

Slope Development

**A GUIDE TO UNDERSTANDING CHAPTER 152 OF THE MAGGIE VALLEY
UNIFIED DEVELOPMENT ORDINANCE: STEEP SLOPE PROTECTION**



Why Protect Steep Slopes?

When Slopes Fail

Construction and development on slopes should be taken seriously. What is done on one side of a mountain will affect the other side of the same mountain. In the Fall of 2024, The Unprecedented rains from Hurricane Helene caused landslides within Maggie Valley. When development on slopes is not carried out in a responsible way, it poses a danger to all property owners.

Purpose of the Ordinance

The purpose of the Steep Slope Development Ordinance in Maggie Valley is to set standards for environmental protection and conservation. Because of the unique natural assets that the town possesses, the town has adopted this section in order to preserve the character of the town, conserve