40 OVERLAY	NONE
22089	2772058905	0.38	I-40 OVERLAY	NONE
23116	2762076644	1.5	I-40 OVERLAY	NONE
29664	2762077901	2.3	I-40 OVERLAY	NONE
53969	1772000347	0.51	I-40 OVERLAY	NONE
58292	2752065702	24.21	I-40 OVERLAY	NONE
39646	1772638895	0.64	I-40 OVERLAY	NONE
49432	2762083010	1.79	I-40 OVERLAY	NONE
25935	2762489501	1.17	I-40 OVERLAY	NONE
58917	1771387002	0.87	I-40 OVERLAY	NONE
46148	1771177366	0.58	I-40 OVERLAY	NONE
37645	2762452822	0.77	I-40 OVERLAY	NONE
24279	1762207527	17.88	I-40 OVERLAY	NONE
50878	1762305934	9.8	I-40 OVERLAY	NONE
31104	1772338087	2.15	I-40 OVERLAY	NONE

19924	2762173393	0.86	I-40 OVERLAY	NONE
19925	2762166805	1.28	I-40 OVERLAY	NONE
29321	2762164848	1.2	I-40 OVERLAY	NONE
213	2712573843	0.71	I-40 OVERLAY	NONE
27718	2781099582	0.36	I-40 OVERLAY	NONE
21758	2781190630	0.32	I-40 OVERLAY	NONE
32093	2762829478	0.27	I-40 OVERLAY	NONE
13212	2742080979	1.2	I-40 OVERLAY	NONE
11768	2742083752	1.72	I-40 OVERLAY	NONE
44053	1761794423	0.29	I-40 OVERLAY	NONE
20637	2762680223	0.35	I-40 OVERLAY	NONE
36377	2762681262	0.6	I-40 OVERLAY	NONE
45423	2762589212	0.35	I-40 OVERLAY	NONE
28680	2762681180	2.76	I-40 OVERLAY	NONE
9837	1772533806	3.8	I-40 OVERLAY	NONE
45315	1761884847	2.03	I-40 OVERLAY	NONE
26903	2762180036	2.16	I-40 OVERLAY	NONE
26032	2762295307	1.76	I-40 OVERLAY	NONE
29639	1772208243	2.24	I-40 OVERLAY	NONE
36286	1772300480	0.77	I-40 OVERLAY	NONE
36287	1772300289	0.76	I-40 OVERLAY	NONE
36288	1772300188	0.77	I-40 OVERLAY	NONE
36289	1772300087	0.74	I-40 OVERLAY	NONE
36290	1771390965	0.76	I-40 OVERLAY	NONE
55881	1771497787	3.73	I-40 OVERLAY	NONE
55885	1772501270	3.72	I-40 OVERLAY	NONE
56025	1772207201	1.4	I-40 OVERLAY	NONE
18244	2762587627	1.08	I-40 OVERLAY	NONE
50143	2762588653	0.39	I-40 OVERLAY	NONE
58487	1782027779	5.11	I-40 OVERLAY	NONE
62287	1772117662	2.1	I-40 OVERLAY	NONE
55883	1772408624	2.87	I-40 OVERLAY	NONE
56120	1772409840	0.85	I-40 OVERLAY	NONE
28742	1772932702	2.17	I-40 OVERLAY	NONE
36370	1772205262	4.6	I-40 OVERLAY	NONE
20710	1772930702	3.15	I-40 OVERLAY	NONE
5840	1772216930	1.02	I-40 OVERLAY	NONE
40162	2732278317	3.05	I-40 OVERLAY	NONE
21837	2772244624	1.96	I-40 OVERLAY	NONE
45236	1761898797	0.61	I-40 OVERLAY	NONE
31145	1772803355	0.44	I-40 OVERLAY	NONE
5837	1772218282	0.48	I-40 OVERLAY	NONE
18222	1772218162	0.48	I-40 OVERLAY	NONE
8200	1772952034	0.97	I-40 OVERLAY	NONE
35130	2762927669	0.55	I-40 OVERLAY	NONE
19098	1751894544	0.53	I-40 OVERLAY	NONE
473	2712559699	2	I-40 OVERLAY	NONE
33626	2712653705	0.26	I-40 OVERLAY	NONE
10320	1782969545	39.09	I-40 OVERLAY	NONE
45340	1761667873	0.67	I-40 OVERLAY	NONE
10376	2712043099	25.03	I-40 OVERLAY	NONE

3728	2702935758	4.78	I-40 OVERLAY	NONE
10374	2702936495	6	I-40 OVERLAY	NONE
55018	2702944165	5.97	I-40 OVERLAY	NONE
58921	1771372960	0.62	I-40 OVERLAY	NONE
10324	2712048596	1.04	I-40 OVERLAY	NONE
43707	2702946745	12.47	I-40 OVERLAY	NONE
56193	2712046924	5.96	I-40 OVERLAY	NONE
12731	2733807192	1.19	I-40 OVERLAY	NONE
62801	2772024398	2.11	I-40 OVERLAY	NONE
27836	1762740237	1.47	I-40 OVERLAY	NONE
17122	1762523774	0.2	I-40 OVERLAY	NONE
27840	1762740479	0.79	I-40 OVERLAY	NONE
32288	2762760795	0.88	I-40 OVERLAY	NONE
29504	2762084591	2.21	I-40 OVERLAY	NONE
33317	2772353028	0.49	I-40 OVERLAY	NONE
14526	2732393859	0.23	I-40 OVERLAY	NONE
5497	2722382435	4	I-40 OVERLAY	NONE
60063	2722380599	0.75	I-40 OVERLAY	NONE
24852	1751976569	1.16	I-40 OVERLAY	NONE
37764	1751979747	0.5	I-40 OVERLAY	NONE
29045	2762678418	0.85	I-40 OVERLAY	NONE
36294	1771394905	0.63	I-40 OVERLAY	NONE
57536	2743103089	1.38	I-40 OVERLAY	NONE
57798	2743101342	0.51	I-40 OVERLAY	NONE
57799	2743101069	1	I-40 OVERLAY	NONE
44745	1772911397	0.49	I-40 OVERLAY	NONE
8004	2772415043	4.54	I-40 OVERLAY	NONE
49382	2772423055	2.76	I-40 OVERLAY	NONE
18448	1762510617	0.47	I-40 OVERLAY	NONE
41179	2762942838	0.42	I-40 OVERLAY	NONE
27012	2772251266	0.57	I-40 OVERLAY	NONE
14558	2732493392	1.5	I-40 OVERLAY	NONE
63908	1782452218	69.98	I-40 OVERLAY	NONE
37044	2781097177	0.9	I-40 OVERLAY	NONE
53955	2723819916	0.51	I-40 OVERLAY	NONE
27990	1782032132	1.45	I-40 OVERLAY	NONE
54268	2732980125		I-40 OVERLAY	NONE
29431	2781186454	3.65	I-40 OVERLAY	NONE
16458	1772527735	3.22	I-40 OVERLAY	NONE
41814	1771080920	0.68	I-40 OVERLAY	NONE
22945	2762687120	0.36	I-40 OVERLAY	NONE
28125	2772020259	1.54	I-40 OVERLAY	NONE
54195	1771379102	0.52	I-40 OVERLAY	NONE
5001	2702966923	2.29	I-40 OVERLAY	NONE
30246	2772426253	4.42	I-40 OVERLAY	NONE
9251	2712993170	8.73	I-40 OVERLAY	NONE
673	1771197508	0.56	I-40 OVERLAY	NONE
38389	1751872719	0.1	I-40 OVERLAY	NONE
38388	1751870939	2.75	I-40 OVERLAY	NONE
41363	1772538699	1.04	I-40 OVERLAY	NONE
14604	2723808233	11.72	I-40 OVERLAY	NONE

32260	2723201546	0.66	I-40 OVERLAY	NONE
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48509	2722573713	7.94	I-40 OVERLAY	NONE
48510	2722478559	1.93	I-40 OVERLAY	NONE
55303	2722586444	10.73	I-40 OVERLAY	NONE
41308	1772000486	0.4	I-40 OVERLAY	NONE
22935	2762924532	0.27	I-40 OVERLAY	NONE
45268	1761678846	1.35	I-40 OVERLAY	NONE
31093	1751767684	0.56	I-40 OVERLAY	NONE
45226	1761897479	0.67	I-40 OVERLAY	NONE
45239	1761992727	0.62	I-40 OVERLAY	NONE
45242	1761995766	0.68	I-40 OVERLAY	NONE
54243	1761581189	0.24	I-40 OVERLAY	NONE
30420	1761583615	0.94	I-40 OVERLAY	NONE
63640	1771062749	0.36	I-40 OVERLAY	NONE
63639	1771061860	0.41	I-40 OVERLAY	NONE
31549	2702142467	0.22	I-40 OVERLAY	NONE
14614	2723718700	0.58	I-40 OVERLAY	NONE
52310	2723113113		I-40 OVERLAY	NONE
9328	2712669457	0.59	I-40 OVERLAY	NONE
28269	2762728429	0.95	I-40 OVERLAY	NONE
33648	2732667255	1.32	I-40 OVERLAY	NONE
17592	2732668561	2.22	I-40 OVERLAY	NONE
44859	1772624827	0.85	I-40 OVERLAY	NONE
45051	1771186752	0.66	I-40 OVERLAY	NONE
13925	2742756053	12.26	I-40 OVERLAY	NONE
28300	2762729497	1.15	I-40 OVERLAY	NONE
55506	2722691330	5.95	I-40 OVERLAY	NONE
60958	2722694496	4.22	I-40 OVERLAY	NONE
10726	2702959139	0.46	I-40 OVERLAY	NONE
10731	2702956187	0.46	I-40 OVERLAY	NONE
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25292	1772630132	4.34	I-40 OVERLAY	NONE
9429	2762936863	0.61	I-40 OVERLAY	NONE
29850	1772806707	0.97	I-40 OVERLAY	NONE
45304	1761786384	0.82	I-40 OVERLAY	NONE
27906	1782051774	0.41	I-40 OVERLAY	NONE
8786	1792766449	7.03	I-40 OVERLAY	NONE
6191	1761368928	0	I-40 OVERLAY	NONE
51571	1762225634	0.5	I-40 OVERLAY	NONE
39017	1772918507	5.18	I-40 OVERLAY	NONE
21381	2771999775	0.77	I-40 OVERLAY	NONE
25554	1772952201	0.47	I-40 OVERLAY	NONE
26004	2762948011	0.63	I-40 OVERLAY	NONE
55915	2742362422	8.55	I-40 OVERLAY	NONE
55915	2742362422	8.55	I-40 OVERLAY	NONE
56880	1771287185	0.93	I-40 OVERLAY	NONE
45446	1772111406	0.73	I-40 OVERLAY	NONE
17380	1762644717	0.03	I-40 OVERLAY	NONE
28463	2772062083	0.35	I-40 OVERLAY	NONE
48252	1761964401	3.83	I-40 OVERLAY	NONE

52984	1762907239	0.33	I-40 OVERLAY	NONE
27289	1782030101	0.46	I-40 OVERLAY	NONE
39128	1762410737	0.5	I-40 OVERLAY	NONE
51175	2722483063	1.07	I-40 OVERLAY	NONE
42235	1771164609	2.56	I-40 OVERLAY	NONE
19991	1772813781	10.09	I-40 OVERLAY	NONE
4293	1782862463	7.11	I-40 OVERLAY	NONE
21174	1761658667	24.2	I-40 OVERLAY	NONE
60002	1761552764	5.13	I-40 OVERLAY	NONE
60058	1761492059	7.12	I-40 OVERLAY	NONE
1828	2742573144	0.88	I-40 OVERLAY	NONE
54173	1771277355	0.71	I-40 OVERLAY	NONE
55431	2722595492	3.52	I-40 OVERLAY	NONE
41717	2762872355	0.93	I-40 OVERLAY	NONE
35347	2732883585	0.5	I-40 OVERLAY	NONE
37304	2732884414	0.63	I-40 OVERLAY	NONE
39557	2732885570	0.85	I-40 OVERLAY	NONE
9986	2762866825	9.23	I-40 OVERLAY	NONE
30602	2762960635	1.59	I-40 OVERLAY	NONE
41716	2762872142	3.87	I-40 OVERLAY	NONE
28511	2762833539	1.75	I-40 OVERLAY	NONE
28512	2762832799	1.4	I-40 OVERLAY	NONE
17127	1762318456	0.5	I-40 OVERLAY	NONE
11397	2723818564	3.2	I-40 OVERLAY	NONE
41771	1761999282	0.91	I-40 OVERLAY	NONE
57588	2722592422	1.6	I-40 OVERLAY	NONE
27787	1782141937	0.95	I-40 OVERLAY	NONE
23995	2771592910	9.05	I-40 OVERLAY	NONE
44744	1772913326	0.46	I-40 OVERLAY	NONE
19099	1751893439	0.36	I-40 OVERLAY	NONE
32484	1751892416	0.53	I-40 OVERLAY	NONE
20472	1762535151	0.66	I-40 OVERLAY	NONE
61933	2771992557	1.6	I-40 OVERLAY	NONE
61934	2771992460	0.83	I-40 OVERLAY	NONE
48771	2781293816	0.14	I-40 OVERLAY	NONE
28568	2781292726	1.12	I-40 OVERLAY	NONE
64076	2782200095	3.08	I-40 OVERLAY	NONE
64077	2781290680	0.16	I-40 OVERLAY	NONE
29516	2781199735	2.96	I-40 OVERLAY	NONE
42469	1771084827	0.6	I-40 OVERLAY	NONE
43498	2772349463	0.62	I-40 OVERLAY	NONE
31969	2772442405	1.33	I-40 OVERLAY	NONE
28591	2762934452	0.5	I-40 OVERLAY	NONE
26901	2762171846	0.5	I-40 OVERLAY	NONE
26154	2733005011	6.65	I-40 OVERLAY	NONE
28656	2762557736	0.68	I-40 OVERLAY	NONE
56194	2712142860	1.65	I-40 OVERLAY	NONE
43312	2712153011	1.91	I-40 OVERLAY	NONE
28633	2772152391	0.32	I-40 OVERLAY	NONE
27181	1772434319	3.17	I-40 OVERLAY	NONE
24525	2771996363	2.21	I-40 OVERLAY	NONE

24526	2771998118	1.4	I-40 OVERLAY	NONE
24527	2771989985	4.1	I-40 OVERLAY	NONE
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32709	1751870012	0.9	I-40 OVERLAY	NONE
47545	1751778084	0.41	I-40 OVERLAY	NONE
14742	2723707767	2.02	I-40 OVERLAY	NONE
22223	1782162168	0.41	I-40 OVERLAY	NONE
28653	1782055942	0.63	I-40 OVERLAY	NONE
13909	2732668762	0.39	I-40 OVERLAY	NONE
1661	1782150955	0.49	I-40 OVERLAY	NONE
20609	1782151814	0.7	I-40 OVERLAY	NONE
11248	2702163190	1.52	I-40 OVERLAY	NONE
12385	2732181733	10.53	I-40 OVERLAY	NONE
48445	2742575790	2.27	I-40 OVERLAY	NONE
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31137	1772918095	0.44	I-40 OVERLAY	NONE
31138	1772919154	0.45	I-40 OVERLAY	NONE
44753	1772917112	1.74	I-40 OVERLAY	NONE
13119	2732493066	1.54	I-40 OVERLAY	NONE
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14208	2733703657	1	I-40 OVERLAY	NONE
28738	2772032577	0.52	I-40 OVERLAY	NONE
45228	1761990407	0.65	I-40 OVERLAY	NONE
45269	1761678772	1.47	I-40 OVERLAY	NONE
51160	2722378988	1.2	I-40 OVERLAY	NONE
35665	1761479233	1.53	I-40 OVERLAY	NONE
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28793	1751794198	0.54	I-40 OVERLAY	NONE
58170	2742575353	0.72	I-40 OVERLAY	NONE
1917	2742574078	1.08	I-40 OVERLAY	NONE
45321	1761871973	0.24	I-40 OVERLAY	NONE
45322	1761881076	1.79	I-40 OVERLAY	NONE
56751	1752030799	16.43	I-40 OVERLAY	NONE
43619	1771055552	39.66	I-40 OVERLAY	NONE
20836	2781391488	1.03	I-40 OVERLAY	NONE
20837	2781393407	0.63	I-40 OVERLAY	NONE
28800	1751885542	0.42	I-40 OVERLAY	NONE
14793	2743300565	1.4	I-40 OVERLAY	NONE
36299	1772304422	1.34	I-40 OVERLAY	NONE
17959	2781291407	0.36	I-40 OVERLAY	NONE
52602	2781391825	0.5	I-40 OVERLAY	NONE
28810	2781290366	0.8	I-40 OVERLAY	NONE
33669	2742352444	1.36	I-40 OVERLAY	NONE
16076	1792558742	0.45	I-40 OVERLAY	NONE
16125	1792556643	1.01	I-40 OVERLAY	NONE
28840	2772605264	0.6	I-40 OVERLAY	NONE
28844	1762018303	0.7	I-40 OVERLAY	NONE
39206	2732273204	12.27	I-40 OVERLAY	NONE
54674	2762073443	1.86	I-40 OVERLAY	NONE
59754	1771792135	10.94	I-40 OVERLAY	NONE
5624	1761581134	0.2	I-40 OVERLAY	NONE

36854	1772229587	0.48	I-40 OVERLAY	NONE
55296	1771489763	1	I-40 OVERLAY	NONE
12645	2723113113	4.9	I-40 OVERLAY	NONE
54182	1771367635	0.77	I-40 OVERLAY	NONE
21621	2772154658	0.98	I-40 OVERLAY	NONE
45753	2772154889	1.22	I-40 OVERLAY	NONE
12020	2742187510	0.81	I-40 OVERLAY	NONE
22709	1762743650	4.33	I-40 OVERLAY	NONE
18299	2771997578	0.42	I-40 OVERLAY	NONE
42024	2771998665	0.42	I-40 OVERLAY	NONE
15028	2781191702	0.69	I-40 OVERLAY	NONE
36963	1762838616	2.02	I-40 OVERLAY	NONE
60679	1762838813	2.34	I-40 OVERLAY	NONE
13176	2742596616	7.2	I-40 OVERLAY	NONE
45359	1751864754	11.14	I-40 OVERLAY	NONE
14822	2732399636	3.25	I-40 OVERLAY	NONE
25452	2762678330	0.73	I-40 OVERLAY	NONE
25451	2762678329	0.27	I-40 OVERLAY	NONE
21382	2781091395	2.08	I-40 OVERLAY	NONE
43083	1772625121	1.98	I-40 OVERLAY	NONE
55884	1772502608	3.72	I-40 OVERLAY	NONE
5828	1772212656	0.56	I-40 OVERLAY	NONE
5829	1772211630	0.8	I-40 OVERLAY	NONE
12960	2732787143	5.98	I-40 OVERLAY	NONE
61150	2732778746	0.07	I-40 OVERLAY	NONE
23976	2732787143		I-40 OVERLAY	NONE
22685	2762674117	0.41	I-40 OVERLAY	NONE
3040	1772953631	1.07	I-40 OVERLAY	NONE
20320	1772328421	1	I-40 OVERLAY	NONE
28925	2781180408	0.27	I-40 OVERLAY	NONE
59597	1772731747	2.15	I-40 OVERLAY	NONE
39409	1782063624	0.38	I-40 OVERLAY	NONE
21295	2781181745	3.58	I-40 OVERLAY	NONE
28927	2781171881	14.38	I-40 OVERLAY	NONE
28935	2781190180	1.85	I-40 OVERLAY	NONE
28936	2781182475	0.7	I-40 OVERLAY	NONE
33469	2781078986	4.95	I-40 OVERLAY	NONE
500	2712021794	0.6	I-40 OVERLAY	NONE
33650	2732760943	2	I-40 OVERLAY	NONE
60774	1772100073	0.6	I-40 OVERLAY	NONE
50378	2781086138	0.5	I-40 OVERLAY	NONE
22892	2772440778	0.52	I-40 OVERLAY	NONE
45299	1761772746	0.61	I-40 OVERLAY	NONE
45330	1761773292	0.63	I-40 OVERLAY	NONE
63632	1761978152	0.35	I-40 OVERLAY	NONE
59421	2723703028	32.9	I-40 OVERLAY	NONE

RECESS OF MEETING

At 8:07 p.m., Chairman Brittain called for a five (5) minute recess. The meeting resumed at 8:13 p.m.

INFORMAL PUBLIC COMMENTS

At 8:14 p.m., Chairman Brittain opened the floor for informal public comments. There were several citizens that signed up to address the Board.

George Logan, New Day Christian Church, thanked the Board for being their County Commissioners and said they are still laboring for the removal of the confederate monument, and he realizes there is a statute that binds the Board from doing anything as public officers. He said throughout the history of this country, laws have always been challenged if they did not seem to be right and while the Board can only do what they can do, he appealed to the Board to please hear them and understand where they are coming from. Rev. Logan said he does not understand what it is like to be a County Commissioner and he said they do not understand what it is like to be a black man living in America and in this community. He said he is doing something now that his parents and other family members could not do, to stand here publicly. Rev. Logan said it would go a long way for the Board to acknowledge them and to say, "we hear you" and really empathize with them and put themselves in their shoes.

Kelly Surratt, 102 Sharon Street, said she stands before the Board with great conviction, as a native of Burke County, for the removal of the confederate soldier monument. She said in the constitution of the confederacy, leaders provided for the federal protection of slave holding, she then quoted the confederate constitution. Ms. Surratt then quoted a February 1861 article from Raleigh's Weekly Standard Newspaper stating that if war comes, it will be fought over the account of slaves, noting that the whole economic system will breakdown. She said William Avery was the most prominent advocate of secession in Burke County and was an elite slave owner who was killed at Brown Mountain in 1864. She then quoted Proverbs 20 verse 10. Ms. Surratt said the love of money is the root of all evil and the intent of slavery was to be an economic superpower at the expense of the free will of the people. She said God is the author or free will and any man, when they attempt to strip that from another man, acts as God. Ms. Surratt said the confederate monument does not respect the honor and dignity that many have been made to believe that it does, but rather, it is an idolatrous altar which has an undercurrent of dishonor. She said she takes joy in fighting for a just and righteous cause, noting that many of her family members have and do serve in the military, however, when the fight for oppression of others is at stake, none of us should align with that. Ms. Surratt said she believes it is imperative to deliberate and make a decision based on the truth, and while it may be uncomfortable, it is important not to ignore it.

Rev. Dr. Marshall Jolly, 301 South King Street, said he serves as rector of Grace Episcopal Church, and he thanked the Board for the opportunity to speak. Rev. Dr. Jolly spoke about the importance of symbols and said they interpret us and without speaking they communicate something about our identity and values. He said he has listened to both sides of the issue surrounding the confederate monument / flags and noted that some say we must teach children about the confederacy, so those same mistakes are not repeated. Rev. Dr. Jolly said he agrees with that statement and said future generations should be taught about our past, the good, the bad, and the ugly. He said every church in Burke County that he knows of teaches their members about the reality of sin and evil, noting that every week in his church they recite the Nicene Creed, which says, in part, that Jesus was crucified under Pontius Pilate. He said as far as he knows, there is not a single Christian church in Burke County that has erected a statue of Pontius Pilate or Satan, noting that would be absurd because we do not erect statues of things we do not value. He said over the past six (6) months hundreds of people have spoken about the confederate monuments / flags and spoken about it as a source of pain, racism, and

a reminder of unspeakable evil and oppression. He said it is one thing to teach about the past and another to idolize a chapter of our racist, oppressive, and downright evil past. Rev. Dr. Jolly said other county commissioners / communities across the state have acted and noted he is convinced they are no more capable or intelligent than anyone in Burke County and said he is told that Burke County is "all about advancing."

Rev. Dana McKim, 102 Woodside Street, said he is the pastor of First United Methodist Church of Morganton. He said he keeps hearing that we need these statues and flags because they mark important memories and while he questions that narrative, he has been listening and thinking how important it is to develop knowledge about things. Rev. Mckim said he recently received a list of 634 men, women, and children, children who were traded in 178 transactions in Burke County over a 60-year period. He said he has learned their names and is beginning to learn their stories, noting that he needs to learn the entire story, not just part of the story told by two (2) confederate battle standards that guard entrances to the community and a confederate watchman that watches over a square two (2) blocks from his church. He said the statue watched over a square with 250 beings on it who were mad enough about a pile of granite and metal and were willing to kill each other over it. He noted we were one backfire away from a massacre on the square, which he still has nightmares from that day. Rev. McKim said if we are going to honor the heritage that exists in those battle standards and statue, we need to honor all the heritage, honor all the people including 634 souls who made this county great by breaking their backs that allow us to enjoy what we have today.

Carla Kincaid read from a book written by Angela Johnson with significant historical dates beginning with January 1, 1863, when President Abraham Lincoln issued the emancipation proclamation, June 19, 1865, when Major General Gordon Granger arrived in Galveston Texas with news that the Civil War had ended and all the slaves were free, marking the first Juneteenth, and December 6, 1865, when the 13th Amendment was ratified by enough states and added to the Constitution. She said in today's society, Juneteenth is widely celebrated as a day to celebrate African American freedom and achievement, and many institutions sponsor activities for the holiday. Ms. Kincaid said she hopes more books like this will be in the schools in reference to anything that has to do with the Civil War, true statements, and truth is the light. She said the book was dedicated to the ones who were never free, and those who forget our past are doomed to repeat it. She said Juneteenth is her Emancipation Day, not 1777.

With there being no others, Chairman Brittain closed that portion of the meeting. Chairman Brittain thanked everyone for speaking and assured them that their voices were heard.

CONSENT AGENDA

At the request of Chairman Brittain, County Manager Steen reviewed the items on the consent agenda:

AAA (WPCOG AREA AGENCY ON AGING) - HOME & COMMUNITY CARE BLOCK GRANT FY 21-22

Each year Burke County receives funds through the Home and Community Care Block Grant ("HCCBG") program for the provision of services to the County's older adults. The Burke County Council on Aging, working with the Western Piedmont Council of Governments, makes recommendations to the Board of County Commissioners as to the use of these funds. The recommendations of the Burke County Council on Aging, serving as the HCCBG advisory committee, are listed below. There are no changes in services or providers for FY 21-22.

HCCBG ALLOCATIONS - SFY 2022

BURKE COUNTY

SERVICE	PROVIDER	STATE/FEDERAL FUNDS	LOCAL MATCH	TOTAL BUDGET	
Adult Day Care	Blue Ridge Community Action	$81,000	$9,000	$90,000	
Med. Transportation	Handi-Care, Inc.	$46,378	$5,153	$51,531	
Congregate Meals	Burke County Senior Services	$7,957	$884	$8,841	
Home Del. Meals	Burke County Senior Services	$124,453	$13,828	$138,281	Reduction of $1,700
Sr. Center Operations	Burke County Senior Services	$39,511	$4,390	$43,901	
Housing & Home Imp.	Foothills Service Project, Inc.	$99,000	$11,000	$110,000	
In-Home Aide, Level III	Catawba Valley Medical Services	$196,200	$21,800	$218,000	
General Transportation	Greenway	$9,000	$1,000	$10,000	
TOTAL		**$603,499**	**$67,055**	**$670,554**	

Approved by Burke Council on Aging 4/28/2021 with $1,700 decrease (including match)

Budgetary Effect: Grant requires 10% local match which is the responsibility of the provider organization. The $603,499 allocation includes a decrease of $1,700 in State/Federal funds from the SFY 20-21 current allocation.

Motion: To approve the Home and Community Care Block Grant (HCCBG) funding allocations as recommended by the Burke County Council on Aging and approve the HCCBG agreement between Burke County and the Western Piedmont Council of Governments Area Agency on Aging for FY 21-22, subject to review and/or revision by the County Attorney. Further, authorize the Chairman to execute the aforementioned documents.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

CLERK - REAPPOINTMENTS/REMOVALS TO ADULT CARE & NURSING HOME CAC

Seat No.'s 2, 3, 5, 6, 7, 8 and 12 on the Adult Care / Nursing Home CAC needs action.
Seat No. 2: Occupied by Roger Hart. Mr. Hart is seeking reappointment.
Seat No. 3: Occupied by Ron Cooper. Mr. Cooper is not seeking reappointment.
Seat No. 5: Occupied by Kathy Foster. Ms. Foster is not seeking reappointment.
Seat No. 6: Occupied by Jon Cook. Mr. Cook is seeking reappointment.
Seat No. 7: Occupied by Dolores Huffman. Ms. Huffman is seeking reappointment.
Seat No. 8: Occupied by Ann Holland. Ms. Holland is seeking reappointment.
Seat No. 12: Occupied by Alan Austin: Mr. Austin not seeking reappointment.

Motion: To remove the following members from the Adult Care / Nursing Home CAC roster and thank them for their service to the community: Ron Cooper and Kathy Foster. To remove Alan Austin from the Adult Care / Nursing Home CAC roster, pending notification from the Regional Ombudsman, and thank him for his service to the community. To reappoint Roger Hart (Seat No. 2) to the Adult Care / Nursing Home CAC for the remainder of a 3-year term ending May 31, 2023. To reappoint Jon Cook (Seat No. 6) to the Adult Care / Nursing Home CAC for the remainder of a 3-year term ending May 31, 2023. To reappoint Dolores Huffman (Seat No. 7) to the Adult Care / Nursing Home CAC for the remainder of a 3-year term ending May 31, 2023. To reappoint Ann Holland (Seat No. 8) to the Adult Care / Nursing Home CAC

for the remainder a 3-year term ending May 31, 2024.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

CLERK - REAPPOINTMENT & REMOVAL TO RECREATION COMMISSION

Seat No. 7 (WA Young) on the Parks & Recreation Commission is occupied by EMS Director, Jason Black. His term ended in March and he is willing to serve another 3-year term. Seat No. 13 (Mtn. View) on the Parks & Recreation Commission is occupied by Jessica Whisenant. However, Ms. Whisenant recently moved and resigned her seat that has an unexpired term ending March 31, 2023. Her removal is requested.

For informational purposes, Seats 1, 2, 5, 6, 8, 9 and 11 are currently vacant.

Motion: To reappoint Jason Black to Seat No. 7 (WA Young) for the remainder of a 3-year term ending March 31, 2024. To remove Jessica Whisenant from the official roster for the Parks & Recreation Commission and thank her for her service to the community.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

CLERK - REAPPOINTMENTS & APPOINTMENTS TO CHILD PROTECTION CHILD FATALITY TEAM

The terms of appointment for Beth Cali Bruder (Seat 6, at-large), David Rust (Seat 7, at-large) and Brandon Collins (Seat 8, at-large) on the Child Protection Child Fatality Prevention Team ended April 30, 2021. Only Beth (Cali) Bruder is seeking reappointment. An application from EMS Major Nicole Hudson was received for vacant Seat No. 2 (EMS) formerly held by Greg Curry. The unexpired term ends April 30, 2023. Further, April Pope (Seat 5, at-large) resigned due to an employment change. This seat has an unexpired term ending April 30, 2022.

Motion: To remove Greg Curry's name from the Child Protection Child Fatality Prevention Team official roster and thank him for his service. Further, appoint Nicole Hudson to Seat No. 2 (EMS) to complete the remainder of an unexpired term ending April 30, 2023. To reappoint Beth (Cali) Bruder, Seat No. 6, at-large, to the Child Protection Child Fatality Prevention Team to complete the remainder of a 3-year term ending April 30, 2024. To remove the following names from the Child Protection Child Fatality Team official roster and thank them for their service: April Pope, David Rust, and Brandon Collins.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

CM - APPOINTMENT OF COUNTY MANAGER AS INTERIM HEALTH DIRECTOR

Due to a gap between the departure of the retiring local health director on June 30th and the

start date of the new local health director on July 12th, the Board is asked to concur with the appointment of the County Manager as Interim Local Health Director, effective July 1, 2021. The appointment will end upon the arrival of the new local health director. The Board of Health meets on June 9, 2021 and will vote on the interim appointment then.

Motion: To concur with the appointment of the County Manager as Interim Local Health Director, effective July 1, 2021 through July 12, 2021, or until the arrival of the new local health director.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

COMM. DEV. - RESOLUTION RECOGNIZING COMPLIANCE WITH N.C.G.S. CHAPTER 160D

The following resolution acknowledges conformity with N.C.G.S Chapter 160D, the State's new unified zoning laws.

Motion: To adopt Resolution No. 2021-10.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Resolution No. 2021-10 reads as follows:

Burke County
North Carolina

Resolution
Recognizing Compliance With N.C.G.S. Chapter 160D

Whereas, in 2019 the North Carolina General Assembly adopted legislation creating Chapter 160D of the North Carolina General Statutes which combined the existing city- and county-enabling statues in Chapters 153A and 160A into a single, unified chapter; and

Whereas, in June of 2020, the General Assembly passed Senate Bill 720 which Governor Cooper signed into law as S.L. 2020-25 which extended the mandatory deadline for adoption of conforming local ordinances until July 1, 2021; and

Whereas, Burke County has enacted the provisions of Chapter 160D within the relevant departments and has been effectively implementing it since June 2020; and

Whereas, Burke County has conformed its local ordinances to comply with the provisions of Chapter 160D.

NOW, THEREFORE, BE IT RESOLVED THAT the Burke County Board of Commissioners does hereby recognize that the County’s ordinance and policies are updated to comply with N.C.G.S. Chapter 160D.

Adopted this 15th day of June 2021.

/s/: Jeffrey C. Brittain
Jeffrey C. Brittain, Chairman
Burke County Board of Commissioners

Attest:
/s/: Kay Honeycutt Draughn
Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

FINANCE - FY 21-22 GENERAL LIABILITY/WORKER'S COMP INSURANCE RENEWAL

Insurance for property, general liability and worker's compensation is provided through the NC Association of County Commissioners Risk Pools. Vehicle, equipment, and crime insurance is proposed with a $1,000 deductible with all other coverage on property and liability proposed with a $5,000 deductible. No excess liability coverage is recommended. Worker's compensation insurance is proposed to continue with the $350,000 deductible. Renewal cost for the general liability and property insurance is $505,501 less credits for multiple policies and using varying deductibles. Worker's compensation renewal cost is $258,329 plus claims. These amounts are an overall increase of $49,410 or 9% from FY 20-21.

Note: Contracts over $90,000 require Board approval.

Motion: To approve renewals in the amounts of $505,501 and $258,329 less applicable credits for insurance on property, general liability, and worker's compensation with the NCACC risk pools. Authorize the County Manager to execute the proposals on behalf of the Board.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

JCPC – REMOVALS, REAPPOINTMENTS AND APPOINTMENTS TO THE JUVENILE CRIME PREVENTION COUNCIL

The Juvenile Crime Prevention Council plans for the needs of adjudicated and at-risk youth and assesses the need for delinquency treatment and prevention services in Burke County. As indicated in the following roster, the terms of appointment for several members on the Juvenile Crime Prevention Council end June 30 and some members are interested in being considered for reappointment, some do not.

The Council requests the reappointment of:
Seat # 2: Police Chief, Capt. Keith Bowman
Seat # 3: Sheriff, Sheriff Steve Whisenant
Seat # 5: Chief Court Counselor, Ronn Abernathy
Seat # 7: DSS Director, Korey Fisher-Wellman
Seat # 8: Co. Manager Designee, Jennifer Forney
Seat #10: Faith, Rev. Jasper Hemphill
Seat #12: Student < 18, Willow Conrad

Seat # 20: At-large, Dr. Steven Moody
Seat # 22: At-large, Nicki Carpenter
Seat #23: At-large, Dorian Palmer

The Council requests the removal of:
Seat # 16: Business Community, Doug Hartjes
Seat # 17: Local Health Director, Rebecca McLeod (Retirement)

Exceptions to Sec. 2-88 (a & e, membership requirements: residency and length of service) of the Code of Ordinances are requested as needed.

Motion: To remove Doug Hartjes (Seat No. 16) and Rebecca McLeod (Seat No. 17) from the official JCPC roster and thank them for their service to the community.

To reappoint the following members to the JCPC for two (2) year terms ending June 30, 2023:

Seat # 2: Police Chief, Capt. Keith Bowman
Seat # 3: Sheriff, Sheriff Steve Whisenant
Seat # 5: Chief Court Counselor, Ronn Abernathy
Seat # 7: DSS Director, Korey Fisher-Wellman
Seat # 8: Co. Manager Designee, Jennifer Forney
Seat #10: Faith, Rev. Jasper Hemphill
Seat #12: Student < 18, Willow Conrad
Seat # 20: At-large, Dr. Steven Moody
Seat # 22: At-large, Nicki Carpenter
Seat #23: At-large, Dorian Palmer

To approve exceptions to Sec. 2-88 (a & e, membership requirements: residency and length of service) of the Code of Ordinances are requested as needed.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

TAX DEPT. - TAX COLLECTION REPORT FOR MAY 2021
The Board of Commissioners is presented with the Tax Collection Report for the period between July 1, 2020, and May 31, 2021. This reflects the status of collections by the Burke County Tax Collection's Staff. This information is a supplement to the Annual Settlement Report.

Category	Annual Budget	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	$44,250,000.00	$44,827,336.46	101.30%	$577,336.46
Motor Vehicle Tax	$4,600,000.00	$5,049,690.73	109.78%	$449,690.73
Current Year Taxes	$48,850,000.00	$49,877,027.19	102.10%	$1,027,027.19
Delinquent Taxes	$700,000.00	$784,407.64	112.06%	$84,407.64
Late List Penalty	$300,000.00	$468,116.78	156.04%	$168,116.78

The Tax Levy is the total property tax value not including motor vehicles times the tax rate. This amount changes monthly with the addition of discoveries, other changes, or corrections, and when Public Utility Values are added, typically during September.

Category	Tax Levy	Amount Collected YTD	% Collected	Balance to Collect
Property Tax	$45,571,384.00	$44,827,336.46	98.37%	$744,047.29

Motion: To accept the Tax Collection Report for May 2021 as presented.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

TAX DEPT. - RELEASE REFUND REPORT FOR MAY 2021

Releases in value and/or refunds of taxes typically occur when:

- ☐ Taxpayers submit information that creates a reduction in value.
- ☐ Situs is corrected between counties and/or municipalities.
- ☐ Valuation appeals reduce the value for real or personal property.
- ☐ The postmark reveals a payment was timely sent.

The Board of Commissioners is presented with the following list of releases and refunds for consideration. The Net Release is a result of the Report Amount minus the Rebilled Amount.

Tax System Refunds and Releases				
	Report Amount	Rebilled Amount	Net Release	Refund Amount
Releases (TR-304)	$1,851.56	$0.00	$1,851.56	$0.00

VTS Refunds Over $100	
	Refund Amount
VTS Adjustments	$102.47

*Note: The net loss amount is a result of the report amount minus the rebilled amount.

Motion: To approve the Tax Releases and Refunds for May 2021 as presented.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

The tax reports read as follows:

TR-304 BILL RELEASE REPORT MAY 2021

Bill #	Taxpayer Name	Bill Date	Operator ID (Name)	Release Date	Orig Bill Amount($)	Release Amount($)	Bill Amount after	Bill Amount after
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Adjustment								
0024034092-2020-2020-0000-00-REG	GREER, SCOTTY	7/1/2020	CONNIE HOLDER	5/19/2021	6.12	6.12	0.00	0.00
Subtotal						**6.12**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Not in Burke County								
0000086631-2018-2018-0000-00-REG	STANLEY, JESSE W	7/1/2018	CONNIE HOLDER	5/20/2021	47.71	47.71	0.00	0.00
0024053813-2021-2020-0000-00-REG	HERRINGTON, MATTHEW CHARLES	3/29/2021	LINDA WILBUR	5/4/2021	77.87	77.87	0.00	0.00
0024054139-2021-2020-0000-00-REG	HERRINGTON, ELIZABETH MARIE	3/29/2021	LINDA WILBUR	5/3/2021	190.46	190.46	0.00	0.00
Subtotal						**316.04**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Penalty Correction								
0000018289-2021-2018-0000-00-REG	SEAGLE, MATTHEW BLAKE	5/11/2021	AMANDA CONLEY	5/18/2021	2,262.93	625.98	1,636.95	0.00
0000018289-2021-2019-0000-00-REG	SEAGLE, MATTHEW BLAKE	5/11/2021	AMANDA CONLEY	5/18/2021	2,106.44	469.49	1,636.95	0.00
0000018289-2021-2020-0000-00-REG	SEAGLE, MATTHEW BLAKE	5/11/2021	AMANDA CONLEY	5/18/2021	1,949.94	312.99	1,636.95	0.00
Subtotal						**1,408.46**		**0.00**
TAX DISTRICT: BURKE COUNTY RELEASE REASON: Sold/Traded								
0024025356-2018-2018-0000-00-REG	GRAGG, DAVID J	7/1/2018	RENEE AUSTIN	5/27/2021	120.94	120.94	0.00	0.00
Subtotal						**120.94**		**0.00**
Total						**1,851.56**		**0.00**
Net Release Amount							**1,851.56**	

NCVTS PENDING REFUND REPORT OVER $100
DESC VTS: MAY 2021

Payee Name	Primary Owner	Address 1	Address 3	Refund Type	Bill #	Refund Description	Tax Jurisd.	Levy Type	Change	Interest Change	Total Change
PETTRY, DARREN ALLEN	PETTRY, DARREN ALLEN	2944 BEREA CH RD	CONNELLY SPRINGS, NC 28612	Adjustment >= $100	0057617001	Refund Generated due to adjustment on Bill #0057617001-2020-2020-0000	01	Tax	$0.00	($0.01)	($0.01)
							57	Tax	($104.88)	($8.39)	($113.27)
							57	Vehicle Fee	($20.00)	$0.00	($20.00)
							61	Tax	$9.20	$0.74	$9.94
							28	Tax	$19.32	$1.55	$20.87
										Refund	$102.47
										Refund Total	$102.47

ITEMS FOR DECISION

HEALTH DEPT. - 2020 STATE OF THE COUNTY HEALTH REPORT & COVID-19 REVIEW

Information from the agenda packet:

Health department will present a short review of the State of the County Health Report as required by State accreditation. This report highlights progress of the action plans set forth for the identified priority areas along with any changes and or challenges over the past year in Burke County. Health department to present short review of the COVID19 pandemic for Burke County and highlight all the diligent work delivered in many ways over the past year. Partnerships formed and solidified through one of the most difficult years in Burke County, the State and the world

These reports will be presented by Lisa Moore, Health Education Supervisor, along with Health Director, Rebecca McLeod.

Lisa Moore, Health Educator, said the report is a supplemental document that they must do every year in-between their community health needs assessments. Ms. Moore then reviewed the 2020 State of the County Health Report as follows:

BURKE COUNTY HEALTH DEPARTMENT

2020 State of the County Health Report

Content of report:

Community Health Needs Assessment
State of the County Health Report

Progress on Community Health Improvement Plan
What progress since 2019 Community Health Needs

Morbidity/Mortality

Emerging Issues

Change in Initiatives

BURKE COUNTY HEALTH DEPARTMENT

700 East Parker Road
Morganton, NC 28655

Phone: 828-764-9150
Fax: 828-764-9153

Web address:
www.burkenc.org/1221/Health-Department

The Community Health Needs Assessment (CHNA) is a comprehensive analysis of the county's health and helps determine health priorities that will be addressed in a community health improvement plan. The CHNA is completed every three years. The Burke Wellness Initiative is a group of dedicated stakeholders and county residents collaborating to positively impact the health and well-being of Burke County's residents.

The State of the County Health Report (SOTCH) is a supplemental document published every year between CHNA's to provide an overview of any changes or emerging issues within the community and update progress on the identified priorities in the action plan.

2020 the year of the Pandemic, created a great deal of obstacles personally and professionally. At the time, the pandemic surfaced the Burke Wellness Initiative group had just began to develop a Community Health Improvement Plan for the priorities identified within the 2019 Community Health Needs Assessment. In person meetings for Burke Wellness Initiative came to a halt and the Community Health Improvement plan process was delayed due to having to move to strictly virtual meetings. Meetings done virtually created a challenge in the creative process, but the work groups pushed through and created a strong plan to address the priorities: Heart Disease/Stroke and Substance Use Disorder.

During this year of the Community Health Improvement Plan process, the work groups transitioned from a paper-based improvement plan process to a web-based collection and recording system called the Clear Impact Scorecard. This web-based system takes the strategies/interventions and outcomes identified to help positively impact the priorities and set up indicators, programs, results, and performance measures to create data driven results to help turn the curve on heart disease/stroke and substance use disorder to greatly impact the population's health. Also on the scorecard, links Healthy NC 2030 strategies/interventions to work alongside the community to produce greater responsibility for improvement of chronic conditions.

The demographics for Burke County have not really changed since the completion of the 2019 Community Health Assessment except for the changes brought on during the pandemic. Burke County's first COVID-19 case occurred on March 22, 2020, and over a year later the county has seen a cumulative case count of 10,284 which translates to approximately 12% of the county's population.

BURKE COUNTY HEALTH DEPARTMENT Page 2

2020 State of the County Health Report

Some demographics of COVID for Burke County:
- The highest number of cases occurred within the 20-59 age groups
- The greater number of hospitalized cases occurred within the 60-79 age groups
- The highest age groups with COVID associated deaths occurred among those 70 (+)
- The majority of cases depicted close contact as the greatest exposure source

Cases by Gender	Deaths by Gender	Hospitalizations by Gender	
Female 53%	Male 51.5%	Female	50.1%
Male 47%	Female 48.5%	Male	49.9%

Since the completion of Burke County's 2019 CHNA and the pandemic of 2020, Burke County has seen a large increase in the number of overdoses and overdose deaths. Before the pandemic, Burke County's partnering agencies had worked diligently to create resources, programs, and secure federal and local monies to assist with reducing the overdose rate. But with the pandemic came closing of in person counseling and treatment, isolation, and fear, closing of services, drug courts, etc., greater accessibility of illicit drugs, and decreased accountability created by reduced in person services. Over the last year, Burke County has also seen an increase in illicit drugs laced with fentanyl leading to the increase in overdose deaths.

Another emerging issue noted during the pandemic is the increase in those with mild to severe mental health issues mostly due to the isolation, distancing and fear that was caused and/or increased by COVID-19 and its mandated restrictions. Hopefully, those residents with mild mental health issues brought on because of COVID-19, will begin to feel better as the restrictions are eased and life tries to return to some normalcy.

With the completion of the 2019 CHNA new priorities (Heart disease/stroke and Substance Use Disorder) were identified for the Community Health Improvement Plan while two previous priorities; Mental Health and Poverty were put on pause for this next plan cycle unless data gathered over the coming years warrant the reactivation of these priorities.

During 2020, new and seasoned partnerships worked closely to provide current and factual information for the residents on COVID-19 basic facts, continually changing State restrictions, testing sites and resources and most recently vaccine related information. Hopefully, these community partnerships will continue to strengthen Burke County's resolve moving forward.

Chairman Brittain opened the floor for questions and comments from the Board. Commissioner Taylor asked if the Health Department has a way to categorize those who commit suicide and can anything be done to reduce those numbers. Ms. Moore said the suicide numbers come from the state and death certificate data and every case is not specific on how the person died. She said some accidental overdoses are labeled as suicide and some have a lot to do with mental health issues, discussion ensued.

Ms. Moore then presented the following COVID-19 report:

COVID – Past Year Highlights
March 17, 2020 was the first media briefing that was distributed. Health dept had tested 24 individuals and all were negative with continual daily testing.

On, March 17th, Burke County opened the Emergency Operations Center to unify the efforts throughout the county to help maximize resources and disseminate information.

A Public Information line was opened and manned Monday – Friday from 8am – 5pm with a number for the NC Public Info line for questions after hours/weekends/holidays.

On March 20, 2020, Burke County declared a State of Emergency.

Burke County's first case was March 22, 2020.

Burke County stands right now at 10,352 cumulative cases with the largest peak being after Christmas and New Year's 2020/2021.

Burke County's first reported death due to COVID was April 4, 2020.

Burke County stands right now at 169 COVID associated or related deaths.

Burke County developed a COVID website and a COVID case dashboard with various data points for the community to stay informed.

Since March 17, Burke County has disseminated over 305 media briefings for local media outlets, Joint Information Committee, local agencies and was posted on social media and COVID webpage.

We have regularly pushed out guidance and State mandates to every business or group affected by the information so all would be up to date with the current restrictions/guidance.

We used numerous different avenues to post and disseminate critical information to keep everyone as updated as possible as we moved through the pandemic. Through the public information line, Chamber of Commerce to businesses, sent out to agencies for posting on their respective social media and websites, regular media outlets.

With COVID monies, we had paid advertisements through radio and print media, targeted digital messaging for those within the county, we partnered with the hospital to provide messaging on the Greenway Transportation buses and many more.

Health department staff also fielded complaints about any businesses/restaurants/churches/laundromats/doctor's offices, etc. that were perceived to not be complying with State or local mandates, and we followed up on every complaint lodged to the health department.

During this pandemic, Burke County saw a sharp rise in cases among the Latino community, so we convened a group of Spanish speaking leaders within the

community to determine how best to get information out to this population regarding prevention and testing messages. We all worked together to develop instructional videos in their own dialects, and they disseminated the videos through their social media network to help begin to slow the spread within this segment of the population.

Then during the vaccination process, we worked to help get the historically marginalized groups within Burke County set up with vaccination appointments. We worked with those same Spanish speaking leaders, the Deaf and Hard of hearing segment, our Asian community, and worked with a representative from Carolinas Healthcare System Blue Ridge to secure appointments for the African American population within the county.

In this pandemic year, lots of things changed in Burke County, the state, and the world. The reduction of human interaction is probably the biggest toll during the pandemic. Burke County life was put on hold for a time and people had to alter their normal behavior all around. How they interacted with family and friends; how they functioned within their business if they got to work; how they shopped for necessities for their family; how they were able to worship and the altering of participating in normal activities of going to the movies, out to eat, etc.

For most people, human interaction is a huge need and to almost stop completely and isolate people caused many to have some feelings of depression or other mental health issues. Over the last year, Burke County has seen a sharp increase in overdose rates and deaths along with an increase in mental health issues because of COVID and the lack of in person help and support necessary to maintain positive recovery progress.

Burke County saw a stress and strain on its healthcare workforce, long term care staff along with long term care residents. This toll is just now being alleviated to some degree with the slowing and downward trend of COVID cases.

The most positive attribute to Burke County was the implementation of the virtual hospital that Carolinas Healthcare System Blue Ridge developed. This virtual hospital was instrumental in keeping so many people sick with COVID out of the hospital by providing constant monitoring and support to those patients in their home setting. This was able to keep hospital beds and staff designated for those sicker individuals that required more hospital intensive help and medications and did not allow the hospital to get overwhelmed and not be able to perform routine hospital services to those individuals that were in need.

The hospital will continue to use the virtual hospital for other medical needs as we move forward and move away from a constant focus on COVID.
As we reflect on the past year, one other important fact to make note of was the collaboration that was required to deal with all the aspects of this pandemic. Burke County is rich with agencies and individuals willing to help with whatever need arose and that was never more evident than during this last year. Businesses, churches, non-profits, governmental agencies, etc worked collaboratively to address basic needs within the county for those hardest hit,

provided necessities and support for healthcare workers on the front lines, administering vaccine, disseminate information and changes as they happened, and many other activities. It took the village to help the village survive this past year.

Moving forward, everyone needs to understand that the 3 W's of prevention and the vaccine are just tools in our toolbox to help with this virus. We will have to learn how to live our normal lives with this virus because it is not going away. The vaccine is given for three main reasons, to prevent severe illness in people, reduce hospitalizations for those who take the vaccine, and reduce the number of deaths associated with COVID.

We will have to learn as we go how long this vaccination will last and how often we might need a booster of some kind and what that looks like over time and as we find out more about how the vaccine works within the body those decisions will be determined.

Some takeaways that we should probably learn:

1. We might learn that we don't always have to stand really close to people to have conversations or interactions,
2. maybe meet in smaller groups instead of large gatherings,
3. do more things outside rather than staying cooped up indoors,
4. maybe not touching others as often as we once did,
5. making sure to continue to wash our hands often and not be touching your face with unwashed hands as often, and
6. one of the most important factors is to STAY AT HOME WHEN YOU ARE SICK WITH ANYTHING AND NOT BE AROUND OTHERS FOR ANY REASON, NOT PARTIES, NOT FUNERALS, NOT EVENTS, ETC.

Ms. Moore, who is retiring, thanked the Board and said she has enjoyed her time with Burke County, minus last year dealing with COVID-19, and whoever the County gets to replace her will do a wonderful job, noting that everyone can be replaced. Chairman Brittain, speaking for the Board, said they cannot thank her enough for the service she provided, noting it is a team effort and no one does it alone.

Motion: To accept the 2020 State of the County Health Report and COVID-19 Review as presented.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

CLERK - APPOINTMENT TO WPCC BOARD OF TRUSTEES

Clerk Draughn reported the Western Piedmont Community College Board of Trustees is a 12-member board. Four (4) members are appointed by the County. Seat No. 1 is occupied by Lamar Smitherman whose term ends June 30, 2021. Mr. Smitherman is seeking reappointment. An application was also received from James Huffman.

Chairman Brittain opened the floor for a nomination / motion. Commissioner Carswell nominated Lamar Smitherman. Commissioner Taylor said both gentlemen are very qualified.

Motion: To reappoint Lamar Smitherman to the Western Piedmont Community College Board of Trustees, Seat No. 1, for a 4-year term ending June 30, 2025.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Johnnie W. Carswell, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

REPORTS AND COMMENTS

BOC - REPORTS & COMMENTS

Chairman Brittain opened the floor for reports and comments from Commissioners and staff.

Attorney Simpson provided an update on the projects he has worked on since the Board's last meeting.

Commissioner Taylor said his reports are in the agenda packet for review, advised that a TAC meeting was not held this month and that he attended the Board of Education's appointment of the new superintendent. He noted the closure of Blue Ridge Chemicals on page 848 of the agenda packet, which cost over $1 million to dispose of the chemicals and requested a full report on the situation.

Clerk Draughn thanked Commissioner Taylor's daughter for making a cake for the Health Director's retirement reception.

Chairman Brittain thanked the Board for their attention and endurance for the lengthy meeting. He then reminded everyone to please spay/neuter their pets, consider fostering or adopting an animal from the Animal Services Center, and please do not litter.

RESULT:	**NO ACTION TAKEN.**

VACANCY ANNOUNCEMENTS

Clerk Draughn reviewed the vacancy list as follows:

- Adult Care & Nursing Home Community Advisory Committee
- Animal Advisory Board
- Council on Aging
- Juvenile Crime Prevention Council
- City of Morganton - Board of Adjustment (ETJ)
- City of Morganton - Planning Board (ETJ)
- Burke Senior Center Advisory Council
- Recreation Commission
- Child Protection & Child Fatality Prevention Team
- East Burke Senior Center Advisory Board
- Board of Health

Chairman Brittain encouraged interested citizens to please get involved in a board or committee.

RESULT:	**NO ACTION TAKEN.**

CLOSED SESSION – NOT NEEDED. NOT HELD.

ADJOURN
Motion: To adjourn at 9:04 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Maynard M. Taylor, Commissioner
AYES:	Jeffrey C. Brittain, Scott Mulwee, Wayne F. Abele, Sr., Johnnie W. Carswell and Maynard M. Taylor

Approved this 20th day of July 2021.

Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:

Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board

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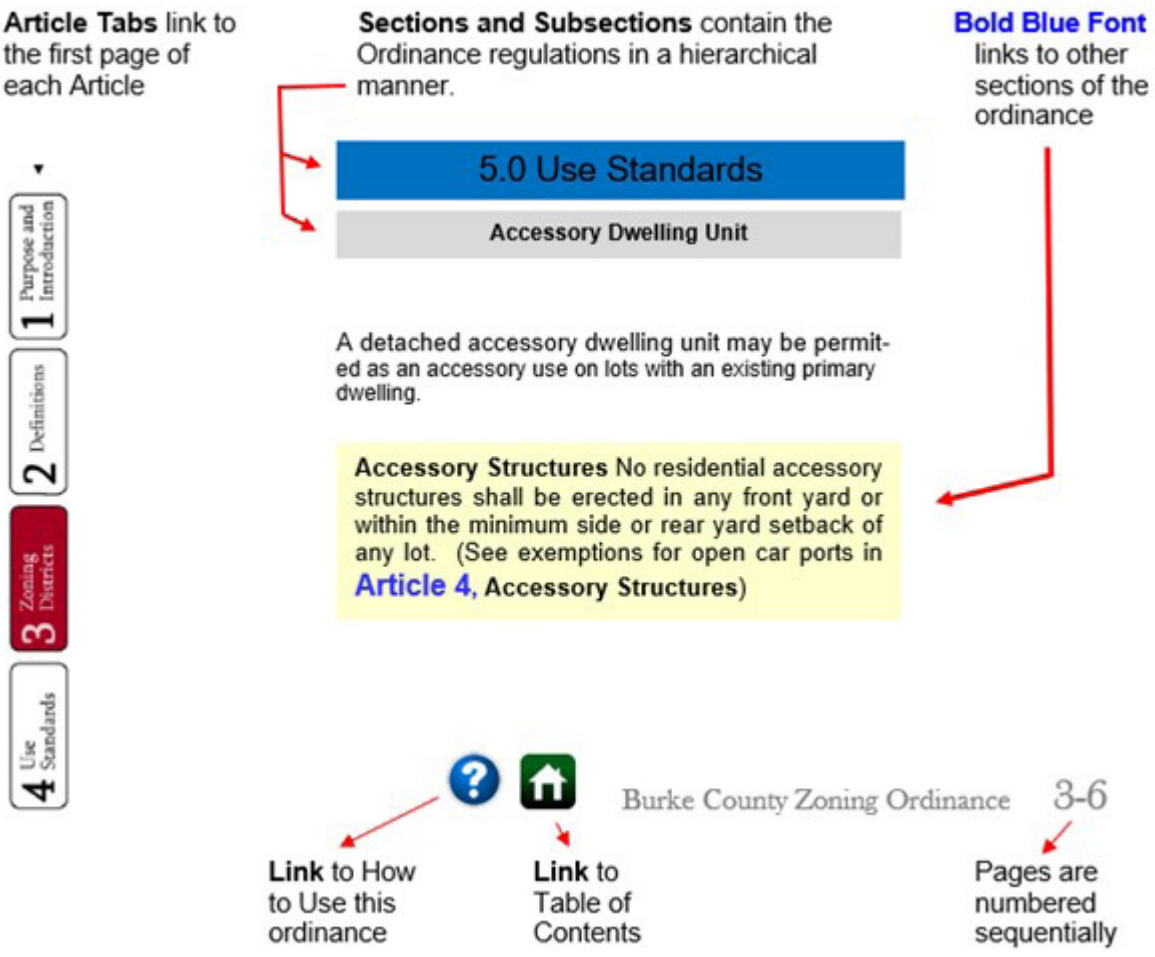
Content Organization and Page Layout

The Zoning Ordinance is organized into Articles, which are further divided using standard outline hierarchy. The content and page layout are designed to promote clear understanding of requirements, as well as quick retrieval of relevant information. The following key will assist in navigating through this document.



User Notes provide helpful information (see example below).

Open carports may be located in the front yard of a lot with an existing primary dwelling, if it can be located outside of the right-of-way.

Digital User Notes link directly to pages within the ordinance (see example below).

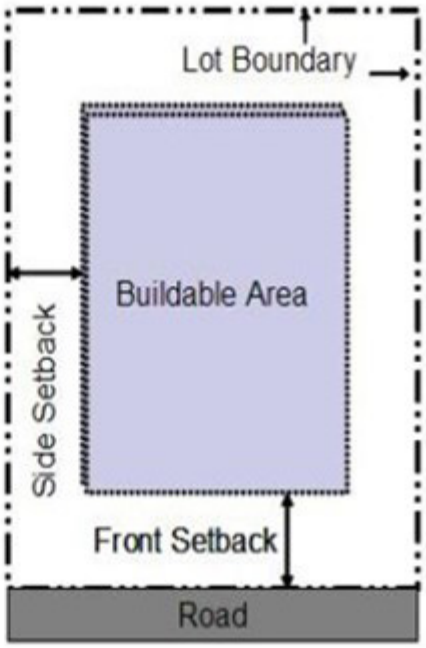
Click on the district heading below to be taken to the corresponding district regulations.

Setbacks

Setbacks Residential

Front yard: 30 ft.
Side yard: 15 ft.
Rear yard: 20 ft.

Front yard exceptions:
(When adjacent to a minor arterial, major collector, or urban major thoroughfare the required setback shall be 45 feet)



1 Purpose and Introduction
2 Definitions
3 Zoning Districts
4 Overlay Districts
5 Use Standards
6 Commercial Design
7 Development Procedures
8 Admin & Enforcement

READING THE ORDINANCE

Below are some rules to keep in mind when reading this document.

The use of the word shall, carries significant meaning in this ordinance. When regulations indicate that their requirements shall be carried out, the word shall, is always mandatory.

Article 2, Definitions, when used in this ordinance shall have the meaning given to them. If a term is not listed in this section, it will carry the customary dictionary meaning.

The following terms are used often and must be read accurately:

- The word “person” includes a firm, corporation, association, organization, trust, or partnership.
- The word lot includes plot or parcel.
- The word “building” includes “structure”.
- The word “used” or “occupied” as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied.

Digital User Note:

What is a link?

A link allows for quick reference to a relevant section. By 'clicking' a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the orginal page by clicking the 'previous view' button.

What information is linked?

All **blue text** is linked to another page within the Zoning Ordinance.

In addition several other features of the document are linked to allow users to navigate through the ordinance. Click on any of the following features to quickly locate another section:

Article Tabs

Article tabs located on the side of each page are linked to the first page of each Article

Icons

Icons located at the bottom of each page are linked to the 'How to Use This Ordinance' section, and the Table of Contents page.

Table of Use Headings

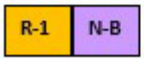


Table of Use headings are linked to the corresponding district regulations

Article 1.0
Purpose and Introduction

1.0 Purpose and Introduction

1.1 Purpose

purpose of this ordinance is to promote the health, safety, and general welfare of the public while ensuring orderly, attractive, and economically sound development within Burke County.

1.2 Title

This ordinance shall be known as the “Zoning Ordinance of Burke County, North Carolina”

1.3 Intent

It is the intent of this ordinance to:

1. Permit and encourage new uses and the continuation of reasonable existing uses,
2. To review proposed new uses and changes in uses,
3. To regulate uses which might, if left unregulated, become unreasonable where they exist,
4. And to prohibit uses which are unreasonable where they exist or are proposed.

This ordinance should not be interpreted to exclude any reasonable use that shows a demonstrated need within the county, and where the location of the use may be appropriate. It is not the intent of this ordinance to restrict or regulate “bona fide farm purposes”.

1.4 Non-Exclusionary Intent

It is not the intent of this ordinance to exclude any economic, racial, religious, political, or ethnic group from land ownership, or tenancy within Burke County; nor is it the intent of this ordinance to use public powers to promote the separation of economic, racial, religious, or ethnic groups within Burke County.

1.5 Jurisdiction

These regulations govern the development and use of land in Burke County identified on "The official Zoning Map of Burke County, North Carolina" which is incorporated by reference and declared to be a part of this ordinance.

1.6 Authority and Enactment

The County Commissioners of Burke County, North Carolina, in pursuance of the authority granted by the North Carolina General Statues (NCGS), hereby adopt and enact into law the following Articles and Sections.

1.7 Separability

This ordinance is not intended to modify, supersede, or repeal any other ordinances, regulations, or other provisions of law. Where this ordinance imposes restrictions different from another ordinance, regulation, or other provision of law, the provision that is more restrictive shall govern.

1.8 Conformance with Adopted Plans

In accordance with NCGS, the regulations adopted in this ordinance shall be consistent with the 2030 Blueprint Burke Strategic Land Use Plan, Burke County Code of Ordinances, and any other plans adopted by the Board of Commissioners.

Article 2.0 Definitions

2.0 Definitions 599

2.1 Construction of Language

For the purposes of this ordinance, certain terms or words used herein shall be interpreted as follows:

1. All words used in the present tense shall include the future, all words in the singular number include the plural number, and all words in the plural number include the singular number.

2. The word "building" includes the word "structure".

3. The word "dwelling" includes "residence".

4. The word "person" includes a “firm”, "corporation", "association", “organization”, “trust”, or “partnership” as well as an "individual".

5. The word "shall" is mandatory and the word "may" is permissive.

6. The word "lot" includes the words "plot" or "parcel".

7. The words "used" or "occupied" as applied to any land or building include the words "intended", "arranged", or "designed to be used or occupied.

2.2 Definitions

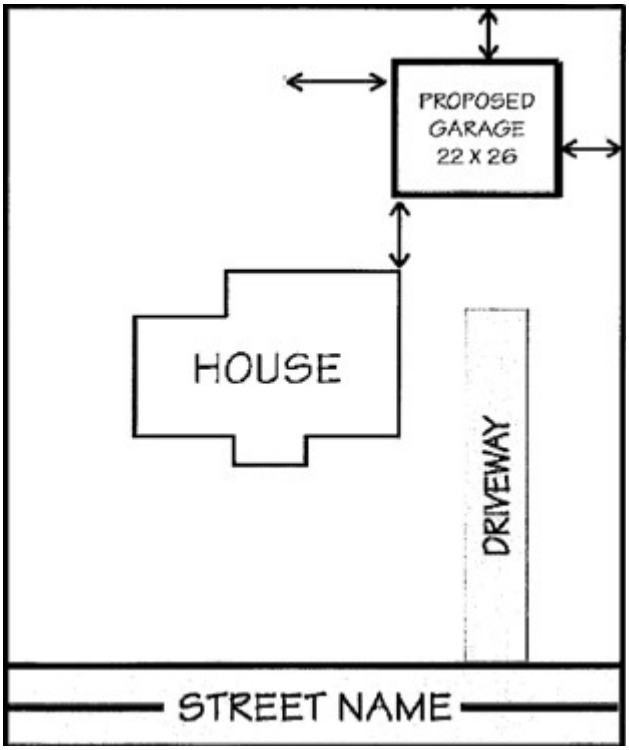
When used in this ordinance the following words and phrases shall have the meaning given in this section:

ABC Store
A commercial retail store owned and operated under the authority and control of the local Alcoholic Beverage Control Board.

Access Management
The systematic control of the location, spacing, design and operation of driveway, median openings, interchanges, and street connections to a roadway, as well as roadway design applications that affect access, such as median treatments and auxiliary lanes and the appropriate separation of traffic signals.

Access Point
Any driveway, street, turnout, or other means of providing ingress and egress for vehicles to or from the public roadway system.

Accessory Building/Use (See graphic below)
A building use or structure second to the primary use on the same lot and of a nature customarily incidental and subordinate to the principal use or structure. (Examples) accessory uses are private garages, storage sheds, playhouses, swimming pools, satellite dish antennas, telephones and fuel pumps.



Accessory Dwelling Unit
A small detached dwelling that includes a kitchen, bathroom, and sleeping space located on the same lot as a primary dwelling unit. (Examples) The term shall include garage apartment and guest house.

Adult Care Facility
An assisted Living facility built to Institutional Building Code standards that provides 24-hour personal and nursing care services to seven (7) or more adults. (Examples) The term shall include nursing home, rest home, skilled nursing facilities, assisted living, and intermediate care facilities.

Accessory Dwelling Unit
A small detached dwelling that includes a kitchen, bathroom, and sleeping space located on the same lot as a primary dwelling unit. (Examples) The term shall include garage apartment and guest house.

Adult Care Facility
An assisted Living facility built to Institutional Building Code standards that provides 24-hour personal and nursing care services to seven (7) or more adults. (Examples) The term shall include nursing home, rest home, skilled nursing facilities, assisted living, and intermediate care facilities.

Adult Care Home
An assisted Living residence built to Residential Building Code standards where an individual provides 24-hour personal care services two to six (2-6) adults. (Examples) The term shall include family care home.

Adult Day Care Facility
A non-residential commercial facility built to Institutional Building Code standards that provides supervision or care for a period of less than 24 hours per day for three (3) or more adults unrelated to the operator.

Adult Entertainment Establishment
A nightclub, bar, restaurant, bookstore, retail store, theater, or similar establishment that regularly features live or recorded performances that are characterized by depictions of sexual activity and specified anatomical areas.

For the purposes of this definition, specified anatomical areas shall include human genitals, buttocks and female breasts. In no instance shall such an establishment be permitted within one-quarter mile of any church or school.

Adult Gaming Establishment
A commercial facility or location used for the sole purpose of adult based digital arcade style games where participants seek to win monetary compensation as allowed by state statutes.

Affected Property Owner
The owner of any property impacted by a proposed development.

Agribusiness
An agricultural use that manufactures and distributes farm equipment and supplies or processes, stores, and distributes agricultural products. (Examples) Uses may include stockyards, livestock markets, dairies, forestry, and similar exempt agricultural uses.

Agritourism
Any activity carried out on a bona fide farm, ranch or vineyard that allows members of the general public to view or enjoy rural activities, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the property because of its farm or rural setting.

Agritourism Structure
Any building or structure used for public or private events that are taking place on a bona fide farm because of its farm or rural setting. (Examples) Including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals and other events.

Airport
Any area of land or water designated for the landing and take-off of aircraft including all structures necessary for housing and the maintenance and operation of all public aircraft.

Air Quality
The specific measurement in the ambient air of a particular air pollutant at any given time.

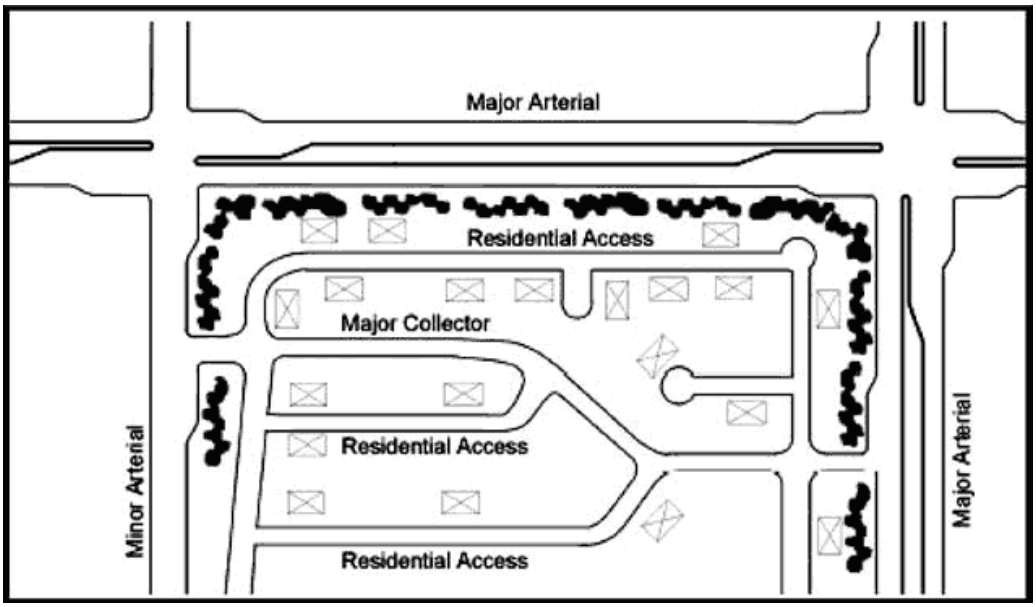
Alcoholic Beverage Control (ABC) Board
Board that controls alcoholic beverage sales in the county.

Amenities
A man-made or natural feature that enhances or makes a particular site more attractive for development.

Armory
A facility where arms and military equipment used for training reserve military personnel are stored.

Art Gallery
A room or building devoted to the exhibition and sale of works of art.

Arterial Minor (See graphic below)
A highway linking cities and large towns, providing an integrated network for intrastate and inter-county service, supplementing the principal arterial system so that all geographic areas are within a reasonable distance of an arterial highway, and intended as routes that have minimum interference through movement.



Arterial Principal
A highway providing an integrated network of roads that connect principal metropolitan areas and serve long distance travel demands such as statewide and interstate travel.

Automobile Parts Recycling
A place of business used for storing, keeping, buying or selling used automobile parts; (Examples) Including salvage yards, junk yards, automobile graveyards, and used auto parts dealers.

Automobile Service Station
A commercial location used for the retail sale of gasoline, diesel, or oil, automobile accessories, and minor services; excluding painting or automotive repair.

Bar
A commercial location used primarily for the sale or dispensing of alcoholic beverages by the drink for on-site consumption as an accessory use, and where food may also be sold upon obtaining the appropriate ABC permit. (Side Bar) Shall include night club.

Barge Loading Area
A specific shoreline site, not to exceed one acre in size, used for loading and unloading equipment and materials to and from barges engaged in shoreline stabilization activities, and pier construction and installation.

Bed & Breakfast
A commercial location, occupied by the owner, where lodging and/or meals are provided for compensation for not more than ten (10) persons.

Best Management Practices (BMP)
A structural or nonstructural management-based practice used to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.

Board of Commissioners
The Burke County Board of Commissioners; the governing body.

Board of Adjustment
The Burke County Board of Adjustment as established by the Board of Commissioners. It is considered a quasi-judicial board composed of residents of Burke County. This board is empowered to hear appeals from decisions of the Planning Director or their designee. This board grants conditional use permits, and variances from the provisions of the Burke County Zoning Ordinance as prescribed in the NC General Statutes.

Boat Dock (Private)
A dock is a structure at the edge of water where boats can tie up (moor) and which the person constructing the dock owns a leasehold interest in or title to.

Boat Storage and Maintenance Facility
Commercial location for the storage, upkeep, and repair of privately-owned watercraft.

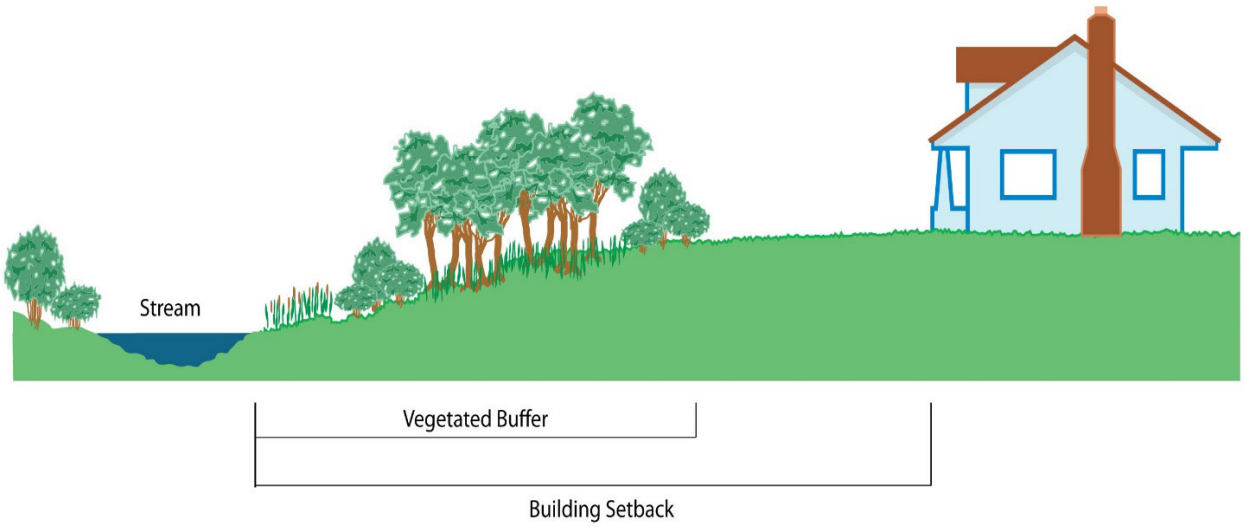
Bona fide farm
The term Bona fide farm is defined herein to be synonymous with the term "bona-fide-farm purposes" as set out in the second paragraph of North Carolina General Statute 153A-340(b) as amended. The term bona fide farm is not to be construed to include any use beyond that associated with a bona fide farm and/or bona fide purposes as set out in North Carolina General Statute 153A-340(b) as amended.

A Bona fide farm must meet the following criteria:

(i) the property is owned by a person who holds a qualifying farmer sales tax exemption certificate from the Department of Revenue pursuant to G.S.105-164.13E(a) or
(ii) is enrolled in the present-use value program pursuant to G.S.105-277.3.
(iii) is enrolled in a forest management plan pursuant to G.S.105-277.3.
(iv) has a Profit or Loss From Farming (Schedule F Form) or most recent income tax return

Buffer (See graphic below)

An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants.



Buffering or Screening

Any device, structure, natural growth, or a combination of, which serve as a barrier to vision or noise between adjoining properties.

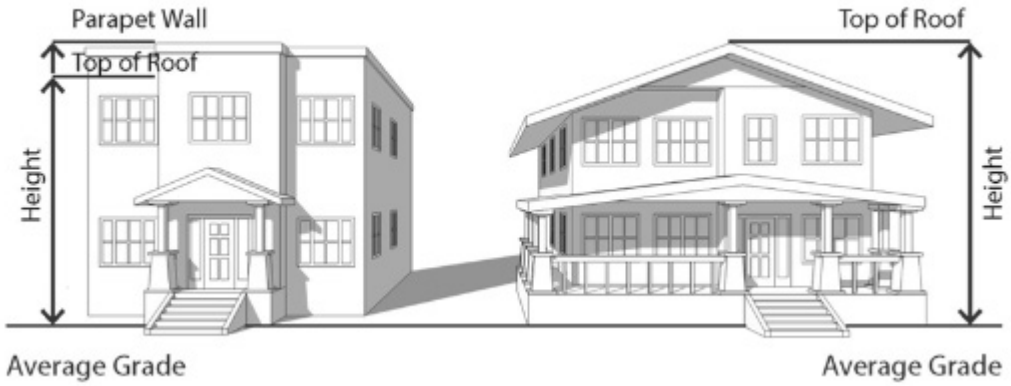
Building

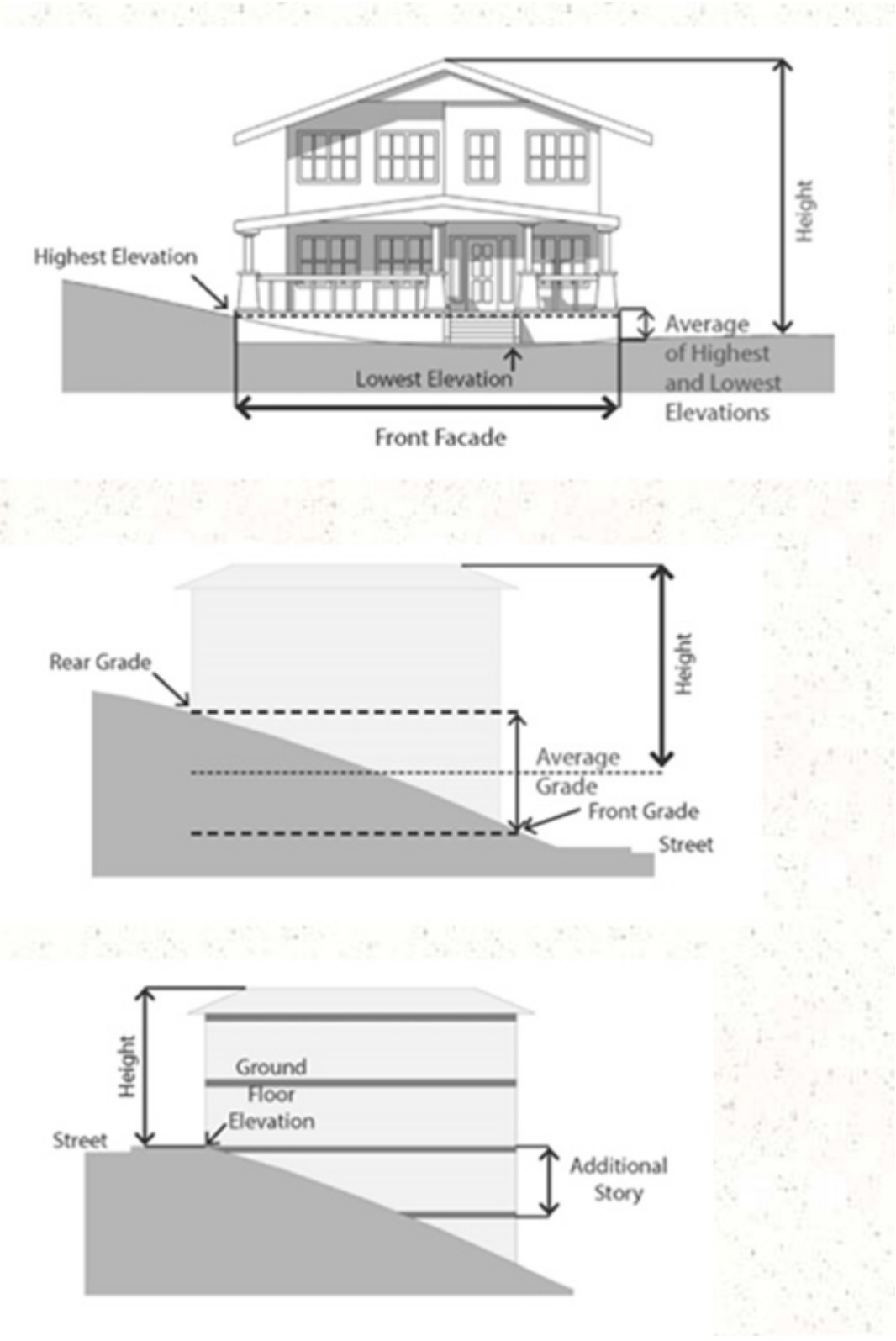
A permanent structure designed or intended for the shelter, housing or enclosure of persons, animals, or property.

Building Height (See graphic below)

The vertical distance measured from the average elevation of the finished lot grade at the front building line to the highest point of the roof beams adjacent to the front of the wall in the case of a flat roof, to the average height of the gables in the case of a pitched roof, and to the deck line in the case of a mansard roof.

FIGURE 4.4: HEIGHT MEASUREMENTS



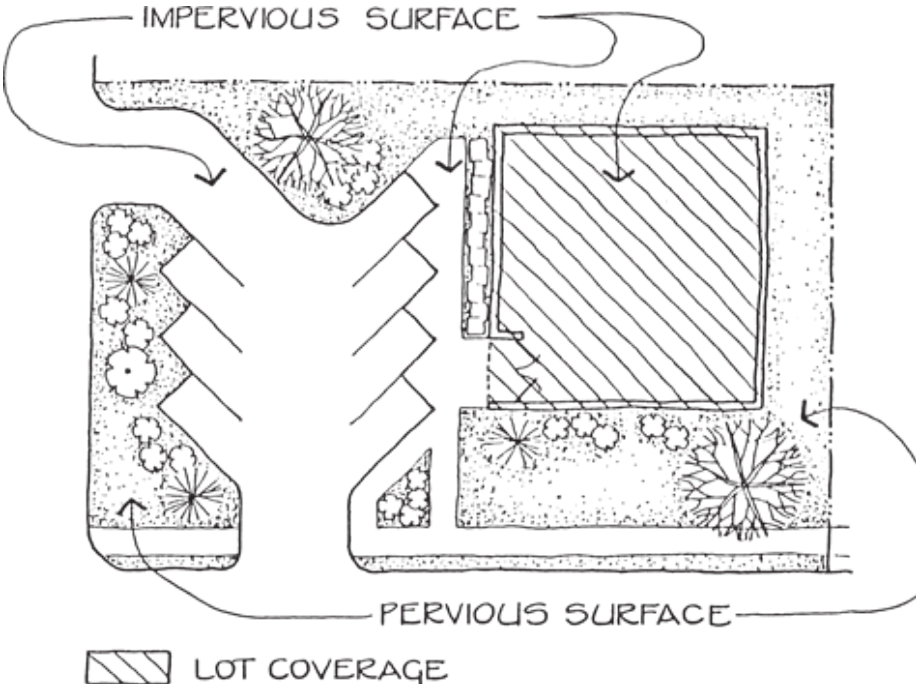


Building Inspector
The building official named by the County Manager to administer and enforce the provisions of the building code.

Building Permit
An official document issued by the building inspector or their designee before a building or structure is started, improved, enlarged, or altered as proof that such action is compliant with the state building code.

Building (Principal)
The primary structure on a property.

Built-Upon Area (Impervious Surface) (See graphic below)
The portion of a development project and/or lots that is covered by impervious cover. (Examples) Including buildings, all existing public and private streets, proposed public streets, sidewalks, driveways, rooftops, parking lots, patios, and all other impervious and partially impervious surfaces, including CABC and gravel within the development.



Bulkhead
A retaining wall created along a body of water behind which fill is placed.

Car Wash
Any premises or building used for washing motor vehicles.

Cemetery
Land and facilities used for the burial of the dead. (Examples) Term shall include graveyard, burial ground, memorial park, mausoleums, crematories, and pet cemetery.

Chair
A person appointed by the Board of Adjustment, the Planning Board and/or Board of Commissioners, whichever is appropriate, to preside at public meetings or hearings.

Child Care Facility

A non-residential commercial facility licensed by the state, where three (3) or more pre-school age children, or six or more school-age children receive childcare. “daycare center”.

Church

A place of worship where religious services are regularly conducted by a recognized religious organization granted tax exempt status under Section 501 (c) (3) of the Internal Revenue Code.

Cluster Development

The grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing storm water runoff impacts.

Collector Major

A highway providing service to any major traffic generator not served by the arterial system, providing links to the higher classified highway routes, and serving as an important intra-county travel corridor. (Exampes) I-40, US 70, Hwy 18, US-64

Collector Minor

A highway collecting traffic from local roads, bringing all developed areas within a reasonable distance of a collector road providing service to small communities, and linking important local traffic generators with the rural area. (Examples) Burkemont Rd., Summers Rd.

College

A public or private educational institution providing higher education or specific professional or vocational training.

Commercial Use

A business enterprise, occupation, or employment conducted primarily for making and sustaining profit.

Common Open Space

The open space land held in common ownership by property or unit owners in a development, normally provided for in the declaration of restrictive covenants.

Communication Facility (Wireless)

Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless communications and (ii) radio transceivers, antennas, wires, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. (Examples The term shall include wireless facility.

Communication Tower (Wireless)

A new or existing structure, such as a monopole, lattice tower, or guyed tower that is designed to support or capable of supporting wireless facilities. (Examples) The term shall include wireless communication tower, cell tower, wireless support structure.

Communication Tower Wireless (Alternative Structure)

Communication tower that uses alternative structures to conceal the presence of antennas or towers and are architecturally compatible with the area. (Examples) Such structures include

but are not limited to, clock towers, water towers, bell steeples, light poles, sculptures, and similar alternative design mounting structures.

Community Center
A building used for recreational, social, and cultural activities that is usually owned and operated by a public agency.

Compatible
Capable of existing together in harmony.

Composting Facility
A facility in which only stumps, limbs, leaves, grass and untreated wood collected from land clearing or landscaping operations is deposited.

Comprehensive Plan
All plans regarding land use that have been officially adopted by the Board of Commissioners.

Condominium
A single dwelling unit, providing complete independent living facilities for one or more persons including permanent provisions for sleeping, eating, cooking and sanitation.

Country Club
A privately owned club, often with a membership quota and admittance by invitation or sponsorship, that generally offers both a variety of recreational sports and facilities for dining and entertaining. Typical athletic offerings are golf, tennis, and swimming.

County
For the purpose of this ordinance County shall mean Burke County, North Carolina.

Cremated Remains
All human or animal remains recovered after the completion of the cremation process, including pulverization, which leaves only bone fragments reduced to unidentifiable dimensions.

Cremation
The technical process, using intense heat and flame, that reduces human and/or animal remains to bone fragments.

Cremation includes the processing and may include the pulverization of the bone fragments.

Crematory or Crematorium
The building, buildings or portion of a building on a single site that houses the cremation equipment, the holding and processing facilities, the business office and other parts of the crematory business.

Critical Area (Watershed)
The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than other areas of the watershed.

Department of Health and Human Services

For the purpose of this ordinance Department of Health and Humans Services shall mean Burke County Department of Health and Human Services.

Developer

A person, governmental agency, or entity with a legal equitable interest in a property that is to be developed.

Development

A tract of land to be developed or a manmade change to improved or unimproved real estate. (Examples) The term shall include buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

Development Permit

Any permit issued by a local government that allows the development of property. (Examples) Types of permits include building permits, zoning permits.

Discharging Landfill

A facility with liners, monitoring equipment and other measures to detect and/or prevent leachate from entering the environment and in which the leachate is treated on site and discharged to a receiving stream.

Distillery

A legal establishment for the manufacture, blending, fermentation, processing and packaging of distilled alcohol spirits (including but not limited to; rum, vodka and whiskey). Such facilities do not provide onsite retail sales and must comply with all ABC commission laws and permits.

Dwelling

Any building or portion thereof which is designed for or used for residential purposes.

Dwelling, Single-Family

A building designed for or occupied exclusively by one (1) family in a single dwelling unit.

Dwelling, Two-Family

A building designed for or occupied exclusively by two (2) families living independently of each other in two dwelling units. (Example) The term shall include duplex.

Dwelling, Multi-Family

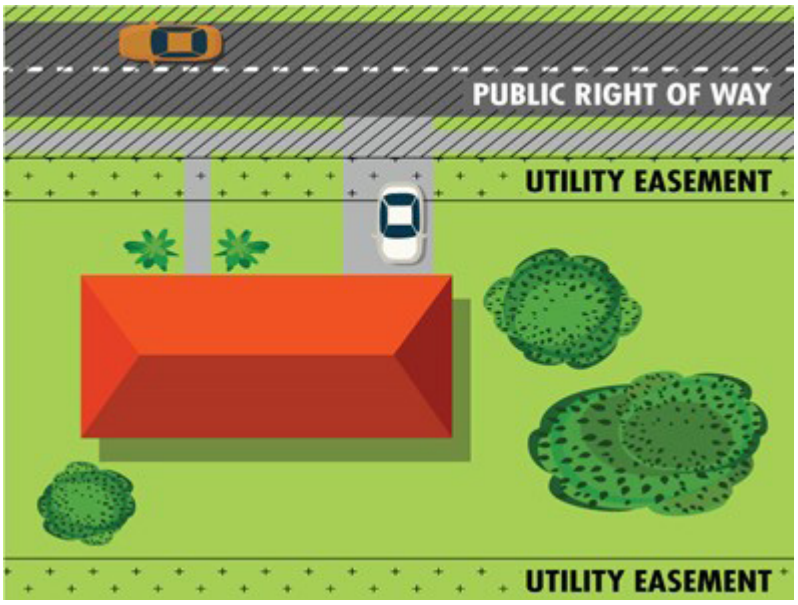
A building or portion thereof used for or designed as a residence for three (3) or more families living independently of each other. (Examples) The term shall include condominiums, apartment complexes, townhomes.

Dwelling Unit

One (1) or more rooms in a residential building or mixed-use building which are intended for use by one (1) family, and included include provisions for living, sleeping, eating, cooking and sanitation.

Drinking Establishment
An establishment where alcoholic beverages are served and consumed on the premises upon obtaining the appropriate ABC permit.

If the facility also sells food and the sale of food products represents more than fifty (50) percent of the facility's total sales, the facility is considered an eating establishment/restaurant.



Easement (See Side Graphic)

A right given from one person to another person or entity granting access to property that the person or entity does not own (Examples) roads, utilities, and property access.

A property owner cannot cut of cess to or build on top of an easement.

Emission, Minimal (Class B Source)
Any stationary source whose uncontrolled emissions are less than one hundred (100) tons of any pollutant per year.

Emission, Moderate (Class A2 Source)
Any stationary source whose uncontrolled emissions while operating at the design capacity are equal to or exceed one hundred (100) tons of any regulated pollutant per year, but whose actual emissions are less than one hundred (100) tons per year.

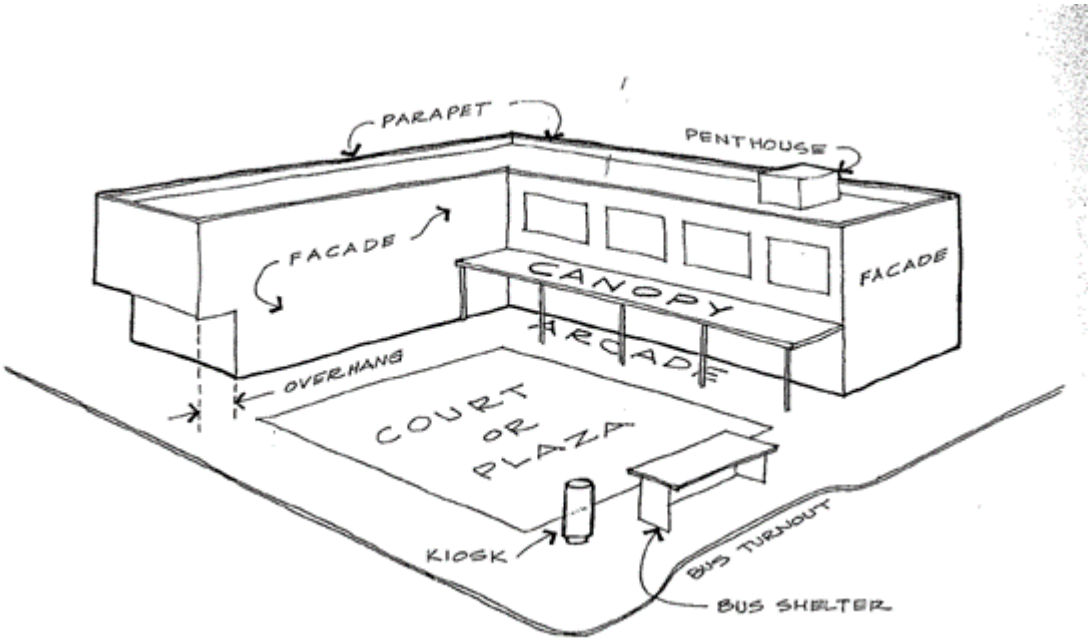
Emissions, Severe (Class A1 Source)
Any stationary source whose actual emissions or potential emission while operating at the designed capacity are equal to or exceed one hundred (100) tons of any pollutant per year.

Existing Development
Those projects that are built or those projects that have established a vested right under North Carolina zoning law as of the effective date of this ordinance based on at least one of the following criteria:

(1) Substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, or

(2) Having a valid building permit or
(3) Having an approved site specific or phased development plan.

Façade (See graphic below)
The exterior portion of a building extending from grade to the top of the parapet wall, or eaves and the entire width of the building.



Family
A group of individuals not necessarily related by blood, marriage, adoption or guardianship living together as a single housekeeping unit.

Family does not include any society, club, fraternity, sorority, association, lodge, federation, or like organization.

Family Care Home
An adult care home, built to International Building Code Standards, with support and supervisory personnel, that provides room and board, personal care and habitation services in a family environment for not more than six resident handicapped persons.

- A family care home shall be considered a residential use
- Shall be allowed in all residential zoning districts
- Shall not be located within one-half mile of an existing family care home.

(Example) The term shall include group home.

Family Child Care Home
A residence built to International Building Code Standards that is licensed by the state to provide childcare for more than two (2) children but less than nine children, who do not reside in the home.

Farm Brewery

The use of land for producing agricultural products, including barley, other grains, hops, or fruit used by the brewery to manufacture malt beverages.

These facilities may incorporate tasting rooms, tours and/or other forms of agritourism. Farm Breweries meet the bona-fide farm exemption.

Farm Winery

The use of land for producing agricultural products including grapes and other fruit used to manufacture unfortified wine owned by the winery and approved by the Alcohol Beverage Control Commission for sale in North Carolina.

These facilities may incorporate tasting rooms, tours, and/or other forms of agritourism. Farm Wineries shall meet the bona-fide farm exemption.

Financial Institutions

A building or structure used to provide financial and banking services to consumers or clients and usually providing on-site or drive-in services. (Examples) The term shall include banks, credit unions, lending establishments, and automatic teller machines, but not pawn shops.

Floor Area

The sum of the gross horizontal areas of each floor of the principal building, and any accessor buildings or structures, measured from the exterior walls or from the center line of party walls.

Does not include off street parking, basement space, stair wells, elevator shafts, and maintenance crawl spaces, uncovered steps, interior and exterior balconies, floor space used for mechanical equipment.

Gangway

A walkway that may be attached to land that extending over water to allow dry access to watercraft or to provide other recreational access to the lake. A gangway may be fixed or floating.

Gazebo
A roofed structure opened on all sides with places for sitting.

Golf Course
Land developed for the recreational purpose of playing golf. (Examples) including country clubs and private and public courses, driving ranges, pro and snack shops and excluding miniature golf courses.

Grade
The elevation of the land which is level at a specific point.

Grade, Finished
The final elevation of the average ground level adjoining a building at all exterior walls after development.

Grandfathered
Any non-conforming lot, parcel, or structure existing prior to the adoption of this ordinance is exempt from this ordinance.

Any change of the use of the property after this ordinance must comply with the Burke County Zoning Ordinance.

Group Projects
A group of two (2) or more principal structures built on a single lot, tract, or parcel of land which will not be subdivided and are occupied by separate businesses or industrial enterprises. (Examples) Term shall include commercial shopping centers, shopping complexes, and industrial parks.

Handicapped Person

A person or persons classified as having a physical impairment that manifests itself in one or more of the following ways (Examples) Term shall include non-ambulatory, semi-ambulatory, visually impaired, deaf or hard of hearing, physical or mental conditions.

Hazardous Waste

Solid or liquid waste which, because of concentration, quantity, physical, chemical or infectious characteristics:

(a) May cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; or

(b) May pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed; and

(c) Is identified by the United Sates Environmental Protection Agency as hazardous.

Health Club

A commercial establishment having members who pay a fee to use its health and fitness facility. (Examples) Term shall include gymnasiums (except public), private clubs, (athletic, health, or recreational), and weight control establishments.

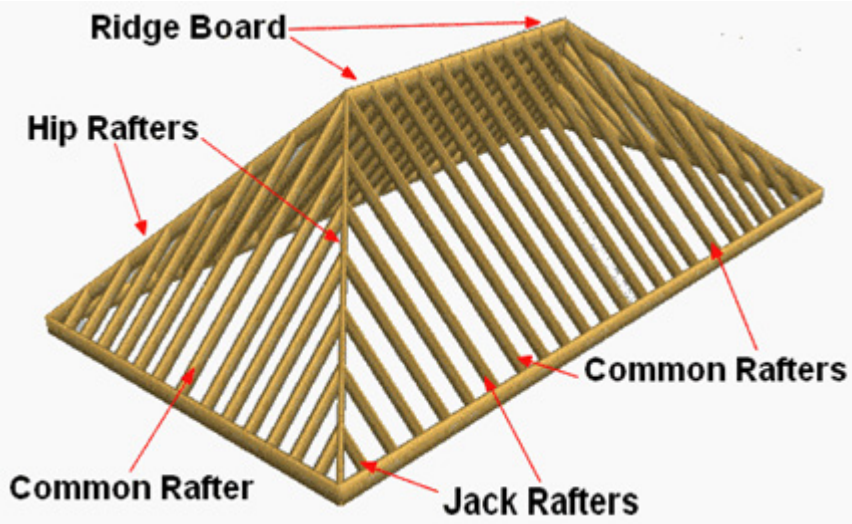
Height

Distance above a level or surface.

Hipped Roof

A roof where all sides slope downwards from a center ridge. There are no gables or other vertical sides to the roof. (See figure 1 – below)

Example of Hip Roof structure



Hobby Farm

A small farm, consisting of animals commonly found in a farm setting which do not meet the tax-exempt regulations of a “Bona-Fide Farm” and is operated and maintained for pleasure or personal use.

Homeless Shelter
Any facility providing temporary housing to indigent, needy, or homeless persons.

Home Occupations
An accessory use of a dwelling unit for gainful employment of the person living in the dwelling unit.

Humus Layer
Decayed leaves and other organic materials in or on the soil.

Industrial/Commercial Park Development
A unified facility developed for commercial or industrial uses in which flexibility is allowed for specific land uses as dictated by market.

Industrial Use
Uses that are industrial in nature. (Examples) Uses include resource extraction, manufacturing, warehousing, storage, distribution, shipping, and other related uses.

Industrial Use, Light
An industrial use with minimal impact to the surrounding land uses.

The use will not create any substantial noise, smoke, vibration, odor, or traffic.

Institutional Use
A non-profit, religious, or quasi-public use, established and used for a public purpose (Examples) Uses include a church, library, or private school, hospital, or government owned or operated building, structure or land.

Kennel
Any physical holding site that boards, houses, keeps or cares for ten (10) or more domesticated animals over four (4) months of age at any one (1) time at one location, whether by an individual or other entity. Kennels shall also include an establishment wherein any person or other entity engages in the business or practice of selling more than one (1) litter of domesticated animals at any one (1) time.

For the purpose of this definition:
Domesticated animals shall be defined as dogs and cats. Litter shall be defined as the offspring resulting from the breeding of two (2) domesticated animals. Location shall be defined as a parcel of property that bears its own County Property Identification Number.

In correlation with North Carolina General Statutes the following shall not constitute the operation of a kennel as defined above and in no way, shall this provision regulate the following:

1. The ownership of domesticated animals for one's own hunting or tracking purposes.

Land Clearing and Inert Debris Landfill
A facility for the disposal of land clearing waste. (Examples) Types of waste include concrete,

brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood, and decomposable vegetative yard trash such as brush and stumps.

Landfill
A state inspected facility for the disposal of solid waste on land in a sanitary manner.

For the purpose of this ordinance this term does not include composting facilities.

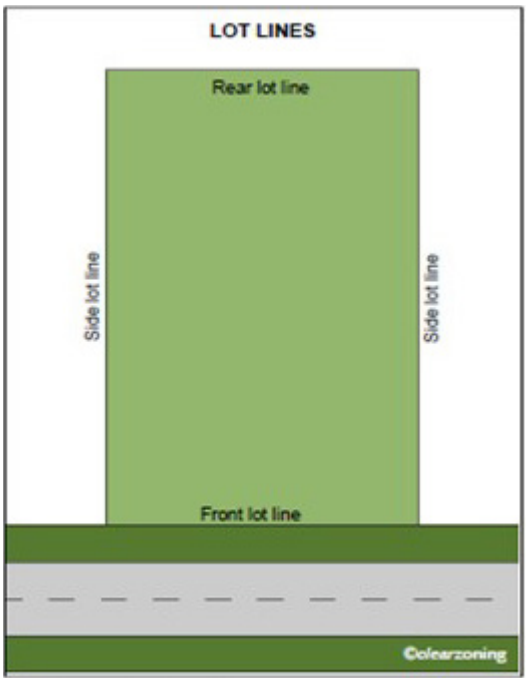
Landowner
Any person with a legal or equitable interest in real property. (Examples) Term shall include the heirs, devises, successors, assigns, and personal representatives of such owner.

Leaf Litter
Normal fallen leaves from trees.

Lot
A measured portion or parcel of land separated from other portions or parcels by description in a site plan, or a recorded plat, or by metes and bounds, with the intent to transfer ownership or develop immediately or in the future.

Lot, Corner
A lot located at the intersection of two or more streets or abutting a curved street or streets in such a way that the front building line meets either side lot line at an interior angle of less than one hundred thirty-five degrees.

Lot Coverage (Impervious Surface)
The percentage of a lot which may be covered with buildings or structures.



Lot Line (Property Line) (See side graphic)
The boundary of a lot.

Lot of Record
A lot that is part of a recorded subdivision plat or described in a recorded deed.

Lot Width.
The distance between side lot lines measured at the building setback line.

Major Variance (Watershed)

A variance from the minimum statewide watershed protection rules that results in any one or more of the following:

(1) any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system;
(2) the relaxation, by a factor greater than ten (10%) percent, of any management requirement under the low-density option;
(3) the relaxation by a factor greater than five (5%) percent of any buffer, density or built-upon area requirement under the high-density option.

Manufactured Home

A dwelling unit, that meets or exceeds the construction standards of the U.S. Department of Housing and Urban Development (HUD) on the date of its manufacture. A manufactured home is at least eight (8) feet wide and forty (40) feet in length, may be composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis and be placed on temporary or permanent foundation. Unless located in a manufactured home park, manufactured homes are to be placed on the lot to be in harmony with nearby site-built structures. Where there are no nearby structures for comparison, it shall be sited with the front running parallel to the street.

This term shall not include the term “Mobile Home.”

Manufactured homes are not to be used as accessory buildings or office space except as temporary offices on construction sites or sales offices on manufactured home sales lots.

Manufactured homes in Burke County are classified in the following categories:

Class A: A double-wide or multi-sectioned manufactured housing unit that meets the U. S. Housing and Urban Development Department (HUD) manufactured home construction standards and adhere to the following appearance criteria:

a. *The main portion of the building shall have a length not exceeding four times its width. The minimum width shall be sixteen (16) feet.*
b. *The pitch of the main roof of the building shall have a minimum rise of three (3) feet for each twelve (12) feet of horizontal run. The roof shall be finished with a type of material that is commonly used in residential construction. The eave projection shall be no less than six (6) inches, which may include a gutter.*
c. *The exterior siding shall consist predominantly of vinyl, wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in residential construction.*
d. *All Class A manufactured homes shall be placed on brick, concrete block, or other masonry foundation. The foundation shall be continuous and unpierced except for ventilation as required by the state of North Carolina Regulations for Manufactured / Mobile Homes.*

e. *Class A manufactured home shall have either a deck or a porch with steps. This structure shall be located in the front of the home. The minimum square footage shall measure at least thirty-six (36) square feet. Any door that opens outward must have a minimum 3'X3' landing. The towing apparatus and tongue shall be removed upon final placement of the unit and underskirted or screened with shrubbery. Such shrubbery shall be of a height and density to assure a total visual barrier of the towing apparatus and maintained to continue its effectiveness.*

Class B: A single-wide manufactured housing unit that meets the (HUD) manufactured home construction standards and also meets the following appearance criteria:

a. *Roof pitch is at least a three (3) foot rise for every twelve (12) feet of horizontal run. The roof shall be finished with a type of shingle that is commonly used in residential construction.*
b. *The exterior siding shall consist predominantly of vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint), wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction.*
c. *Class B manufactured homes must be underpinned. This underpinning may consist of vinyl or masonite materials OR the home may be [placed on a permanent foundation of masonry materials such as brick, block, or stone.*
d. *A deck or a porch of at least thirty-six (36) square feet in size must be located on the front of the home. Any door that opens outward must have a minimum 3'X3' landing.*
e. *Towing apparatus and tongue to be removed or screened with landscaping.*

Class C: Double-wide manufactured housing unit existing in Burke County prior to that meets the (HUD) manufactured home construction standards; but does not meet the county's appearance criteria. The home must be underpinned with masonry materials.

Class D: Single-wide manufactured housing unit existing in Burke County prior to that meets the (HUD) manufactured home construction standards; but does not meet the county's appearance criteria. the home must be underpinned with masonry materials.

Class E: Any manufactured housing unit that does not meet the county appearance criteria or the U.S. Department of Housing and Urban Development manufactured home construction standards. Class E manufactured will not be permitted in the county. Homes existing in the county's jurisdiction will be allowed to remain at their current location as non-conformities; but may not be relocated anywhere in the county's jurisdiction or shall not have electrical service restored once the vested right is lost.

This term shall include the term "Mobile Home."

Manufactured or Mobile Home Park
A tract of land under single ownership where three (3) or more manufactured homes are established.

Marina
A facility for storing, servicing, fueling, berthing, and securing of boats which may include eating, sleeping, and retail facilities for owners, crews, and guests.

ing, sleeping, and retail facilities for owners, crews, and guests.

This definition does not include private residential boat slips and ramps.

Mechanical Clearing
Any clearing of trees, shrubs, understories, stumps, or humus layers by wheeled or tracked vehicles. (Examples) Tracked vehicles include bulldozer or backhoe.

Mechanical clearing does not include clearing by handheld power equipment such as chainsaws.

Mini Warehouse
A commercial structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

No outdoor storage shall be allowed in conjunction with the facility.

Mixed-Use Development
The development of a neighborhood, tract of land, building, or structure with a variety of complementary and integrated uses. (Examples) The term includes but is not limited to, residential, office, manufacturing, retail, public, and recreation, in a compact urban form.

Mobile Food Truck
A food truck is a mobile food service establishment that prepares and serves food and/or beverages for sale to the general public on a recurring basis from a truck, vehicle-mounted, or vehicle- towed piece of equipment designed to be readily moved.

Modular Home
A dwelling unit consisting of two or more sections in accordance with the North Carolina State Building Code and transported to the building site to be assembled on a permanent foundation.

Motel
A commercial location providing board and sleeping accommodations to transient guests for compensation. (Examples) The term shall include hotel and inn.

Natural Woodland Buffer
An area of protected vegetation within a measurable distance of a topographic reference line or body of water. (Examples) The term shall include all trees, shrubs, ground cover, forest humus, leaf litter, and soil.

Non-Conforming Lot
An otherwise legally platted lot that does not conform to the minimum area requirement of this ordinance either at the effective date of this ordinance or as a result of subsequent amendments thereto.

Non-Conforming Structure
A building or structure that does not conform with one or more regulations or is designed

or intended for a use that does not conform to the use regulations of this ordinance. (Examples) Examples include lot, yard, height, lot coverage.

Non-Conforming Use
Use or activity which does not conform to the use regulations for the use district in which it is located at the effective date of this ordinance, or as an amendment thereto.

Non-Residential Use
Any activity, building, or structure not used for residential purposes.

Non-Rural Use
Any use other than a rural use as defined by this ordinance.

North American Industry Classification System (NAICS)
A multi-digit code utilized by the federal Office of Management and Budget to classify establishments by type of activity in which they are engaged.

Nursing Home
Common terms include Rest Home, Adult Care Facility.

Office / Professional Space
A building or portion of a building used by a business or agency where administrative, professional, or clerical operations are performed.

Open Space
Any land area which is not used for or occupied by a building, driveway, commercial or industrial area, off-street parking, loading space, or refuse storage space.

Open Storage
Unroofed storage area, whether fenced or not.

Operator
The property owner or any person, company, or rental agency that advertises a residential dwelling unit for nightly rentals or that otherwise facilitates the use of the property as a short-term rental.

Parapet
A low protective wall along the edge of a roof, bridge, or balcony.

Parking Lot
A place for the temporary or long-term parking of motor vehicles.

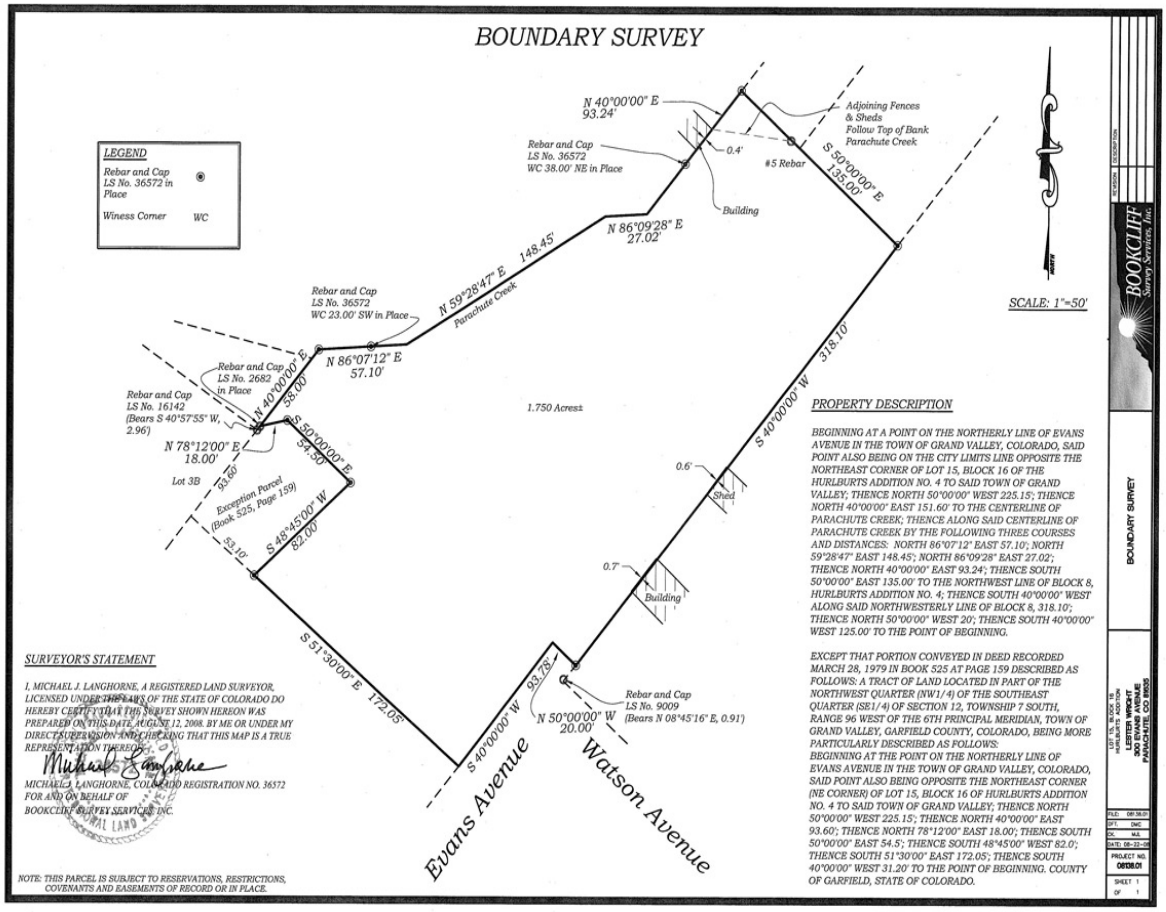
Permit, (Temporary)
A land use permit granted to a property owner or their agent for a limited period of time as defined in the permit application.

Person
An individual, corporation, business or land trust, estate, trust, partnership, association, two or

more persons having a joint common interest, State agency, or any legal entity.

Planned Unit Development (PUD)
A form of development characterized by a unified site design for housing units, clustering of buildings and providing common open space, density increases, and a mix of building types. It allows the planning of a project and a calculation of densities over the entire development rather than on an individual lot-by-lot basis.

Plat
A map or plan of a parcel of land which is to be or has been subdivided.



Primary Structure
A structure or building on a parcel of land that contains the primary use of the parcel.

Public Facilities
Any facility owned, leased, operated, or funded by a governmental agency or public entity. (Examples) The term shall include but not limited to, buildings, transportation, sanitary sewer,

solid waste, drainage, potable water, educational, parks and recreational, and health systems.

Public Service Facilities
The use of land, buildings, or structures by a public utility or governmental agency, that does not solely include the storage and maintenance of equipment and materials.
(Examples) The term shall include water treatment plants, sewage treatment plants, telephone exchanges, resource recovery facilities.

Public Use Facilities
The use of land, buildings, or structures by a governmental agency to provide protective, administrative, and social services directly to the general public.

This term shall not include solely the storage and maintenance of equipment and materials nor public cultural facilities. (Examples) The term shall include police and fire stations, municipal buildings.

Public Utility Facilities
Buildings, structures, and facilities that provide utility services, and do not include the storage of materials and maintenance of equipment. (Examples) The term shall include electric transmission and distribution lines, gas and water pumping stations, transformer stations, and solar farms.

Racetrack
A racetrack is a facility with a natural or paved course that is used for races between runners, horses, dogs, cars, motorcycles, or go-carts.

Recreational Facility (commercial – indoor)
A commercial recreation use that is open to the public for a fee and conducted primarily within a building. (Examples) The term shall include arcades, spas, health clubs, gymnasiums, bowling alleys, billiard halls, and similar uses.

Recreational Facility (commercial – outdoor)
A commercial recreational use that is open to the public for a fee and conducted almost wholly outdoors. (Examples) The term shall include driving ranges (not associated with a golf course), miniature golf, water and amusement parks, batting cages, skateboard parks, and similar uses.

Recreational Vehicle
A vehicular, portable structure designed as a temporary dwelling for travel, recreational and vacation uses. (Examples The term shall include Motor Home, RV, camper, pop-up coach, camping trailer, Park Model.

The term recreational vehicle does not include mobile or manufactured homes.

Recreational Vehicle Park
Facilities established for occupancy by recreational vehicles, for a fee, as temporary habitation for vacation and recreation purposes.

Reference Line
The recognized shoreline boundary of Lakes James, Hickory, and Rhodhiss.

An example is the Duke Power Lake James Project Boundary, elevation 1200 feet above mean sea level, Lake Hickory Project Boundary, elevation 935 (AMSL), and Lake Rhodhiss Project Boundary, elevation 1000 feet (AMSL).

Religious Institution
A structure in which worship, ceremonies, rituals, and education pertaining to a set of beliefs are held. (Examples) The term shall include churches, temples, synagogues, and mosques.

Rental Store
Commercial establishment operated under a fixed-time lease arrangement.

Residential Dock (See graphic below)
An object or structure secured in the water which is intended or used for securing one or more watercraft in the water or to be used for recreation. Docks must be floating. Dock is synonymous with mooring and boat slip.

Residential Pier
A fixed uncovered deck attached to land and extending over water to allow dry access to watercraft or to provide other recreational access to the water.

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Residential Use
A building or portion of a building, containing one or more dwelling or rooming units. (Examples) The term shall include single family dwellings, multi-family dwellings, mobile or manufactured homes, modular homes, condominiums, and apartments.

Restriction
A limitation on property, which may be created in a deed, lease, mortgage, through zoning or subdivision regulations, or as a condition of approval of an application for development.

Retail / Commercial Space
Land, buildings, or structures where products are sold or rented to customers.

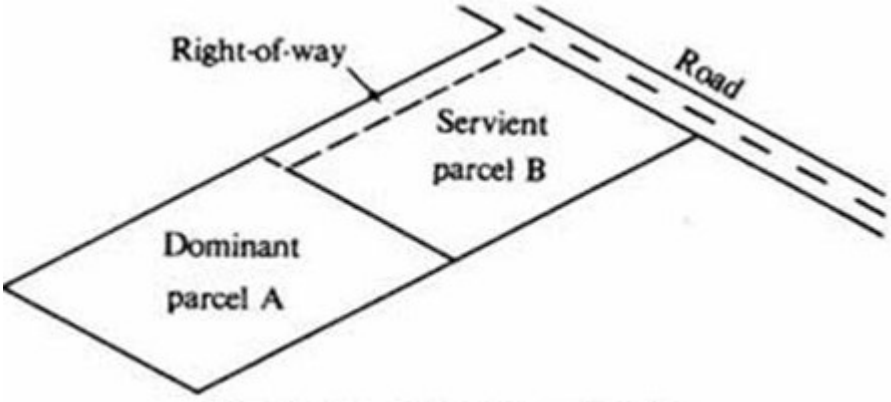
Rezone
To change the zoning classification of a particular lot or parcel of land.

Rezoning Application
A request for a change in zone to permit new uses or prohibit one or more current uses or amend the current requirements.

Click on the link to be taken to burkenc.org to download the Rezoning Application.

Right-of-Way (See below)

Access over or across particularly described property for a specific purpose or purposes.



Right-of-Way Line

The dividing line between a lot, tract, or parcel of land and a contiguous street, railroad, or public utility right-of-way.

Right-of-Way, State Owned

The right-of-way owned outright by the North Carolina Department of Transportation on which public transportation are constructed and maintained.

Runway (Airport)

A defined area on an airport prepared for landing and take-off of aircraft along its length.

Rural

Land containing farms, forests and scattered houses, exclusively outside of the Primary and Secondary Growth Areas, where a lower level of public service delivery exists or where utilities and urban services do not exist and are not planned for the future.

Rural Use

An activity or land that is undeveloped or used primarily for agricultural purposes.

School, Public or Private

A structure used primarily by and for any two (2) or more age or grade levels in grades kindergarten through twelve and operated by the public school system or approved by the North Carolina Department of Public Instruction. (Examples) Examples include Forest Hill Elementary School, Walter Johnson Middle School, Freedom High School, New Dimensions.

Scrap

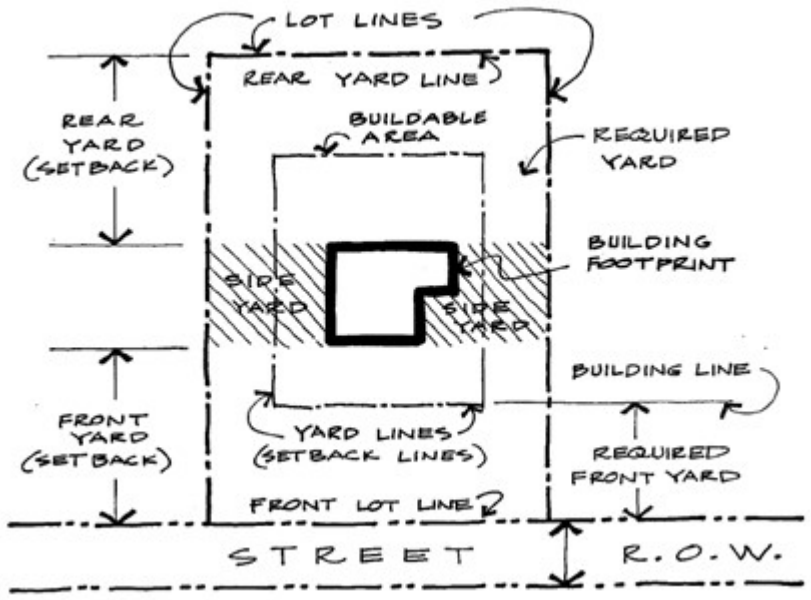
Discarded or rejected materials that result from manufacturing or fabrication operations. (Examples) Term shall include old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste; or junked iron, and steel.

Scrapyard

A commercial location used for storing, buying, or selling scrap materials.

Second-Growth Pine
A young sapling, less than two (2) inches in diameter.

Setback (See graphic below)
The distance between a building and any lot line.



Setback Line (See setback graphic above)
The line that is the required minimum distance from any lot line and that establishes the area within which the principal structure may be erected or placed.

Shooting Range (Indoor)
The use of a completely enclosed structure for archery and/or the discharging of firearms for the purpose of target practice or temporary competitions.

Shooting Range (Outdoor)
The use of land for archery and/or the discharging of firearms for the purpose of target practice or temporary competitions.

Shopping Center
A group of commercial establishments planned and developed as a unit, with common off-street parking provided on the property.

Shoreline
The point at which a body of water meets the land, including any adjacent unvegetated exposed soil bank or bluff.

Shoreline Stabilization
The placement of hardened structures along the shoreline for the purpose of controlling shoreline erosion in order to permanently protect the landowner's property.

Wood shall not be considered to provide permanent protection. (Examples) The term shall include rip rap, bulkheads, sea walls, etc.

Short-Term Rental

Dedicated Short-Term Rental

The rental of a residential dwelling unit that is not owner-occupied or used as a primary residential dwelling unit to transient guests for a duration not to exceed thirty (30) consecutive days per rental period.

Owner Occupied Short-Term Rental

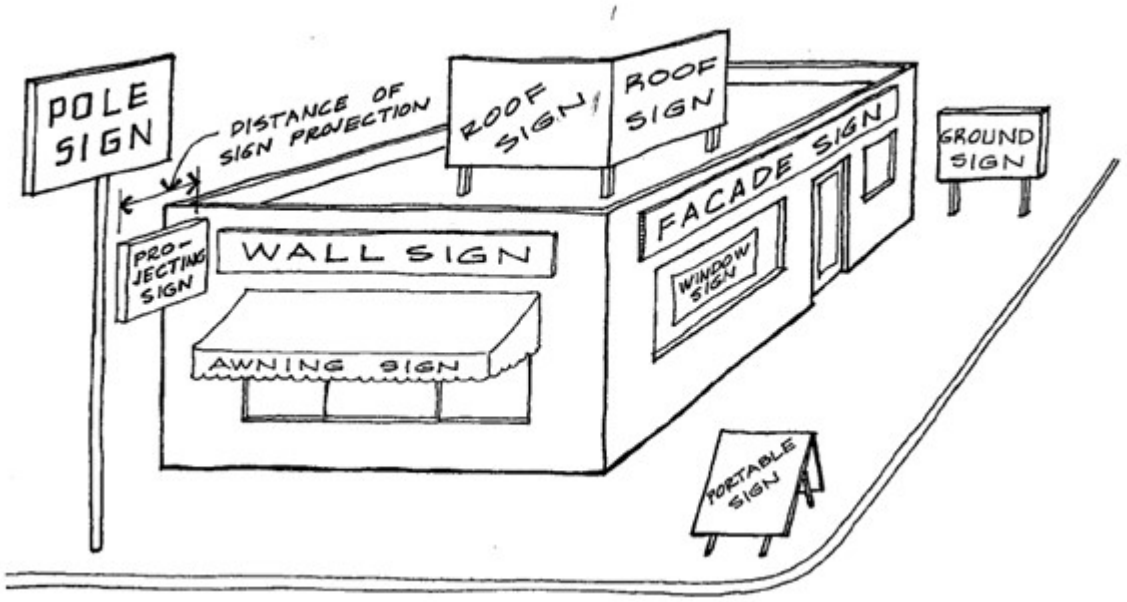
The rental of a primary residential dwelling unit by a transient guest for a duration not to exceed (30) consecutive days, for a maxim of ninety (90) days per calendar year. A principal residential dwelling unit is a residence that is occupied by the property owner (to offer the unit for short-term rental) for a cumulative minimum of 275 days per calendar year.

Short-Term Rental (STR) Permit

A permit, issued from the zoning department, that the property owner is required to hold/ obtain before the residential dwelling may be advertised or used as an Owner Occupied or Dedicated short-term rental.

Sign (See graphic below)

Any structure that uses color, graphics, illumination, symbols, or writing to advertise or communicate information to the public.



Sign Area

A square, rectangle, triangle, circle, or other geometric configuration, encompassing the entire advertising area, excluding architectural trim and structural support.

Sign Area
A square, rectangle, triangle, circle, or other geometric configuration, encompassing the entire advertising area, excluding architectural trim and structural support.

Sign, Commercial
A sign informing or advertising products or activities for sale or profit.

Sign, Directional
A sign indicating only the name and direction to a business, farm, activity or a warning.

Sign, Off-Site
A sign, free standing or attached to a building, that conveys information to the public regarding a subject not specific to the premises upon which it is located.

Sign, On-Site
A sign that conveys information to the public related to the activities conducted on the premises upon which it is located.

On-site signs do not include signs erected by the outdoor advertising industry to promote outdoor advertising businesses.

Sign, Outdoor Advertising (Billboard)
A poster panel or painted sign, either free standing or attached to a building, that conveys information to the public about a subject related or unrelated to the premises upon which it is located.

Sign, Temporary
Any sign not permanently mounted and intended to be displayed for not more than sixty (60) days. (Examples) Examples include yard sale, garage sale, estate sale, political signs etc.

Site Plan
A scaled plan showing uses, and structures proposed for a parcel of land as required by this ordinance. (Examples) Site Plans may include lot lines, streets, buildings, building sites, reserved open space, major landscape features (natural and manmade), and the location of proposed utility lines when applicable, in addition to other features which may be required by the ordinance.

Site Plan Review
The review of a site plan for any public or private project by the designated review agency for the local jurisdiction.

Solar Farm
An installation or area of land in which a large number of solar panels are set up in order to generate electricity.

Special Events Grounds
A permanently established facility or use of property in a rural setting that operates on a

continuous basis to accommodate the temporary assembly of people for special functions and events such as, but not limited to, reunions, weddings, concerts, and other festivals and events. The site takes advantage of special rural characteristics such as natural features, historic structures, and landscapes, special views, open vistas, or a secluded pastoral locale.

Special Use
A use that may be permitted in specified zoning districts only after review by the Board of Adjustment and found to meet specific conditions in order to maintain the safety and general welfare of the community.

Click on the link to be taken to burkenc.org to download the Rezoning Application.

Spot Zoning
Rezoning of a lot or parcel of land to benefit an owner for a use that is incompatible with surrounding land uses and that does not further the comprehensive land use plan.

Stable, Private
A detached accessory building for the keeping of horses, mules, or ponies owned by the occupants of the premises and not kept for compensation, hire, or sale.

Stable, Public
A detached accessory structure where horses are kept for sale or hire to the public. (Examples) Acceptable uses also include breeding and training of equines, boarding of equines not owned by the occupant of the premises, polo and showgrounds (excluding racetracks), and horseback riding lessons.

Stop-Work Order
A written document issued by an enforcement official, which requires the cessation of an activity, usually construction.

Stormwater Management, (on-site)
The systems necessary to control stormwater within an individual development project and located within the project boundaries.

Stormwater Runoff
That portion of the stormwater that flows from the land surface of a site either naturally, in man-made ditches, or in a closed drainage system.

Stream Bank, (Top of)
The land area immediately above a water body having a notably steeper slope than the surrounding landscape.

The top of the bank refers to the stage or elevation at which water overflows the natural banks or streams or other waters of this state and begins to inundate the upland.

Street (Road)
A right-of-way for vehicular traffic.

Street, Private
A private right-of-way allowing access to private property that is owned and maintained by the people who use it.

Street, Public
A public right-of-way for vehicular traffic allowing access to abutting properties accepted and maintained by the North Carolina Department of Transportation.

Public Rights-of-way are identified by a state route number.

Street Vendor
Any cart, table, equipment or apparatus of a temporary design, which is not a structure, used for the retail display and sale of merchandise. This term shall not include farmers markets or wayside produce stands or mobile food trucks.

Street Wall
Exterior wall of a building that is adjacent to, or fronts on, a public street, park, or plaza.

Structure
Anything constructed or erected which requires a rigid location on the ground, or attachment to a permanent location on the ground. (Examples) including but not limited to mobile homes, buildings, signs, towers, accessory buildings, gazebos, docks, metal carports and swimming pools.

However, a fence, utility pole, flag pole, light post, mailbox, screening wall or retaining wall shall not be considered a structure.

Structure, (non-conforming)
A structure that legally existed prior to the adoption date of this ordinance, but which is not in compliance with the requirements of this ordinance for the district in which the structure is located.

Structural Alteration
Any change in the structural support of a building, or in the dimensions or configurations of the roof or exterior walls. (Examples) Including bearing walls, columns, beams, and girders.

Subdivision (Minor)
The division of a tract of land into six (6) or less defined lots, either improved or unimproved, which can be separately conveyed by sale or lease, and which can be altered or developed.

The process often includes setting aside land for rights-of-way for ingress and egress and other infrastructure needs, including the designation of the location of utilities.

Subdivision (Major)
The division of a tract of land into seven (7) or more defined lots, either improved or unimproved, which can be separately conveyed by sale or lease, and which can be altered or developed.

The process often includes setting aside land for streets, sidewalks, parks, public areas, and other infrastructure needs, including the designation of the location of utilities.

Superior Court
For the purpose of this ordinance Superior Court shall mean the Superior Court of Burke County, North Carolina.

Surface Water
Water on the earth's surface exposed to the atmosphere such as rivers, lakes, and creeks.

Survey Map
A document on which property lines are depicted to the most accurate scale available.

Taxidermy
The process of cleaning and preserving the skins of dead animals, fish, and birds; filling them with a special material to make them look as if they are alive.

Temporary Homeless Shelter
Any facility providing temporary emergency housing to persons displaced from their home for a short period of time usually in a church or school.

Temporary Permit
An official document issued by the Zoning Administrator or their designee authorizing a land use activity for a limited period of time.

Temporary Structure
A structure that is erected without any foundation or footings and is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Theater
A specialized building for showing motion pictures or stage performances consisting of audience seating, one (1) or more screens and auditoriums, restroom facilities, and a lobby that may include a refreshment stand.

Theater, Drive-in
An open lot, or part thereof, with facilities devoted primarily to the showing of motion pictures to patrons seated in automobiles.

Townhouse (See graphic below)
A multi-family residential unit constructed of three (3) or more single-family attached dwellings separated by common interior side walls with no openings.

Townhouse Lot
A lot upon which a townhouse is constructed and which the structure and lot are owned by an individual.

Traffic Impact Study (TIS)
An analysis of the effect of traffic generated by a development on the capacity, operations, safety, and other specified concerns on the public street and highway system.

Transient
A person who is staying or working in a place for only a short time.

Transient Guest
The person who, rents a residential dwelling unit on a nightly basis for stays not to exceed thirty (30) consecutive days.

Treatment and Recovery Facility
Establishment licensed by the NC Department of Health and Human Services to provide residential care and treatment for patients with mental health and substance abuse illnesses.

Although medical services may be available at these establishments, they are incidental to the counseling, mental rehabilitation, and support services offered.

Trucking Terminal
A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck.

Turbidity
The cloudiness or haziness of a fluid caused by large numbers of individual particles that are generally invisible to the naked eye, similar to smoke in air.

Turf Grass
Normal yard grasses. (Examples) Including sod and fescue.

Understory (Vegetation)
Small trees and shrubs (Examples) Including mountain laurel, dogwood.

Urban
Of, relating to, characteristic of, or constituting a city.

Use
The principal purpose for which a parcel or the principal building thereon is designed, arranged, or intended and/or which it is or may be used, occupied, or maintained.

Use-by-Right
A use of land that is automatically allowed within a use district provided the proper permits have been obtained.

Vacant
Land or property that is undeveloped and unused.

Variance
A reasonable deviation from the requirements of this ordinance.

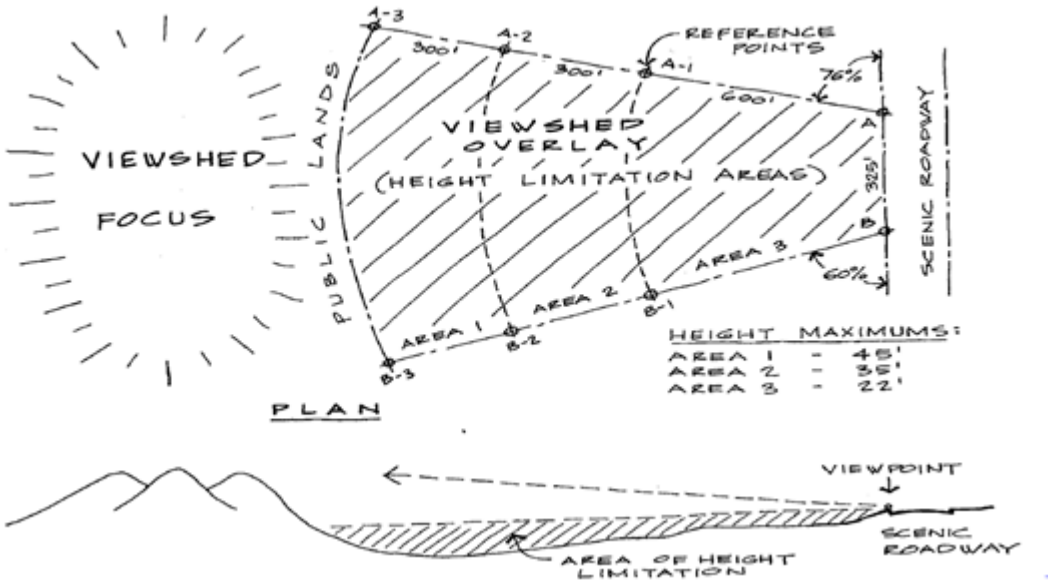
All variances are subject to review by the Board of Adjustment.

Variance, Minor
An administrative deviation from the numerical requirement of twenty (20) percent or less that may be granted by the Zoning Administrator or their designee.

Vested Rights
The right to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or an approved phased development plan for a specified time, regardless of changes in the ordinance.

View Corridor
The line of sight, identified as height, width, and distance, of an observer looking toward an object of significance; the route that directs the viewer's attention. (Side Bar) Examples include ridgelines, rivers, lakes, and historic buildings.

Viewshed (See graphic below)
An elevated or unobstructed location, position, or area that permits an unhindered panoramic vista of interest or pleasure or unique view to or from a certain point.



Warehouse
A facility designed for the primary uses of storage and/or distribution of manufactured products (excluding hazardous materials).

and may have frequent heavy truck activity, open storage of material, dust, noise, and odors, but is not involved in the manufacturing process.

Warehouse, (Hazardous Materials)
Identical to the standard definition of warehouse except allows storage of materials and chemicals that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming in contact with such material or substance.

Water Dependent Structure
Any structure for which the use requires access to, proximity to, or siting within a body of water to fulfill its basic purpose, such as boat ramps, docks, piers, and bulkheads.

Ancillary facilities such as restaurants, outlets for boat supplies, parking lots, and commercial boat storage areas are not water dependent structures.

Watershed
The entire land area contributing surface drainage to a specific stream, creek, lake, or other body of water.

Watershed (Critical Area)
Extending either one-half mile from the normal pool elevation of the reservoir in which the

intake is located or to the ridge line of the watershed (whichever comes first); or one-half (½) mile upstream from the intake located directly in the stream or river, or the ridge line of the watershed (whichever comes first).

Watershed (Protected Area)
A protected area is defined as land within five miles and draining to the normal pool elevation of water supplies/reservoirs or within ten miles upstream and draining to a river intake.

Protected areas are only located within WS-IV watersheds.

Wayside Stand
A building or structure for the purpose of selling agricultural or horticultural or related products. (Example) produce stand.

A wayside stand is exempt on property designated as a "Bona Fide Farm"

Wetlands
Transitional areas between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is covered by shallow water.

Winery/Brewery
A commercial location where beer, cider, mead, malt liquors, or unfortified wines are produced as dictated by NC General Statutes.

Wireless Services
Any services, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using wireless facilities.

Wireless Services Provider
An entity who provides wireless services.

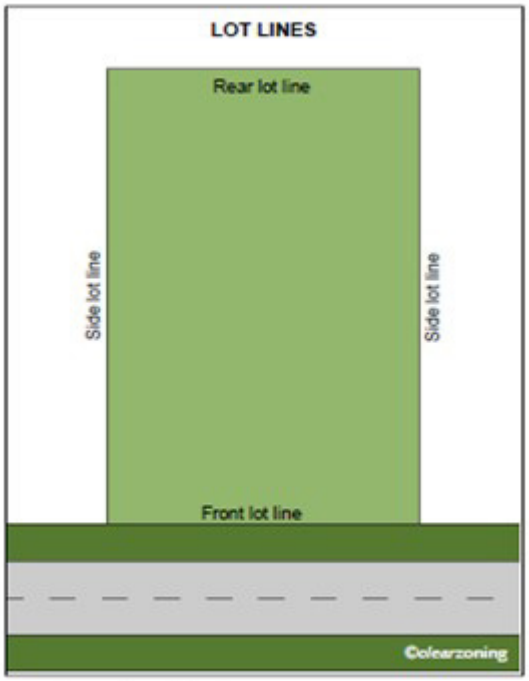
Yard
An open space that lies between the principal building or buildings and the nearest lot line.

Yard, Front (See graphic yard side on next page)
A space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

Yard, Rear (See graphic yard side on next page)
A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

Yard, Side (See graphic below)

A space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building



Zero Lot Line
A common lot line on which a wall of a structure may be constructed.

Zero Lot Line Development
An arrangement of buildings on a lot in such a manner that one or more of the building's sides rest directly on a side lot line.

Zoning
The delineation of districts and the establishment of regulations governing the use, placement, spacing, and size of land and buildings.

Zoning Administrator
A planning department staff member responsible for the review and issuance of zoning permits.

The decision may be appealed to the local Board of Adjustment.

Zoning Amendment
An amendment to make a change in the zoning ordinance or to the application of zoning to a certain parcel or area. (Examples) Including zoning map amendment, zoning text amendment.

Zoning Board of Adjustment
A Quasi-Judicial Board appointed by the local legislative body to consider minor zoning adjustments such as conditional use permits and variances.

Its decision may be appealed to the Superior Court of jurisdiction.

Zoning District
A designated section of the county for which prescribed land use requirements and building and development standards are uniform.

Zoning districts are defined in **Article 3**.

Zoning Map
The map or maps that are a part of the zoning ordinance and delineate the boundaries of zone districts.

Zoning Permit
A permit issued by the Zoning Administrator or their designee to conduct an approved activity, function or operation on a site or in a building or facility. A use permit may be issued with various conditions of approval. (Side Bar) zoning permit, conditional use permit, shoreline permit etc.

Zoo
Any area, building, or structure which contains wild animals on exhibition for the viewing public.

Article 3.0
Zoning Districts

3.0 Zoning Districts

3.1 Districts Established

For the purpose of this ordinance, Burke County is divided into the following districts:

R-1 Residential District

R-2 Residential District

R-3 Residential District

R-MU Rural Mixed-Use District

PRMU Planned Residential Mixed-Use District

CON Conservation District

O-I Office & Institutional District

N-B Neighborhood Business

G-B General Business District

LI Light Industrial District

IND Industrial District

Digital User Note: Click on a district heading to go directly to corrresponding district regulations.

The R-1 Residential District is intended to be limited exclusively to single-family site built and modular dwelling units. The characteristics of the district, and the uses allowed there, are primarily residential in nature. The regulations of this district are intended to discourage any use that, because of its character, would substantially interfere with the development of single-family residences, and which would be detrimental to the quality of life that appeals to the average resident of this county.

The R-2 Residential District is intended to be similar to the R-1 district in its residential nature. However, R-2 district also allows Class A manufactured homes and multi-family housing options as well. Allowed uses in this district are sensitive to the residential character of the area and non-residential uses are limited.

R-3 Residential District

The R-3 Residential District is a less restrictive residential district that allows a broader range of residential uses including Class A and Class B manufactured homes. A variety of compatible non-residential uses are allowed in areas that may be less suburban in nature.

The Rural Mixed-Use District (R-MU) district is intended to allow residential and non-residential development to occur with fewer restrictions in less urbanized areas of the county. The intended result is less conflict between adjacent property owners while maintaining the rural appearance of the area.

The Planned Residential Mixed-Use (PRMU) District is intended to allow developments composed of a mix of residential, retail, and office uses to occur in harmony with surrounding land uses which result in well planned and aesthetically pleasing neighborhoods that promote innovative arrangements of buildings and open space uses throughout the project site.

The Conservation (CON) District allows low density residential development and associated uses in order to provide adequate protection for environmental areas and wildlife habitats, protect viable working farms, maintain the integrity or rural viewsheds, and limit the amount of potential property damage associated with existing natural hazards.

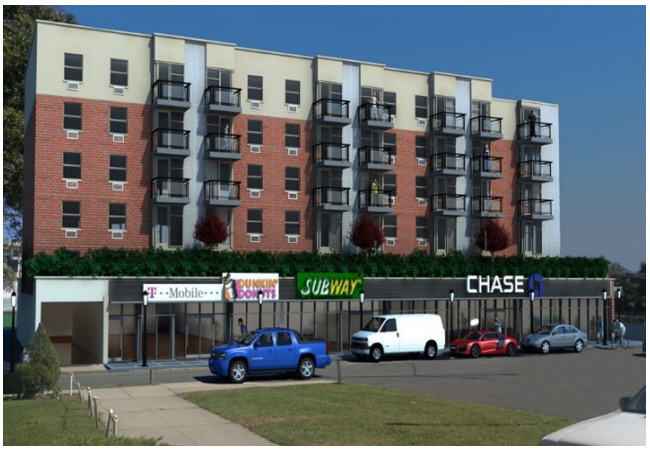
The Conservation District (CON) is primarily designed to prevent large numbers of housing units from impacting rural landscapes. Developers shall locate structures on appropriate portions of the landscape utilizing a maximum density calculation of one unit per three (3) acres of total project area. Clustering of units is encouraged where feasible.

The Office and Institutional District (O-I) is designed to provide a wide range of civic, institutional, retail, service, and office uses. The regulations are intended to provide for adequate traffic access and parking facilities in addition to prohibiting any use which, because of its character, would interfere with the office/institutional nature of this district.

N-B Neighborhood Business 647

The Neighborhood Business District (N-B) is intended for the use of businesses and other uses which are properly located near established rural neighborhoods.

The General Business District (G-B) is established to provide suitable locations for commercial activities which serve the general public, including those which function independently of each other.



The Light Industrial District (L-I) is established for uses that would not have a significant negative environmental or land use impact on surrounding residential or business districts. Permitted uses will not create any substantial noise, smoke, vibration, odor, or traffic that may endanger the health and safety of the surrounding area.

This district shall have the following restrictions in order to have minimal impact on the surrounding area and properties:

1. All uses must be conducted within an enclosed structure with no open storage of raw, in process, or waste material. Finished products must be stored in an enclosed building.
2. The property will be screened in accordance to Section 1106 of the Zoning Ordinance.

3. Signs are allowed in accordance to **Article 4, Advertising Signs and Structures** of this Ordinance.

4. Service drives for off-street loading and unloading must comply with **Article 5, Section 5.20, Loading/Unloading Area** of this ordinance. NCDOT must approve of commercial driveway cuts occurring on a state maintained road.

5. Deliveries and pick-ups are restricted and shall not occur between the hours of 9:00 p.m. and 7:00 a.m.

6. No outdoor lighting shall be allowed between 11:00 p.m. and sunrise, except lighting used for walkways, roads, parking lots, and security. Exterior lighting shall be fully shielded and directed in a downward direction to avoid illuminating the night sky. Lighting shall not illuminate neighboring residential properties or be directed in a manner that would distract or harm the traveling public.

The Industrial District (IND) is established as a district in which the principal use of land is for manufacturing, warehousing, transportation, and utility uses. These uses generally occupy large tracts of land where the operations involved do not detract from the development potential of nearby undeveloped properties.

1. Maximum Lot Coverage – (Residential Uses) The maximum lot coverage for single family residential uses shall adhere to the Watershed Protection Ordinance. Impervious coverage for lots that are located in the Lake Overlay District on Lake James shall be located within specific building envelopes and recorded on subdivision plats. The total impervious coverage shall not exceed, in the aggregate, a maximum of 10% of the total project area in both Conservation Districts.

2. Maximum Lot Coverage – (Commercial, Industrial, and Other Uses) There is no maximum lot coverage for multi-family, commercial, industrial and other non-single family uses, except as provided herein in special circumstances and/or as may be required by the Board of Commissioners, Planning Board and/or Board of Adjustment as determined by the Burke County Watershed Protection Ordinance.

3. Maximum Height Restrictions - No building shall hereafter be erected, constructed or altered so as to exceed the height limit specified in the regulations herein for the district in which it is located.

4. Maximum Height Restrictions – (Residential) Except as provided herein, the maximum height restriction for residential uses within the zoning district shall be as follows:

District	Maximum Height at Grade Level
R-1	35’
R-2	35’
R-3	35’
R-MU	35’
PRMU	35’
CON	35’

3.3 Application of Regulations

Territorial Application

The provisions of this ordinance shall apply to all land in Burke County except the municipalities of Connelly Springs, Drexel, Glen Alpine, Hickory, Hildebran, Long View, Morganton, Rhodhiss, Rutherford College, Valdese and their extraterritorial planning jurisdictions (ETJ), where applicable.

Any territory that may be included within the planning jurisdiction of Burke County shall remain in the County’s existing planning jurisdiction until it has been adopted by the municipality.

3.4 Uniform Application of Regulations

The regulations established in this ordinance shall be minimum regulations applied uniformly unless otherwise indicated.

3.5 Uses

No building or parcel shall be used or occupied that is not in conformity with the regulations of this ordinance. Also, no building or part of a building shall be erected, constructed, moved, or structurally altered except in conformity with the regulations of this ordinance.

3.6 Buildings

No building shall be erected, constructed, or altered that:

1. Exceeds the height limit,
2. Occupies a greater percentage of the lot area than is required or specified in the regulations of this ordinance.
3. Shelters or houses a greater number of families than the structure was intended to accommodate,

3.7 Reduction of Lots and Yards

No lot or yard shall be created or altered except in compliance with this ordinance.

3.8 Additional Dwellings on a Single Lot

Additional dwellings shall not be permitted on the same lot or parcel of land as another primary dwelling. However, a detached accessory dwelling unit may be permitted as an accessory use on lots with an existing primary dwelling (see **Article 4.1 Accessory Dwelling Units**).

3.9 Manufactured Home Park

Three (3) or more manufactured homes on the same parcel constitute a manufactured home park and must be permitted as a manufactured home park.

3.10 Compliance with Other Laws and Regulations 654

This ordinance may reference other applicable laws and regulations that must be adhered to in addition to the requirements of this ordinance. Compliance with any other laws or regulations for any project subject to this ordinance, whether referenced within or not, shall be the responsibility of the applicant or his agent.

3.11 Uses Not Delineated in This Ordinance

When a use is not specifically delineated in this ordinance as a use-by-right or a special use, a property owner, or his appointed agent, may submit an application for a special use permit. If the use applied for is approved by the Board of Adjustment, this ordinance shall be automatically amended to include the use as a special use in the district in which it is located.

Below is the Table of Uses that summarizes all of the uses listed in the Ordinance.

X = Use by Right
A = Accessory Use
S = Special Use

If there the space for a use is blank, that use is not allowed.

Digital User Note
Click on the district heading below to go directly to the corresponding district regulations.

Residential Uses	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Accessory dwelling unit	A	A	A	A	A						A
Dwelling units, Single family	X	X	X	X	X						X
Dwelling units, Duplex		X	X	X	X						X
Dwelling units: Multiple-family		S	X	S	S						
Bed & breakfast				X	X		S				S
Family care home	X	X	X	X	X						X
Family child care home	S	X	X	X	S						S
Home occupations	A	A	A	A	A						A
Manufactured home: Class A		X	X	X							
Manufactured home: Class B			X	X							
Manufactured home: Class C				X							
Manufactured home: Class D				X							
Mobile home: Class E											
Mixed-use development				X	X	S	S	X			S
Mobile home park			S	S							
Short-term rental (Dedicated)	X	X	X	X	X						X
Short-term rental (Owner Occupied)	X	X	X	X	X						X

Dedicated short-term rentals are considered a “Special Use” in the Lake Overlay District.

Table of Uses Cotinued

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Residential Uses	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Stable (private)	X	X	X	X	X			X			X
Agriculturall Uses	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Agricultural use (bona fide farm)	X	X	X	X	X	X	X	X	X	X	X
Farm Brewery	E	E	E	E	E	E	E	E	E	E	E
Farm Winery	E	E	E	E	E	E	E	E	E	E	E
Farmers markets / produce stands			X	X			X	X	X	X	
Greenhouse (commercial)				X				X			
Hobby farm				X							
Plant nurseries			X	X					X	X	
Industrial Uses	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Airport / airstrip				S						X	
Asphalt and concrete plants				S						X	
Automobile parts recycling				X				X		X	
Barge loading area	X	X	X	X	X			X		X	C

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Industrial Uses	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Bottling plants				S					X	X	
Brewery				X	S		S	X	X	X	
Cabinet / upholstery / woodworking shops (more than 10 employees)				X					X	X	
Distillery				X	S		S	X	X	X	
Flour and feed mills				S						X	
Garbage disposal services				S						X	
Industrial supplies and equipment (sales and service)				S					X	X	
Land clearing and inert debris landfill	S	S	S	X		S	S	X	X	X	
Landfill (sanitary)				S						S	
Manufacturing / processing facilities				S					X	X	
Mines and quarries				S						S	
Mini warehouses				X			X	X	X	X	
Scrapyards				S				S		X	
Trucking terminals				S					X	X	
Warehouse: enclosed storage				S					X	X	
Warehouse (open storage)				S						X	

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Industrial Uses	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Warehouse (volatile materials)				S						X	
Winery				X	S		S	X	X	X	
Retail	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
ABC Store				X	S		S	X			
Auto, truck, boat, recreation vehicle, and motorcycle sales				X				X			
Bldg. materials storage and sales yard				X				X		X	
Convenience stores (gas sales included)				X	X	S	X	X			
Flea markets				X				X			
Grocery stores / supermarkets				X	S		X	X			
Manufactured home sales				X				X			
Restaurant with drive-thru				X			S	X			
Restaurants excluding drive-thru				X	X		X	X			S
Retail sales (3,000 square feet and less)				X	X	S	X	X	A	A	S
Retail sales, shopping centers (3,000–10,000 square feet)				X	S	S	X	X	A	A	

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Retail	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Retail sales, shopping centers (10,000 - 100,000 square feet)				X	S		S	X			
Retail sales, shopping centers (greater than 100,000 square feet)				S				S			
Wholesale establishments				S					X	X	
Entertainment/Recreation	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Adult Entertainment Establishment								S		X	
Adult Gaming Establishment				S			S	S			
Auditoriums				X		X	X	X			
Bar / Nightclub				S	S		S	X			
Country clubs	S	S	X	X	X	X	X	X			S
Fishing lakes			X	X							
Go-cart track				S				S		S	
Golf courses	S	S	X	X	X	X	X	X			S
Movie theatres				S	S		S	X			

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Entertainment/Recreation	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Parks, playgrounds, and swimming pools (public and commercial)	S	S	X	X	X	X	X	X			S
Racetrack				S						S	
Recreation vehicle parks / commercial campgrounds			S	S	S		S	X			S
Recreational facility (commercial – indoor)				X	X	X	X	X			S
Recreational facility (commercial – outdoor)				X	S	X	X	X			
Shooting Range (Outdoor)				S							
Special Events Grounds				S	S			S	S	S	S
Stable (public)				X	X			X			S
Zoo				S							
Services	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Auto repair garages and body shops				S				X		X	
Barber shops and beauty shops				X	X		X	X			
Boat Storage & maintenance facility				X	X			X	X	X	S
Cabinet / upholstery / woodworking shops (10 employees or less)				X				X	X	X	
Car washes				X			X	X			

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Services	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Drug stores / pharmacies				X	X	A	X	X			
Dry cleaning and laundry pick-ups				X	X		X	X			
Exterminators								S	X	X	
Homeless shelter			S	X	S		X	X			S
Kennels				S			S	S			
Landscapers				X				X			
Laundromats / automatic laundries				X	X		X	X	X		
Marina			S	S	S			S			S
Parking lots and parking garages				X		X	X	X	X	X	
Printing / engraving / publishing establishments				S					X	X	
Radio and TV repair shops				X		X	X	X			
Service stations				X	S	S	S	X			
Shoe repair shops				X	X		X	X	X		
Small engine sales and repair shops				X				X	X		
Street vendors				X			S	X			
Tailor and dress making shops				X	S		X	X	X		
Taxidermy				X				X			X

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Services	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Television and radio stations				X		X		X	X		
Temporary Homeless Shelter	A	A	A	A	A	A	A	A	A	A	A
Tire recapping shops				X				X	X		
Treatment and Recovery Facility				S		X		X			
Utilities	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Communication towers			S	S		S	S	S	S	S	
Communication tower (alternate structure)	S	X	X	X	X	X	X	X	X	X	S
Public service facilities	S	S	X	X	S	S	X	X	X	X	S
Public utility facilities	S	S	X	X	S	S	X	X	X	X	S
Public works facilities (storage and service yards)				S						X	
Government	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Public use facilities	S	S	X	X	S	X	X	X	X	X	S
Institutional/Office	**R-1**	**R-2**	**R-3**	**R-MU**	**PRMU**	**OI**	**N-B**	**G-B**	**L-I**	**IND**	**CON**
Adult care facility				X	X	A	X	X			
Adult care home											

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Institutional/Office	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Adult day care facility											
Animal Hospitals				S			S	S			
Armories				X		X		X			
Banks, loan offices, and financial institutions				X	X	X	X	X			
Child care facility				X	X	A	X	X			
Churches and cemeteries	X	X	X	X	X	X	X	X	X	X	X
Colleges, universities, and technical college				X		X					
Community centers	S	S	X	X	X	X	X	X			S
Contractor's office and storage yards				S				X		X	
Correctional facilities and jails				X		X		X	X	X	
Crematory				S		A		A	X	X	
Elementary and secondary schools	S	S	X	X	X	X	X	X	S	S	S
Funeral Home				X		X	X	X			
Hospitals				X		X		X			
Libraries				X		X	X	X			
Motels and hotels				X	X			X			S
Museums				X	S	X	X	X			S

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Institutional/Office	R-1	R-2	R-3	R-MU	PRMU	OI	N-B	G-B	L-I	IND	CON
Music and dance institutions				X	S	X	X	X			
Office / professional space (3,000 square feet or less)				X	S	X	X	X	A	A	
Office / professional space (3,000 – 30,000 square feet)				X	S	X	S	X	A	A	
Office / professional space (greater than 30,000 square feet)				X		X		X	A	A	
Recreation centers				X	X	X	X	X			
Rest Home			X	X	S	X	X	X			

Building setback distances shall apply to all structures in the County. Setbacks shall be measured at the shortest distance between the structure and the boundary. If a public road does not have an official right-if-way the distance to the road shall be measured from the centerline of the ditch line. In the event that no ditch line exists the distance to the road will be measured from a point five feet from the edge of the pavement or the edge of the gravel.

Except when adjacent to a road designated as a minor arterial, major collector, or urban major thoroughfare on the approved Burke County Thoroughfare Plan, in which case the required front setback shall be 45 feet.

Structures built within developments in a parallel conditional use zoning district may have lesser setback requirements provided that:

1. There is a degree of uniformity in the location of similar structures on lots in the immediate vicinity.

2. The overall design enhances the character of the original development concept.

These setbacks must be identified in the application, preliminary plats, and final plats by denoting specific building envelopes. In no case shall any building envelope be located within buffer areas or within 10 feet of any public or private right-of-way. No building envelope may be located within 50 feet of a trail or recreational easement dedicated for public use.

Setbacks / Non-conforming Structures

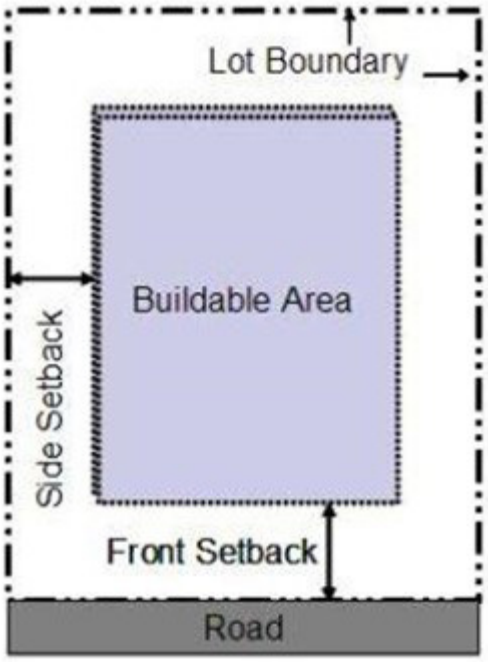
Non-conforming structures must meet the minimum required building setbacks.

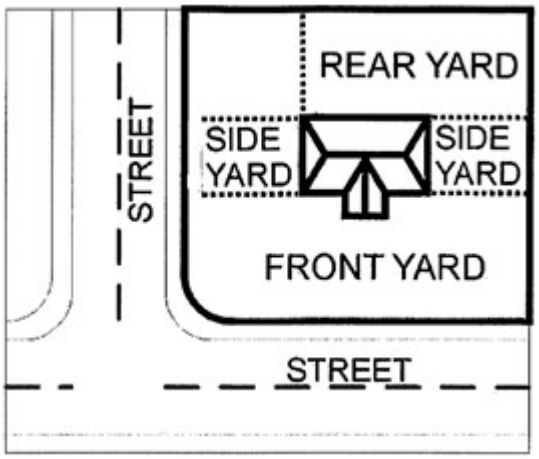
An existing non-conforming commercial structure that does not meet the required setbacks may receive a 30% administrative variance from the minimum required setback at the approval of the Zoning Administrator.

An existing non-conforming residential structure that does not meet the required setbacks may receive a 20% administrative variance from the minimum required setback at the approval of the Zoning Administrator.

Front yard	30 Feet
Side yard	15 Feet
Rear yard	20 Feet

Front yard exception:
(When adjacent to a minor arterial, major collector, or urban major thoroughfare the required setback shall be 45 feet)

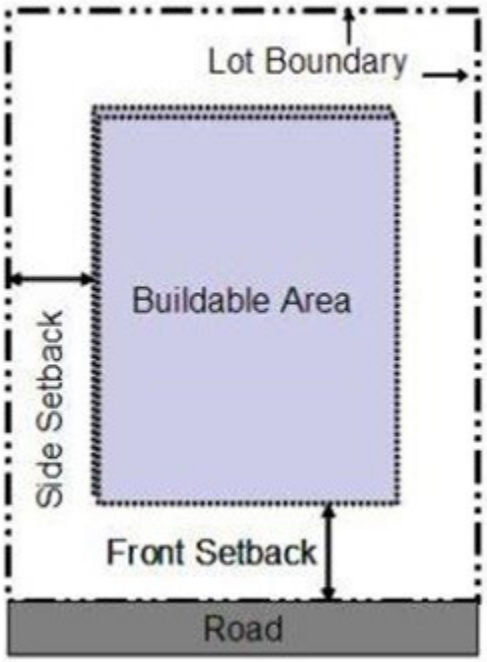




Front yard	30 Feet
Side yard	20 Feet
Rear yard	20 Feet

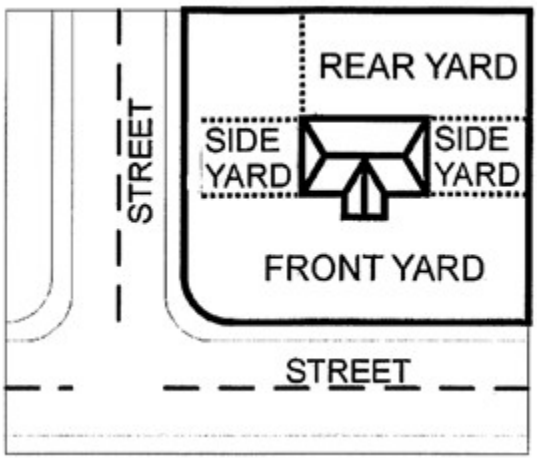
Minimum required setbacks (on corner lots with streets abutting 2 sides

The front setback is determined by the street to which the parcel is addressed. However, a single family home may face any direction on a lot. All other lot lines shall adhere to the setback requirements for side and rear lot lines.



Front yard	40 Feet
Side yard	30 Feet
Rear yard	30 Feet

Front yard exception:
(When adjacent to a minor arterial, major collector, or urban major thoroughfare the required setback shall be 45 feet)



Front yard	40 Feet
Side yard	35 Feet
Rear yard	30 Feet

Minimum required setbacks (on corner lots with streets abutting 2 sides

The front setback is determined by the street to which the parcel is addressed. However, a single family home may face any direction on a lot. All other lot lines shall adhere to the setback requirements for side and rear lot lines.

Minimum Lot Area

See **Article 3 Zoning Districts** for additional requirements

Minimum Residential Lot Size

Zoning District	NO Public Utility	Public Water **OR** Sewer	Public Water **&** Sewer
R-1	0.69 Acre (30,000 sq. ft)	0.58 Acre (25,000 sq. ft)	0.50 Acre (21,780) sq. ft)
R-2	0.69 Acre (30,000 sq. ft)	0.58 Acre (25,000 sq. ft)	0.50 Acre (21,780) sq. ft)
R-3	0.92 Acre (40,000 sq. ft)	0.69 Acre (30,000 sq. ft)	0.58 Acre 25,000 sq. ft)
R-MU	1.15 Acre (50,000 sq. ft)	0.92 Acre (40,000 sq. ft)	0.69 (30,000 sq. ft)
PRMU	0.92 Acre (40,000 sq. ft)	0.69 Acre (30,000 sq. ft)	0.58 Acre (25,000 sq. ft)

Minimum Residential Lot Size for Duplexes

Zoning District	NO Public Utility	Public Water **OR** Sewer	Public Water **&** Sewer
R-1	0.85 Acre (37,026 sq. ft)	0.85 Acre (37,026 sq. ft)	0.50 Acre (21,780) sq. ft)
R-2	0.85 Acre (37,026 sq. ft)	0.85 Acre (37,026 sq. ft)	0.50 Acre (21,780) sq. ft)
R-3	0.92 Acre (40,000 sq. ft)	0.92 Acre (40,000 sq. ft)	0.58 Acre (25,000 sq. ft)
R-MU	1.15 Acre (50,000 sq. ft)	1.15 Acre (50,000 sq. ft)	0.69 Acre (30,000 sq. ft)
PRMU	0.92 Acre (40,000 sq. ft)	0.92 Acre (40,000 sq. ft)	0.58 Acre (25,000 sq. ft)

Minimum Non-Residential Lot Size

Zoning District	NO Public Utility	Public Water OR Sewer	Public Water & Sewer
G-B	1.15 Acre (50,000 sq. ft)	0.92 Acre (40,000 sq. ft)	0.69 Acre (30,000 sq. ft)
N-B	0.92 Acre (40,000 sq. ft)	0.69 Acre (30,000 sq. ft)	0.58 Acre (25,000 sq. ft)
O-I	2.50 Acre (108,900 sq. ft)	2.25 Acre (98,010 sq. ft)	2 Acre (87,120 sq. ft)
L-I	5.00 Acre (217,800 sq ft)	4.50 Acre (196,020 sq. ft)	4.00 Acre (174,240 sq ft)
IND	6.00 acre (261,360 sq. ft)	5.50 Acre (239,580 sq. ft)	5.00 Acre (217,800 sq ft)

Minimum Lot Size in Lake Overlay

Zoning District	NO Public Utility	Public Water OR Sewer	Public Water & Sewer
R-1, R-2 R-3, PRMU	2.00 Acre (87,120 sq. ft)	1.50 Acre (65,340 sq. ft)	1.00 Acre (43.560 sq. ft)

Conservation I District Lot Sizes		***Average Density Per Unit***
CON Conservation District		3.0 Acres (130,680 sq ft)

Article 4.0
Overlay Districts

4.1 Scenic Overlay District

Intent

The Scenic Overlay District encourages reasonable and appropriate development that is sensitive to aesthetic, environmental, and economic concerns. Development in this district should be compatible with the area's natural resources, cultural history, wildlife habitat, and scenic landscapes while promoting tourism and recreational activities for both residents and visitors to the area.

Jurisdiction

The jurisdiction of the Scenic Overlay District shall be established on the Official Zoning Map of Burke County.

Amendments to the Scenic Overlay District

Any amendment to the jurisdiction of the Scenic Overlay District shall be in the form of a zoning map amendment and such changes shall be in accordance with the process and requirements set forth in **Article 8, Administration, Appeals, and Enforcement** of this ordinance.

Applicability of the Scenic Overlay District

1. The development of property of any size, type, or density within the boundaries of the Scenic Overlay District shall comply with the standards in this section. More specifically, no building or structure, or use of land shall be **erected or altered for any purpose** that does not comply with this section and the requirements in **Article 4.5., Uses Not Applicable to Requirements**.

2. The following activities shall comply with the requirements of the Scenic Overlay District:

    a. The development of vacant tracts that occur after the effective date of this Article;

    b. The division of land for non-residential use or a residential use that is classified as a subdivision by the North Carolina General Statutes and the Burke County Subdivision Ordinance.

    c. Any change of use to a non-residential use, mixed use, or multi-family use of an existing property or structure

    d. It is recommended that public schools, public service, public use, and pub

lic use, and public utility facilities, should meet the requirements of this Article to the extent possible to ensure consistent application of the requirements for development within the Scenic Overlay District.

Uses Not Applicable to Requirements

The requirements of the Scenic Overlay District do not apply to existing single-family dwellings, manufactured homes, and duplexes.

Conformity with the Underlying Zoning District

Permitted and special uses within the Scenic Overlay District shall be consistent with the underlying general zoning district except as prohibited under **Article 4.7, Prohibited Uses** and special uses permitted in **Article 4.8, Special Uses** of this ordinance.

Prohibited Uses

The following uses shall not be permitted within the Scenic Overlay District:

Adult entertainment establishments
Airport / airstrip
Armories
Asphalt and concrete plants
Auto repair garages and body shops
Automobile parts recycling
Off-site advertising not located on County logo signs
Bottling plants
Building materials storage and sales yards
Cabinet / upholstery / woodworking shops (more than 10 employees)
Correctional facilities and jails
Exterminators
Flea markets
Flour and feed mills
Fruit or vegetable packing shed
Garbage disposal service
Go-cart track
Hospitals
Industrial supplies and equipment (sales and service)
Land clearing and inert debris landfill
Landfill (sanitary)
Manufactured home sales
Mobile home (Class E)
Manufacturing / processing facilities
Mines and quarries
Manufactured home park
Office / professional space (greater than 30,000 square feet)

Printing / engraving / publishing establishments
Public works facilities (storage and service yards)
Racetrack
Retail sales, shopping centers (greater than 100,000 square feet)
Scrapyards
Street vendors
Television and radio stations
Theater, Drive-in
Tire recapping shops
Trucking terminals
Warehouse
Warehouse: hazardous materials
Wholesale establishment

Special Uses

The following uses shall be allowed within the Scenic Overlay District with a special use permit:

Auto, truck, boat, recreation vehicle, and motorcycle sales
Boat storage and maintenance facility
Colleges, universities, and technical college
Communication tower
Contractor's office and storage yards
Dwelling units: multi-family
Elementary and secondary schools
Funeral home
Grocery stores / supermarkets
Golf courses
Hobby farm
Mini warehouses
Motels and hotels
Office / professional space (3,000 – 30,000 square feet)
Parking lots and parking garages
Planned unit developments and group residential projects
Public service facilities
Retail sales, shopping centers (10,000 – 100,000 square feet)
Structures greater than fifty (50) feet in height
Zoos

Site Plan

All applicable development subject to the provisions of this article is required to submit a complete site plan consistent with the requirements of **Article 7**, **Development Procedures** of this Ordinance. In addition to the minimum requirements found in Article 7, the site plan shall include and meet the requirements of the Scenic Overlay District.

All non-residential structures shall be designed to visually complement the natural features within the site and to minimize the obstruction of scenic views to and from the natural features in the area.

The following design standards shall apply to all commercial structures within the scenic overlay to maintain the rustic aesthetic characteristics of the area:

1. Dominant exterior building colors should be chosen to blend in with the natural surroundings and should not stand out when seen through wooded areas. All shades of white, cream, or beige are prohibited from being used as the primary exterior color on any structure.

2. Exterior building materials shall primarily consist of natural elements such as brick, stone, masonry, logs, wood shake, wood lapped siding, vertical board and batten, glass, or rough textured stucco. Roofing materials shall be chosen to blend in harmoniously with the natural tree canopy.

Access Management

Access management for non-residential and mixed-use structures and buildings locating in the Scenic Overlay District may be found in **Article 6, Commercial Design Standards.** All lots in major residential subdivisions shall be accessed through interior roads. Direct driveway access is not permitted unless it is not topographically feasible or when the Planning Board determines that the installation of the road would result in a design that is not within the intent of the Scenic Overlay District.

Parking Requirements

Parking requirements for non-residential and mixed-use structures and buildings locating in the Scenic Overlay District may be found in **Article 5, Commercial Design Standards.**

Landscaping, Buffering and Screening Requirements

Landscaping, buffering, and screening requirements for non-residential and mixed-use structures and buildings locating in the Scenic Overlay District may be found in **Article 6, Commercial Design Standards.**

Protection of Water Bodies and Natural Areas

Buffering and Screening

1. Residential buffers
   A thirty (30) foot vegetative buffer is required when non-residential developments in the Scenic Overlay District are adjacent to a residential zoning dis

trict. The screening, fences, and retaining walls shall comply with the planting requirements in **Article 5, Use Standards**.

Signs

Signage within the Scenic Overlay District should be consistent with the design features of the primary structure. Signage on commercial buildings must be made of natural materials, may not be internally illuminated, and must comply with all other relevant portions of **Article 5, Use Standards**.

On-Site Signs

1. Permitted signs shall include the following designs: free-standing, wall, name plate, and canopy.

2. Prohibited signs shall include the following designs: billboard, flashing light, rotating, and portable.

3. Setbacks - Signage shall be setback a minimum of ten (10) feet from all road rights-of-way.

4. Visibility – Signs shall not block or impair visibility to ensure proper line-of-sight for all motorists and pedestrians. Signs shall not block visibility from three-to-eight (3-8) vertical feet within twenty (20) feet of any road intersection.

5. Signage on commercial buildings shall be made of natural materials, may not be internally illuminated, and must comply with all other relevant portions of **Article 5, Use Standards.**

Off-Site Signs

New off-site outdoor advertising signs are not permitted in the Scenic Overlay District, except for the use of logo signage as outlined below. The continued use of existing off-site outdoor advertising signs shall be allowed consistent with non-conforming structures as referenced in **Article 8, Administrative, Appeals, and Enforcement** of this ordinance.

Use of Logo Signage Encouraged

The use of logo signage is encouraged for the promotion of travel and tourism-based business within the Scenic Overlay District. These signs shall be permitted in conjunction with approval from the NC Department of Transportation (NC DOT). These logo signs should be made of natural materials.

Examples of Logo Signs Made of Natural materials

Utilities and Lighting Requirements

Exterior lighting on individual lots shall be muted, fully shielded, and directed to avoid illuminating entire structures, creating glare on the night sky, and attracting attention to particular areas for reasons other than security. Utilities and lighting requirements for non-residential and mixed-use structures and buildings locating in the Scenic Overlay District may be found in **Article 6, Commercial Design Standards.**

Pedestrian & Bicycle Design

1. To provide a safe, comfortable, and convenient environment for visitors and employees, developments shall be designed in a manner to provide a unified and well organized arrangement of buildings, parking areas, pedestrian, and landscaped common areas to permit the pedestrian to conduct business with a minimum of conflict with vehicles.

2. Developments that qualify for major site plan review shall include provisions for pedestrian scale amenities such as benches, picnic tables, courtyards, plazas, water attractions, trash receptacles, bicycle parking, and other such elements that promote an efficient and functional pedestrian environment and maintain a sense of place.

3. Loading zones and maintenance areas shall be located and arranged to prevent the interference with pedestrian movement within the development.

4. Linkages for pedestrian and bicycle movement, such as sidewalks, bikeways, and paths, shall be provided between buildings or building clusters within a development and should connect adjacent uses when feasible or consistent with adopted land use recommendations or transportation plans.

5. Pedestrian ways shall be located and designed in a manner that reduces congestion and hazards with vehicular traffic.

6. For convenience and security, bicycle parking facilities

    a. shall be located near building entrances,

    b. shall be visible from the land uses they serve, and

    c. shall not be in remote automobile parking areas.

Such facilities shall not impede pedestrian or automobile traffic flow or cause damage to plant material from bicycle traffic.

Preservation of Natural, Cultural and Historical Sites

To promote environmental integrity, tourism, and economic development through the preservation of Burke County's unique natural, cultural, and historical heritage, developments within the Scenic Overlay District shall meet the following requirements:

1. All cultural, historical, or naturally significant sites shall be identified on the development site plan.

    a. Developments shall be designed to preserve and minimize the impact of development on the historic, cultural, and naturally significant sites when feasible.

    b. Projects shall be designed to preserve significant existing trees and other significant existing vegetation on the site.

    c. The project shall be designed to integrate with and otherwise preserve existing site topography, including but not limited to such characteristics as steepness of slopes, existing drainage features, rock outcroppings, river and stream terraces, valley walls, ridgelines, and scenic topographic features.

d. The project shall be designed to preserve or enhance the ecological character or function and wildlife use of the natural habitat or features and to minimize or adequately mitigate the foreseeable impacts of development.

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Compatibility with Public Natural Areas or Conserved Land

If the project contains or abuts a publicly owned natural area or conserved land, the development plan shall be designed so that it will be compatible with the management of such natural area or conserved land. In order to achieve this, the development plan shall include measures such as barriers or landscaping to minimize wildlife contacts, setbacks or open space to provide a transition between the development and the publicly owned natural area or conserved land, and educational signage or printed information regarding the natural values, management needs and potential conflicts associated with living in close proximity to such natural area or conserved land.

4-2 Catawba River, Lake James, Lake Rhodhiss & Lake Hickory Overlay District

Intent

The intent of this article is to protect water quality, fish and wildlife habitat, and recreational use of the Catawba River, Lake James, Lake Rhodhiss, and Lake Hickory. This article seeks to:

1. Minimize erosion
2. Prevent siltation and turbidity
3. Stabilize soils
4. Prevent excess nutrients and chemical pollution
5. Maintain a healthy tree canopy and understory
6. Preserve fish, bird, and wildlife habitat
7. Respect the overall natural condition of the shoreline

It is also the intent of this article to encourage development of this district in compliance with this ordinance.

Jurisdiction

This article shall apply to all navigable water and/or lands in Burke County's zoning jurisdiction within two hundred fifty (250) feet, (measured horizontally) of the reference line of Lake James, Lake Rhodhiss, Lake Hickory, and the main stem and old channel of the Catawba River that flows between Lake James to the mouth of Lake Rhodhiss. The reference line is the:

Lake James - Duke Energy project boundary of 1,200 feet above sea level,

Lake Rhodhiss – Duke Energy project boundary of 1,000 feet above sea level,

Lake Hickory – Duke Energy project boundary of 935 feet above sea level.

Old Stem of the Catawba River - The reference line shall be considered the top edge of the bank.

All applicable floodplain regulations shall also apply to these areas.

Applicability

Applicability of the Lake and River Overlay District.

1. The development of property of any size, type, or density within the boundaries of the Lake and River Overlay District shall comply with the standards in this section. More specifically, no building or structure, or use of land shall be erected or altered for any purpose that does not comply with this section.

2. The following activities shall comply with the requirements of the Lake and River Overlay District:

    a. The development of vacant tracts that occur after the effective date of this Article

    b. The division of land for non-residential use or a residential use that is classified as a subdivision by the North Carolina General Statutes and the Burke County Subdivision Ordinance

    c. Any change of use to a non-residential use, mixed use, or multi-family use of an existing property or structure

    d. It is recommended that public schools, public service, public use, and public utility facilities, should meet the requirements of this Article to the extent possible to ensure consistent application of the requirements for development within the Lake and River Overlay District.

Severability

Should any section or provision of this article be declared invalid or unconstitutional by any court, the declaration shall not affect the validity of this article that is not specifically declared to be invalid or unconstitutional.

Conflict with Other Laws

Where any other law, ordinance, or regulation impose higher standards than are required by this article, the provisions of the higher law, ordinance, or regulation shall govern.

Duties of the Zoning Administrator

The Zoning Administrator or their designee shall issue Shoreline Protection Permits, Zoning Permits, and conduct all required inspections as prescribed within this ordinance. A record of all permits shall be kept on file and shall be available for public inspection during regular office hours.

Shoreline Protection Permit

A. No building, structure**,** or built-upon area shall be erected, moved, enlarged or structurally altered, nor shall any clearing or grading commence, nor shall any building permit be issued until a Shoreline Protection Permit has been issued by the Zoning Administrator or their designee. No Shoreline Protection Permit shall be issued that does not conform with the provisions of this ordinance.

B. Shoreline Protection Permit applications shall be filed with the Zoning Administrator. The application shall include a complete application form and a sedimentation and erosion control plan and/or revegetation plan if applicable

C. Prior to issuance of a Shoreline Protection Permit, the Zoning Administrator may consult with qualified personnel to determine if the application meets the requirements of this ordinance.

D. A Shoreline Protection Permit shall expire if a Building Permit has not been obtained by the applicant within twelve (12) months from the date of issuance, unless an extension is approved by the Zoning Administrator.

E. The cost of a Shoreline Protection Permit is established in the Schedule of Fees and is payable to Burke County when the application for Shoreline Protection Permit is submitted.

F. A Minor Shoreline Protection Permit shall consist of projects that require two (2) or fewer site inspections. The impact of disturbance and duration of such projects is short in nature.

G. A Major Shoreline Protection Permit shall include projects that require more than two (2) site visits. The impact of disturbance and duration of these projects is greater than minor shoreline projects**.** These projects will require ongoing or regular site inspections to ensure proper maintenance, compliance, and installation of erosion control measures and revegetation.

Building Permit Required

No permit or certificate of occupancy required under the North Carolina State Building Code shall be issued for any construction activity for which a Shoreline Protection Permit and final inspection is required until the applicable authorization has been approved.

Final Inspection

A. The Zoning Administrator or their designee shall perform a final inspection certifying that all requirements of this ordinance have been met prior to the issuance of a certificate of occupancy.

B. A final inspection for any permit shall be performed within ten (10) days after the completion of the project.

C. If the inspection fails to pass, the Zoning Administrator shall notify the applicant in writing stating the reasons for failure.

No building or structure which has been erected, moved, or structurally altered may be occupied until the Zoning Administrator or their designee has issued a final approval.

Protected Shoreline Limit

The following sections shall apply within two hundred fifty (250) feet of the reference line:

1. Plantings that are beneficial to wildlife are encouraged.

2 Trees that fall into the water, and do not pose a navigational hazard or other safety concern, shall be left in place to benefit fish habitat. No trees that have fallen into the water shall be removed, but those that have fallen within a designated pier zone may be moved to a location in the water adjacent to the pier zone.

3 Foot paths for individual lots shall be four (4) feet or less in width and designed in a winding manner to prevent surface runoff and erosion. Foot paths serving common areas or multiple lots shall be six (6) feet or less in width. Plant root systems adjacent to the foot path shall be protected by a layer of wood chips or other organic material.

4 Buildings shall be incorporated within the natural topography to avoid extensive grading that would alter drainage patterns or create steep slopes; minimize the potential for erosion; and maintain existing vegetation. Other than docks and footpaths, all new development must be entirely within defined building envelopes as described in this section**, Determining Building Envelopes.**

5 Impervious surfaces including building footprint, impervious roads, or other impervious cover shall not exceed twenty-four (24) percent of the parcel.

6 Activities conducted by state regulated public utilities (i.e. utility right-of-way construction and maintenance, and communications) are not subject to the provisions of this section.

7 Activities conducted on forest land for the production or harvesting of timber and conducted in accordance with an approved NCFS “Forest Management Plan” are not subject to the provisions of this section. However, these activities shall be conducted in a manner that is consistent with and meet all other applicable federal, state, or local regulations.

8 The provisions of this section shall not apply to activities which have unexpired permits issued by Burke County prior to the adoption of these requirements.

9 In all new developments:

a. New utility lines (except new three-phase power lines) are to be installed underground.

b. Streetlights shall utilize fully shielded fixtures to direct light down away from adjacent properties and water surfaces. No overhead streetlights shall be allowed in developments approved after adoption of this ordinance. Small fully shielded walkway lights, not to exceed three (3) feet in height, shall be allowed in order to provide public safety for pedestrian areas.

c. All plants and trees located outside of designated building envelopes are considered protected unless otherwise specified in this article and shall not be removed or destroyed in any manner.

10 Natural undisturbed woodland buffers of thirty (30) feet in width shall be maintained on both sides of all perennial streams and creeks identified as solid blue lines on current United States Geological Survey maps.

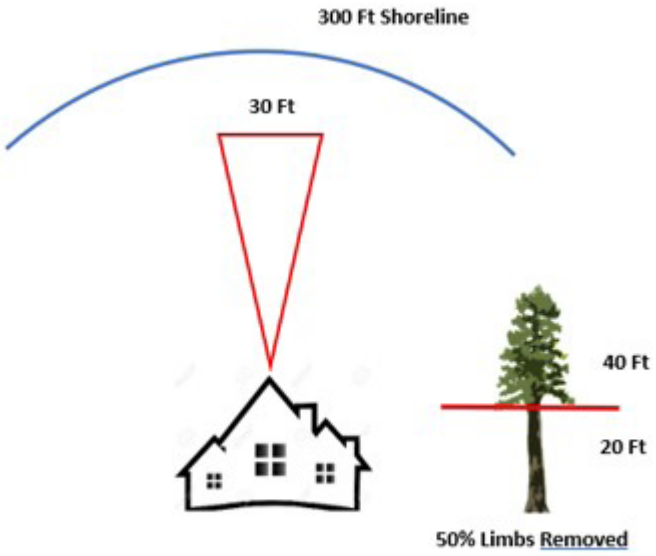
Natural Woodland Buffer

In order to protect the water quality of Burke County's three (3) lakes and the Catawba River, a Natural Woodland Buffer has been established. Vegetation and root systems within the woodland buffer stabilize the bank, prevent soil from eroding, and act as a filter to remove pollutants from entering the water.

All activities, within the Natural Woodland Buffer are subject to the provisions of this ordinance and must receive pre-approval from the Zoning Administrator or their designee.
The following provisions shall apply within the Natural Woodland Buffer:

1. All trees, shrubs, and ground cover are considered protected vegetation. No clearing, trimming, thinning, pruning, or vegetation removal shall take place within one hundred (100) feet (measured horizontally) of the reference line without prior approval and permit.

2. Individual trees may be selectively pruned for the purpose of creating a "view corridor". The view corridor must be approved and permitted prior to its creation. Only the lateral limbs from the lower fifty (50) percent of the tree's total height may be removed. In no case shall more than ten (10) percent (10%) of the trees in the buffer be skirted up in this manner in order to screen the structure and maintain the natural appearance of the property from the lakeshore.



View Corridor (10%)

1. The replacement of vegetation shall comply with the following requirements:

    a. Submittal of a revegetation plan approved by the Zoning Administrator. The plan shall identify:

        1. The type, size, and location of vegetation to be removed and
        2. The type, size, and location of vegetation to be planted.

b. Replacement vegetation is protected vegetation and shall be maintained.

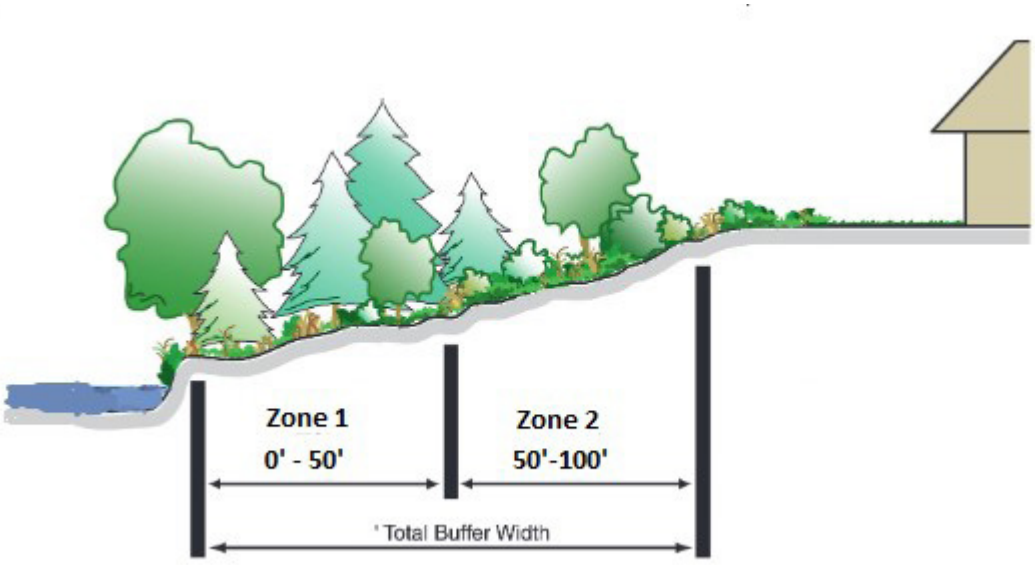
c. Placement of vegetation shall not impair the health of the natural woodland buffer.

d. Replacement of trees shall be subject to the following provisions:

   i. Trees shall be replaced with a quantity of trees totaling the diameter of the tree removed. Replacement trees shall not to be less than two (2) inches in diameter.
   ii. The Zoning Administrator may vary the requirement above if they determine that compliance with the requirement will adversely impact the health of the natural woodland buffer (i.e. overcrowding) or if the replanting will create a hazardous situation for existing structures (i.e. dense planting within twenty-five (25) feet of structures may increase forest fire hazards or the potential of future fall hazards that may damage life or property).
   iii. The Zoning Administrator shall require evidence of any hardship described above from a certified tree specialist, arborist, or landscape architect licensed in the State of North Carolina. The evidence shall be provided at the expense of the property owner or developer.
   iv. Diameter shall be measured at a height of three (3) feet from the base of the tree.

e. Each shrub removed shall require the replanting of a replacement shrub that will be of equal size caliper at maturation.

f. The replacement of ground cover shall require one (1) square-foot of ground cover to be planted for each square-foot removed. The Zoning Administrator may accept an approximation of the ground cover area to be removed and replaced. The Zoning Administrator may conduct a site visit prior to accepting an approximation and prior to permitting the removal of the ground cover.



The Natural Woodland Buffer is composed of two (2) zones. Zone 1 is a state mandated buffer of (0-50) feet of the reference line. Zone 2 is (50-100) feet of the reference line (see example below).

Zone 1 Restrictions

The following activities are permitted within Zone 1 (*within 50' of the reference line*).

1. Dead, diseased, hazardous, poisonous, or unsafe trees, shrubs, or groundcover may be removed provided they are replaced per this section**, Natural Woodland Buffer.** The replacement trees shall be placed anywhere within fifty (50) feet of the reference line and shall remain undisturbed except for any pruning per this section, **Natural Woodland Buffer.**

2. Fallen trees may be removed in the buffer area, however, they shall be replaced per this section, **Natural Woodland Buffer**. Trees that fall into the water shall remain undisturbed unless they pose a navigational hazard in the pier zone. These trees may be relocated to an area in the water adjacent to the pier zone, but they may not, under any circumstances, be removed entirely from the water.

3. Vines, shrubs, groundcover, and small trees are protected vegetation and shall not be removed except as per (#1) of this section. The only exception is for areas of extremely dense pines that are four (4) inches or less in diameter. These trees shall be selectively removed, and the area replanted at the discretion of the Zoning Administrator and in accordance with an approved revegetation plan utilizing native species of hardwoods and selected softwoods. The construction of a four (4) foot footpath to the mooring shall be permitted.

4. Groundcover other than permanent turf grasses may be planted (i.e mulch, pine straw

5. Shoreline stabilization requirements:

    a. The required form of shoreline stabilization shall be rip rap. The rip rap may be composed of natural or quarried stone and should be similar in color to the natural rock outcroppings found in the area.

    Bulkheads and seawalls are not permitted except for the following exceptions:

    b. Seawalls and bulkheads may be considered only for portions of the shoreline where the bank height equals or exceeds four (4) feet in height, and when the slope equals or exceeds 2:1 for at least four (4) vertical feet. For such requests, the applicant shall provide a site plan designed by a licensed professional engineer.

    c. In situations where the natural shoreline has been severely eroded, creating

extremely steep banked shorelines (=/> 10 feet above the reference line), re-shaping or "rolling back" the slope of the bank is permitted in order to prevent further excessive undercutting and erosion. This form of shoreline stabilization is allowed provided the work is designed and installed under the supervision of a licensed professional engineer. When slope reshaping is permitted, the required setback must still be maintained to ensure that an adequate building site remains. In such cases, the rear/lake setback shall be measured from the top of the bank rather than the reference line. The reshaped bank must then be replanted to replace all protected trees and other vegetation that was removed during the reshaping activity. All variances from this requirement must be approved by the Burke County Board of Adjustment.

d. To minimize disturbance to the protected buffer, all shoreline stabilization activities shall take place either from the water using a barge to transport and place stabilization materials or by truck when using land-based stabilization methods. One (1) twelve (12) foot wide corridor may be cleared for equipment access and to allow slopes to be laid back to create a safe and stable condition. The access corridor shall be created in a winding manner to reduce erosion and protect viewsheds. Protected trees removed to accommodate permitted projects shall be replaced per this section, **Natural Woodland Buffer**. Any disturbance to the ground cover within the buffer shall also be restored. To assure suitable re-forestation of the buffer, the re-planting plan must be designed and installed under the supervision of a licensed landscape architect. Prior to issuance of a certificate of occupancy all work shall be inspected for compliance with the submitted re-planting plan if applicable.

e. Trees growing along the shoreline on a bank that has been undercut by wave action and are leaning past a vertical position may be removed to accommodate shoreline stabilization provided that they are replaced, per Section ?, Natural Woodland Buffer.

6. Permanent grasses (other than turf grasses) and other vegetation shall be permitted in conjunction with shoreline stabilization projects where slopes will not support a natural mulch groundcover.

7. Structures that support water-dependent uses (i.e. docks, and piers, but not storage sheds or parking areas) are permitted within fifty (50) feet of the reference line if they comply with all applicable Duke Energy, local, state, and federal regulations.

Activities Not Permitted Within Fifty (50) Feet of the Reference Line

The following provisions are not permitted within fifty (50) feet (measured horizontally) of the reference line:

1. Topping of trees.

2. Grubbing or grinding of stumps.

3. Chemicals shall not be used to kill stumps and other vegetation.

4. Mechanical clearing shall not be used unless it is used in conjunction with a shoreline stabilization project.

5. Removal of understory plants with the exceptions of plants removed in accordance with **Article 6.2, Section, Natural Woodland Buffer** and in areas of dense pine. These pines may be removed when replaced with plantings on an approved revegetation plan.

Zone 2 Restrictions

1. Within zone 2 the following restrictions shall apply (between fifty (50) and one hundred (100) feet (measured horizontally) from the reference line:

    a. Existing natural vegetation and all required replacement trees must be maintained.
    b. Dead, diseased, hazardous or unsafe trees, saplings, shrubs, or groundcover may be removed if approved and permitted by the Zoning Administrator. Fallen trees may also be removed.
    c. The removal of lateral limbs from no more than the lower fifty (50) percent of the tree's total height will be permitted.
    d. Removal of trees for building construction, accessory structures, septic systems, driveways, and parking areas must be confined within a defined building envelope per this section, **Determining Building Envelopes** of this ordinance and meet the applicable setbacks.

Any tree removed must be replaced in accordance with this section, **Natural Woodland Buffer.** The replacement trees may be replaced anywhere within one hundred (100) feet of the reference line.

Unpermitted Vegetation Removal

Valuations of Protected Vegetation

Any vegetation removed from the Natural Woodland Buffer shall subject the parcel owner to the following civil penalties. Each tree constitutes a separate violation and penalty.

1. For each a bush or shrub $50.00.
2. Trees no more than four (4) inches in stump diameter = $50.00
3. If a tree is more than four (4) inches but less than eight (8) inches in stump diameter = $100.00
4. If a tree is more than eight (8) inches but less than fourteen (14) inches in stump diameter = $300.00
5. If a tree is more than fourteen (14) inches and not but less than eighteen (18) inches in stump diameter = $750.00
6. If a tree is more than eighteen (18) inches but less than twenty-two (22) inches in stump diameter = $1,500.00
7. If tree is greater than twenty-two (22) inches in stump diameter = $2,000.00

The calculation of the stump diameter will be measured from its widest extent.

Exceptions

1. The cutting of a tree for the harvesting of timber providing the harvesting is part of a Forest Management Plan prepared by the NC Department of Forestry. Timber harvesting shall not take place within fifty (50) feet of the reference line.

Replacement of Illegally Removed Vegetation

1. Replacement of vegetation must take place as per this section, **Natural Woodland Buffer** of this ordinance.

2. Failure to pay the penalty within seventy-two (72) hours of citation shall result in a civil action by the County.

3. If a ruling of the Zoning Administrator is questioned, the aggrieved party or parties may appeal to the Board of Adjustment.

Penalties

Violation with any provision of this article shall subject the offender to a civil penalty in accordance the Valuation of Trees Schedule within this section. After notification of the violation is provided, the activity in violation shall cease immediately. Each day that the violation continues shall constitute a separate offense without multiple citations being issued. Initial citations shall be in writing and signed by the Zoning Administrator and shall be delivered or mailed by certified mail to the offender either at his residence, place of business, or at the location where the violation occurred.

Setback Provisions

All structures shall be setback at least one hundred and twenty-five (125) feet from the reference line. No construction disturbance shall be allowed within one hundred (100) feet of the reference line except mulch or slatted deck access trails less than four (4) feet across to piers. The remaining twenty-five (25) feet abutting the building footprint may be used for construction activities provided it is replanted or stabilized with mulch and native plant species prior to a final occupancy permit being issued.

Roads and driveways shall be setback at least one hundred and twenty-five (125) feet from the reference line and shall be designed to minimize disturbance to natural vegetation and topography, except bridges and bridge approaches and access ways for emergency vehicles.

Setback	Prior to 2004 Lake James	Prior to 2005 Catawba River	New Construction
Rear	65"	65"	125"
Rear Slope > 2.1	75"	75"	N/A
Roads & Driveways	75"	75"	125"

On lots that lie in whole or in part within two hundred fifty (250) feet of the reference line of Lake James, Lake Rhodhiss, Lake Hickory, and the Catawba River, building envelopes shall be established in accordance with this ordinance. The following areas shall **not** be considered buildable area and shall **not** be located inside of designated building envelopes. Lands meeting the criteria listed below shall **not** be used for construction activity other than shoreline stabilization, pier construction, and access paths or walkways:

1. Slopes over 25% must have a letter from a licensed engineer. No slope or building envelope shall exceed 30%
2. Wetlands
3. Floodways as designated by the Federal Emergency Management Agency
4. Utility flood easements to the 1210' elevation line
5. Land under permanent easement for utility transmission lines.
6. Land within required buffer areas.

Additionally, these areas should **not** be used for road right-of-ways unless no other feasible alternative exists and as part of an approved preliminary plan. These areas can, however, be included in platted lots in addition to the required building envelopes, used for access to private or public piers and recreation facilities.

Storm Water Management and Erosion Control

The following provisions shall apply to all land disturbing activities within two hundred fifty (250) feet of the reference line.

1. A Storm water management and erosion control plan drawn by a registered surveyor, engineer, architect, or landscape architect shall be submitted for any clearing, grading, construction, and/or development activities which disturb soil.

2. The following standards shall be applied in designing Stormwater management and erosion control measures:

    a. All measures in the stormwater management and erosion control plan shall meet Best Management Practices set forth in the North Carolina Erosion and Sediment Control Planning and Design Manual and the North Carolina Department of Environmental Quality (NCDEQ) Surface Waters and Wetlands Standards "Redbook".

    b. Whenever practical, natural vegetation shall be retained, protected, or supplemented. The removal of vegetation shall be done in a manner to minimize soil erosion.

    c. All erosion control and stormwater management measures shall be installed according to the approved plan prior to removal of vegetation.

    d. The area of disturbance and the duration of exposure shall be kept to a minimum. Disturbed areas remaining idle for more than twenty-one (21) days shall be stabilized.

e. Measures shall be taken to control sediment and retain it within the project area. Sediment in runoff water shall be trapped and retained within the project area using approved measures. Approved measures shall protect very poorly drained soils and surface waters within the project area as identified by the United States Department of Agriculture's Soil Survey of Burke County.

f. Off-site surface water and runoff from undisturbed areas shall be carried non-erosively through the project area or diverted away from the disturbed areas where feasible. All storm water leaving individual home sites, community areas, and roadways must enter buffer areas as sheet flow. Under no circumstances will piped discharge of stormwater into or out of buffer areas be allowed. Acceptable means of treating stormwater shall include, but not be limited to, the following: wet detention ponds, dry detention ponds, level spreaders, curb cuts, and vegetated conveyances such as swales, as well as other methods described in NC DEQ's Stormwater Best Management Practices. Such controls, or combination of controls where required, shall be designed to remove a minimum of eighty-five (85%) percent of total suspended solids associated with treating run-off resulting from the first one (1) inch of precipitation.

g. Priority shall be given to protecting natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area. The County may approve innovative and/or proprietary Best Management Practices (BMPs) provided the BMP or combination of BMPs meet minimum required design standards for treating runoff. Such plans must be certified by a professional engineer.

h. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within twenty-one (21) days.

i. Disturbance of one acre or more requires a permit from the NC Division of Land Quality under the North Carolina Sedimentation Control Act.

j. No streets utilizing curb and gutter design shall be approved for use in the Conservation District.

Special Design Standards

The Burke County Strategic Land Use Plan is the guiding document for land use development in Special Planning Areas such as the lake and river overlay district. These areas have unique characteristics and/or special environmental, scenic, or historic significance which require special consideration in land use matters. In order to preserve and protect the natural aesthetic beauty and quality of these areas, certain design standards were incorporated into this section.

General

Non-residential development within the Lake and River Overlay District shall meet high-quality design standards and enhance the natural and architectural characteristics of the surrounding

area. The flexibility in design seeks to promote innovative and well-planned development that protects and is consistent with the surrounding natural, cultural, and historical resources. Corporate identity and trademark architecture must be designed and constructed in such a way as to be compatible with the local vision of rusticity and modest scale.

Building Design Standards

Type of Construction

1. The following design standards shall apply to all non-residential and mixed-use structures and buildings located in the Lake and River Overlay District or when retrofitting such existing structures for additions and changes of use.
2. All non-residential, shall be designed to complement the visual character of natural features within the site and to minimize the obstruction of scenic views to and from the natural features in the area.

Building Materials

1. Exterior non-residential building materials should consist of decorative natural elements such as:

    1. brick,
    2. stone,
    3. logs,
    4. wood shingle,
    5. wood lapped siding,
    6. vertical board and batten,
    7. glass,
    8. or rough textured stucco.

    Roofing materials shall be chosen to blend in harmoniously with the natural tree canopy. Similar alternative building materials are permissible and subject to approval by the Zoning Administrator.

2. The use of unpainted cinder-block walls or metal paneling shall be prohibited except when used on exterior walls not facing or visible from public thoroughfares or access ways. When permitted, such uses shall be screened from adjacent uses and properties.

3. Accessory structures shall be consistent in design with the primary structure and be constructed of compatible materials.

4. Dominant exterior building colors should be chosen to blend in with the natural surroundings and should not stand out when seen through wooded areas. All shades of white, cream, or beige are prohibited from being used as the primary exterior color on any structure unless such shades are used in a manner consistent with surrounding historic structures and structure design.

5. Any fencing visible to the public shall be constructed of natural materials and designed

to enhance the architectural elements of the primary structure.

6. The use of decorative elements such as fountains, outdoor seating and benches, works of art, and statues are encouraged in pedestrian and open space areas.

Loading and Service Areas

Loading and service areas should not be visible from public roads. Loading and service areas shall be designed to ensure the safety of pedestrians and private property. These areas shall have sufficient space to be properly accessed and the use of these areas shall not block public road rights-of-way nor hinder access nor traffic flow.

Landscaping Requirements

1. Entranceways

   Medians, when required, shall be grassed and landscaped. Landscaping and plantings shall not affect visibility within site triangles and entrance drives.

2. Interior streets

   For all developments with multiple tenants, parcels, or buildings subject to major site plan review, shade trees shall be planted along both sides of all interior streets, excluding those not typically used by the public.
   Typical plantings must include a minimum of fourteen (14) shade trees per 1,000 linear feet which are at least eight (8) feet tall at planting and will be a minimum of twenty (20) feet tall at maturation.

3. Parking areas

   Within parking areas, tree planting areas shall be provided for every 10 parking spaces. Tree planting areas shall be at least eight (8) feet wide, a minimum of 200 square feet in area, include at least one (1) shade tree, and be designed to minimize damage to trees by parking or moving vehicles. The remaining area shall be landscaped with plantings (bushes, shrubs, flower beds). Pedestrian ways are permitted within parking landscaped areas but do not count towards the area requirement.

<u>Lighting of Buildings and Pedestrian Areas</u>

On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings, but shall not be used to illuminate entire portions of building(s). Neon and laser lighting shall not be utilized in signage or building ornamentation in the Lake and River Overlay District.

<u>Entranceway, Street, and Parking Area Lighting</u>

In order to promote safety and security in developments, lighting may be used at intersections, development entrances, and in parking areas.

1. The following definitions apply to this section on residential piers, docks, and gazebos:

   Residential Pier
   A fixed uncovered deck attached to land and extending over water to allow dry access to watercraft or to provide other recreational access to the water. The maximum square footage for any pier shall not exceed two-hundred fifty (250) square feet. Piers may be no higher than three feet (3') above full pond.

   Gangway
   A walkway that may be attached to land that extending over water to allow dry access to watercraft or to provide other recreational access to the lake. A gangway may be fixed or floating. The maximum width of a gangway is six feet (6'). Gangways may be no higher than three feet (3') above full pond.

   Residential Dock
   An object or structure secured in the water which is intended or used for securing one or more watercraft in the water or to be used for recreation. Docks must be floating. If there is a circumstance which prohibits the dock from being a floating structure, then the property owner may submit a written request to the zoning administrator for the dock to be a fixed structure. The written request must include justification from an engineer as to the need for the fixed structure and why a floating structure is not feasible. If there is no other option but to utilize a fixed structure then, the zoning administrator may permit the structure. If a fixed structure is used it may be no more than 3' above full pond. Dock is synonymous with boat slip.

   Gazebo
   A roofed structure opened on all sides with places for sitting. Gazebos are not allowed in the woodland buffer and are only allowed on piers.

   Hipped Roof
   A roof where all sides slope downwards from a center ridge. There are no gables or other vertical sides to the roof.

2. Lighting is intended as a safety feature of the pier **and not for decoration or** to illuminate the water. Lighting on the exteriors of piers, docks and gazebos shall be fitted with opaque shades or shields to prevent the direct visibility of the lamp to persons on the lake or adjacent lands more than one hundred twenty (120) feet beyond the structure. Overhead "streetlight" and "flood light" fixtures are prohibited.

3. All lights must be turned off when the pier, dock and/or gazebo is not in use.

4. Flashing or rotating lights attached to piers, docks and gazebos are prohibited.

5. Toxic chemicals shall not be used to stain or clean piers, docks or gazebos.

6. Permitted materials for piers, docks and gazebos include disease and rot-resistant wood, wood treated with non-toxic chemicals and composite products. Aluminum "framing" may be considered; however, no exposed aluminum is permitted. The framing must be clad in wood, a composite material, or painted. Any composite material must receive pre-approval. Permitted material colors are wood-tones and dark-toned brown. Materials for flotation must be manufactured for marine use and adhere to the guidelines established by Duke Energy Lake Management.
7. In order to protect the natural viewshed; piers, docks and gazebos must comply with the following:

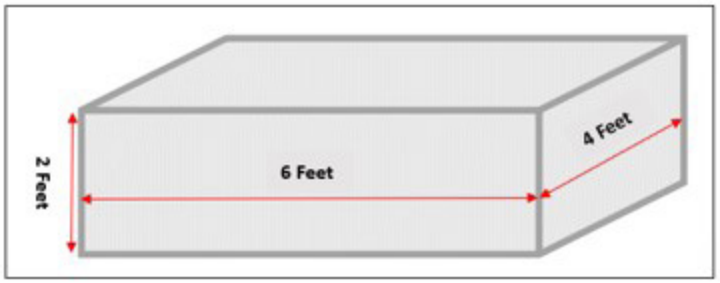
   Residential pier zones shall be located to limit their impact on the environment and the natural viewshed and shown on all new property plats.

   a. The maximum allowed square footage for the combined water dependent structure is one thousand (1,000) sq. ft. plus no more than two PWC (Personal Watercraft) per the Duke Energy Shoreline Management Guidelines.

   b. Gazebos may not be enclosed, though rails and pickets around the bottom portion are permitted. Rails and pickets may not be higher than forty (40) inches. The maximum square footage for a gazebo is two-hundred fifty (250) square feet.

   c. Piers may not have sides but may have handrails. Docks may not have sides or handrails.

   d. One 2' (h) x 4' (d) x 6' (w) or smaller enclosed storage bench is permitted on the edge of the dock closest to shore or within the gazebo area.

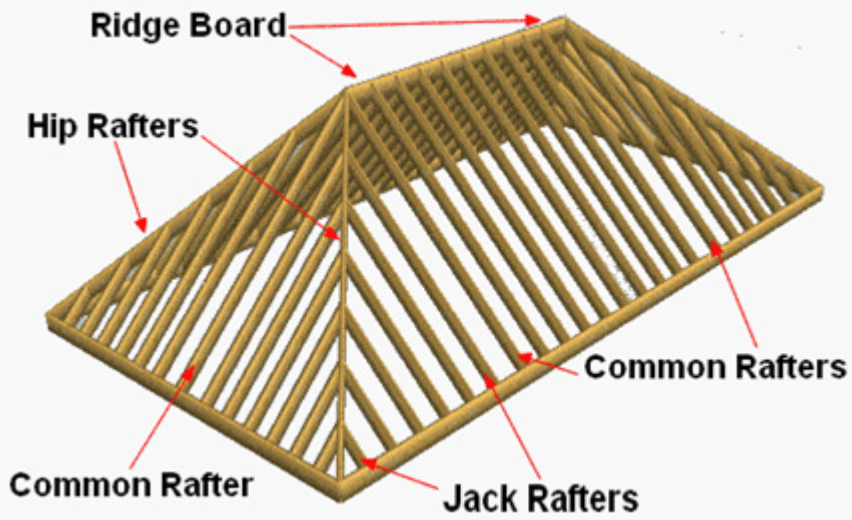


   e. Roofs

   Roofs may be permitted on individual residential moorings that do not lie within a "Viewshed Corridor". A Viewshed Corridor Overlay has been established within the open channels of Lake James to protect the natural scenic vistas seen from the lake.

      1. Either the dock or the gazebo may have a roof. Piers may not have a roof.

      2. The roof for either the dock or gazebo must be hipped with a minimum 4:12 pitch (4 inches of rise over 12 inches of run). The maximum pitch is 5.5:12 (5.5 inches of rise over 12 inches of run).



3. The highest point of the roof for a gazebo on a pier may be no greater than fifteen (15) feet above the decking of the pier. If a dock serves a gazebo or a single boat slip then the highest point of the roof may be no greater than sixteen (16) feet above the decking of the dock. If the dock serves a double boat slip, then the highest point of the roof may be no greater than eighteen (18) feet above the decking of the mooring.

4. Permitted roof materials include dark-toned wood shakes; dark-toned brown, grey or black shingles with a minimum wind rating of eighty (80) mph; and dark-toned brown, grey or black synthetic products that mimic natural materials. Roofing material for moorings or gazebos may include metal roofing material in earth-tone colors. Roof colors must be pre-approved by the Zoning Administrator prior to permitting.

5. Second story uses are not permitted.

6. No **tents,** canopies, **or tarps** of any kind are permitted on piers or moorings.

7. One Cupola may be added to the roof as an option. The cupola shall not exceed twenty-seven (27) ft^3.

Example of a Covered dock

f. Docks must be secured in the water by telescopic poles, cables, lines, chains or anchors or be attached to a pier. If there is a circumstance which prohibits the dock from being secured by one of the previous means, then the property owner may submit a written request to the zoning administrator to secure the mooring with fixed pilings. The written request must include justification from an engineer as to the need for fixed pilings. If there is no other option but to utilize fixed pilings, the zoning administrator may permit the structure. Docks with existing fixed pilings may continue to use existing pilings if/when the "dock" is replaced. Replacement of fixed pilings must meet current standards.

g. Covers for watercraft should be neutral in color.

8. Existing non-conforming water dependent structures are subject to the following:

a. If the existing structure becomes in such a state of disrepair that a total replacement is required, then the new structure must comply with all current regulations of this ordinance.

b. Routine maintenance of existing structures is encouraged. However, as individual components of the structure are replaced, they must comply with all current regulations of this ordinance. For example:

1. When an existing roof structure needs to be replaced, the new roof must comply with current regulations regarding roofs.

2. Replacement of piers must comply with current regulations.

c. Maintenance/repair of roofs must be conducted in a manner which prevents materials from being disposed of in the water.

Residential Community Dock Facilities

Standards for Residential Community Dock facilities shall mimic those for residential piers, docks, or individual lots. However, individual slips within residential community facilities shall not have roofs or gazebos.

Commercial Marina and Dock Provisions

The purpose of this section is to regulate non-residential marinas and dock areas on Lake James, Lake Hickory, Lake Rhodhiss, and the Catawba River between Lake James and the mouth of Lake Rhodhiss. North Carolina. General Statutes do not allow the discharge of any pollutant or untreated wastes into the waters of North Carolina.

1. All marinas and dock areas permitting overnight use of water craft shall have pump-out stations, gray water disposal facilities, on shore trash disposal facilities and containment materials for oil and gas spills.

2. All watercraft operating or docked on Lake James, Lake Hickory, Lake Rhodhiss, or the Catawba River that have sleeping, kitchen, and/or bathing facilities shall have a fixed or portable holding tank or other approved marine sanitation device for the collection of waste water.

3. Engineered construction plans shall be required for all new marinas and expansions of existing marinas. Plans shall meet the applicable sections of the NC Building Code and ICC/A 117.1-2017.

4. All marinas shall be permitted by Duke Energy Lake Services

Design and Construction Standards for Commercial Marinas and Dock areas

MOORINGS	MATERIALS	PRIOR APPROVAL REQUIRED
	Aluminum, Hot Dipped Galvanized, or Wooden Truss Structure	
	No Storage Closets permitted	
	Metal surfaces above water shall be painted using marine grade epoxy paint in earth tone colors	X
	Reflectors required on outside edge of mooring.	
	Utility pads – (optional) Max. every other slip	

PIERS/RAMPS	Hinged wood or pre-fab metal frame.	
	Wood, aluminum, or composite materials	
	Metal surfaces shall be painted using marine grade epoxy paint in earth tone colors	
LIGHTING	Approved on case-by-case basis. Must be for safety purposes only. No overhead lighting.	X
LIFTS	(Optional) - Floating lift only with guide arms.	X
DECKING	Wood, concrete, composite material, or aluminum	
	Colors must resemble natural wood tones.	
GUIDE POLES	Wooden – (may use minimum 3" steel *if* conditions prevent use of wooden poles)	
FLOATATION	Must meet Duke Energy and Building Code	
ROOF FRAMING	Aluminum, galvanized steel, or wood. Metal must be painted using marine grade epoxy paint.	
	Minimum 3:12 roof pitch.	
ROOF SURFACE	Wood shake, aluminum, or synthetic products.	
	Metal or synthetic roofs must be pre-approved for compliance.	X
	Metal surfaces shall be painted using marine grade epoxy paint.	
	Roof colors shall be dark-toned brown, black, or grey.	
	Designed with a minimum wind rating of 80 mph.	

Existing Development

1. All property within the jurisdiction of this Article is subject to the provisions of this ordinance unless otherwise exempt.

2. All lots, uses, construction, structures, and clearing prior to the adoption of this ordi-

nance that do not comply with the requirements of this Ordinance are considered non-conforming and subject to **Article 8, Administration, Appeals and Enforcement (Non-conforming Uses)** of this ordinance with the following exceptions:

a. Non-conforming clearing of protected vegetation within the natural woodland buffer, which occurred prior to February 20, 2002, may not be expanded except as specifically permitted within the Natural Woodland Buffer**.** Such removal of vegetation is subject to the replanting requirements of the Natural Woodland Buffer

b. Non-conforming structures which exist within fifty (50) feet of the reference line may be maintained. However, these structures shall not be expanded in any manner. If these structures are destroyed by natural causes, fire, or the structure falls into disrepair the structure may not be rebuilt if the cost of repair is equal to or greater than fifty (50%) percent of the current tax value.

c. The provisions of this article shall not make a vacant lot which is part of an approved subdivision, a plat. unbuildable. However, all new development that does not comply with these regulations, shall follow the variance procedures outlined in **Article 8 Administration, Appeals, and Enforcement of this Ordinance.**

Violations

A. If the Zoning Administrator finds that any of the provisions of this article are being violated, he or she shall notify the person responsible for the violation in writing. The Notice of Violation letter shall indicate the nature of the violation, and the action necessary to correct it. Any one of the following methods shall constitute delivery of notification; certified mail return receipt, first class mail, email by return receipt, hand delivery, and posting violation notification on the property where the offense occurred.

B. Within the notice of violation, the Zoning Administrator shall order any or all of the following:

1. Discontinuance of the illegal activity, use of land and/or structure(s),

2. The removal of illegal structure(s), or any additions, alterations, or structural changes to the structure(s),

3. Discontinuance of any illegal work being done;–

4. Replacement of vegetation or humus layers,

5. Or shall take any action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

C. A Notice of Violation shall be issued and the activity causing the violation shall cease immediately upon receipt of the notice. Measures to correct the problem shall begin

within ten (10) days unless the person involved can show just cause. The Zoning Administrator shall determine if just cause is valid, and if so, provide an extension of time long enough to repair the damage. The Zoning Administrator may require immediate corrective measures to be taken in cases detrimental to health, safety, or environmental impact.

Penalties

Violation of any project that requires a permit shall subject the offender to a civil penalty of twenty-five hundred dollars ($2,500) payable to Burke County within seventy-two (72) hours after citation. Citations shall be in writing and signed by the Zoning Administrator or their designee. If the violation is not corrected within thirty (30) days after the citation has been received, judicial action may be taken. Each day that the violation continues past the thirty (30) day period constitutes a separate offense without multiple citations issued.

Floating Vessels

Intent

The intent of this section is to establish minimum guidelines and safety standards for the use of floating vessels on Lakes James, Rhodhiss, Hickory, and the Catawba River. This section does not apply to other types of watercraft such as canoes, kayaks, and jet skis etc.

General Requirements

The term floating vessels shall include houseboats (with or without motors), Yachts, cabin cruisers, catamarans, barge boats, and sailboats.

Floating Vessels must meet the following requirements:

a) For the purpose of this ordinance only “Factory-Made” vessels constructed to the American Boat and Yacht Council (ABYC) standards are permitted. “Handmade” or altered design vessels not factory assembled are not permitted.

b) All floating vessels shall be registered with the Norh Carolina Wildlife Resources Commission (NCWRC). Failure to register with the NCWRC and maintain a valid registration shall be a violation of this ordinance.

c) No floating vessel shall be occupied as permanent living quarters.

d) Floating vessels shall not be used as short-term rentals.

e) Floating vessels used as Dedicated STRs must meet ABYC standards.

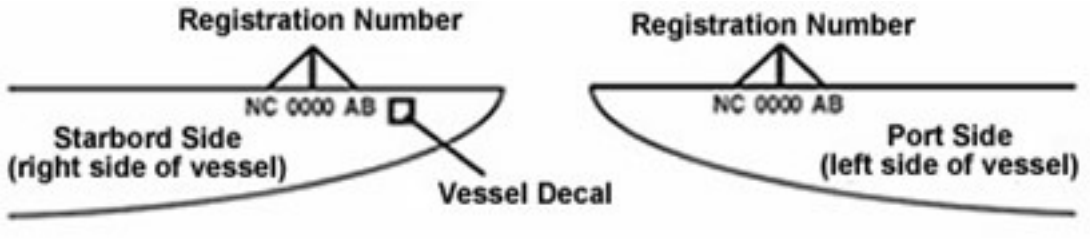
f) Dedicated Short-Term Rentals are considered a “special use” within the following overlay zoning district: Lake Overlay.

g) All floating vessels equipped with the capability for habitation shall be located within a commercial marina.

Examples of Homemade/Altered floating vessels

Existing floating vessels that do not have the proper title and registration from NCWRC shall have one (1) year after the adoption of this ordinance to acquire a valid registration.

Example of boat lettering



Example of boat lettering placement

h) The owner shall keep the vessel in good operational and visual/cosmetic repair at all times. Failure to do so shall be a violation of this ordinance.

i) All exterior visual/cosmetic repairs shall be done on land in order to protect the integrity of lake/river waters.

j) In the event a vessel is wrecked or sunk within the marina, it shall be the owner's responsibility to mark its position immediately and raise or dispose of the vessel within fourteen (14) days.

k) All floating vessels must quick connect for electrical and plumbing services. No permanent hard wired connections for electric and plumbing services shall be permitted.

l) Each floating vessel shall have a wastewater system that meets local codes for the containment or disposal of sewage and gray water. No discharge of sewage, gray water, or other pollutants into lake or river waters shall be permitted.

Existing Non-Conforming Structures

1. When a non-conforming floating vessel is destroyed by natural causes or fire, any new structure must be in conformity with this ordinance.

Examples of natural causes include, but are not limited to, wind or flooding. **Time related deterioration**, *or damage caused by animal or insect infestation does not constitute accidental damage or destruction by natural causes.*

2. Existing non-conforming floating vessels shall meet the regulations of this section within

one (1) year of the adoption of this ordinance.

Violations & Penalties

If the Zoning Administrator finds that any of the provisions of this article are being violated, he/she shall notify in writing the person responsible for the violation, indicating the nature of the violation, and ordering the action necessary to correct it. He/She shall order discontinuance of the illegal use the floating vessel, removal of the illegal floating vessel, or of additions, alterations, or structural changes to the vessel, discontinuance of any illegal work being done, or shall take any action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions. If a ruling of the Zoning Administrator is questioned, the aggrieved party or parties may appeal the ruling to the Board of Adjustment.

1. Prior to the issuance of a citation, an optional warning may be issued and the activity causing the problem shall cease immediately upon receipt of the warning. Action to correct the problem shall begin within ten (10) days unless the person involved can show just cause, in which case an extension of time long enough to repair the damage may be granted by the Zoning Administrator.

2. Violation of any provision of this article shall subject the offender to a civil penalty in the amount of five-hundred dollars ($500.00) payable seventy-two (72) hours after being cited. Failure to pay the citation may result in a civil action by the County if the offender does not pay the penalty within seventy-two (72) hours after being cited. Citations shall be in writing, signed by the Zoning Administrator, and delivered or mailed by certified mail to the offender either at his residence, his place of business, or at the place where the violation occurred. Each day that the violation continues shall constitute a separate offense without multiple citations issued.

Morganton-Lenoir Airport Overlay District

4.3 Morganton-Lenoir Airport Overlay

Intent

The purpose of this Overlay District is to establish height regulations within the Morganton-Lenoir Airport approach zones located within Burke County's jurisdiction. The Overlay District is also designed to prohibit obstructions that may endanger the lives and property of users of the Morganton-Lenoir Airport and property or occupants of land within the district.

Administration of the Requirements of This Article

Applications for any development within this overlay district shall be as for any development regulated by this ordinance.

Airport Zones

Zones, which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces have been established for the Morganton-Lenoir Airport. These zones are shown on the Burke County Zoning Map and are defined as follows:

1. Runway Larger than Utility with a Visibility Minimum as Low as ¾ Mile Non-Precision Instrument Approach Zone

   The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outwards uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

2. Precision Instrument Runway Approach Zone

   The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface, its center line being the continuation of the center line of the runway.

3. Runway Larger than Utility with a Visibility Minimum Greater than ¾ Mile Non-Precision Instrument Approach Zone

   The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

4. Transitional Zones

   The transitional zones are the areas beneath the transitional surfaces.

5. Horizontal Zone

   The horizontal zone is established by a swinging arc of 10,000 feet from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

6. Conical Zone

   The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of 4,000 feet.

Airport Zone Height Limitations

No structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this article to a height taller than the established height limitations. The height limitations established for each zone are as follows:

1. Runway Larger than Utility with a Visibility Minimum as Low as ¾ Mile Non-Precision Instrument Approach Zone

   Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.

2. Precision Instrument Runway Approach Zone

   Slopes upward fifty (50) feet for each foot vertically beginning at the end of and the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line, then at a slope of 40:1 for an additional 40,000 feet.

3. Transitional Zones

   Slope seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 1270’ above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface.

4. Horizontal Surface

   Established at 150’ above the airport elevation.

5. Conical Zone

   Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the

of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

1. Excepted Height Limitations

The airport overlay regulations shall not prohibit the construction or maintenance of any structure, or growth of any tree that does not exceed 50 feet in height.

Use Restriction

No use within any zone established by the Morganton-Lenoir Airport may;

1. Create electrical interference with navigational signals or radio communication between the airport and aircraft;
2. Make it difficult for pilots to distinguish between airport lights and others;
3. Result in glare in the eyes of pilots using the airport;
4. Impair visibility in the vicinity of the airport;
5. Create bird strike hazards;
6. Or otherwise in any way endanger, or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

Non-Conforming Uses

1. Regulations Not Retroactive

The Morganton-Lenoir Airport Overlay shall not require the removal, lowering, change or alteration of any structure or tree that does not conform to this amendment, or interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, to which construction or alteration began prior to the adoption of this ordinance and completed within one year thereof.

2. Obstructive Marking and Lighting

The owner of any existing nonconforming structure or tree is required to permit the installation, operation, and maintenance of markers and lights as deemed necessary by the Zoning Administrator to indicate to the operators of aircraft in the vicinity of the airport the presence of airport obstruction. The markers and lights shall be installed, operated, and maintained at the expense of the Morganton-Lenoir Airport.

Permits

The applicant must supply the Zoning Administrator with all information, including specific locational reference points, to determine compliance with these regulations before a zoning permit

is issued for any development within the Airport Overlay District. The regulations of the Airport Overlay contradict the actual airport overlay as digitized on the Official Burke County Zoning Map. No permit shall be issued that would allow the establishment of an obstruction, or permit a nonconforming use or structure to become a greater hazard to air navigation than it was prior to the submission of an application for a permit.

Variances

Requests for variances from these overlay regulations will follow the process per **Article 8, Administration, Appeals, and Enforcement** of this ordinance. In addition to the materials specified in that section, the applicant must also provide the Zoning Administrator with a determination by the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigation airspace. The variance shall be allowed where it is found that an application or enforcement will result in unnecessary hardship and relief granted will not create a hazard to air navigation.

Conflict with Other Laws

Where any other law, ordinance, or regulation impose higher standards than this article, the rules of that law, ordinance, or regulation shall govern.

Water Supply Watershed Protection Overlay

4.4 Water Supply Watershed Protection Overlay

Jurisdiction

The provisions of this Ordinance shall apply within the areas designated as a Public Water Supply Watershed by the N.C. Environmental Management Commission and shall be defined and established on the map entitled, "Watershed Protection Map of Burke County, North Carolina" ("the Watershed Map"), which is adopted simultaneously herewith. The Watershed Map and all explanatory matter contained thereon accompanies and is hereby made a part of this Ordinance. This Ordinance shall be permanently kept on file in the office of the Clerk of Burke County

Establishment of Watershed Areas

Within the Burke County Planning Jurisdiction, the following watershed overlay districts shall be established:

Warrior Fork WS-III-CA	(Critical Area)	(150 acres)
Warrior Fork WS-III-BW	(Balance of Watershed)	(53,144 acres)
Jacob Fork WS-III	(Balance of Watershed)	(29,833 acres)
Catawba River WS-IV-CA	(Critical Area)	(190 acres)
Catawba River WS-IV-PA	(Protected Area)	(8,677acres)
Lake Hickory WS-IV-CA	(Critical Area) (two intakes)	(1,619 acres)
Lake Hickory WS-IV-PA	(Protected Area)	(11,501 acres)
Lake Rhodhiss WS-IV-CA	(Critical Area) (three intakes)	(12,161 acres)
Lake Rhodhiss WS-IV-PA	(Protected Area)	(56,601 acres)
Lake James WS-IV-CA	(Critical Area)	(988 acres)
Lake James WS-IV-PA	(Protected Area)	(1,532 acres)

Intent

The purpose of the Water Supply Watershed Protection Overlay District (WSWP) is to define the area of water supply watersheds within the County. The intent of the overlay district is to manage the uses of land and structures encompassed by water supply watersheds within the County in order to maintain a high quality of surface water in these watersheds. This will be accomplished by enforcing standards that limit the impact from existing or potential sources of contamination through the regulation of average lot size, development intensity, and built upon area.

Scope

Land use within the WSWP overlay district must comply with all the requirements of both the underlying general use district and the applicable Water Supply Watershed overlay district classification. If a use or class of use is not specifically indicated as being permitted in a watershed area, the use or class of use is prohibited.

Establishment of Boundaries

The Official Water Supply Watershed Map shall be maintained by the Planning Director and kept in the Planning Department. The Official Water Supply Watershed Map shall also be shown as an overlay district on and become part of the Official Zoning Map for the County. The rules of interpretation for the boundaries of the map (see Article 8, Sec. 16(3) Rules for Determining Boundaries) apply. In addition, where any WSWP overlay district boundaries lie at a scaled distance of more than twenty (25) feet from any parallel lot line, the location of these map boundaries shall be determined by using the scale of the map.

If a property owner can demonstrate his or her land drains into another watershed or into the receiving stream below the intake in the same watershed, the Zoning Administrator can exempt that specific area from the watershed regulations. Minor boundary interpretations must be sent to NCDWQ for verification and final approval.

Impact on Water Quality and Public Health

No activity, situation, structure or land use shall be allowed within a WSWP overlay sub-district that poses a threat to water quality and/or the public health, safety and welfare. Such conditions may arise from inadequate on-site sewage systems which utilize ground absorption; inadequate sedimentation and erosion control measures; the improper storage or disposal of junk, trash or other refuse within a buffer area; the improper management of stormwater runoff; or any other situation found to pose a threat to water quality. The Zoning Administrator shall monitor land use activities within the watershed areas to identify situations that may pose a threat to water quality. Where such activities are found, the Zoning Administrator shall take any appropriate action to restrain, correct or abate the condition and/or violation.

General

(a) Watershed Protection Permit shall be part of the Burke County Zoning Permit.

(b) Prior to issuance of a Watershed Protection Permit, the Zoning Administrator may consult with qualified personnel for assistance to determine if the application meets the requirements of this ordinance.

Existing Development

Any existing development as defined in this ordinance may be continued and subject to the provisions provided within this ordinance. Expansions to structures classified as existing development must meet the requirements of this ordinance.

WS-III Watershed Areas - Critical Area (WS-III-CA).

Applicable to Warrior Fork WS-III-CA

In order to maintain a low to moderate land use intensity pattern, single family residenital

uses shall be allowed at a maximum of one (1) dwelling unit per acre. All other residential and non-residential development shall be allowed at a maximum twelve percent (12%) built-upon area. New residuals application sites and landfills are specifically prohibited.

(1) Allowed Uses:

(a) Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.-0101-.0209).

(c) Residential development.

(d) Non-residential development, excluding: 1) landfills and 2) sites for land application residuals or petroleum contaminated soils.

(2) Density and Built-upon Limits:

(a) All residential development shall adhere to the minimum lot size and density requirements, except within an approved cluster subdivision development.

(b) All development shall not exceed twelve percent (12%) built-upon area on a project by project basis. For the purpose of calculating built-upon area, the total project area shall include total acreage in the tract on which the project is to be developed.

WS-III Watershed Areas - Balance of Watershed (WS-III-BW).

Applicable to Warrior Fork WS-III and Jacob Fork WS-III-BW

In order to maintain a low to moderate land use intensity pattern, all residential development shall adhere to the minimum lot size and density requirements, except within an approved cluster subdivision development. All development shall be allowed at a maximum of twenty-four percent (24%) built-upon area.

In addition, new development and expansions to existing development may occupy ten percent (10%) of the balance of the watershed area in the county with up to seventy Percent (70%) built upon area when approved as a special intensity allocation (SIA). The Zoning Administrator is authorized to approve SIA's consistent with the provisions of this ordinance. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices (BMPs) to minimize water quality impacts.

Projects applying for an SIA will be considered on a case-by-case basis and in a first come first serve order. When ten percent (10%) of the balance of the watershed has received SIAs no further SIAs will be allowed. *Warrior Fork WS-III shall have 5,314 acres for SIA; Jacob Fork WS-III shall have 2,983 acres for SIA.*

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.0101-.0209).

(c) Residential development.

(d) Non-residential development excluding discharging landfills.

(2) Density and Built-upon Limits:

(a) All residential development shall adhere to the minimum lot size and density requirements, except within an approved cluster subdivision development.

(b) All development shall be allowed at a maximum of twenty-four percent (24%) built-upon area.

WS-IV Watershed Areas - Critical Area (WS-IV-CA)

Applicable to Lake James WS-IV-CA, Catawba River WS-IV-CA, Lake Hickory WS-IV-CA, Lake Rhodhiss WS-IV-CA

In order to address a moderate to high land use intensity pattern, the following development standards shall apply: All residential development shall adhere to the minimum lot size and density requirements, except within an approved cluster subdivision development.

All development shall be allowed twenty-four percent (24%) built-upon area. New residuals application sites and landfills are specifically prohibited.

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.-0101-.0209).

(c) Residential development.

(d) Non-residential development, excluding:

1. Landfills, and
2. Sites for land application of residuals or petroleum contaminated soils.

(2) Density and Built-upon Limits:

(a) All residential development shall adhere to the minimum lot size and density requirements, except within an approved cluster subdivision development.

(b) All development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For the purpose of calculating built-upon area, the total project area shall include total acreage in the tract on which the project is to be developed.

WS-IV Watershed Areas - Protected Area (WS-IV-PA).

Applicable to Lake James WS-IV-CA, Catawba River WS-IV, Lake Hickory WS-IV-PA, Lake Rhodhiss WS-IV-PA

In order to address a moderate to high land use intensity pattern, the following development standards shall apply: All residential development shall adhere to the minimum lot size and density requirements, except within an approved cluster subdivision development.

All development shall be allowed twenty-four percent (24%) built-upon area. A maximum of thirty-six (36%) percent built-upon area is allowed for project without a curb and gutter street system.

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines related to Water Quality (15 NCAC 1I.-0101-.0209).

(c) Residential development.

(d) Non-residential development.

(2) Density and Built-upon Limits:

(a) All residential development shall adhere to the minimum lot size and density requirements, except within an

approved cluster subdivision development.

(b) All development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. A maximum of thirty-six percent (36%) built-upon area is allowed for projects without a curb and gutter street system. For the purposes of calculating built-upon area, total project area shall include acreage in the tract on which the project is to be developed.

(c) In addition to the development allowed under paragraphs (a) and (b) above, other

development may occupy up to ten percent (10%) of the protected area with up to seventy percent (70%) built-upon area on a project by project basis, when approved as a special intensity allocation (SIA).

The Zoning Administrator is authorized to approve SIAs consistent with the provisions of this ordinance. *Catawba River WS-IV-PA shall have 868 acres for SIA; Lake Hickory WS-IV-PA shall have 1,150 acres for SIA; and Lake Rhodhiss WS-IV-PA shall have 5,660 acres for SIA.* Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters and incorporate best management practices (BMPs) to minimize water quality impacts. For the purpose of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.

Cluster Development

Clustering of development is allowed in all Watershed Areas under the following conditions:

(a) Minimum lot sizes are not applicable to single-family cluster development projects. However, the total number of lots shall not exceed the number of lots allowed for residential developments. Density or built-upon area of the project shall not exceed that allowed for the critical area or balance of watershed or protected area, whichever applies.

(b) All built-upon area shall be designed and located to minimize stormwater runoff, impact to the receiving waters, and minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.

(c) Areas of concentrated density development shall be located in an upland area and away, to the maximum extent practicable, from surface waters and drainageways.

(d) The remainder of the tract shall remain in a vegetated or natural state (Open Space). The title to the open space area shall be conveyed to an incorporated homeowners association for management; to a local government for preservation as a park or open space; or to a conservation organization for preservation in a permanent easement. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds.

(e) Cluster developments that meet the applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

<u>Buffer Areas Required</u>

(a) minimum one hundred (100) foot vegetative buffer is required for all new development activities that exceed the low-density option (utilize the 10/70 provi-

sion); otherwise, a minimum thirty (30) foot vegetative buffer for development activities is required along all perennial waters or as determined by local government studies. Desirable artificial streambank or shoreline stabilization may be permitted in conjunction with the Burke County Flood Damage Prevention Ordinance.

(a) No new development is allowed in the buffer except for water dependent structures, other structures such as flag poles, signs and security lights which result in only diminutive increases in impervious area and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of stormwater best management practices (BMPs).

Rules Governing the Interpretation of Watershed Area Boundaries

Where uncertainty exists as to the boundaries of the watershed areas, as shown on the Watershed Map, the Zoning Administrator shall interpret the Watershed Map as to location of such boundaries. This decision may be appealed to the Burke County Board of Adjustment.

Existing Development

Existing development as defined in this ordinance, may be continued and maintained subject to the provisions provided herein. Expansions to structures classified as existing development must meet the requirements of this ordinance, the built-upon area of the existing development shall be included in the built-upon area calculations.

(a) Reconstruction of Buildings or Built-upon Areas. Any existing building or built-upon area not in conformance with the restrictions of this ordinance that has been damaged or removed may be repaired and/or reconstructed, in accordance with the Non-Conformities section of this ordinance:

(1) Repair or reconstruction shall be initiated within twelve (12) months and completed within two (2) years of such damage.
(2) The total amount of space devoted to built-upon area may not exceed the maximum percentage for the watershed unless a stormwater control plan designed by a licensed professional is provided.

Administration

Recordkeeping

The Zoning Administrator or their designee shall administer and enforce the provisions of the zoning chapter as specified in **Article 8, Administration, Appeals, and Enforcement**. Within the watershed overlay districts, he or she shall have the following additional duties:

(1) Submit copies of all amendments upon adoption to the NC Division of Water Quality;

(2) Maintain list of all variances, including a description of each project receiving a variance and the reasons for granting the variance, and submit a copy each calendar year to the NC Division of Water Quality by January 1 of each calendar year;

(3) Keep records of the jurisdiction's utilization of the provision that a maximum of 10% of the non-critical area of the *Warrior Fork WS-III (5,314 acres SIA); Jacob Fork WS-III (2,983 acres SIA), Catawba River WS-IV-PA (868 acres SIA), Lake Hickory WS-IV-PA (1,150 acres SIA) and Lake Rhodhiss WS-IV-PA (5,660 acres SIA)* may be developed to a maximum of 70% built-upon area;

(4) Monitor land-use activities in the watershed to identify situations that may threaten water quality. He or she shall report these situations to the agency with direct regulatory responsible for these activities;

(5) Ensure that a certificate of approval is included on all plats subject to the Burke County Subdivision Regulations as follows:

I certify that the plat shown hereon complies with the Burke County Watershed Protection Overlay District and is approved for recording in the Register of Deeds office.

_____ _____

Date Zoning Administrator

Watershed Protection Permit

(a) Except where a single-family residence is constructed on a lot deeded prior to the effective date of this ordinance, no building or built-upon area shall be erected, moved, enlarged or structurally altered, nor shall any building permit be issued nor shall any change in the use of any building or land be made until a Watershed Protection Permit has been issued by the Zoning Administrator. No Watershed Protection Permit shall be issued except in conformity with the provisions of this ordinance.

(b) Watershed Protection Permit applications shall be filed with the Zoning Administrator. The application shall include a completed application form and supporting documentation deemed necessary by the Watershed Administrator.

(c) Prior to issuance of a Watershed Protection Permit, the Zoning Administrator may consult with qualified personnel for assistance to determine if the application meets the requirements of this ordinance.

(d) A Watershed Protection Permit shall be issued in conjunction with a Zoning Permit. Both permits will expire if within twelve (12) months from the date of issuance if the approved land use and/or structure has not been acted upon.

Appeals

All appeals from the decision of the zoning enforcement officer shall be submitted to the Board of Adjustment (see **Article 8, Administration, Appeals, and Enforcement**). Further, any appeals from the board of adjustment shall be to the Superior Court within 30 days (see **Article 8, Administration, Appeals, and Enforcement**), not to the County Board of Commissioners.

Amendments

All amendments to the watershed regulations shall be handled as specified (**Article 8, Administration, Appeals, and Enforcement)**. Under no circumstances shall the county amend supplement or change the watershed regulations that would cause the regulations to violate the watershed protection rules the N.C. Environmental Management Commission. All amend-

shall be filed with NCDWQ.

Watershed Variances

(1) The Board of Adjustment shall handle minor variances.

(2) *Major variance.*

(a) If a ***MAJOR VARIANCE*** (see definition) is requested, Board of Adjustment after making a favorable decision in granting the request, shall prepare a preliminary record of the hearing. The preliminary record of the hearing shall include:

1. The variance application;
2. The hearing notices;
3. The evidence presented;
4. Motions, offers of proof, objections to evidence, and rulings on them;
5. Proposed findings and exceptions;
6. The proposed decision, including all conditions proposed to be added to the permit.

(b) The information shall be sent to the NCEMC for its review.

(c) North Carolina Environmental Management Commission.

1. The NCEMC shall review the preliminary record and determine whether or not:
   a. The request qualifies as a major variance;
   b. The property owner can secure no reasonable return from, nor make any practical use of, the property, unless the proposed variance is granted; and
   c. The variance, if granted, will result in a serious threat to the water supply. Based on its findings the NCEMC shall approve the variance as proposed or approve the proposed variance with conditions and stipulations, or disapprove it. The NCEMC shall prepare a decision and send it to the County Board of Adjustment. This Board shall prepare a final decision, based on the determination of the NCEMC.

(3) In designated drinking water supply watersheds, the Zoning Administrator shall notify and allow a reasonable comment period for any jurisdictions within the watershed and the entity using the water supply for consumption of a proposed variance to the watershed regulations. Local governments may submit any comments to the Zoning Administrator before the public hearing by the County Board of Adjustment.

Article 5.0
Use Standards

5.1 Accessory Dwelling Units

A detached accessory dwelling unit may be permitted as an accessory use on lots with an existing primary dwelling and shall comply with the following requirements:

(a) The accessory dwelling unit and the primary dwelling must be owned by the same person.

(b) No more than one accessory dwelling unit shall be permitted on a single deeded lot in conjunction with the primary dwelling unit.

(c) Accessory dwellings shall be connected to the same electrical, water, and waste water disposal system as the primary dwelling if practical.

Approval from the Burke County Environmental Health Department is required.

(d) Accessory dwellings are limited to one thousand (1,000) square feet of total square footage.

(e) Accessory dwellings must be constructed to current NC State Residential Building Code standards and must receive a Certificate of Occupancy prior to being habited.

(f) Accessory dwelling units must be located to the side or rear of the primary dwelling and meet all applicable setbacks.

Garage Apartment (detached)

(a) Accessory dwellings are to be constructed of like materials and must resemble the primary structure in appearance to the greatest extent possible.

(b) The accessory dwelling unit must share a driveway with the primary dwelling.

(c) No on-street parking is permitted for accessory dwellings.

5.2 Accessory Structures (Residential)

For the purpose of this section of the ordinance the calculation of an accessory structure includes any section of the structure that is under roof. Accessory structures may be permitted if the unit complies with the following requirements:

(a) Accessory structures may be located in the side or rear yards at least fifteen

(15) feet from the property line. No accessory structure shall be located in the front yard of a residential lot less than one (1) acre in size.

Examples of Accessory Structures

(a) Accessory structures on corner lots shall meet the front setback of the primary dwelling for the side street on which it is located. However, as the size of the accessory structure increases the required setback increases also. The following table gives the required setbacks:

Size in Sq. Feet	Required Setback
1,200 or Less	Fifteen (15) Feet
1,201 to 2,000	Twenty (20) Feet

The setback shall increase fifteen (15) feet for every additional one thousand (1,000) square feet above 2,000 square feet. For all structures greater than two thousand (2,000) square feet the setback shall increase fifteen (15) feet for every additional one thousand (1,000) square feet.

In no event shall the front yard setback for an accessory structure be less than the required setback for a residential structure.

(a) On lots that are less than one (1) acre in size, the total maximum square footage of all accessory structure(s) shall be one thousand two hundred (1,200) square feet. On lots greater than one acre in size, the maximum square footage allowed shall be one thousand five hundred (1,500) square feet. Any lot greater than three (3) acres in size may be approved for additional square footage from the Board of Adjustment. Additional setbacks and screening requirements may apply.

(b) No accessory structure shall be rented or occupied for financial gain nor used for human habitation.

(c) Under no circumstances may a vehicle, tractor trailer, manufactured home, recreational vehicle, POD, or similar container be used as an accessory structure.

POD

Shipping Container

(a) Mailboxes, newspaper boxes, may be placed in any yard. No zoning permit is needed for these structures.

(b) Accessory structures will not be permitted on vacant lots without a primary structure unless the lot is two (2) acres or larger. The maximum combined square footage allowed for all accessory structures in this case is one thousand five hundred (1,500) square feet. All other applicable regulations will apply. In such cases the accessory structure shall have a minimum setback of eighty (80) feet from the front right-of-way or edge of pavement where no right-of-way exists. Screening shall be required between the structure and adjacent properties where existing vegetation or distance is insufficient to provide adequate screening. Screening shall consist of a ten (10) foot opaque evergreen hedge row. Accessory structures on vacant residential lots may be used for storage purposes only. Only electric service may be provided to the accessory storage structure. Water and septic shall not be permitted.

Temporary structures may be permitted in any zoning district when used in conjunction with construction work or when permitted for a temporary event.

5.3 Home Occupations

A home occupation in a residential structure is subject to the following guidelines:

(a) An application must be submitted with a sketch of the dwelling and or accessory structure, showing square footage and indicating the area to be used for the home occupation.

(b) Only one (1) person other than those residing in the home shall be engaged in the occupation.

(c) The total combined floor area used for the Home Occupation shall, in a primary dwelling or accessory structure, shall not exceed eight hundred (800) square feet.

(d) There shall be no exterior evidence of the presence of a home occupation nor does the presence of the home occupation change the exterior character of the property.

(e) There shall be no salesrooms or display windows. Any materials, supplies, storage, or equipment are entirely contained within the dwelling/accessory structure of the home occupation. There is no outside storage or use of materials and/or equipment, including, but not limited to, construction equipment, heavy equipment, or construction materials.

(f) Any identification sign does not exceed four (4) square feet and is unlighted. No off-premises or directional sign is allowed.

(g) In addition to personal vehicles, one (1) vehicle or trailer for the home occupation use with a gross weight rating (GVWR) of twenty-six thousand (26,000) pounds or less and labeled to identify the business, may be parked on site.

(h) Client visits and deliveries may be limited as a condition of approval based on site-specific considerations, and road classification as determined by the North Carolina Department of Transportation. In no case shall business activities occur between the hours of 9:00 p.m. and 9:00 a.m. which would disrupt the residential nature of the zoning district. Such activities may include, but not be limited to, client visits, deliveries and departure, or the arrival of vehicles for the business.

(i) No use shall create noise, glare, fumes, odors, or electrical interference detectable to the normal senses from property in the general vicinity.

A home occupation in an accessory structure is subject to the following guidelines:

1. The accessory structure is located on a lot with an existing primary dwelling

2. No more than one accessory structure used as a home occupation shall be permitted on a single deeded lot in conjunction with the primary dwelling unit

3. Accessory structures used for home occupations are limited to eight hundred (800) square feet of total square footage.

4. Accessory structures to be used for home occupations shall be connected to the same electrical, water, and wastewater disposal system as the primary dwelling if practical.

   Approval from the Burke County Environmental Health Department is required.

5. Accessory structures to be used for home occupations must be located to the side or rear of the primary dwelling and meet all applicable setbacks.

6. Accessory structures to be used for home occupations are to be constructed of like materials and must resemble the primary structure in appearance to the greatest extent possible.
7. Accessory structures used as home occupations must share a driveway with the primary dwelling.
8. No on-street parking is permitted for accessory structures use for home occupations.

(j) A Home Occupation may include, but is not limited to:

(1) Architects
(2) Computer programming
(3) Catering, cooking, and baking
(4) Direct marketing enterprises (Internet Sales, Telemarketing, Face to Face Sales)
(5) Dressmaking, sewing and tailoring
(6) Engineers
(7) Home crafts, such as weaving, jewelry making, or pottery
(8) Internet gun sales (no ammunition);
(9) Management of companies and enterprises
(10) Painting and sculpting
(11) Real estate office
(12) Specialty trade offices, where services are provided off site
(13) Surveyors
(14) Telephone answering service
(15) Tutoring or instruction of no more that (4) students at a time.
(16) Hair salons/barber shops:
Approval from the State of NC is required.
(17) Health Care Professionals (Massage Therapists, Chiropractors, etc.
Approval from the State of NC is required.
(18) Tattoo Parlors:
Approval from the Burke County Environmental Health Department is required.
(19) Gunsmith (including assembling and repair of firearms):
(20) Taxidermy

(k) A Home Occupation shall not include any of the following:

(1) Ammunition sales:
(2) Sales of autos, recreational vehicles, or heavy equipment:
(3) Repair of autos, recreational vehicles, or heavy equipment:
(4) Kennels:
(5) Other uses determined in to be inconsistent with the spirit and intent of this

ordinance.

(l) When an applicant applies for a home occupation permit for a use not specifically listed above, a special use application will be required for the home occupation use.

(m) If the Zoning Administrator determines that an application for a home occupation is inconsistent with the spirit and intent of this Ordinance, the applicant may appeal the administrator's decision to the Board of Adjustment.

(n) The granting of a permit under the provisions of this section shall in no way affect any other type of approval required by any other statue or ordinance of the local, state, or federal government, but shall be construed as an added requirement.

5.4 Short-Term Rentals

The intent of this article is to establish minimum operational and safety standards for the use of residential dwelling units as Owner Occupied and Dedicated STRs.

Unless otherwise specified, the requirements and provisions of this section shall apply to Owner Occupied and Dedicated STRs. This article does not apply to other types of lodging uses defined within this ordinance such as hotels, motels, or bed & breakfast establishments.

STR Permit
The property owner/operator is required to obtain a permit, issued from the Zoning Administrator or their designee before a residential dwelling may be advertised or used as an Owner Occupied or Dedicated STR.

Permit Fee
The property owner/operator shall pay a one hundred ($100) dollar permit fee. Renewable once per calendar year.

Zoning Compliance Permit Regulations
A STR in a residential structure is subject to the following compliance permit regulations:

1. Owner Occupied STRs are allowed within the following zoning districts: R-1, R-2, R-3, R-MU, PRMU, CON.

2. Dedicated STRs are allowed within the following zoning districts: R-1, R-2, R-3, R-MU, PRMU, CON.

3. Dedicated STRs are hereby considered a "special use" within the following overlay zoning district: Lake Overlay.

4. A STR permit shall be assigned to each residential dwelling unit as Owner Occupied or Dedicated STRs.

1. If an Owner Occupied STR ceases to pay occupancy taxes within a calendar year they must acquire a new permit.

2. Upon the adoption of this ordinance, it shall be a violation of the Burke County Zoning Ordinance to operate an Owner Occupied or Dedicated STRs without a valid zoning permit.

3. All Dedicated STRs existing before the adoption of this ordinance shall have three (3) years to come into compliance and obtain the proper permits.

4. Grounds for Denial: Burke County may deny an application for a STR permit if any of the following has occurred:

    A. The property owner submits an incomplete application; or

    B. The proposed STR fails to meet a specified standard set forth in this ordinance.

A property owner may appeal the denial of a STR permit to the Board of Adjustment pursuant to the **Article 9, Administration & Appeals** of this Ordinance.

Dedicated STR Operational Requirements

The following operational requirements shall apply to all Dedicated STRs in Burke County:

1. **Maximum Overnight Occupancy**. The overnight occupancy shall not exceed two (2) persons per bedroom. The occupancy limit shall be posted prominently within the STR Unit and be included in property listings on the hosting platforms.

2. **Designated Responsible Party**. Operators of a permitted Dedicated STR shall designate a local responsible party who is available to respond to complaints or other issues arising from the use of the STR. The responsible party shall be available 24-hours during all times that the property is rented.

3. **Contact Information**. The name, telephone number, and email address of the designee shall be available to the renter. The designee shall reside within twenty-five (25) miles of the STR property and be available to respond to complaints within sixty (60) minutes of the receipt of said complaint. A designee's repeated failure to timely respond to complaints may result in the revocation of the STR permit. The designee may be the property owner if he/she satisfies these requirements.

4. **Parking**. A minimum of one (1) off-street parking space for each bedroom is required. No on-street parking shall be allowed.

5. **Noise**. The noise regulations set forth within the Burke County Code of Ordinances shall apply as enforced by the Burke County Sheriff's Department.

6. **Trash and Recycle Disposal**. The dates and instructions for trash and recycling collect-

ion shall be posted prominently within the STR. Waste may not be placed in trash bags at the curb, or within a designated right-of-way. All trash is required to fit into trash receptacles as maintained at the property.

7. **Signs**. No sign advertising a STR shall be posted on the property.

8. **Taxes**. STR owners are responsible for paying all necessary state sales tax, personal property taxes, and the transient occupancy tax as established by state law.

9. **Maximum Rental Duration**. The maximum rental duration shall be eighty-nine (89) consecutive days.

10. **Safety Requirements.** The following safety requirements shall be the responsibility of the property owner. An initial inspection to ensure compliance with these requirements shall be performed by the Zoning Administrator or their designee prior to the issuance of a permit. An annual inspection by the Zoning Administrator or their designee shall be performed to ensure that the rental remains in compliance with these requirements:

    a. Property owners shall install at minimum of one (1) smoke detector on each floor within the dwelling unit and in each bedroom. Property owners are responsible for changing the batteries annually or when put on notice that a detector needs replacement batteries.

    b. Property owners shall provide one (1) wall-mounted fire extinguisher, visible from the kitchen area.

    c. Property owners shall install a minimum of one (1) operable carbon monoxide detector located on each floor of the dwelling unit. The property owner shall inspect the carbon monoxide detector every six (6) months to ensure it is functioning properly.

    d. Property owners shall remove all double-keyed deadbolt locks. A double-keyed deadbolt lock is a lock that can be locked with a key from the interior of the dwelling unit.

    e. Property owners should ensure that all exit doors and windows within the dwelling unit can easily be opened in the event of an emergency.

    f. Property owners shall ensure that the property address is easily visible from the street by using reflective address numbers.

    g. The address of the STR, with all contact data for the Designated Responsible Party, shall be posted conspicuously within the STR unit.

Owner Occupied STR Operational Requirements

The following operational requirements shall apply to all Owner Occupied STRs in Burke County:

1. **Maximum Overnight Occupancy**. The overnight occupancy shall not exceed two (2)

persons per bedroom. The occupancy limit shall be posted prominently within the STR Unit and be included in property listings on the hosting platforms.

2. **Parking**. A minimum of one (1) off-street parking space for each bedroom that is to be rented is required.

3. **Signs**. No sign advertising a STR shall be posted on the property.

4. **Taxes**. STR owners are responsible for paying all necessary state sales tax, personal property taxes, and the transient occupancy tax as established by state law.

5. **Maximum Rental Duration**. The maximum rental duration shall be ninety (90) consecutive days.

6. **Safety Requirements.** The following safety requirements shall be the responsibility of the property owner. An initial inspection to ensure compliance with these requirements shall be performed by the Zoning Administrator or their designee prior to the issuance of a permit. An annual inspection by the Zoning Administrator or their designee shall be performed to ensure that the rental remains in compliance with these requirements:

   a. Property owners shall install at minimum of one (1) smoke detector on each floor within the dwelling unit and in each bedroom. Property owners are responsible for changing the batteries annually or when put on notice that a detector needs replacement batteries.

   b. Property owners shall provide one (1) wall-mounted fire extinguisher, visible from the kitchen area.

   c. Property owners shall install a minimum of one (1) operable carbon monoxide detector located on each floor of the dwelling unit. The property owner shall inspect the carbon monoxide detector every six (6) months to ensure it is functioning properly.

   d. Property owners shall remove all double-keyed deadbolt locks. A double-keyed deadbolt lock is a lock that can be locked with a key from the interior of the dwelling unit.

   e. Property owners should ensure that all exit doors and windows within the dwelling unit can easily be opened in the event of an emergency.

   f. Property owners shall ensure that the property address is easily visible form the street by using reflective address numbers.

Events

Short-term rentals shall not be used to hold events. This includes parties, weddings, and reunions.

Enforcement. Refer to **Article 8, Administration, Appeals, and Enforcement.** In addition to the enforcement regulations of Article 8 the following shall apply:

If a property owner receives three (3) verified complaints, relating to the use of the property as a STR within a twelve (12) month period, the STR permit may be revoked. If the permit is revoked the owner may not apply for a new permit for one (1) calendar year.

The outside appearance of a short-term-rental shall be that of residential dwelling. No evidence of its rental nature shall be apparent. (Example) no advertising materials or signs.

5.5 Manufactured Home Parks

Watershed Protection Ordinance

All manufactured homes as well as regular homes must comply with the Burke County Watershed Protection Ordinance. Manufactured home parks are urged to consider cluster or planned unit development.

Permit for Manufactured Home Parks Required

It shall be in violation of this ordinance for any person to establish or make on-site improvements for any manufactured home park before a plan has been approved by the Board of Adjustment and the proper permits have been obtained. A manufactured home park permit may be revoked by the Board of Adjustment upon violation of the requirements of this ordinance exists; provided that:

1. the owner, lessee, or other responsible person is notified in writing of the violation and,
2. five (5) days has passed since the written notice was received by the owner/developer.

It shall be unlawful for any person, firm, or corporation to continue the use of a manufactured home park or manufactured home lot after a permit has been revoked.

(For penalties refer to Article 8, Administration, Appeals and Enforcement)

Manufactured Home Spaces

All manufactured homes within the park shall be located in designated manufactured home spaces. There must be at least three (3) manufactured home spaces available at first occupancy to qualify as a manufactured home park. All manufactured home parks must meet the minimum lot size requirements.

Setback Requirements

Setbacks within manufactured home parks shall be twenty (20) feet from front yard, ten (10) feet side yard, twenty (20) feet corner side yard and ten (10) feet rear yard.

All porches and decks must meet setbacks.

Manufactured Home Placement

Each manufactured home shall be set up and installed within the park in accordance with the State of North Carolina regulations for the installation of manufactured homes adopted and published by the North Carolina Department of Insurance. Each manufactured home space shall contain at least five thousand (5,000) square feet of ground area and be clearly defined by concrete or iron pipe markers placed at all corners or by establishing concrete patios. Each manufactured home space shall be graded to prevent any water from ponding or accumulating on the premises. All drainage of the park must be confined or piped in such a way that it will not endanger any water supply. Each manufactured home space shall have a site number, and permanent lettering two and one-half (2 ½) inches high attached or painted on the electrical service.

Responsibility

It shall be the responsibility of the manufactured home park owner on which a manufactured home park is located to ensure that each manufactured home setup meets all local, state, and federal regulations.

Off-Street Parking Requirements

Each manufactured home space shall have two (2) off-street parking spaces with a stone or gravel base on top of a well compacted sub-base. These parking areas shall be provided and maintained by the owner or operator of the park. Alternatively, community off-street parking areas may be provided within the manufactured home park.

Public Street Access

No manufactured home space within a manufactured home park shall directly access a public road. A driveway permit must be obtained from the North Carolina Department of Transportation for access to a public road. Access to all manufactured homes and accessory structures within the manufactured home park shall be made using internal streets.

Internal Street Standards

Internal streets shall be a minimum width of twenty (20) feet wide constructed of asphalt, concrete, pavement, or gravel/stone, and be maintained to provide access. Permanent dead-end streets shall have a cul-de-sac forty (40) feet in diameter. The park developer must have an engineer licensed in the State of North Carolina to certify that these minimum road standards have been met. Traffic control signs and street name signs shall be installed where necessary. Street lighting shall be required throughout the park.

Underpinning

All manufactured homes in the park shall have continuous underpinning of wood, masonry, or some other similar exterior grade material which is non-combustible in nature, unpierced except for required ventilation. If the tongue, axles, transporting lights, and removable towing apparatus are not removed, it shall be screened from view from any adjoining public street right-of-way. Such screening shall be in the form of natural plantings or opaque walls or fences.

Screening

All proposed manufactured home parks shall provide a screen or buffer between the park and any property adjacent to the park. Compliance with this section shall constitute either planting a double row of evergreens staggered a maximum of six (6) feet apart and being a minimum of three (3) feet in height, or erection of a fence, or screen, a minimum of seven (7) feet in height to block visual access.

Steps

All manufactured home spaces in proposed parks shall have a solid, well-constructed set of steps for use by tenants. Loosely stacked brick, block, and the like, do not meet the requirements of this section. It shall be the responsibility of the park owner to furnish the steps.

Ground Maintenance

The grounds of a manufactured home park shall be kept free of trash, liter, and debris. Grounds, buildings, and storage areas shall be properly maintained to prevent the infestation of rodents, vermin, and insects. It shall be the responsibility of the manufactured home park owner to maintain the manufactured home park in accordance with these standards at all times.

Site Plan Requirements

A plat at a scale no greater than on hundred (100) feet to one (1) inch should be completed by a registered surveyor and submitted to the Zoning Administrator and shall include the following information:

1) The proposed name of the park

2) The name of the owner/owners of the parcel

3) The name of the designer/surveyor of the park

4) The tax identification number of the parcel

5) The deed book and page of the parcel

6) Boundaries of the tract shown with bearings and distances

7) Streets, driveways, open areas, parking spaces, service buildings, water courses, easements, flood plains, setbacks, the right-of-way of the interior driveway, man

ufactured home spaces and all existing structures

8) Vicinity map showing the location of the park and the surrounding land usage

9) Date, graphic scale, and approximate north arrow

10) Location of public water and sewer if available

11) Acreage in total tract, acreage in park for other land usage and site calculations for each manufactured home space

12) Total number of manufactured home spaces

In addition to the above site-specific requirements the following general site plan requirements apply:

General Requirements

1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer

2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage

3. Parcel Identification Number (PIN) and 911 address for the property

4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way

5. Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated

6. Location, number, and type of parking spaces

7. Location and size of buffer and landscape areas

8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps

9. Location of adjacent properties and the zoning of adjacent properties

10. The zoning district overlay district (if applicable), and water supply watershed (if applicable), of the property

11. Number of stories and overall height from grade of all structures existing and proposed

12. Location of proposed stormwater facilities

13. Phasing schedule (if applicable)

14. Location of fire hydrants

15. Erosion control measures

16. Water and/or sewer locations and

17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Planning Administrator.

Issuance of a Zoning Permit.

After the park plan has been approved, the Zoning Administrator shall issue a Compliance Permit. If the construction of the park has not begun within twelve (12) months from the date of issuance, the Compliance Permit will become null and void. However, the Zoning Administrator may grant an extension of the Zoning Permit if the developer shows cause.

Effects on Existing Manufactured Home Parks.

Manufactured home parks that are operating as existing approved parks may continue to operate and remain unaffected by this ordinance. However, any expansion, addition, or alteration of these parks must conform to the regulations established in this ordinance.

a) If such parks should cease operation for a period of twelve (12) consecutive months then the park shall not reopen until it complies with the regulations contained in this ordinance, as well as all other applicable state and local laws.

b) If such parks have a manufactured home space(s) that becomes vacant or ceases to have electrical service for a period of twelve (12) consecutive months, then the space shall cease to exist as a usable space within the park. If the loss of a space reduces the number of spaces required to constitute a manufactured home park, then the park shall cease to exist.

Having an existing septic does not guarantee a space.

Other Applicable Statutes and Requirements.

Class A, B, C, & D manufactured homes may be placed in properly permitted manufactured home parks. Issuing a permit under the provisions of this section shall in no way affect any other type of approval required by any other statute or ordinance of the local, state, or federal government, but shall be construed as an added requirement.

5.6 Multi-Family, Townhouse, and Condominium

Multi-family, townhouse, and condominium developments shall be subject to the following

requirements:

General/Specific Requirements

(a) Minimum lot or overall project area shall be two (2) acres.

(b) Minimum lot area per building is fifteen thousand (15,000) square feet for the first unit and three thousand (3,000) square feet for each additional unit.

(c) Minimum front yard depth for each building is thirty-five (35) feet.

(d) Minimum rear yard depth for each building is thirty (30) feet.

(e) Minimum side yard depth for each building when adjacent to street is thirty (30) feet.

(f) Minimum side yard depth for each building when adjacent to a private drive or side lot line is fifteen (15) feet.

(g) Minimum side yard depth for each building when adjacent to another building in the project area is twenty (20) feet.

(h) Minimum distance between buildings is forty (40) feet.

(i) Maximum area covered by all buildings is thirty (30%) percent, unless utilization of the 10/70 option as allowed per the Burke County Watershed Protection Ordinance is permitted.

(j) Minimum of five (5%) percent of the project area, excluding swimming pool and all related facilities, is to be designated and developed as a recreation open space

Site Plan Requirements

A site plan prepared by a registered architect, engineer, landscape architect, or land surveyor licensed in the State of North Carolina is required. At a minimum, all site plans shall contain the following material:

1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer

2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage

3. Parcel Identification Number (PIN) and 911 address for the property

4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way

5. Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated

6. Location, number, and type of parking spaces

7. Location and size of buffer and landscape areas
8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps
9. Location of adjacent properties and the zoning of adjacent properties
10. The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property
11. Number of stories and overall height from grade of all structures existing and proposed
12. Location of proposed stormwater facilities
13. Phasing schedule (if applicable)
14. Location of fire hydrants
15. Erosion control measures,
16. Water and/or sewer locations and
17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Planning Administrator.

Off Street Parking Requirements

There shall be two (2) parking spaces for each dwelling unit.

Dedicated & Private Street Design

(a) Major and collector streets shall conform to the Burke County Thoroughfare Plan.

(b) Local and minor access streets: Fifty (50) foot right of way

(c) Marginal access streets: Fifty (50) foot right of way

(d) Cul-de-sacs: Fifty (50) foot right of way w/ turnaround of eighty (80) feet.

(e) Private streets: Fifty (50) foot right of way

(f) All public and private streets shall be paved to a minimum width of twenty (20) feet and shall be dedicated as an easement for utility purposes. They shall be laid out so that use by through traffic will be discouraged.

Dead End Streets

(a) Dead-end dedicated streets shall be no longer than eight hundred (800) feet unless necessitated by topography and shall end with a paved turnaround having an outside road diameter of at least eighty (80) feet.

(b) Dead-end private streets shall be no longer than eight hundred (800) feet and shall end with a paved turnaround having an outside diameter of at least eighty (80) feet.

Intersections

(a) Streets shall intersect as close to right angles as topography and other limiting factors permit. No street shall intersect at less than sixty (60) degrees.

(b) There shall be at least one hundred fifty (150) feet between all street intersections.

(c) Pavement lines at street intersections shall be rounded with a radius of twenty-five (25) feet. Where a street intersects a highway, the design standards of the North Carolina Department of Transportation shall apply.

5.7 Planned Unit Development

Intent

The Planned Unit Development (PUD) District encourages the master planning of mutiple and/or mixed uses with flexibility in development of land and creative designs that are not possible under conventional zoning regulations. A PUD allows for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following:

1. Encourages well planned development that promotes economical and efficient land uses

2. To provide for recreation and/or open space opportunities for public use

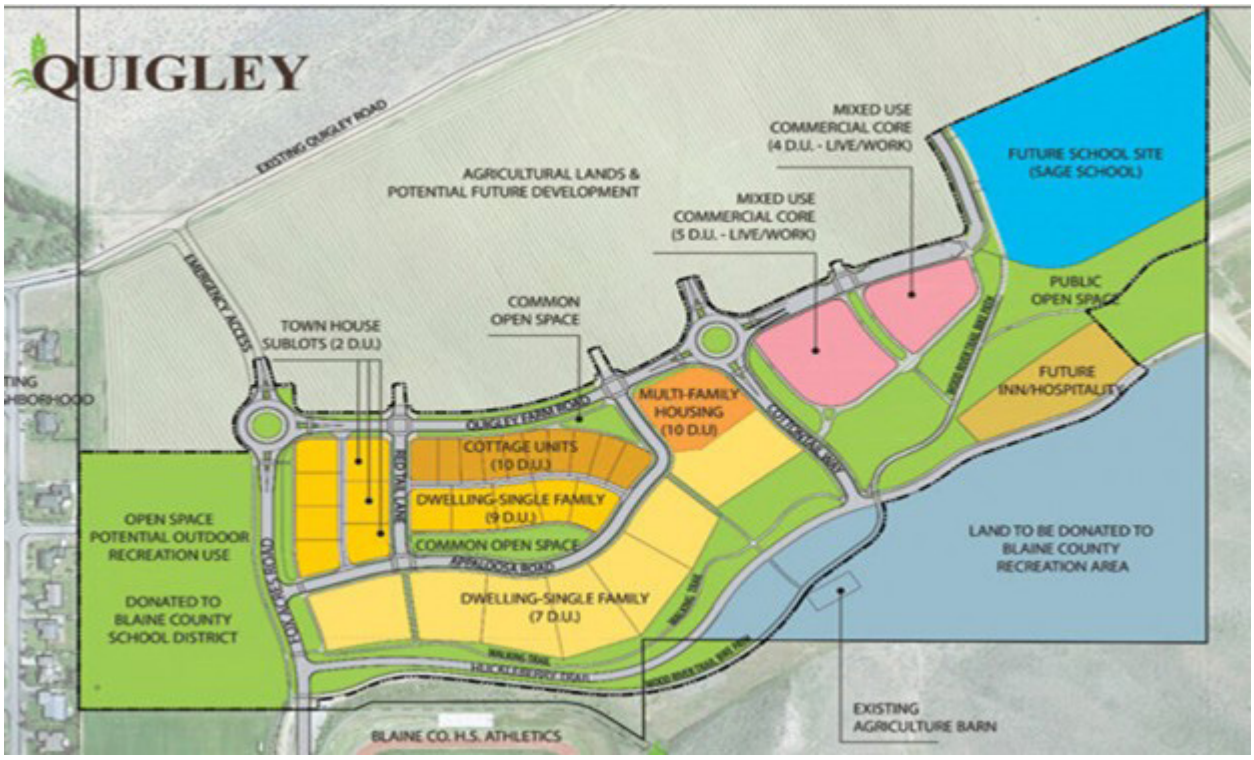
3. Allows a planned and coordinated mix of land uses that are compatible but were previously discouraged by conventional zoning

4. Promotes clustering of structures and others uses in order to preserve natural amenities and environmental assets such as woodlands, wetlands, floodplains, view corridors and scenic areas

5. To protect or preserve existing historical buildings, structures, features or places

6. To provide an appropriate balance between the intensity of development and the ability to provide adequate public facilities and services; or

7. To provide appropriate housing, employment, service and shopping opportunities to suit the needs of the residents



Exampe of Planned Unit Development Site Plan

Criteria for Qualifications

In order for a lot to qualify as a Planned Unit Development it must meet the following criteria:

a) This option may not be used for the purpose of avoiding the applicable zoning requirements.

b) The PUD shall provide a public improvement that would protect existing and future uses from the impact of the proposed use or alleviate an exisitng or potential problem relating to public facilities. The Planned unit Development shall also meet one or more of the following objectives:

1. To provide open spaces, such as parks, and market or festival spaces for public use.
2. To provide infrastructure, such as streets, sidewalks, and lighting consistent with the Master Plan.
3. To promote the goals and objectives of the Master Plan.

Planned Development Unit Site Plan

A site plan shall be required. The term "Planned Unit Development" shall be placed in the title block. At a minimum, all site plans shall contain the following material:

1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer
2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage
3. Parcel Identification Number (PIN) and 911 address for the property
4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way
5. Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated
6. Location, number, and type of parking spaces
7. Location and size of buffer and landscape areas
8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps
9. Location of adjacent properties and the zoning of adjacent properties
10. The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property
11. Number of stories and overall height from grade of all structures existing and proposed

12. Location of proposed stormwater facilities;

13. Phasing schedule (if applicable),

14. Location of fire hydrants,

15. Erosion control measures,

16. Water and/or sewer locations and;

17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Planning Administrator.

Density

A Planned Unit Development may permit densities or lot sizes that are different from the applicable zoning district. This may be achieved through clustering of lots. A PUD may also permit the mixing of land uses that would not otherwise be permitted.

A Cluster Subdivision shall not contain more lots than a conventional subdivision would allow.

Utilities

Planned Unit Developments must have access to public water and sewer connections. All electric, cable, and other utilities shall be underground in a planned development. In proposed cluster subdivisions where public water and/or sewer are not available and some or all of the proposed lots are smaller than the minimum lot size, each proposed lot shall be provided safe and adequate water and sewer service.

Minimum Lot Area

The minimum lot area required to establish a Planned Unit Development shall be 2 acres.

The area of individual lots for building sites may be reduced by up to 60 % provided:

(a) Common areas for preservation, recreation and/or open space are provided in an amount equivalent to the total reduction in lot size. Common areas shall not be less than 20%of the development's total acreage.

(b) The common area can be used for a well and septic system.

Open space for recreation is required in a Planned Unit Development for residential uses. The amount of open space shall be based on the number of units in the development.

Commercial Building Design Requirements

All commercial construction shall meet the minimum standards set forth in **Article 5, Commercial Design Standards** for building, off-street parking, landscaping, screening, and outdoor lighting.

5.8 Commerical Recreation Vehicle Parks and Campgrounds

The special provisions for recreation vehicle parks are designed to encourage the compatibility of these parks with surrounding land uses, maintain a safe and healthy atmosphere, minimize adverse environmental impacts, promote quality design for the traveling public, and stabilize demand on local public services in the County. Group Campgrounds and Recreational Vehicle Parks must meet the following guidelines.

(a) Recreation vehicle parks shall be used only by travel trailers, park models, pick-up coaches, motor homes, camping trailers, other vehicular accommodations and tents suitable for temporary habitation and used for travel, vacation and recreation purposes. In addition, cabins and bunkhouses constructed to International Building Code are permitted.

(b) In order to provide for public safety, the use of recreation vehicle parks and campgrounds for permanent habitation is deemed unlawful. Recreation vehicles and tents are not designed nor constructed for such purpose.

(c) Campground and recreation vehicle park operators shall provide proof of the temporary nature of users upon regular review by the Zoning Administrator or his/her designee.

A site-built dwelling constructed to International Building Code standards may be used as a permanent dwelling for the campground operator.

Site Plan Approval

In addition to any general site plan requirements, the site plan shall include the following information:

1. location and dimension of each recreation vehicle site or group camp site
2. designation of primitive camping areas and number of sites
3. location and use of all service and recreational facilities

4. all interior access ways.
5. location of all proposed facilities for sanitation and solid waste
6. fire prevention measures

Area and Site Requirements

(a) The park area shall be no less than three (3) acres.

(b) There shall be no more than twelve (12) sites per acre.

(c) Each recreation vehicle site shall be at least three thousand (3,000) square feet in area.

(a) Each site shall contain a stabilized recreational vehicular parking pad. The pad must consist of packed gravel, asphalt paving, concrete, or other suitable material. The pad shall not exceed ten (10) feet in width and 40-45 feet in length.

(b) A single wooden patio/deck is allowed on individual sites and shall be built to NC State Building Code and the ADA Accessibility Code. The size of deck shall be as follows:

a. Decks shall have a maximum overall size of four hundred fifty (450) square feet.
b. The overall size shall include any ramps and/or steps. No deck shall exceed fifteen (15) feet in width.
c. Deck height should be as close to the ground as feasibly possible. If a portion of a deck must be raised to accommodate an uneven grade, lattice must be utilized in all open areas below floor level which exceed 18 inches in height. Rails may only be allowed if the Building Code and/or Accessibility Code require them. All portions of a deck must meet the required interior yard setbacks.

Example of Horizontal Slats

Carports are not an allowed use on individual RV sites and shall not be used as covers for RVs (see examples below)

Minimum Setback and Yard Requirements

(a) Permanent facilities and structures shall be setback forty-five (45) feet from a public right-of-way or external property line.

(b) Recreation vehicle sites, campsites, and common outdoor recreation areas shall be setback one hundred (100) feet from any external property line.

(c) All other interior yard setback requirements shall be ten (10) feet.

Screening

(a) Recreation vehicle parks shall be enclosed by a solid opaque fence, wall, landscape screening, earth mounds, or other approved designs. The park shall be screened from all surrounding residential areas in a manner that will complement the landscape and assure compatibility with the adjacent environment.

(b) Large trash receptacles, pump-out facilities, dumping stations, and maintenance areas shall be screened from public view.

Public Street Access

(a) No recreation vehicle space within a recreational vehicle park site shall directly access a public road.

(b) Access to all recreation vehicle and accessory structures within the park shall be made using internal streets.

(c) A driveway permit must be obtained from the North Carolina Department of Transportation.

Internal Streets

(a) Internal streets shall be twenty (20) feet wide and contain a minimum depth of six (6) inches of stone or gravel base with proper ditching, drainage, and seeding of slopes.

(b) One-way street design is permitted but shall be approved by the Fire Marshall.

(c) Permanent dead-end streets shall have a cul-de-sac forty (40) feet in diameter or provide a turn-around designed for emergency vehicles within one hundred (100) feet of the end of the street.

(d) The owner/operator shall have the roads designed by a practicing engineer licensed in the State of North Carolina.

(e) The owner/operator shall be responsible for the maintenance of the internal roads to an all-weather surface condition.

Parking

Adequate off-street parking and maneuvering space shall be provided on-site. The use of internal streets, sidewalks, rights-of-way, or any other private grounds for parking or maneuvering of recreational vehicle parks is prohibited.

Accessory Uses

Management headquarters, manager's residence, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, stores and the uses and structures customarily incidental to operations of a recreation vehicle park are permitted as accessory uses to the park, subject to the following restrictions:

(a) Such establishments (excluding recreational facilities) and the parking areas primarily related to their operations shall not occupy more than ten (10) percent of the gross area of the park.

(b) The structures housing such facilities shall not be located closer than one hundred (100) feet of any public street and shall not be directly accessible from any public street but shall be accessible only from a street within the park.

(c) Such structures containing toilets, bathhouses and other plumbing fixtures shall adhere to all International Building Code and Environmental Health requirements.

Special Events Grounds shall be subject to the following requirements:

General requirements

A site plan shall be required. At a minimum, all site plans shall contain the following material:

1 Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer,

2 Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage

3 Parcel Identification Number (PIN) and 911 address for the property

4 Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way

5 Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated,

6 Location, number, and type of parking spaces

7 Location and size of buffer and landscape areas

8 Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps

9 Location of adjacent properties and the zoning of adjacent properties

10 The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property.

11 Number of stories and overall height from grade of all structures existing and proposed

12 Location of proposed stormwater facilities

13 Phasing schedule (if applicable)

14 Location of fire hydrants

15 Erosion control measures

16 Water and/or sewer locations and

17 Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Planning Administrator.

As well as all information deemed necessary by the Zoning Administrator or Health Director in order to determine compliance with Burke County Ordinances
and to protect health, welfare, and safety of the public using the facility, the environment, and neighboring properties.

1. The special events grounds shall comply with specific requirements of the proposed uses established in this ordinance. Where a conflict exists between uses, the stricter requirement shall apply.

2. The Board of Adjustment may require additional conditions of approval during the conditional use permit process.

Specific Requirements for Special Events Grounds

A Plan of Operation shall be submitted containing the following information as applicable for each scheduled event. The Plan of Operation shall be submitted at least fifteen (15) days prior to the event.

1. The proposed use of the land, building, and/or structures.
2. Activities to occur both inside and outside all principle and accessory structures.
3. The frequency and duration of all activities, including the season, days, and hours of operation.
4. The total number of employees and number of employees in the largest shift.
5. The total number of customers.
6. The total number of vendors.
7. Signage (temporary, directional, and permanent)
8. The number, size, and type of all vehicles associated with the use.
9. Number of vehicle trips or Traffic Impact Analysis.
10. The expected starting and completion dates of construction.

The purpose of this section is to protect human health, safety, and general welfare by regulating the establishment and operation of outdoor shooting range facilities. Such uses, due to their potential noise impacts and safety concerns, merit careful review to minimize adverse effects on adjoining properties.

1. The use of firearms shall be limited to the hours of 9:00 am and 5:00 pm or as determined by the Board of Adjustment through the special use process.

2. The use must not be located within 1,350 feet of any residence. However, the residence of the owner may be located within 1,350 feet of the shooting range.

3. A development plan shall identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based upon qualified expert documentation regarding the trajectory of the bullet and the design effectiveness of berms or other safety barriers to contain projectiles to the Safety Fan.

4. The firing range, including the entire Safety Fan, shall be enclosed with a six foot (6') high non-climbable fence to prevent unauthorized entry into the area.

5. The firing range must meet all applicable State and Federal regulations.

Site Plan Requirements

A site plan shall be required. At a minimum, all site plans shall contain the following material:

1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer

2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage

3. Parcel Identification Number (PIN) and 911 address for the property

4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way

5. Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated

6. Location, number, and type of parking spaces

7. Location and size of buffer and landscape areas
8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps
9. Location of adjacent properties and the zoning of adjacent properties
10. The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property
11. Number of stories and overall height from grade of all structures existing and proposed
12. Location of proposed stormwater facilities
13. Phasing schedule (if applicable)
14. Location of fire hydrants
15. Erosion control measures
16. Water and/or sewer locations and
17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Planning Administrator

In addition to any general site plan requirements, the site plan shall include the following information:

1. Complete layout of each range, including shooting stations or firing lines, target areas, safety fans, backstops, berms and baffles
2. Setback of one thousand three hundred fifty (1,350) feet from any residence

5.11 Race Tracks (Commercial)

Racetracks (shall also include Go-Cart Tracks) shall be subject to the following requirements:

1. Minimum lot size shall be fifty (50) acres.
2. Hours of operation shall be between sunrise and 11:00 p.m.
3. All outdoor lighting shall be turned off between 11:00 p.m. and sunrise, except lighting used for walkways, roads, parking lots, and security. In these cases, fully shielded lights must be used. Lighting should not shine into the sky or onto neighboring properties.

4. The lot will have access to an arterial street.

5. The property shall be screened in accordance with **(Article 5, Buffer/Screening Requirements)** of this zoning ordinance.

6. The track surface shall be maintained so as not to create dust.

7. A fence with a minimum height of eight (8) feet shall be maintained around the track to keep spectators from entering the track.

5.12 Kennel

The purpose of the following Kennel requirements is to ensure the humane care and treatment of animals and protect public health and safety. All "commercial" Kennels shall be subject to the following requirements:

1. Kennels must be approved and permitted as outlined in this ordinance prior to being established.

2. A site plan shall be required. At a minimum, all site plans shall contain the following material:

    1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer
    2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage
    3. Parcel Identification Number (PIN) and 911 address for the property
    4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way
    5. Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated
    6. Location, number, and type of parking spaces
    7. Location and size of buffer and landscape areas
    8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps
    9. Location of adjacent properties and the zoning of adjacent properties
    10. The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property
    11. Number of stories and overall height from grade of all structures existing and proposed

12. Location of proposed stormwater facilities
13. Phasing schedule (if applicable)
14. Location of fire hydrants
15. Erosion control measures
16. Water and/or sewer locations and
17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Planning Administrator

3. All buildings, and shelters housing animals must be fully enclosed and shall be located at least one hundred (100) feet from property lines. Within the R-MU zoning district Kennels with outdoor exercise runs shall be located at least one hundred fifty (150) feet from property lines. All outdoor exercise runs shall be enclosed by a fence. Fencing shall consist of durable materials with a minimum height that shall deter all contained animals from escaping over, under, or through the fence.

4. In addition to the standards set forth in this section, all kennels must be compliant with the North Carolina General Statutes, the Burke County Animal Control Ordinance, and all applicable Burke County Zoning, Code Enforcement, and Environmental Health regulations.

5. Kennels are subject to inspection during normal county operating hours by officers or representatives of Burke County Animal Control, Zoning, Code Enforcement and Environmental Health or as determined by the Special Use Permit process.

5.13 Crematory

Crematories and crematoriums shall be subject to the following requirements:

1. All crematories shall have a licensed crematory manager on staff and obtain and keep in affect all other licenses required under the North Carolina Crematory Act.
2. The crematory must comply and remain in compliance with all applicable public health and environmental laws and rules.
3. A crematory must contain and properly maintain all equipment and meet the standards established by the North Carolina Crematory Act and any additional rules and regulations issued by the North Carolina Board of Funeral Services.
4. Shall be operated entirely within a structure built to the North Carolina Building Code.
5. Crematories shall have a buffer or privacy fence to visually screen material and equipment storage areas from adjoining residential property.

A buffer strip shall consist of a solid continuous planted strip at least fifteen (15) feet in width composed of dense evergreen trees at a minimum height of five (5) feet at initial planting. Where fences and/or retaining walls are required, or allowed in lieu of a buffer strip, the fence/wall shall be at least seven (7) feet in height at the original elevation of the property line. (For more information see **Article 5, Buffering/screening Requirements**).

6. No noise, vibration, smoke, dust, odors, heat or glare should be noticeable at or beyond any property line.

7. When permitted as an accessory use, the primary use shall be a use commonly associated with the disposal of deceased humans and/or animals such as funeral homes, hospitals, animal hospitals, or animal shelters.

5.14 Barge Loading Area

A barge loading area is a temporary use during on-site or nearby shoreline construction activity. Barge loading areas shall be subject to the following requirements:

1. The maximum area of disturbance shall not exceed one (1) acre in size, or more than 125 linear feet of shoreline.
2. Shall be in compliance with Duke Energy's shoreline management plan.
3. Shall be sited and designed to minimize any environmental and wildlife impact. All buffer areas disturbed during time of use shall be completely replanted and restored at the end of construction activities. All buffer areas shall be replanted and restored to a natural densely vegetative state.
4. Shall not be used at any time for the mooring of watercraft not directly involved with shoreline stabilization activities.
5. Any erosion issues associated with the site are to be addressed immediately by the property owner
6. Shall not be located within a half shoreline mile of another barge loading area.
7. Barge loading areas shall have a buffer or privacy fence to visually screen material and equipment storage areas from adjacent properties.

A buffer strip shall consist of a solid continuous planted strip at least fifteen (15) feet in width composed of dense evergreen trees at a minimum height of five (5) feet at initial planting.

8. Inert debris material shall be properly disposed of and removed from sight with in fourteen (14) days.
9. The container/storage bin cannot exceed fifteen (15) feet in height and debris mater

ial shall not exceed the height of the container/storage bin.

Site Inspection and Permitting

A site plan shall be required. At a minimum, all site plans shall contain the following material:

1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer
2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage
3. Parcel Identification Number (PIN) and 911 address for the property
4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way
5. Dimensions of footprint and setbacks of the existing and proposed structures with gross floor area indicated
6. Location, number, and type of parking spaces
7. Location and size of buffer and landscape areas
8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps
9. Location of adjacent properties and the zoning of adjacent properties
10. The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property
11. Number of stories and overall height from grade of all structures existing and proposed
12. Location of proposed stormwater facilities
13. Phasing schedule (if applicable)
14. Location of fire hydrants
15. Erosion control measures
16. Water and/or sewer locations and
17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the

5.15 Land Clearing and Inert Debris Land Fills

Land clearing and inert debris landfills shall be subject to the following requirements:

1. All land clearing and inert debris landfills shall be no more than two (2) acres in size. The land clearing inert debris land fill must be identified on a survey map drawn by a registered architect, engineer, landscape architect, or land surveyor licensed in the State of North Carolina.
2. If applicable the land clearing inert debris landfill must be properly permitted through the N.C. Department of Environment and Natural Resources and/or other applicable state and federal agencies and recorded in the Burke County Register of Deeds Office.
3. Shall pose no known public or environmental hazard.
4. Any permit issued for a land clearing inert debris land fill must be renewed annually and inspected for compliance.
5. If allowed by a special use permit, the land clearing and inert debris landfill must meet any other specific criteria deemed necessary by the Board of Adjustment to alleviate any incompatibility with surrounding land uses.

5.16 Winery, Brewery, and Distillery

Wineries, breweries, and distilleries shall be subject to the following requirements:

a. These regulations apply to non-farm wineries, breweries, and distilleries.
b. The winery, brewery, or distillery shall meet all other applicable standards for Industrial uses.
c. The winery, brewery, or distillery building(s) is allowed as a principal structure.
d. A winery or brewery may include one or more accessory uses such as a tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other uses incidental to the winery/brewery and open and accessible to the public upon the appropriate permit under general statutes.
e. Storage of materials used in the manufacturing, processing and for distribution shall be located entirely within the building.
f. Shall be designed so that all newly constructed loading and unloading facilities are internal to the site, in service alleys or at the back of the building.
g. The sides and rear yard setback requirement shall be increased to thirty-five (35) feet.

Intent

The purpose of the following communication tower requirements is to promote and to protect public health, welfare, and safety by regulating existing and proposed communication towers. The requirements are intended to provide the community
access to technology for wireless communication.

Alternative Structures/Co-Location

It is the policy of Burke County that the visual impact of telecommunications towers and/or antenna should be minimized through the use, where feasible, of alternative tower structures. If alternative tower structures are not available or it is technically or economically not feasible to use an alternative tower structure, then the joint or multiple use of a single tower in less objectionable locations by different communication companies (co-location) should be and is encouraged to minimize the need to construct new towers and to minimize the overall number of towers throughout the County. This section is intended to implement that policy.

1. The following alternative tower structures and uses may be approved by the Zoning Administrator after conducting an administrative review:

    a. Installing an antenna on an existing structure other than a tower (such as a building, sign, utility pole, water tower or other free-standing, nonresidential structure) that is greater or less than fifty (50) feet in height, so long as such addition does not add more than twenty (20) feet to the height of the existing structure.

Examples of Alternate Tower Structures

2. Any additional buildings or equipment shall be screened in accordance with the following buffering/screening requirements:

    1. The base of the tower, any guy wires, and any associated structures, walls, or fences shall be surrounded by a landscaped buffer. The site developer may have the option of:

        a. providing a buffer around the tower base and associated items individually or;

        b. providing a buffer around the perimeter of the entire site.

    2. A ten (10) foot buffer shall be provided between the tower and the property boundary except in residentially zoned properties. In all residential zones, the buffer shall be a minimum of twenty-five (25) feet in width.

    3. Plantings shall consist of deciduous or evergreen trees and evergreen shrubs. Trees shall be planted along the full length of the buffer strip in a triangular pattern with a maximum spacing of twenty-five (25) feet on centers. The minimum height at planting for trees shall be six (6) feet, and they shall have an expected minimum maturity height of thirty-five (35) feet under normal growing conditions. There shall also be one row of dense shrubs, spaced not more than eight (8) feet on centers. Shrubs shall be a minimum of two feet high at planting and shall have a minimum expected maturity height of eight feet under normal growing conditions. It is the intent of this section to encourage the use of existing vegetation in whole or in part to substantially meet this requirement.

Communication Towers

General Requirements

Communication towers shall be subject to the following general requirements:

1. Towers shall not interfere with normal radio and television reception in the vicinity.

2. Commercial messages shall not be displayed on any tower. Violations shall be considered zoning violations and shall be corrected under the enforcement provisions.

3. Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.

4. Towers or co-locations shall be constructed and maintained in conformance with a structural analysis report.

5. To protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide documentation indicating that the power output levels do not exceed federally approved levels.

6. Towers seventy-five (75) feet or more in height require a Special Use Permit granted by the Board of Adjustment. The Board of Adjustment may consider variances up to ten (10 %) percent of the setback requirements for such towers as a part of the Special Use Permit approval.

7. To encourage shared use of towers:

   a. No new tower shall be located within one (1) mile of an existing tower.

   b. The Board of Adjustment may allow a tower to be placed within one (1) mile of an existing tower upon being presented written documentation that appropriate space on the tower is not available,

   c. The new sponsor has made good faith efforts to negotiate an agreement with the owner of the current tower, or

   d. Equipment currently on the tower is not compatible with the proposed equipment.

   If the petitioner cannot locate on an existing tower and a new tower has to be constructed, the height of the tower cannot exceed two-hundred (200) feet. The new tower cannot be located closer than one (1) mile from an existing tower.

8. All new towers shall be constructed to be able to accommodate at least two (2) or more users so that future co-location will be available. In addition, reasonable accommodation for public service uses is also suggested.

Site Plan Requirements

A Site Plan shall be required. The following information must be supplied with the site plan or building permit application for towers that are seventy-five (75) feet in height or more prior to any approval:

1. Identification of the intended user(s) of the tower.

2. Documentation provided by a registered engineer that the tower has sufficient structural integrity to accommodate more than one user.

3. Documentation by the applicant that no suitable existing facilities within the coverage area are available to the applicant.

4. A statement indicating the owner's intent to allow shared use of the tower and how many other users can be accommodated.

Dimensional Requirements

Communication towers shall be subject to the following dimensional requirements:

1. On top of structures: Towers may not be located on top of residential structures in any residential district.

2. Setbacks: Towers located on the ground or top of a tower accessory structure:

   a. If the tower is more than seventy-five (75) feet high and adjacent to, inside of, or separated by a public right of way from property that is residentially zoned or used, the setback shall be one (1) foot for every foot in height. If the tower is more than seventy-five (75) feet in height and adjacent to, inside of, or separated by a public right of way from nonresidential property, the setbacks shall be one (1) foot for every two (2) feet in height.

   b. To encourage shared use of towers, applications for towers which will operate with more than one user immediately upon completion may reduce setbacks from adjacent nonresidential property. The setback from adjacent nonresidential property may be reduced by twenty-five (25%) percent when two users commit to occupy the tower immediately upon its completion or reduced by fifty (50%) percent when three or more users commit to occupy the tower immediately upon its completion. However, the required setback distance may not be reduced to less than fifty (50) feet. The reductions do not apply if the tower adjoins a residential zone on any side.

   c. No setbacks shall be required if the tower is to be located on an existing structure.

Residential Requirements

Towers (with the exception of concealed towers) in residential districts shall conform to the following setbacks:

1. Towers seventy-five (75) feet or more in height may be permitted subject to the issuance of a Conditional Use Permit. A tower shall have a setback from all property lines that is in compliance with dimensional requirements of this section.

2. To prevent a clear view of the base of the tower, the setback shall contain an established forested area with a depth of at least one hundred (100) feet. When the one hundred (100) foot forested area requirement cannot be met, a natural buffer shall be provided as required in the buffer requirements listed below. During the Special Use Permit process the Board of Adjustment may reduce the setback adjacent to nonresidential property upon consideration of circumstances which reduce the offsite effects of the tower such as topography, berms, the proximity of other existing or potential uses, and existing vegetation and improvements made to the site to obscure or reduce the visibility of the tower. The Board of Adjustment shall not reduce the required setback from adjacent property which has residential use.

3. No outdoor storage yards shall be allowed on tower sites.

Buffers

1. The base of the tower, any guy wires, and any associated structures, walls, or fences shall be surrounded by a landscaped buffer. The site developer may have the option of:

   a. providing a buffer around the tower base and associated items individually or;
   b. providing a buffer around the perimeter of the entire site.

2. A ten (10) foot buffer shall be provided between the tower and the property boundary except in residentially zoned properties. In all residential zones, the buffer shall be a minimum of twenty-five (25) feet in width.

3. Plantings shall consist of deciduous or evergreen trees and evergreen shrubs. Trees shall be planted along the full length of the buffer strip in a triangular pattern with a maximum spacing of twenty-five (25) feet on centers. The minimum height at planting for trees shall be six feet, and they shall have an expected minimum maturity height of thirty-five (35) feet under normal growing conditions. There shall also be one row of dense shrubs, spaced not more than eight feet on centers. Shrubs shall be a minimum of two feet high at planting and shall have a minimum expected maturity height of eight feet under normal growing conditions. It is the intent of this section to encourage the use of existing vegetation in whole or in part to substantially meet this requirement.

Requirements for Special Use Permits for Telecommunication Towers and Equipment

1. When considering a Special Use Permit request, the Board of Adjustment shall not be required to make a determination of the electromagnetic field (EMF) effects of the tower on the health of the public.

2. All property owners within a one thousand five hundred (1,500) foot radius and/or adjoining the property where the tower is proposed shall be notified, in writing, of the public meetings at which the application will be considered.

3. The tower oner shall inform the County when a tower exists to be used for six (6) months or more.

4. The tower shall meet all other applicable supplementary requirements.

Example of Monopole Tower

Communication Towers in the Scenic Overlay District

Communications towers locating in the Scenic Overlay District shall use stealth design alternatives in order to conceal the tower from views in and out of the site. In no case shall a tower utilizing "lattice" design, or a lighted tower be approved for construction within the Scenic Overlay District.

Example of Stealth Design

Example of Lattice Design

Expansion of Towers

All communication tower expansions must meet the following requirements:

a. Site plan required identifying the leased property area.

b. Must provide a structural analysis report certified by a licensed engineer.

c. Installing an antenna on an existing tower including a pre-existing tower and further including the placement of additional buildings or other support equipment used in connection with said antenna, so long as the addition of said antenna not to exceed the 200 foot height of said existing tower.

Replacing Existing Towers

Replacement for all existing towers, including non-conforming towers, must meet the requirements of this article.

Removal of Towers

Towers that are not used for a period of six (6) months or more shall be removed by the owner within one hundred eighty (180) days after receiving notice from the County to remove the tower. To assure the removal of towers that do not meet requirements for use or maintenance, this section serves as notice that the County may remove said tower and may file a lien collectable as taxes against the property.

5.18 Public Utility Facilities

Public utility facilities in residential zoning districts shall be subject to the following requirements:

1. The facility shall be essential to the service of the immediate area and no vehicles shall be stored outside on the premises.

2. No offices shall be permitted.

3. All buildings shall meet the setback requirements and shall be designed and landscaped to blend in with the surrounding area.

4. All dangerous apparatus shall be enclosed by a chain link fence at least seven (7) feet in height.

5. Public Utility Facilities shall have a buffer or privacy fence to visually screen material and equipment storage areas from adjoining residential property.

   A buffer strip shall consist of a solid continuous planted strip at least fifteen (15) feet in width composed of dense evergreen trees at a minimum height of five (5) feet at initial planting. Where fences and/or retaining walls are required, or allowed in lieu of a buffer strip, the fence/wall shall be at least seven (7) feet in height at the original elevation of the property line. (For more information see Article 5, Buffering/screening Requirements).

   Exceptions to this secton include serving terminal pedestals, D posts, and underground transformers.

D Post

Underground Transformer

5.19 Advertising Signs and Structures

The following sign requirements are intended to protect property values, create a more attractive economic and business climate and enhance and protect the scenic and natural beauty of designated areas. It is also intended to reduce sign or advertising distractions and obstructions that may be caused by signs overhanging or projecting over public rights-of-way. These requirements are further intended to provide more open space, curb the deterioration of the natural environment, and enhance community development.

1. All signs, whether permanent or temporary, shall comply with the County Building Code; North Carolina General Statutes, and **Article 6, Scenic Overlay District (Signs)** of this ordinance; and any regulations established by the North Carolina Department of Transportation. In the event of conflicting laws or regulations, the most restrictive standard shall prevail.
2. For the purpose of computing sign area, only one side of a "V-Type" or double-faced sign shall be considered.
3. Front yard setback requirements shall not apply to any sign except off-site outdoor advertising signs. However, no sign shall be located in any way that would block the view of oncoming traffic.
4. All signs shall be subject to the same side yard and height limitations imposed upon other buildings or structures, unless otherwise stated within this ordinance.

5. Signs shall only be illuminated by indirect lighting (see example below).

6. No sign or sign structure shall be erected which is prohibited under North Carolina General Statutes.

7. In computing the sign area for shopping centers and complexes, each individual business or industrial operation shall be considered a separate calculation. Signs that identify shopping center complexes are not included in the computation.

Signs Exempt from a Zoning Permit

The following signs are allowed anywhere within the County and shall be exempt from zoning permits:

1. Real estate signs advertising sale, rental, or lease of the land or building upon which signs are located, provided that:

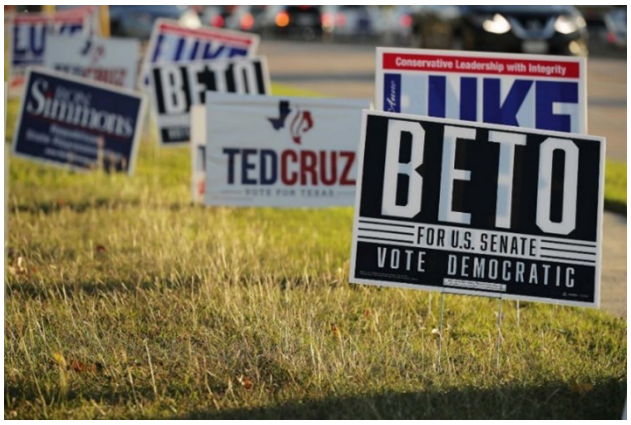
   a. On a residential property, no sign shall be larger than four (4) square feet and no more than two (2) signs shall be located on any single lot.

b. On commercial property, no sign shall be larger than thirty-two (32) square feet and no more than three (3) signs shall be located on any single lot.

c. On industrial property, no sign shall be larger than ninety-six (96 square feet and no more than three (3) signs shall be located any single lot).

2. Signs located on the premises relating to active construction projects not exceeding sixty-four (64) square feet. Signs must be removed when construction stops;

3. Political signs may be erected sixty (60) days prior to the election and removed promptly sixty (60) days afterward and shall not exceed sixteen (16) square feet (see example below);



All other temporary signs such as yard sale and estate sale signs shall be erected no more than two (2) days prior to the event and removed no later than two (2) days after the event.

4. Signs erected upon property warning the public against hunting, fishing or trespassing. The sign shall not exceed four (4) feet (see example below);

5. Traffic or other public signs and notices posted or erected by or at the direction of a governmental agency, provided such signs and notices meet all applicable state and federal laws and regulations;

Signs That Require a Zoning Permit

The following signs shall require a zoning permit in accordance with the following provisions:

1. As a use-by-right, the Zoning Administrator shall issue a zoning permit for the following signs:

   a. On agricultural, commercial, and industrial properties advertising signs and structures exceeding the maximum requirements for s**igns exempt from a zoning permit**, provided the sign does not exceed one hundred (100) square feet in sign area.

2. As a special use, a zoning permit may be issued for the following signs as approved by the Board of Adjustment:

   a. All signs not exempt from a zoning permit and not allowed as a use-by-right; and

   b. All on-site signs exceeding one hundred (100) square feet and all off-site signs exceeding five hundred (500) square feet

3. One (1) on-site or bulletin board indicating the name of a church, institution, or civic association not exceeding one hundred (100) square feet in area shall be allowed on the premises of public or semi-private facilities;

4. One identification sign shall be allowed at the main entrance or entrances to a residen tial subdivision or planned unit development project provided that the sign shall not exceed one hundred (100) square feet. The sign shall be designed to be in the public interest and shall make no reference

to the sale or lease of the lots or houses located within the subdivision. Two signs may be allowed if the signs do not exceed one hundred (100) square feet in total area;

5. Directional signs for institutional uses shall not exceed four (4) square feet, shall be within one (1) mile of the institutional use, and shall meet all applicable state laws and regulations;

6. One (1) on-site sign relating to a home occupation is allowed provided that the sign shall not exceed four (4) square feet;

7. On-site signs erected on any farm by the owner or lessee of the farm, and relating solely to farm, produce, merchandise, services sold, produced, manufactured or furnished on the farm, provided the signs do not exceed a total of one hundred (100) square feet of sign area;

8. One (1) sign shall be allowed for each residential subdivision or planned unit development project relating to the sale of property within the subdivision or project, provided the sign shall not exceed thirty-two (32) square feet per sign area. The sign shall not be illuminated, and shall be maintained at the developer's expense. A second sign shall be permitted where there is another main entrance to the subdivision or planned unit development;

9. Signage for shopping centers shall not exceed a total of five hundred (500) square feet and the sign structure shall not exceed the height limitation of thirty-five (35) feet;

10. In multi-family developments, one (1) on-site sign for identifying the multi-family development is allowed, provided that the sign shall not exceed one hundred (100) square feet in area. The sign shall indicate nothing other than the name, address, and phone number of the premises and may only be illuminated by indirect illumination;

11. On-site commercial and industrial advertising signs securely attached to the place of business or industrial operation, and on-site commercial and industrial outdoor advertising sign structure(s), neither exceeding a total of two hundred (200) square feet of sign per business or industrial operation.

Off-Site Outdoor Advertising Signs

1. Commercial off-site outdoor advertising signs are only allowed on non-residential property within the general business and industrial use districts. The front yard setback shall be twenty-five (25) feet for signs that exceed twenty-four (24) square feet in size. Signs less than twenty-four (24) square feet shall not be located within the right-of-way.

2. Billboard off-site outdoor advertising signs shall not exceed five hundred (500) square feet in sign area.

Maintenance and Removal of Signs

1. All signs and sign structures shall be kept in good repair.

2. Signs which are no longer functional, or are abandoned, shall be repaired, removed, or relocated, at the land owner's expense, within sixty (60) days following a written notification from the Zoning Administrator.

3. Any non-conforming sign or sign structure shall be permitted to continue without alteration in size or location, provided that it meets the requirements for non-conforming structures as described in **Article 8, Section 8.24.**

Fences

A fence or retaining wall in any residential use district may be erected provided the wall or fence does not exceed eight (8) feet in height. For retaining walls, the height limitations specified in this ordinance shall apply only to the height above the top of the soil retained by such wall.

Fencing and retaining walls shall be maintained in a safe condition and shall be kept in good repair. All fences shall be uniform in construction and painted or stained with natural earth tone colors, or specially treated for protection from the weather.

Any retaining wall over 48 inches in height shall require a building permit (see example below).

Fences and retaining walls shall contain no writing, graffiti, murals or secondary Messages.

Fences, or retaining walls are required whenever a non-residential use, abuts an established residential use or residential zoning.

Fences in Residential Use Districts.

Fences or retaining walls in any residential use district, may be erected provided the wall or fence does not exceed eight (8) feet in height. For retaining walls, the height limitations specified in this ordinance shall apply only to the height above the top of the soil retained by such wall.

Any fence or retaining wall placed in the front yard must be outside of any rights-of-way or easements.

Administrative Requirements.

Each application for a zoning permit or certificate of occupancy shall include the location and type of buffer strip, fence, or retaining wall to be erected.

Article 6.0 Non-Resiedntial Design Standards

6.1 Non-Residential Building Design Standards

Intent

New development shall meet high-quality design standards while permitting diversity in style and ability to define a unique character based on the natural and architectural characteristics of the surrounding area. The flexibility in design seeks to promote innovative and well-planned development that protects and is consistent with the surrounding natural, cultural, and historical resources.

Massing and Scale of Buildings

There are techniques that can be used to reduce the perceived size of a building (see guidelines below):

1. The use of a large single building mass should be avoided. Use a variation of materials, textures, patterns, colors, and details to break down the mass and scale of the building.

2. The use of flat front facades is not permitted.

3. Use cornices, material changes, and pattern changes to reduce the apparent height of a large building

Building Setbacks

Front yard	40 Feet
Side yard	30 Feet
Rear yard	30 Feet

Minimum required non-residential building set-backs

Front yard	40 Feet
Side yard	35 Feet
Rear yard	30 Feet

Minimum required setbacks on corner lots with streets abutting two (2) sides

Building Height

Non-residential buildings that exceed thirty-five (35) feet in height require a special use permit.

Building orientation

Building orientation refers to the direction of front facades and prominent entrances.

a) When possible, buildings shall be sited so that their main entrances are facing the street on which they are located.

b) Primary customer entrances shall be clearly defined by distinct architectural elements. Each primary entrance shall include at least two (2) of the following features:

1. Raised cornice parapets over the entry
2. Pitched roof forms
3. Masonry, tile metal or glass inlays around the entrance
4. Display windows
5. Awnings or porticos

Examples of Architectural Elements

Building Facade

Unadorned blank walls visible from streets are not allowed and shall have at least two (2) architectural elements listed in Section 5.4 of this article.

a) Horizontal Front Façade Articulation

1. Facades of all buildings shall be divided using architectural elements such as awnings, cornices, and pitched roofs.

2. Any wall surface over forty feet in length should include a least one architectural change in the flat surface.

3. Larger buildings shall be divided into sections of twenty-five (25) to forty (40) foot widths. The sections may be articulated by a combination of pillars, piers or variation in color, texture and materials in the wall surface.

4. The addition of covered walkways and porches may also be used.

Roofs

Roofs shall adhere to the following guidelines:

a) Use roof forms that complement building design and contribute to human scale.

b) Development patterns shall avoid the excessive linear rooflines of a strip plaza.

c) If a shed or flat roof is used, a parapet wall shall be used on all sides of the building to screen the roof.

d) Roof access shall be provided internally whenever possible.

Roof Pitch

a) Flat roofs or roof pitches less than 3:12 shall include cornice trim along the tops of walls, roof line offsets, and/or the use of a parapet wall on all sides of the building to avoid the appearance of strip development and create a prominent edge and architectural interest when viewed against the sky.

b) Pitched roofs shall incorporate eaves that overhang the building wall by a minimum of twelve (12) inches.

Industrial uses are encouraged but not required to adhere to the Regulations mentioned above.

Site Plan Review

A site plan is required and shall be prepared by a registered architect, engineer, landscape architect, or land surveyor licensed to practice in the State of North Carolina. Please refer to **Article 7, Development Procedures for site plan requirements**.

Access Management

General

Access management is a process for providing access to the development of land, while preserving traffic flow on surrounding roadways in terms of safety, capacity, and speed.

This is achieved through managing location, design and operation of driveways, median openings, and street connections to a roadway. Additionally, access management may involve the use of auxiliary lanes, such as turn lanes or bypass lanes, to remove turning vehicles from through-traffic movement.

Location of Access Points

1. Driveways on existing or proposed State roads shall meet NC DOT standards.

2. The minimum distance between driveways on existing or proposed State Roads, thoroughfares, or major collectors is determined by NC DOT and must have NC DOT approval.

A Traffic Impact Study (TIS) shall be prepared and submitted by the developer of projects subject to the major site review process when recommended by the NC DOT District Engineer or the Board of Adjustment as necessary to protect the functional integrity of the affected roads or highways. The traffic impact study shall be prepared by a qualified transportation or traffic engineer shall follow NC DOT regulations.

Shared Access

Shared access between uses is allowed provided that the property owners enter into a contractual agreement for shared use and maintenance. When feasible, all access areas should be designed to allow connectivity to adjacent uses in order to promote efficient traffic flow. Doing so will reduce impacts associated with impervious surfaces. Internal areas between buildings in a development should incorporate shared parking areas.

Connected Interior Driveways and Parking

1. Interior driveways and parking areas shall be designed to provide safe and efficient circulation, in accordance with commonly accepted traffic engineering practices. Interior driveways and parking areas are subject to the review and approval of the site plan review committee.

2. Adjacent commercial developments with access to existing or proposed thoroughfares and major collectors shall connect interior parking and driveways. Where adjacent commercial property is vacant, sufficient provisions to connect to the properties shall be submitted.

3. Parcels with frontage on existing or proposed thoroughfares and major collectors shall also be required to reserve sufficient access to any adjacent properties with poor or non-existent access. These reserved areas for future roads shall be shown on the site plan at a location where, actual construction of the road would be practicable.

Channelization

Channelization, or the separation of conflicting traffic movements into well-defined paths of travel by traffic islands or significant pavement markings, shall be considered when a site access study is required. All developments with multiple tenants, parcels, and/or buildings subject to the major site plan review process shall provide for the installation of a median-type entranceway when located on proposed or existing thoroughfares and major collectors.

Signalization

Signalizations may be installed only after all other traffic improvements have been explored. Although traffic signals may reduce the frequency of turning conflicts, signals significantly disrupt efficient traffic flow.

1. All streets shall be designed, constructed, and maintained to NC DOT road standards.
2. A maintenance agreement is required for all private and public roads until the road(s) is accepted for public maintenance.
3. Multi-phase developments, road, parking, and access management improvements for initial phases must be completed prior to approval to begin construction on subsequent phases.

Off-Street Parking Standards

Parking

Parking areas should be designed in a manner to provide safe and efficient circulation of traffic and provide safe access ways for pedestrians to travel from vehicles to buildings.

Parking Design

a) Off-street parking shall be located on the same lot with the building that it is intended to serve.

b) No parking space shall be located more than three hundred (300) feet from a building entrance.

c) When practical, parking areas shall be located on the front side of the building. Parking may be located on the side or rear of the building when a development fronts on arterial roads and major or minor thoroughfares.

d) Parking areas shall be located no closer than ten (10) feet from a public right-of-way and twenty (20) feet from side and rear property lines.

e) Parking areas shall be designed so that vehicles do not back or encroach on to rights-of-ways, sidewalks, buffers, or other structures.

f) All parking spaces shall be clearly striped to facilitate an orderly parking arrangement.

g) Parking shall be designed to facilitate adequate access for emergency vehicles.

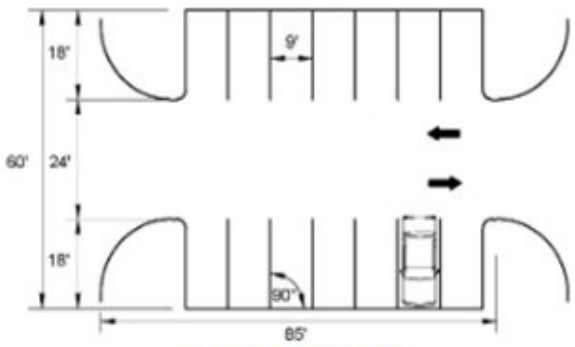
h) All lighting used to illuminate off-street parking areas shall conform to **Article 6, Section 29 Outdoor Lighting** of this ordinance.

i) All development required to provide off-street parking areas shall provide and maintain suitable landscaping as prescribed in this section.

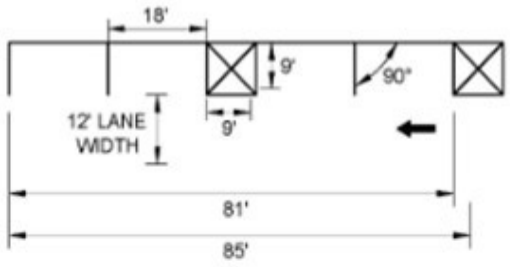
1 Purpose and Introduction
2 Definitions
3 Zoning Districts
4 Overlay Districts
5 Use Standards
6 Commercial Design
7 Development Procedures
8 Admin & Enforcement

Angle	Width	Depth	Width	
			One-way	Two-way
			Aisle	Aisle
0°	9 ft.	26 ft.	12 ft.	20 ft.
45°	9 ft.	18 ft.	12 ft.	24 ft.
60°	9 ft.	18 ft.	18 ft.	24 ft.
90°	9 ft.	18 ft.	18 ft.	24 ft.

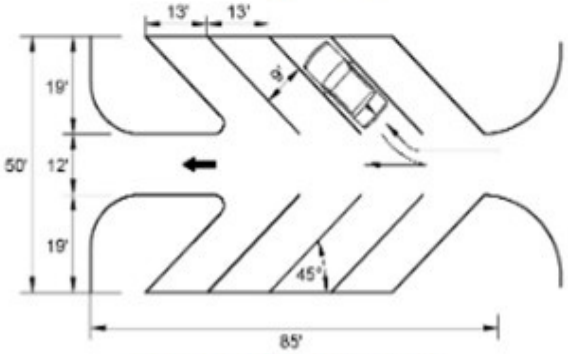
All parking spaces shall meet the following minimum dimensional requirements:



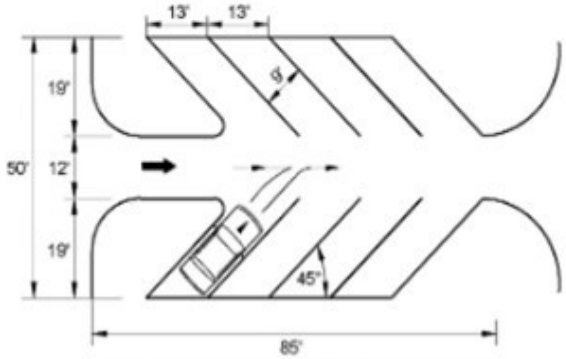
Two-way Aisle 90°



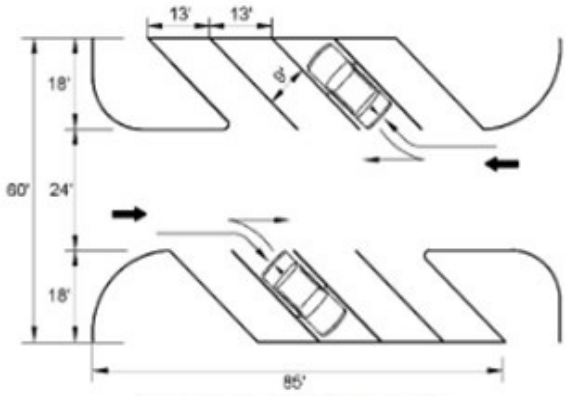
Typical 0° Parking



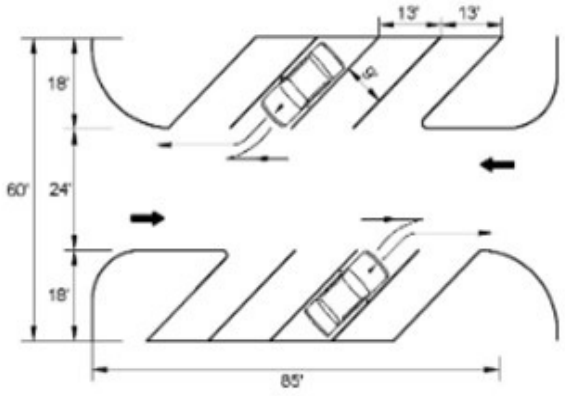
One-way Aisle 45 (Typical)



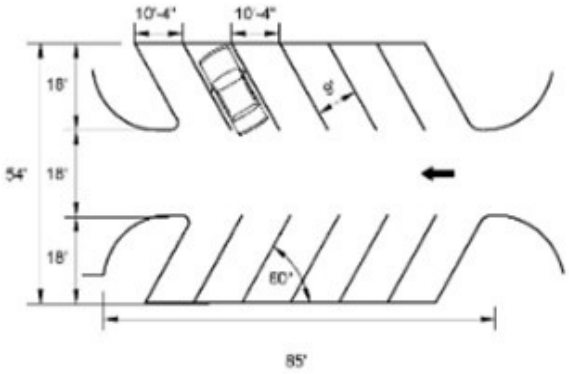
One-way Aisle 45° (Reverse Angle)



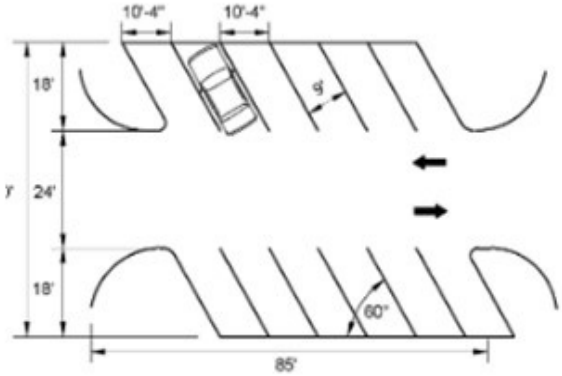
Two-way Aisle 45 (Typical)



Two-way Aisle 45° (Reverse Angle)



One-way Aisle 60°



Two-way Aisle 60°

Drive-through Lanes

Drive-through lanes shall be separate from routes or lanes used for ingress or egress from the property.

a) Drive-through lanes shall not utilize or obstruct access to parking spaces

b) Drive-through lanes shall have a minimum width of nine (9) feet.

c) Drive-through lanes shall be striped or otherwise distinctly marked.

Shared Parking

Shared parking between two (2) adjacent uses is allowed provided that the adjacent property owners enter into a contractual agreement for shared use. When feasible, all parking areas should be designed to allow connectivity to adjacent developments in order to promote efficient traffic flow and encourage shared parking areas. Doing so will reduce the use of

land for parking and development costs, and impacts associated with impervious surfaces. Internal areas between buildings in a development should incorporate shared parking areas.

Parking Construction

In order to provide a safe and suitable surface for the quantity and quality of traffic expected to use a development, parking areas shall be required to meet the following requirements:

1. Parking areas shall be paved with asphalt and concrete. Any alternative material proposed for use must be approved by the Zoning Administrator. (Examples) Gravel, stone, and exposed compacted soil are not approved hard surface (excludes special events grounds and racetracks).

2. Parking areas shall be designed and constructed to remove all surface water that accumulates in a manner that will not contribute to the erosion or sedimentation on the development site or off-site.

Required Parking

All parking areas shall meet the following minimum space requirement (where the table refers to employees, it means the maximum number on the premises at any one time. For example, two part-time employees whose hours do not overlap shall be counted as one worker for parking requirements. If the same two employee's hours do overlap, they shall be counted as two workers):

Minimum Spaces Required	
Use	**Minimum Number of Parking Spaces**
A. Residential	
Residential uses	2 for each dwelling unit
Accessory dwellings	1 per dwelling unit
Bed & Breakfast	2 + 1 per guest room
Home Occupations	Residential use requirement + 1 per employee
C. Industrial	
Industrial, warehousing, transportation	1 parking space per employee and 1 per company vehicle at peak shift
Brewery, Winery	1 per every 3 seats +1 per employee
Mini warehouse	1 per 4,000 sq ft of gross floor area

Scrapyards, Junkyards, salvage yards	1 parking space per employee + 1 per 5,000 sq ft of gross floor area + 1 per company vehicle
D. Retail	
Retail uses (unless otherwise specified	1 per 200 sq ft of gross floor area
Auto, truck, boat, recreation vehicle & motorcycle sales	3 spaces + 1 space per 400 sq ft of building gross floor area
Flea markets	1 per every 4 persons of max. capacity
Restaurants	5 spaces + 1 for every 3 seats
E. Entertainment/Recreation	
Recreation and entertainment uses (unless otherwise specified	1 per 150 sq ft of gross floor area or 1 per 4 persons of max. capacity
Campgrounds	2 per campsite
F. Services	
Personal services	1 per 150 sq ft of floor area
Banks	1 per 150 sq ft of gross floor area.
Beauty parlors or Barbershops	1 space per chair + 1 space per employee
Health club and facilities	1 per 300 sq ft + 1 per employee
G. Utilities	
Utility uses	1 parking space per employee and 1 per company vehicle at peak shift + 5 customer spaces
Communication towers	1 space + 1 space per service vehicle
I. Institution/Office	
Office and service uses (unless otherwise specified)	1 per 300 sq ft of gross floor area
Colleges, universities, technical college, and associated facilities	1 per employee + 1 per 2 students
Hospitals	1 per 400 sq ft of gross floor area of administrative area + 1 per bed
Hotels/Motels	1 space per room + 1 per employee at peak shift
Office/professional for doctors, dentists, or similar professions and out-patient clinics	1+ per 175 sq ft gross floor area
Religious institutions	1 per every 4 seats
Residential care facilities	1 space per 2 beds
Schools and associated facilities, elementary and middle (public & private)	1.5 per classroom
Schools and associated facilities, high (public & private)	10 per classroom

Accessible parking spaces for those with physical disabilities shall be designed and provided as part of the minimum of required parking spaces. Accessible spaces with a curb ramp or curb cut, when necessary to provide access to a building or structure shall be designed, constructed, and marked in accordance with the American's with Disabilities Act or other federal, state, and local laws.

The number of accessible parking spaces required is specified in the following table.

ACCESSIBLE PARKING SPACES	
Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20 + 1 for each 100 or fraction thereof, over 1,000

Loading/Unloading Area

1. On lots that frequently receive or ship goods there shall be an area reserved for standing, loading, and unloading in order to avoid interference with the use of public streets, driveways, alleys, or other parking spaces.

2. Loading spaces shall not be located on the front of any building.

3. When practical overhead doors for service bays shall be located on the side of the building.

4. Loading and unloading areas shall be designed so that vehicles intended to use them can maneuver safely to and from a public right-of-way.

5. Loading and unloading operations must not obstruct any public right-of-way or parking space.

6. Areas designated for loading and unloading may be used to meet the requirements for off-street parking.

7. The space shall be a minimum of ten feet by forty feet (10x40) with a 14-foot height clearance the minimum number of spaces is specified in the table that follows:

Delivery/Loading Area Vehicles Spaces	
Floor Area of Building	Number of Spaces
0 to 3,000 sq. ft	0
3,001 to 20,000 sq. ft	1
20,001 to 100,000 sq. ft	1 each 20,000 sq. ft

Maintenance

Parking areas shall be repaired and maintained by the property owner/responsible party to be safe for vehicular and pedestrian travel. Surfaces shall be kept free of potholes, debris, trash, and excessive vegetation. Parking space lines or markings shall be kept clearly visible.

Enforcement

The owner/responsible party is required to complete repairs within thirty (30) days after written notice of violation has been received.

a. Failure to maintain and repair off-street parking facilities shall result in a violation of this ordinance. For more information refer to **Article 8, Administration, Appeals, and Enforcement.**

Landscape Standards

Intent

Proper landscaping areas add to the aesthetic appeal of commercial areas and can reduce or delay stormwater runoff, soil erosion, downstream flooding and provide shade. The landscaping regulations imposed in this ordinance are minimum standards. However, exceeding these minimums is encouraged in order to minimize paved surfaces.

1. Required landscaping may not obstruct visibility related to transportation and shall include intersections, or points of egress/ingress, and parking lots.

2. The retention of existing vegetation is encouraged.

3. All dead or dying trees, stumps, litter, brush, weeds or other nuisance plant materials must be removed from the development site at the time of occupancy.

4. All roadway slopes must be landscaped and all cuts and fills must be designed and/or vegetated to prevent erosion.

5. Developments must utilize existing topography to include hills, ridges, and berms to screen parking and maintenance areas to the maximum extent possible.

6. No structures, buildings, or parking may be located within buffer areas, with the exception of permitted signage, pedestrian amenities, and decorative elements.

7. Stormwater retention areas, kept in good aesthetic and functioning condition, may be placed in buffer areas that are not adjacent to any lake, creek, or stream. Such facilities may not be placed in any portion of a right-of-way.

Protection of Water Bodies and Natural Resources

Protection of Water Bodies and Natural Areas

Developments should strive to maintain the contours of the land and utilize existing natural vegetation and topography to screen parking and maintenance areas to the maximum extent possible. When natural bodies of water are on site, a minimum fifty (50) foot natural vegetative buffer shall be maintained. All properties developed in designated watersheds must comply with the vegetative buffer requirements in **Article 4, Water Supply Watershed Management & Protection Ordinance.**

Landscape Plan Review

A landscape plan is required and shall be prepared by a landscape architect licensed in the State of North Carolina. The following landscape details shall be incorporated into the development site plan; names of all plant materials to be installed (both scientific and common), size and quantity of plant materials to be installed, existing plants on site, ground cover to be used, and other landscape materials. The developer shall submit a separate landscape site plan that include the following details:

The site plan shall include:

1. Scale
2. North arrow
3. All permanent structures
4. Names of all plant materials to be installed (both scientific and common)
5. Size and quantity of plant materials to be installed
6. Existing plants on site
7. Ground cover to be used
8. Hard surfacing
9. Other landscape materials
10. Name, address, and telephone number of landscape designer

Perimeter Landscaping

Perimeter Landscaping

Rear and side yard - Where non-residential uses abut residential zoning and or existing residential uses the perimeter of lots must be landscaped by a vegetative strip a minimum of ten (10) feet in width. The landscaping strip must consist of seventy-five (75%) percent evergreens planted in a single or staggered row, a minimum of six (6) feet apart and a minimum five (5) feet in height. The remaining twenty-five (25%) percent may consist of ornamental trees or deciduous shrubs. Ornamental trees may be planted intermittently throughout the perimeter landscape strip. The plantings consisting of low-growing evergreen shrubs, with the exception of the ornamental trees, cannot exceed three (3) feet in height in order to address safety and visibility issues.

Front yard – When a use cannot accommodate parking in the front of the building the following landscape regulations shall apply. Lots must be landscaped by a vegetative strip a minimum of twelve (12) feet in width, exclusive of any right-of-way. Front yards require a staggered double row of vegetation which includes seventy-five (75%) percent low-growing evergreen shrubs planted six feet on center. The remaining twenty-five (25%) percent of the vegetation may be planted with ornamental trees or low-growing deciduous shrubs. Ornamental trees may be planted intermittently throughout the perimeter landscape strip. The plantings consisting of low-growing evergreen shrubs, with the exception of the ornamental trees, cannot exceed three feet in height in order to address safety and visibility issues. Manicured turf, crushed brick, stone, ground-hugging vines or shrubs, ground cover, annuals, perennials, ornamental grasses, rock or wood mulch must cover the balance of the area.

Parking Lanndscaping

Internal Parking Area Landscaping

Parking areas shall meet the following requirements: .

1. A landscape island is required for every twelve (12) spaces in a continuous row.
2. Each island must be a minimum of eight (8) feet in any horizontal dimension, with concrete or asphalt curbing.

   a) The island must contain at least one major shade tree having a clear trunk height of at least five feet. The tree must be a minimum fifteen (15) gallon size or balled and burlapped at time of planting.

   b) Turf, ground cover, perennials, ornamental grasses, rock or wood mulch must cover the balance of the landscape island.

Foundation plantings or plantings along the perimeter of the parking lot, or in any part of a yard, do not count toward meeting the interior parking landscape requirements.

Landscaping Construction & Maintenance

Landscape Installation

1. All landscape materials shall be native species of North Carolina.

2. Minimum caliper on a large tree measured six (6) inches above ground should be five (5) inches and the minimum height shall be eight (8) feet at planting.

3. Plantings shall be installed in accordance with the latest edition of the American Standards for Nursery Stock, published by the American Nurserymen's Association and the American National Standards Institute (ANSI).

4. Large tree species shall not be planted within thirty (30) feet of overhead utility lines or within five (5) feet of a utility easement.

   This does not include telephone or cablevision lines, or low voltage insulated or covered lines two-hundred forty (240) volts or less.

5. All plantings shall be free of disease and scarring.

6. Planting materials shall meet the following specifications:

a) Suitable plant and grass materials are to be used in compliance with this ordinance. Grass areas and sod shall be free of weeds, pests, or diseases.

b) All trees shall be balled and un-bagged at the time of planting.

7. Plantings shall have access to sufficient soil and water to maintain healthy growth.

8. All plantings shall be installed before the certificate of occupancy (C/O) is issued. Where planting installation cannot be completed before the C/O is issued, a cash bond, letter of credit, or corporate surety bond equal to the estimated cost of the landscape plan shall be filed with the Burke County Finance Department to ensure project completion plantings must be installed within six months of C/O issuance.

Landscape Maintenance

1. All landscaping shall be maintained to a healthy mature growth and trees shall not be topped.

2. The property owner/responsible party shall be responsible for the maintenance of all landscaping materials to include:

   a. Keeping landscaped area healthy and viable.
   b. Keeping landscaped area free of liter and debris.

   c. Keeping landscaped area from interfering with safe vehicular and pedestrian travel.

3. All landscape materials shall be protected from damage by erosion, motor vehicles, pets, or pedestrians that could alter the effectiveness of the landscaping.

Enforcement

All unhealthy and dead plantings shall be replaced within sixty (60) days or within the next planting season. Failure to maintain and repair landscaped areas shall result in a violation of this ordinance. For more information refer to **Article 8, Administration, Appeals and Enforcement.**

Unless otherwise specified, the following requirements for screening of property shall be adhered to:

Special Screening Requirements

1. **Group or Multi- Family Projects.** Fencing or vegetative screening shall be seven (7) feet in height. Screening must be sufficiently dense enough to visually block any part of the project from a residential structure on any side abutting the project. Where natural features such as topography or natural vegetation are preserved and prevent visibility the adjoining residential properties, the Board of Adjustment may waive requirements for screening.

2. **Shopping center or shopping complex.** A shopping center or shopping complex shall be permanently screened from adjoining residential uses by a wall, fence, evergreen hedge, and/or other suitable enclosure at a minimum height of seven (7) feet at the original elevation of the property line.

3. **Extraction of Natural Resources.** Vegetation shall be retained and/or fully developed to screen extraction processes from nearby residential areas and adjoining roadways. Quarry areas being excavated shall be entirely enclosed within a fence located at least ten (10) feet back from the edge of any excavation. Borrow pits are exempt but must comply with State of North Carolina mining regulations if applicable.

4. **Automobile Parts Recycling and Scrap yards.** All such operations shall be completely enclosed by an opaque fence or wall, or a buffer that is at least ten (10) feet in width composed of dense shrubs planted a maximum of ten (10) feet apart, except driveway areas. The opaque fence or wall shall be set back ten (10) feet from all property lines, and no storage of any kind associated with the operation of the automobile graveyards and junkyards shall be permitted between the fence or wall and the property line. The intent of this requirement is to screen Automobile Parts Recycling businesses and scrap yards from the view of adjoining properties to the most reasonable extent possible, knowing that certain topographic conditions will limit effective screening. These requirements apply for all new scrap yards and automobile parts recycling facilities.

5. **Service Stations in the Neighborhood Business (N-B) Zoning District.** When allowed, service stations located in the Neighborhood Business (N-B) Zoning District shall comply with this ordinance. A buffer shall be constructed and maintained as defined within the buffer/screening requirements of this ordinance.

6. **Refuse Disposal and Refuse Storage Areas**

Refuse containers, recycling containers, and their storage areas shall be screened on three (3) sides with masonry materials. The fourth side shall be enclosed by an opaque gate constructed of solid or simulated wood, vinyl, or other approved material. The wall height shall be at least two feet above the top of the dumpster. An enclosure is not required when the dumpster is behind the building, and within an area that is not visible to adjacent street or properties. All refuse shall be stored within the covered refuse disposal containers.

7. **Outdoor Storage Areas**

Outdoor storage areas shall be screened from view of all adjoining property and streets by a solid or simulated wood fence or masonry screen wall. The fence/wall shall be no less than eight (8) feet in height. When the fence/wall is located along a public right-of-way, and where feasible, plantings shall be installed to soften the effect of the screening between the wall and adjoining properties. No material stored outdoors shall exceed the height of the fence or wall. Opaque landscape screening may be substituted for a fence or wall upon the approval of the Zoning Administrator.

8. **Loading/Unloading Areas**

Loading and unloading areas shall not be visible from a public right-of-way, while still allowing access to the use it is serving.

9. **Utility Equipment**

Utility equipment shall be screened from public rights-of-way and public view. Screening shall consist of evergreen plants of sufficient height, width, and quantity so as to provide screening at the time of planting.

10. **Drive-Through Areas**

Drive-through aisles shall be screened from view of adjacent residential sites in order to minimize the impact of exterior lighting, headlight glare, and menu intercom displays. The screening shall be approved during the site plan review process and shall consist of a solid wood or simulated wood fence, masonry wall or dense evergreen hedge at least six (6) feet in height. Plant materials shall be installed along the fence or wall to soften the effect.

Fences

Where fences are required, or allowed in lieu of a buffer strip, the fence/wall shall be at least seven (7) feet in height at the original elevation of the property line.

Public Utilities Required

1. For developments requiring a major site plan review or major subdivision review and when technically applicable, the developer will connect to a public water and/or sewer system if located within 1,000 feet of the property to be developed and such lines can be extended within public road rights-of-way and property easements.
2. For developments requiring a minor site plan review and when technically applicable, the developer will connect to a public water and/or sewer system if adjacent to the property to be developed.

3. Review and approval from NC DENR is required for both new systems and extensions to existing systems for both public water and sewer utilities. Proof of plan approval is required prior to issuance of a zoning permit but is not necessary for site plan approval.

4. When the proposed water or sewer system is to be connected to an existing system, approval of the project must also be obtained from the owner of the existing system prior to site plan approval. The system shall be constructed according to the specifications and standards of the utility provider. A letter of approval from the owner of the existing system shall also be submitted prior to issuance of a zoning permit.

5. Where a development is to be constructed in phases, the infrastructure and improvements must be in place on the initial phase before subsequent phases are developed.

6. Site Plan Requirements for Utilities
    a. Proposed utility easements, proposed line location, line capacity, and line size shall be shown on all applicable site plans;

    b. Location of existing public utilities on or adjacent to the site and existing lighting when applicable, and;

    c. Proposed lighting plans showing location, type of lighting, and area that will be lighted.

Location of Utilities

1. Utilities shall be located within public road rights-of-ways or within utility easements. Utility easements shall not be located laterally within a water body buffer but may cross vertically when necessary.

2. All on-site utilities should be located underground unless technical restrictions exist for not doing so. When utilities must be located above ground, provisions shall be made to significantly reduce the visual impact of the utility from public road rights-of-way and pedestrian areas.

The developer shall obtain a right-of-way encroachment agreement from NC DOT when any utility lines are constructed or expanded in the State's right-of-way.

Outdoor Lighting Standards

In order to reduce the impact of lighting on neighboring residential uses, potential safety hazards to the traveling public, and the effect on viewsheds and nightscapes, outside lighting shall meet the following requirements:

1. Exterior lighting shall be fully shielded and directed in a downward direction to avoid illuminating the night sky.

2. Lighting shall not illuminate neighboring residential properties.

3. Lighting shall not be directed towards or illuminate in a manner that would distract or harm the traveling public.

Lighting of Buildings and Pedestrian Areas

On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings.

Entryway, Street and Parking Lighting

In order to promote safety and security in developments, lighting should be used at intersections, development entrances, and in parking areas.

Prohibited Lighting

The following types of lighting shall be prohibited:

a) Flashing, blinding, or obtrusive lighting.

b) Lights that mimic emergency vehicles.

c) Flood or spot lighting aimed higher than forty-five degrees from ground level.

This does not include low voltage lighting used for landscaping.

d) Non-shielded lighting.

Industrial uses may use non-shielded lighting.

e) Laser or any other high intensity light used for outdoor advertising or entertainment.

Lighting Height

1 Freestanding light poles shall not exceed thirty (30) feet in mounting height. Sports facilities are exempt from this height restriction.

Sports facility lighting shall utilize the minimum height necessary to achieve to the proper illumination of the area of play and spect ator areas.

2 Light fixtures mounted to buildings shall be placed at the minimum height necessary to achieve effectiveness.

Updating Existing Uses

Any change of use or major expansion to an existing non-residential, multi-family residential, mixed-use structure or land use shall comply with the following table:

Retrofitting Existing Uses and Structures
X = Compliance with all applicable standards required

	Section 5.1 -5.9 Building Design	Section 2110 Access Management	Section 2111 Parking	Section 2112 Landscaping & Screening	Section 2113 Signage	Section 2114 Utilities & Lighting
Change of Existing Use (No Expansion)			X	X	X	
Major Expansion (26% to 50%)	X		X		X	X
Major Expansion (Greater than 50%)	X	X	X	X	X	X

6.2 Industrial Design Standards

Applicability

This Section applies to industrial buildings and structures.

Massing and Scale of Buildings

Massing is a technique used to reduce the perceived size or scale of a building. Use variation in materials, textures, patterns, colors and details to break down the mass and scale of buildings. Material and patterns changes can reduce the apparent height of a large building.

Building Setbacks and Height

Building Setbacks

Minimum required non-residential building setbacks

Front yard	40 Feet
Side yard	30 Feet
Rear yard	30 Feet

Minimum required setbacks on corner lots with streets abutting two (2) sides

Front yard	40 Feet
Side yard	35 Feet
Rear yard	30 Feet

Building Height

Non-residential buildings that exceed thirty-five (35) feet in height require a special use permit.

Building Orientation

Buildings shall be sited so that their main entrances are facing the street on which they are located. Buildings shall be oriented toward accessible arterial or collector streets rather than nearby limited access interstate or freeways. Building entrances should be designed with architectural elements such as columns, arches, or details such as special moldings. They should include entry features such as porches, canopies, porticos, or awnings.

Building Facade

Larger buildings should be divided into sections of 50 to 75-foot widths. The sections may be defined by the use of columns, piers, different material textures or color or by variation in the wall plane. The base of a building may be defined by a change in wall plane, or a change in material, texture, or color.

Roofs

Industrial buildings may have flat or pitched roofs. Any equipment located on the roof shall be screened from all sides of the building.

Site Plan Review

A site plan is required and shall be prepared by a registered architect, engineer, landscape architect, or land surveyor licensed to practice in the State of North Carolina. Please refer to **Article 7, Development Procedures for site plan requirements**.

Required Parking

All parking areas shall meet the following minimum space requirement (where the table refers to employees, it means the maximum number on the premises at any one time. For example, two part-time employees whose hours do not overlap shall be counted as one worker for parking requirements. If the same two employee's hours do overlap, they shall be counted as two workers):

Minimum Spaces Required	
Use	**Minimum Number of Parking Spaces**
C. Industrial	
Industrial, warehousing, transportation	1 parking space per employee and 1 per company vehicle at peak shift
Brewery, Winery	1 per every 3 seats +1 per employee
Mini warehouse	1 per 4,000 sq ft of gross floor area
Scrapyards, Junkyards, salvage yards	1 parking space per employee + 1 per 5,000 sq ft of gross floor area + 1 per company vehicle

Other Design Standards

For access management, parking, landscape design, screening, and lighting requirements refer to **Article 6, Non-Residential Design Standards**.

Article 7.0
Development Procedures

7.0 Development Procedures 796

7.1 Intent

The site plan review process is intended to ensure that proper design standards are maintained in types of development which can have potentially harmful effects on their surroundings. These effects are subject to modifications or reduction through the physical design of such development. It is also necessary to ensure that the requirements of the underlying zoning district and any applicable overlay district(s) are maintained. Review of the site plans benefit to the community through building and site design.

7.2 Site Plan Review Required

All uses referenced in Section 7.3 Uses Subject to Site Plan Review shall submit a site plan for review approval to the Burke County Community Development Department prior to the issuance of any zoning or improvement permits.

7.3 Uses Subject to Site Plan Review

The following types of development may be subject to the site plan review process:

1. All commercial and industrial facilities
2. All institutional facilities such as schools, hospitals, and clubs
3. All residential developments involving three (3) or more dwelling units in one building or on one lot
4. Manufactured (mobile) home park
5. Special exceptions when specified in this ordinance; include all developments subject to special overlay district requirements for site plan submittal. (Reference I-40 Corridor Overlay District **Article 8, Section 8.2** and Scenic Overlay District **Article 8, Section 8.3**)
6. Townhouse development projects
7. Planned unit development projects
8. Recreational vehicle parks, subject to special site plan requirements in **Article 5, Section 5.1**
9. Other uses when specified by the Planning Board or Board of Commissioners.

A minor site plan review is required when any new construction, addition, renovation, or change in use involves one of the following categories:

a. Industrial developments involving five (5) or less acres of land
b. Commercial buildings, structures, or developments whose current or proposed gross floor area is less than 50,000 square feet
c. Any development that involves less than fifty (50) dwelling units consisting of duplexes, townhouses, or multi-family residential buildings
d. Planned unit developments that have less than five (5) separate building units and/or that meet any of the criteria listed in this section
e. Development meeting the criteria listed in this section and located in a special overlay district.

7.5 Major Site Plan Review

A major site plan review is required when any new construction, addition, renovation, or change in use which involves one of the following categories:

a. Industrial developments involving more than five (5) acres of land
b. Commercial buildings, structures, or developments whose current or proposed gross floor area is greater than 50,000 square feet
c. Institutional buildings, structures, or developments
d. Any manufactured housing park or recreational vehicle park
e. Any development that involves more than fifty (50) dwelling units consisting of duplexes, townhouses, or multi-family residential buildings
f. Planned unit developments that have more than five (5) separate building units and/or that meet any criteria listed in this section.
g. Any development meeting the criteria listed in this section and locating in a special overlay district, and
h. Any other uses specified by the Planning Board or Board of Commissioners.

7.6 Site Plan Review Process

Pre-Application Conference

A pre-application conference with the Zoning Administrator, County Planner, or their designee is required for all major site plan reviews to determine the appropriate procedure to be followed and discuss the proposed project. All applicants submitting a plat subject to site plan review are encouraged to schedule a pre-application conference with the Zoning Administrator, County Planner, or their designee. The pre-application conference may include a discussion of the provisions affecting the proposed project that must be adhered to and any other appropriate item affecting the proposal.

Minor Site Plan Review Process

1. Any applicant required to submit a minor site plan for review shall submit seven (7) paper copies of the site plan to the Zoning Administrator. The Zoning Administrator may require the applicant to provide additional copies of the site plan when deemed necessary.

2. If further review or consultation is necessary, the Zoning Administrator shall notify members of the site plan review committee within three (3) business days of submittal of a complete site plan. Copies of the minor site plan shall be available for review by the site plan review committee until the applicant has been notified of a decision.

3. The Zoning Administrator shall notify the applicant of a decision within two (2) weeks of the site plan review submittal.

4. Appeals of decisions of the Planning Administrator shall be made in accordance with **Article 8, Section 8.3(1)** of this ordinance.

Major Site Plan Review Process

1. Any applicant required to submit a major site plan for review shall submit seven (7) paper copies of the site plan to the Planning Administrator.

2. The Planning Administrator shall forward copies of the submitted site plan to the members of the site plan review committee identified in Section 1305.4 within three (3) business days of submittal of a complete site plan.

3. The site plan review committee shall review the provided site plan and provide written comments to the Planning Administrator within fifteen (15) business days of plan submittal.

4. Within five (5) business days of receiving written comments from the site plan review committee, the Planning Administrator shall notify the applicant in writing the decision of the site plan review.

5. Appeals of decisions of the Zoning Administrator shall be made in accordance with **Article 8, Section 8.3(1)** of this ordinance.

7.7 Site Plan Committee Members

The site plan review committee shall consist of county staff members from the building services, environmental health, engineering, public works, fire, planning, and GIS departments. Additional local, state, and/or federal agencies shall be consulted as deemed necessary by the Zoning Administrator.

7.8 Submittal of Incomplete Site Plans

Submittal of site plans that do not contain the required information prescribed in this Ordinance may be removed from the agenda and placed on the next scheduled meeting agenda. The Planning Administrator or their designee shall notify the applicant before the decision deadline of the incomplete status of the application.

7.9 Permits

Once the applicant receives written approval of a site plan, the applicant may submit an application for a zoning permit. The approved site plan is valid for one (1) year unless a vested right is requested and approved Failure to obtain permits within this time period shall result in the termination of any vested right and the site plan must be resubmitted.

7.10 Site Plan Requirements

Preparation of the Site Plan

Site plans required for development shall be prepared by a registered architect, engineer, landscape architect, or land surveyor licensed to practice in the State of North Carolina. A Zoning Ordinance Site Plan Compliance Form must accompany the site plan submittal.

Click on the document icon below to go directly to burkenc.org to download the Site PLan Compliance Form

Minimum Requirements of the Site Plan

A Zoning Ordinance Site Plan Compliance Form must accompany the site plan submittal. At a minimum, all site plans shall contain the following information:

1. Development name, North arrow, scale denoted graphically and numerically, vicinity map, and the name(s), address(s), and telephone number(s) of the owner(s), date, and the site plan preparer;

2. Quantitative data such as property boundary lines with dimensions, acreage of tract(s), any proposed lot lines, total acreage;

3. Parcel Identification Number (PIN) and 911 address for the property;

4. Location of adjacent streets, driveway cuts, proposed streets, and utility easements and all associated rights-of-way;

5. Dimensions of footprint and setbacks of the existing and proposed structures with gross

gross floor area indicated;

6. Location, number, and type of parking spaces;
7. Location and size of buffer and landscape areas;
8. Location of any FEMA designated floodplain and perennial waterways identified by U.S.G.S. topographic maps;
9. Location of adjacent properties and the zoning of adjacent properties;
10. The zoning district, overlay district (if applicable), and water supply watershed (if applicable), of the property.
11. Number of stories and overall height from grade of all structures existing and proposed;
12. Location of proposed stormwater facilities;
13. Phasing schedule (if applicable),
14. Location of fire hydrants,
15. Erosion control measures,
16. Water and/or sewer locations and;
17. Other information as required within the Watershed Protection Ordinance, Burke County Zoning Ordinance, and/or other requirements deemed necessary by the Zoning Administrator.

Article 8.0 Administration, Appeals, and Enforcement

8.0 Administration, Appeals and Enforcment 802

8.1 Introduction

The Zoning Administrator or their designee, shall maintain a master copy of this ordinance as a public record. When amendments are enacted that add new subject matter or revise existing language, the master copy shall be periodically updated with all new amendments. The master copy shall be an official record of the ordinance provisions currently in force governing Burke County.

8.2 Appointment of the Zoning Administrator

The Zoning Administrator shall administer and enforce the provisions of this ordinance and may call upon other county officials, employees, and agents for assistance. The Zoning Administrator shall be appointed by and serve at the pleasure of the County Manager.

8.3 Duties and Powers of the Zoning Administrator

The Zoning Administrator is authorized and empowered on behalf of the Board of Commissioners to administer and enforce the provisions of this ordinance to include:

1. Receiving applications,
2. Inspecting premises,
3. Issuing zoning and compliance permits,
4. And reviewing and taking appropriate action on site plans, in conformance with the provisions of this ordinance.

The Zoning Administrator shall have authority on behalf on the Board of Commissioners to administer and enforce this ordinance, including:

1. Ordering in writing the remedy of any violation of this ordinance with the approval of the Planning Director,

2. Commencement of legal action, including injunction, abatement, or the appropriate action to ensure compliance with this ordinance.

The Zoning Administrator has the authority to take final action on minor variances not to exceed twenty percent (20%) of the total setback requirement, lot size or accessory building size. The Zoning Administrator does not have the authority to take final action on applications that require final action by the Board of Commissioners, the Planning Board, or the Board of Adjustment.

Administrative Staff

No staff member shall make a final decision on an administrative decision if the outcome of that decision would:

1. Have a direct, substantial, and readily identifiable financial impact on the staff member

2. Or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship.

If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or other staff person. No staff member shall a financial interest or be employed by a business that has a financial interest in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved.

No staff member, other individual or an employee of a company contracting with a city local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

Familial relationship. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

8.5 Application Procedures

Application Procedures

In order for an applicant to begin construction or alterations on a proposed development, they shall seek a zoning permit in accordance with this section, with the exception of the exempt uses listed in this section. An applicant seeking a zoning permit in any use district shall be required to adhere to the application procedures outlined in this ordinance.

The Pre-Application Conference

Prior to the submission of an application for a zoning permit, the developer may meet with the Zoning Administrator to discuss the proposed project and determine the appropriate procedure to be followed. The pre-application conference may include a discussion of the provisions within this ordinance affecting the proposed project and any other appropriate item affecting the proposal.

Click on the document icon below to go directly to burkenc.org to download the Zoning Permit and Special Use Permit Applications

Submittal of Application

Uses-By-Right Applications for a zoning permit shall be submitted to the Zoning Administrator according to the following provisions:

1. An application for a zoning permit for a use-by-right shall be accompanied by a site plan (if applicable).

   All commercial permits require a site plan.

2. If the proposed documentation is in conformity with the provisions of this ordinance, and other appropriate codes and regulations of the County. The Zoning Administrator shall approve the site plan and issue a zoning permit. The Zoning Administrator shall retain the application and one (1) copy of the site plan for their records.

Application Procedures for Special Uses

Special Use Applications for a zoning permit shall be submitted to the Zoning Administrator, who shall refer the application to the Board of Adjustment, depending on the nature of the special use, for a public hearing. Applications for zoning permits for a special use must be submitted in according to the following provisions:

1. An application shall be accompanied by a site plan (if applicable).

2. The Zoning Administrator shall process the application as prescribed by this ordinance.

3. The Board of Adjustment shall consider the proposed special use after notice and public hearing and shall take action on the proposed special use within sixty (60) days from the date of the public hearing. The Board of Adjustment shall hold a public hearing on the application for a special use. If the Board of Adjustment fails to submit a report within a sixty (60) day period, it shall be deemed to have approved the special use.

4. In addition to the specific requirements for special uses, the Board of Adjustment shall review the facts and circumstances of each proposed use and shall find adequate evidence showing that the use at the proposed location:

   a. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or this ordinance;

b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

c. Will not be hazardous or disturbing to existing or future neighboring areas;

d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

e. Will not create excessive additional requirements at public costs for public facilities and services and will not be detrimental to the economic welfare of the community;

f. Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production to traffic, noise, smoke, fumes, glare, odors, or water pollution;

g. Will have vehicular approaches to the property which shall be designed as not to create any interference with traffic on surrounding public streets or roads; and

h. Will not result in the destruction, loss or damage of a natural scenic or historic feature of major importance.

5. The conditions listed above and in Article 7, Development Procedures are the minimum conditions for the various special uses. When approving a proposed special use, the Board of Adjustment may stipulate additional requirements in the interest of the public. The Board of Adjustment may require an applicant to furnish a performance bond in an amount sufficient for, and condition upon, the fulfillment of any requirements stipulated by the board.

6. All special use decisions made by the Board of Adjustment are subject to an appeal to the Superior Court by proceedings in the nature of certiorari. Any petition for review by the superior court shall be filed with the Clerk of Superior Court within thirty (30) days after the decision of the Board of Adjustment is made, or after a written copy of the petition is delivered to every aggrieved party who has filed a written request for a copy with the Secretary or Chairman of the Board of Adjustment at the time of the hearing of the case, whichever is later. The decision of the Board of Adjustment may be delivered to the aggrieved party either by personal service, registered mail, or certified mail return receipt requested.

Issuance

The Zoning Administrator or their designee shall issue a zoning permit for any approved use or structure alteration, provided the proposed use of land or structure, or structural alteration, is in compliance with the provisions of this ordinance. The zoning permit shall indicate the terms of compliance and shall be on file in the Community Development offices. A zoning permit must be obtained from the Zoning Administrator prior to the issuance of a permit for a new or expanded septic system from the Environmental Health Department and prior to the issuance of a building permit by the building inspector. The zoning permit shall be issued only after all appropriate federal, state, and local permit or license requirements are met.

Expiration

Any zoning permit shall automatically expire twelve (12) months from the date of issuance if the persons, firm, or corporation to which the permit was issued have not clearly demonstrated that the permit is being exercised for the purpose for which it was issued, or if the work authorized is suspended or discontinued for a period of twelve (12) months. Once the permit expires, it must be reissued as an original permit.

8.8 Denial of Application

General Denial

If an application and site plan submitted describe work which does not conform to the requirements in this ordinance, the Zoning Administrator shall not issue a zoning permit. He/she shall return one (1) copy of the site plan (if applicable) to the applicant along with a signed denial in writing. The disapproval shall state the reasons for denial and shall site the portions of this ordinance with which the submitted site plan does not comply and shall identify modifications or corrections that will permit approval. The Zoning Administrator shall retain one (1) copy of the site plan and one (1) copy of the refusal as public record.

Denial of Special Uses

If the Board of Adjustment disapproves a special use application for a zoning permit, the board shall inform the applicant of the decision in writing within thirty (30) days from the date of the public hearing, stating the reasons for disapproval. The Zoning Administrator
shall retain one (1) copy of the site plan (if applicable) and one (1) copy of the refusal, as a public record.

Re-submittal of Application

A property owner, or his appointed agent, shall not reapply for a zoning permit for the same use, for the same parcel of land more than once. In order for the Board of Adjustment to rehear a case regarding the same use or parcel of land the following must apply:

1. The application must be modified substantially from the original applications
2. The provisions of the ordinance relevant to the previous application must have changed
3. The new application must contain new issues that were not heard in the previous application

8.9 Burden of Proof

The burden of proof shall rest with the applicant in all proceedings required by this ordinance.

8.10 Administrative Remedies

Procedure for Requesting an Amendment to this Ordinance

The Board of Commissioners may, from time to time, after examination and review hold a public hearing to, amend, supplement, or change the provisions of this ordinance. Proposals for amendments, whether initiated by the Planning Board, or any person, firm, corporation, or group of citizens shall be treated according to one of the following procedures.

8.11 Creating Other Use Districts and/or Changes Between Other Use Districts

Click on the document icon below to go directly to burkenc.org to download the rezoning application

Creating Other Use Districts and/or Changes Between Other Use Districts

Anyone requesting to change the use district designation as an amendment to this ordinance shall adhere to the following process:

A rezoning application for the reclassification of property shall be filed with the Zoning Administrator or their designee. No application will be accepted until it is complete. A decision by the Zoning Administrator that an application is incomplete may be appealed to the Planning Board. A decision by the Planning Board that an application is incomplete may be appealed to the Board of Commissioners.

1. The Zoning Administrator will review the proposed amendment and may convene with other governmental departments and entities as part of that review. After the review, and within sixty (60) days of the submittal, the Zoning Administrator or their designee shall write a report and recommendation stating whether the amendment should be granted or denied and the reasons for the recommendations. The report shall advise and comment on whether the proposed amendment is consistent with the Strategic Land Use Plan or any other officially adopted plan that is applicable.

2. The Planning Board may hold a public meeting and shall consider the proposed amendment in accordance with North Carolina General Statutes. The Board shall present its recommendations in writing to the Board of Commissioners. The recommendations shall advise and comment on whether the proposed amendment is consistent with any adopted Strategic Land Use Plan and any other officially adopted plan that is applicable. A written recommendation by the Planning Board that a proposed amendment is inconsistent with the Strategic Land Use Plan shall not prohibit consideration or approval of the proposed amendment by the Board of Commissioners. If the Planning Board fails to submit its recommendation to the Board of Commissioners within sixty (60) days of the first meeting of the Planning Board after the proposed amendment has been presented, the Board of Commissioners may proceed in its consideration of the amendment without the Planning Board report. The Board of Commissioners shall consider the proposed zoning district creation or change after notice and a public hearing in accordance with North Carolina General Statutes.

3. The Board of Commissioners shall consider the proposed amendment after proper notice and a public hearing and shall take action on the proposed amendment within sixty (60) days from the date of the public hearing. At the Commissioners discretion this public hearing may be combined with the Planning Board public meeting. Prior to adopting or rejecting any zoning amendment, the Commissioners shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Board considers the action to be reasonable and in the public interest. This statement is not subject to judicial review per N.C. General Statutes.

4. Any petition for an amendment to convert land to other use districts may be withdrawn by the applicant initiating the request prior to further action by the Board of Commissioners, and upon written notice to the Zoning Administrator or their designee.

5. No applicant shall reapply for an amendment to convert land to another use district for the same parcels of land more than once every ninety (90) days.

6. Applications for creating new or changing existing use districts shall be accompanied by a parcel map and fee as determined by the fee schedule approved by the Board of County Commissioners.

8.12 Text Amendments

Proposals to adopt, amend, or repeal the text of this ordinance, shall comply with the following process:

1. The Planning Board may hold a public meeting and shall consider a proposed text amendment in accordance with North Carolina General Statues and shall present its recommendations to the Board of Commissioners. If the Planning Board fails to submit its recommendations to the Board of Commissioners within sixty (60) days of the first meeting of the Planning Board after the
proposed text amendment has been presented, the Board of Commissioners may consider the amendment without the Planning Board report. The Board of Commissioners shall consider the proposed zoning text amendment after proper notice and a public meeting in accordance with North Carolina General Statutes.

2. Upon the receipt of a recommendation from the Planning Board or after sixty (60) days from the first Planning Board meeting without action, the Board of Commissioners shall consider the proposed text amendment after proper notice and a public meeting. The Board of Commissioners shall take action on the proposed text amendment within sixty (60) days from the date of the public meeting. The Commissioners may combine this public meeting with the Planning Board public meeting. Prior to adopting or rejecting any zoning amendment, the Commissioners shall adopt a statement describing whether its action is consistent with an adopted Strategic Land Use Plan and explaining why the Board considers the action to be reasonable and in the public interest. This statement is not subject to judicial review per N.C. General Statutes.

8.13 Variance and Interpretation

Click on the document icon below to go directly to burkenc.org to download the variance application

Procedure for Requesting a Variance or an Interpretation of the Use District Map

Requests for a Hearing before the Board of Adjustment for a variance or an interpretation of the use district map shall comply with the following procedure:

Applications for a variance, or an interpretation of the use district map, shall be submitted in writing to the Zoning Administrator with two (2) copies of a complete site plan, if applicable, of the proposed request with any other information required by the Zoning Administrator. The Zoning Administrator shall submit the application to the Board of Adjustment.

Public Hearing

The Board of Adjustment shall consider a proposed request after proper notice and a public hearing.

Withdrawal

Any petition for a variance or interpretation of the use district map may be withdrawn by the applicant initiating the request prior to further action by the Board of Adjustment, and upon written notice to the Zoning Administrator.

Each petition shall be accompanied by payment of the current non-refundable fee listed in the fee schedule to help defray the cost of conducting the public hearing

Time Limitation

No applicant shall reapply for a variance or interpretation of the use district map for the same parcels of land more than once. In order for the Board of Adjustment to rehear a case regarding the same use or parcel of land the following must apply:

1. The application must be modified substantially from the original applications
2. The provisions of the ordinance relevant to the previous application have changed
3. The new application must contain new issues that were not heard in the previous application

Fee

Each application for a variance or interpretation of the use district map shall be accompanied by the current non-refundable application fee as determined by the fee schedule approved by the Board of Commissioners to help defray the cost of publicizing and conducting the public hearing.

8.14 Appeals Procedure

Decisions by the Zoning Administrator

Decisions of the Zoning Administrator relating to the administrative enforcement of the provisions of this article are subject to an appeal to the Board of Adjustment by any person aggrieved or by any officer, department, or agency of the county affected by the decision or decisions.

1. An appeal shall be submitted in writing to the Zoning Administrator who shall immediately refer the written appeal to the Board of Adjustment. The appeal shall specify the grounds for the appeal.

2. An appeal stays all proceedings or further progress of the action that was appealed unless the Zoning Administrator certifies to the Board of Adjustment that a stay would, in their opinion, cause imminent peril to life or property, in which case proceeding shall not be stayed other than by a restraining order.

3. Each appeal shall be accompanied by payment of the current non-refundable fee dictated by the fee schedule to help defray the cost of publicizing and conducting the public hearing.

4. The Board of Adjustment shall appoint a reasonable time for the hearing of appeals and shall consider appeals after proper notice and a public hearing and decide the same within sixty (60) days from the date of such public hearing.

5. The Board of Adjustment may reverse or affirm, in whole or in part, or may modify the order, requirement, decision, or determination appealed from. The Board shall make any order, requirement, decision, or determination that in its opinion should be made under the circumstances. The Board of Adjustment has all the powers of the Zoning Administrator from who the appeal is taken.

Decisions by the Board of Commissioners

All decisions by the Board of Commissioners are subject to an appeal to the superior court by any person, firm, corporation, or government agency aggrieved by the decision or decisions.

Intent

This article identifies the responsibilities of the public bodies which administer this ordinance. Their responsibilities include those delegated by the General Statutes of North Carolina, as well as those responsibilities left to local options and assigned by the enactment of this ordinance.

8.16 The Board of Adjustment

A Board of Adjustment consisting of seven (7) members shall be appointed by the Board of Commissioners, with appointments and terms of office as follows.

1. The Board of Adjustment members appointed shall serve for terms of one (1) year for one (1) member, two (2) years for three (3) members, and three (3) years for three (3) members. Subsequent appointments shall be for terms for three (3) years each. Members may be re-appointed to succeed themselves but may not serve more than four (4) consecutive terms.

2. The members of the Board of Adjustment shall be residents of the County.

3. A member whose term expires shall continue to serve until a successor is appointed.

4. The secretary of the Board of Adjustment shall notify the Board of Commissioners in advance of the expiration of any term of office, if a vacancy occurs. Appointments to fill vacancies shall be only for the unexpired portion of the term.

5. Any member may be removed for misconduct while in office, failure to perform the duties of office, or for other just cause, in a hearing held by the Board of Commissioners at least fifteen (15) days of the notice.

8.17 Rules of Procedure

The Board of Adjustment shall observe the following procedures:

1. The Board of Adjustment shall adopt rules in accordance with the provisions of this ordinance and consistent with other ordinances of the County and general laws of the State of North Carolina.

2. The Board of Adjustment shall elect a chairman and vice-chairman from its own membership who shall serve annual terms and may succeed themselves. The Board of Adjustment may elect as its secretary either one (1) of its members or a qualified individual who is not a member of the Board of Adjustment. A secretary who is not a member of the Board of Adjustment shall not be entitled to vote on matters before the Board of Adjustment.

3. The Board of Adjustment shall keep a full public record of its proceedings.

Click on the calendar icon below to go directly to burkenc.org for the Board of Adjustment meeting schedule

4. All meetings

of the Board of Adjustment shall be open to the public.

5. Any member of the Board of Adjustment shall be disqualified to act on a matter before the Board of Adjustment with respect to property in which the member has an interest.

6. The meetings of the Board of Adjustment shall be held at the call of the chairman and at other times determined by a quorum of the board.

7. The chairman, or in their absence, the vice-chairman, shall administer oaths and compel the attendance of witnesses.

8. A quorum shall be at least four-fifths of the members to reverse any order, requirement, decision, determination of any administrative official, or to decide in favor of the applicant on any variance request which the Board of Adjustment is required to pass. There shall be a quorum of four (4) members for all other meetings or decisions.

9. A favorable vote of at least four-fifths (4/5) or a minimum of five (5) of the members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision, determination of any administrative official, or to decide in favor of the applicant on any variance request which the Board of Adjustment is required to pass. All other decisions will be rendered by majority vote.

8.18 Duties and Powers

The Board of Adjustment shall have the following duties and powers:

1. To hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator, or an administrative official in the administration or enforcement of this ordinance described in this article.

2. To authorize upon appeal, in specific cases, variances from the terms of this ordinance not contrary to public interest, when under special conditions a literal enforcement of the provisions will result in unnecessary hardship; provided that the spirit of this ordinance shall be observed and substantial justice done as follows:

    a. When a property owner can show that their property was acquired in good faith and the exceptional narrowness, shallowness, size, or shape of a specific piece of property or where by reason of exceptional topographic conditions or other extraordinary situation or conditions of such piece of property, or of the use or development of property immediately adjacent thereto, the strict application of the terms of this ordinance would effectively prohibit or unreasonably restrict the use of the property or where the Board of Adjustment is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrated hardship, as distinguished from a special privilege or convenience sought by the

applicant, provided that all variances shall be in harmony with the intended spirit and purpose of this ordinance.

b. No variance shall be authorized by the Board of Adjustment unless it finds that all three (3) of the following conditions apply:

1. That the strict application of this ordinance would produce undue hardship;
2. That such hardship is not shared generally by other properties in the county and the same vicinity; and
3. That the authorization of such variance will not be a substantial detriment to adjacent property and that the character of the area will not be changed by the granting of the variance.

c. No variance shall be authorized until a public hearing is held.

d. No variance shall be authorized unless the Board of Adjustment finds that the condition or situation of the property or the intended use of the property is not general or recurring in nature to create a general regulation to be adopted as an amendment to this ordinance.

e. When authorizing a variance the Board of Adjustment may impose conditions regarding the location, character, and other features of the proposed structure for use as it deems necessary in the public interest and may require a guarantee or bond to insure that the property owners are or will comply with the conditions imposed.

f. No such variance shall be authorized that effects a change in permitted uses of land, building, or structure denoted in the permitted table of uses.

3. To hear and decide applications of interpretation of the use district map where there is any uncertainty as to the location of a district boundary. The rules for determining boundaries per **Article 8, Administration, Appeals and Enforcement** of this ordinance will be utilized. After the affected property owners are notified, and after proper notice and a public hearing, the Board of Adjustment may interpret the map in a way that carried out the intent and purpose of the ordinance for the particular section or district in question. The Board of Adjustment shall not have the power to change substantially the locations of district boundaries established by this ordinance.

4. No provisions of this ordinance shall be construed as granting the Board of Adjustment the power to change the use of a parcel of land except as prescribed in this ordinance.

8.19 Financing the Board of Adjustment

The Board of Adjustment may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. Secretaries, legal counsel and members of the Board of Adjustment may receive compensation as authorized by the Board of Commissioners.

Requests for compliance permits, administrative review, and variances shall follow procedures per Section 8-14 Appeals Procedures.

8.21 Decisions of the Board of Adjustment

Each variance decision of the Board of Adjustment is subject to review by the superior court by proceedings in the nature of certiorari. Any petition for review by the superior court shall be filed with the Clerk of Superior Court within thirty (30) days after the decision of the Board of Adjustment is made, or after a written copy of the petition is delivered to every aggrieved party who has filed a written request for a copy with the secretary or chairman of the Board of Adjustment at the time of the hearing of the case, whichever is later. The decision of the Board of Adjustment may be delivered to the aggrieved party either by personal service, registered mail, or certified mail return receipt requested.

8.22 Conflict of Interest

Quasi-Judicial Decisions

Board of Adjustment members shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. This includes, but is not limited to:

1. Members having an opinion on the matter that is not susceptible to change prior to hearing the matter,
2. Undisclosed ex parte communications,
3. A close familial, business, or other associational relationship with an affected person,
4. Or a financial interest in the outcome of the matter.

Familial relationship. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Resolution of Objection

If an objection is raised regarding a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall rule on the objection by majority vote.

Board of Commissioners

The Board of Commissioners shall have the following responsibilities in the administration of this ordinance:

1. Review and decide requests for amendments to this ordinance and the official zoning map as specified in this article.

2. Review and decide on the disposition of county owned public facilities and related improvements proposed on site plans in accordance with the provisions of this ordinance.

8.24 Conflict of Interest

Governing Boards

Members of Board of Commissioners shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Board of Commissioner member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship

Familial relationship. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Resolution of Objection

If an objection is raised regarding a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall rule on the objection by majority vote.

8.25 The Planning Board

Planning Board Membership and Duties

A Planning Board consisting of seven (7) members shall be appointed by the Board of Commissioners with appointments and terms of office as follows:

1. The Planning Board members appointed shall serve for terms of one (1) year for one member, two (2) years for three members, and three (3) years for three members. Subsequent appointments shall be for terms of three (3) years each. Members can be re-appointed to succeed themselves but may not serve more than two consecutive terms.

2. The members of the Planning Board shall be residents of the County.

3. A member whose term expires shall continue to serve until a successor is appointed.

4. The secretary of the Planning Board shall notify the Board of Commissioners in advance of the expiration of any term of office, if a vacancy occurs. Appointments to fill vacancies shall be only for the unexpired portion of the term,

5. Any member may be removed for misconduct while in office, failure to perform the duties of office, or for other just cause, by the Board of Commissioners once a hearing is held at least fifteen (15) days of after notice.

8.26 Rules of Procedure

The Planning Board shall observe the following procedures:

1. The Planning Board shall adopt rules in accordance with the provisions of this ordinance and consistent with other ordinances of the County and general laws of the State of North Carolina.

2. The Planning Board shall elect a chairman and a vice-chairman from its own membership who shall serve annual terms and may succeed themselves. The Planning Board may elect as its secretary either one of its members or a qualified individual who is not a member of the Planning Board. A secretary who is not a member of the Planning Board shall not be entitled to vote on matters before the Planning Board.

3. The Planning Board shall keep a full public record of its proceedings and shall submit a report of its activities to the Board of Commissioners at least once per year.

4. All meetings of the Planning Board shall be open to the public.

5. Any member of the Planning Board shall be disqualified to act on a matter before the Planning Board with respect to property in which the member has an interest.

Click on the calendar icon below to go directly to burkenc.org for the Planning Board meeting schedule

6. The meetings

of the Planning Board shall be held at the call of the chairman and at other times determined by a quorum of the board.

7. A quorum shall consist of four (4) members. Any official acts must have a majority vote of the quorum. Tie votes will constitute the failure of a motion to pass.

8.27 Duties and Powers

The Planning Board shall have the following duties and powers:

1. Review applications for zoning district changes and amendments to this ordinance and make recommendations to the Board of Commissioners.

2. Review and make comments and/or recommendations on special matters referred to the Planning Board by the Board of Commissioners.

8.28 Conflict of Interest

Appointed Boards

Members of Planning Board shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Planning Board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship

Familial relationship. For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

Resolution of Objection

If an objection is raised regarding a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall rule on the objection by majority vote.

8.29 Fees and Deposits

Financing the Planning Board

The Planning Board may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. Secretaries, legal counsel and members of the Board of Adjustment may receive compensation as authorized by the Board of Commissioners.

8.30 Zoning Map and Amendments

Zoning Map Requirements

The "Official Zoning Map of Burke County, North Carolina", with all notations, references, amendments, dates, in its entirety, shall constitute a part of this ordinance and be referred to as the zoning map. The zoning map shall be made public record and shall be kept permanently in the office of the Zoning Administrator, and shall be available for review by the public.

8.31 Zoning Map Amendments

In accordance with **Article 8.9 Administrative Remedies**, if changes are made in the district boundaries or other information portrayed on the official map, the new changes shall be entered on the official zoning map within thirty (30) days after the amendment's approval by the Board of Commissioners. A numerical entry referring to the application for the amendment shall be kept as a public record by the Zoning Administrator. The numerical entry shall state the following:

1. The reference number of the application.
2. The date of the approval of the amendment by the Board of Commissioners.

Amendments to this ordinance regarding changes to the official zoning map shall become effective immediately upon approval by the Board of Commissioners. The official zoning map shall be the final authority in determining the current legal status of land, water areas, buildings, and other structures in the County. No changes of any nature shall be made on the official zoning map except in accordance with this ordinance.

8.32 Replacement of the Official Zoning Map

In the event that the official zoning map becomes damaged, destroyed, lost, difficult to interpret because of the number of changes and additions, or can be improved with a more accurate base map, the Board of Commissioners may, by resolution, adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting errors or omissions in the prior official zoning map. No correction shall have the effect of amending the original official zoning map or any significant parts of the official zoning map without a public hearing. The prior official zoning map or any significant parts of the prior official zoning map that remains shall be preserved, along with all available records pertaining to its adoption or amendment.

8.33 Rules for Determining Boundaries

Unless district boundary lines are fixed by dimensions, and where uncertainty exists with respect to the boundaries of any districts as shown on the official zoning map, the following rules shall apply.

Approximate Boundaries

Unless otherwise indicated, district boundaries indicated as approximately following property lines, land lot lines of streams, streets, highways, alleys or railroads, or the shorelines of reservoirs, or other bodies of water, or civil boundaries, shall be construed to follow such lines.

Parallel Boundaries

District boundaries indicated as approximately parallel to the center lines of streams, streets, highways, or railroads, or rights-of-way of the same, or the shorelines of reservoirs, or other bodies of water, or said lines extended, shall be construed as being parallel thereto and at such distance there from as indicated on the official zoning map. If no distance is given, the dimensions shall be determined by the use of the scale shown on the official zoning map.

Split Lots

Where a district boundary line appearing on the official zoning map divides a lot which is in single ownership, the use classification of the larger portion may, on application, be extended to the remainder by the Planning Board in accordance with **Article 8.11 Text Amendments and Article 8.12 Variance and Interpretations.**

Abandoned Roads

Where a public road, street, or alley is officially vacated or abandoned, the regulations applicable to the property that absorbed the vacated or abandon road shall apply to the vacated or abandoned road, street, or alley.

Waterways

Where a district boundary is indicated to follow a river, creek, branch, or another body of water, the boundary shall be construed to follow the center line at low water or at the limit of the jurisdiction. In the event of natural change in the shoreline, the boundary shall be construed as moving with the actual shoreline with its reestablished center of channel.

Measurements

If no distance, curvature description, or other means is given to determine a boundary line accurately and the foregoing provisions do not apply, the measurements shall be determined by the use of the scale shown on the official zoning map. In case of subsequent dispute, the matter shall be referred to the Board of Adjustment which shall determine the boundary in accordance with **Article 8.12 Variance and Interpretation**.

Appeal

In case the exact location of a boundary cannot be determined by the foregoing method, the Board of Adjustment shall determine the location of the boundary in accordance with **Article 8.12 Variance and Interpretation**.

8.34 Compliance, Penalty, and Other Remedies

Upon occasion the requirements of this ordinance may be in conflict with the provisions of other lawfully adopted laws and private contracts.

Terms of Compliance

This ordinance contains a minimal number of exempt uses and very few prohibited uses. Exempt uses are considered generally compatible in nature and are not required to obtain a compliance permit, when the provisions of this ordinance are met. All other development, including all changes of developed uses that are not prohibited, is required to obtain a compliance permit issued pursuant to **Article 8, Administration, Appeals, and Enforcement** and in accordance with other appropriate Articles of this ordinance.

8.36 Prohibited Uses

The following developments shall be prohibited in all jurisdictions of the County:

1. Sanitary landfills except those established by the County to meet the County's solid waste disposal needs. This includes any sanitary landfill developed jointly by the County and another jurisdiction.

2. Location of hazardous/nuclear waste disposal or waste storage sites.

3. Initiation of any development which would destroy any listing on the Survey of Historic Sites in North Carolina or the National Register of Historic Places; and

4. Installation of signs, whether for temporary or permanent use, which blink or flash, except informational public service signs.

8.37 Exempt Uses

The following uses are exempt from obtaining a compliance permit:

1. Agricultural uses (i.e. "Bona fide farms" as defined in the North Carolina General Statutes.

2. Yard sales and garage sales by the resident owner, and bazaars, flea markets and sales conducted by non-profit organizations. These sales must be limited to not more than six (6) days in any three (3) month period of time.

3. Wayside stands.

4. Any uses initiated by a Federal, State, and/or local governmental body.

A Use-by-right, because of its nature and impact, is automatically allowed within a designated zoning district. A compliance permit shall be required, and the application shall be processed in accordance with **Article 8.5 Submittal of Applications**

8.39 Special Uses

The following development activities or uses shall be allowed within the County and issued a compliance permit, subject to the special provisions of this ordinance and the application process described in **Article 8.5 Submittal of Applications**, other state and local laws, and applicable deed restrictions and covenants:

Any special use within a zoning area that meets the provisions of **Article 8**

8.40 Non-Conforming Lots

Where a platted or deeded lot of record does not meet the minimum lot size and the property owner does not own adjoining property, the lot may be used for building if it can meet the required setbacks and lot width. Where the non-conforming lot cannot meet the required setbacks and lot width the property owner may submit an application to the Board of Adjustment for a variance as outlined in **Article 8.12, Variance and Interpretation and Article 8.15 The Board of Adjustment.**

The Zoning Administrator may grant an administrative variance of no more than twenty percent (20%).

8.41 Conflict with Other Laws and Private Contracts

Governmental Laws

Wherever the requirements of this ordinance are in conflict with the requirements of other lawfully adopted statutes, rules, regulations or ordinances, the most restrictive or the law imposing the higher standards shall govern.

Private Contracts

This ordinance bears no relation to any private easement, covenant, agreement, or deed restriction, nor does this ordinance grant any public official the authority to enforce any such implied restriction. Wherever the ordinance is more restrictive than a private easement, covenant, agreement, or deed restriction, the ordinance shall govern.

Recorded deeds, easements, covenants, and deed restrictions may be found on the Register of Deeds web page @ burkenc.org

8.42 All Permits and Licenses to Conform

All departments, officials, and public employees of the county who are authorized to issue permits or licenses shall conform to the provisions of this ordinance. Any permit issued in conflict with the provisions of this ordinance, shall be null and void.

8.43 Violations

General

In addition to remedies provided in the North Carolina General Statutes and as law provides a violation of the ordinance shall occur when there is a failure to comply with the following regulations:

1. Whenever the performance of any act is required, or the performance of any act is prohibited,
2. Whenever any regulation or limitation is imposed on the use of land and water,
3. Or on the erection, removal, or alteration of a structure.

Liability

The owner, tenant, or occupant of any land or structure, or part thereof, and any architect, builder, contractor, agent or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this ordinance shall be held responsible for the violation and be subject to the penalties and remedies dictated by this ordinance.

Any person who commits the following offenses shall be held responsible for the violation and be subject to the penalties and remedies of this ordinance:

1. Any person who violates or, when under a legal duty to do so, fails to comply with, any of the provisions of this ordinance
2. All persons who aid, abet, or encourage another to violate or remain in violation of this ordinance;
3. All persons who knowingly and willfully resist, obstruct, or oppose the building inspector, Zoning Administrator, or their agents in the lawful performance of their duties;
4. Persons in possession or occupation of a lot or premises (whether as owner, joint owner, tenant or licensee) that is used in violation of this ordinance who shall knowingly remain in possession of and fail to bring the offense into compliance with this ordinance with reasonable promptness following receipt of a written notice of violation.

Click on the calendar icon below to go directly to burkenc.org to download the complaint form.

Complaints Regarding Violations

Any person may file a written complaint when a violation is alleged. Before the alleged violation is investigated the complaint must be:

1. signed,
2. dated,
3. and addressed

The complaint must state fully the cause and basis for the complaint and shall be filed with the Zoning Administrator or his/her designee. The Zoning Administrator shall record the complaint for public record, promptly investigate the complaint, and take action on the complaint as dictated by this ordinance.

Procedures Upon Discovery of Violation

Upon the determination that any provision of this ordinance is being violated, the Zoning Administrator shall send, within five (5) working days, a written notice by registered mail to the person(s) responsible for the violation. The notice shall indicate the nature of the violation and order the action necessary to correct it. Additional written notices may be sent at the Zoning Administrator's discretion.
The final written notice, which may also be the initial notice, shall state the action the Zoning Administrator intends to take if the violation is not corrected. The notice shall state that the Zoning Administrator may seek enforcement of any of the remedies below without written notice.

Civil Penalties

Violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of fifty dollars ($50.00), to be recovered by the county in a civil action in the nature of a debt if the offender does not pay the penalty within a period of three (3) working days after being cited. The citation shall be in writing, signed by the Zoning Administrator or his/her designee, and shall be delivered by any one of the following methods shall constitute delivery of notification; certified mail return receipt, first class mail, email by return receipt, hand delivery, and posting violation notification on the property where the offense occurred. If the violation is not corrected within thirty (30) days after the citation has been mailed and or received, judicial action may be taken.
Judicial Penalties

Any person, firm, or corporation who violates the provisions of this ordinance, shall upon conviction be guilty of a misdemeanor and shall be fined a fine not exceeding fifty dollars ($50.00) or imprisoned for not more than thirty (30) days. Each day that a

violation was not corrected within thirty (30) days after the notice was given.

8.44 Validity

Should any section or provisions of this ordinance be declared by the courts to be unconstitutional or invalid, the declaration shall not affect the validity of the ordinance as a whole or in part. Only the part declared to be invalid shall be affected.

8.45 Effective Date

This ordinance shall take effect and be in force effective 12:01 a.m., January 1, 1997. A certified copy of the foregoing zoning of Burke County, North Carolina, shall be filed in the offices of the chief administrative officer of the County, the Planning Administrator, and the clerk of the superior court. A vote taken on the foregoing ordinance resulted in an affirmative vote.

8.46 Development Agreements

The County may enter into development agreements as set forth in the Burke County Development Agreement Ordinance and NC General Statutes.

Article 9.0
Vested Rights

9.0 Vested Rights 826

Intent

In accordance with NC General Statutes nothing in this ordinance shall be construed to impair any vested right except for the elimination of existing uses, lots, or structures not in conformity with this ordinance.

9.1 Initial Adoption of Ordinance

A vested right shall be determined by the following criteria:

1. The existence of a use, structure, or parcel of land that exists upon the adoption of this ordinance, or any amendment to this ordinance.

2. The existence of an approved building permit that is valid, unexpired, or unrevoked upon the adoption of this ordinance, or any amendment to this ordinance.

9.2 Site Plan Vested Right

The purpose of this section is to implement the provisions of current NC General Statute pursuant to which a statutory vested right has been established by the approval of a site plan.

9.3 Establishment of Vested Rights

1. A vested right may be granted upon the approval of site plans identified in Article Section 2 of this article describing the type and intensity of use for the parcel.

2. An approval of a site plan with the condition that a variance be obtained shall not grant a vested right unless and until the necessary variance is obtained.

3. A site plan shall be deemed approved upon the date of the appropriate board's action as required by this ordinance.

9.4 Vested Rights (Permit Choice)

If an applicant submits a permit application for any type of development and a rule or ordinance is amended, the applicant may choose which adopted version of the rule or ordinance

will apply to the permit and use of the building, structure, or land indicated on the permit application. This includes an amendment to any applicable land development regulation between the time the development permit application was submitted and a development permit decision is made.

If the applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the applicant shall not be required to wait for the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit.

If any provision of the applicant's chosen version of the rule or ordinance is determined to be illegal for any reason shall not be enforced upon the applicant without the written consent of the applicant.

9.5 Approval Procedures

Except as otherwise noted in this section, an application for a site plan approval shall be processed in accordance with this section and **Article 7, Development Procedures** of this ordinance.

1. In order for a vested right to be established there must be an approval site plan and the applicant must indicate on the application that a vested right is being sought.

2. Following the approval of a site plan, nothing in this Section shall exempt the site plan from subsequent reviews and approvals to ensure compliance with the terms and conditions of the original approval, provided that the reviews and approvals are not inconsistent with the original approval.

3. Nothing in this Section shall prohibit the revocation of the original approval or other remedies for failure to comply with any applicable terms and conditions of this ordinance.

9.6 Duration of a Vested Right

1. A right that has been vested per this Section of the ordinance shall remain vested for a period of two (2) to five (5) years. Long-term multi-phased development projects of at least 25 acres shall have a vesting period of up to seven (7) years. (See exceptions). The approving authority in its sound discretion may establish a vesting period exceeding the two (2) year minimum where the applicant shows such extended period is warranted in light of all relevant circumstances, including, but not limited to:

    a. the size and phasing of development,
    b. the level of investment,
    c. the need for the development,
    d. economic cycles and market conditions.

Modifications or amendments to an approved plan do not extend the period of vesting unless specifically established by the approving authority when it approves the modification or amendment.

2. Upon issuance of a building permit, the expiration and revocation provisions of current NC General Statutes shall apply, except that a building permit shall not expire or be revoked because of the running of time while a vested right under this section is outstanding.

9.7 Termination of a Vested Right

A right that has been vested as provided in this section shall terminate:

1. At the end of the applicable vesting period for buildings and uses for which no valid building permit applications have been filed.

2. With the written consent of the affected landowner.

3. If the Board of County Commissioners, after notice and a public hearing, find that natural or man-made hazards are on or in the immediate vicinity of the property, and if uncorrected, would pose a serious threat to public health, safety, and welfare if the project were to proceed as proposed in the site plan.

4. Upon payment by the County to the affected landowner. This includes but is not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal and other consultant's fees incurred after the approval of the Board, together with interest at the legal rate until paid. Compensation shall not include any reduction in the value of the property which is caused by such notice.

5. When the Board of County Commissioners, after notice and a public hearing, find that the landowner intentionally supplied inaccurate information or made material misrepresentations which made a difference in approval of the site plan; or

6. Upon enactment of a state or federal law or regulation that prevents development as proposed in the site plan, in which case the appropriate board that approved the site plan may modify the affected provisions, upon a finding that the change in state or federal law has a fundamental effect on the site plan, after notice and a public hearing.

9.8 Limitations

Nothing in this section is intended to create any vested right other than those established pursuant to the current NC General Statute.

In the event that current NC General Statute is repealed, this section of this ordinance shall be deemed repealed and the provisions hereof no longer effective.

9.10 Vested Right Attached to Property

A vested right is not a personal right. It shall attach to and run with the applicable property. After approval of a site plan, all successors to the original landowner may exercise the right while applicable.

9.11 Judicial Determination

Nothing in this article shall prevent a determination that a vested right exists in a particular case or that a compensable taking has occurred. Except as expressly provided in this article, nothing in this article shall be construed to alter the existing common law.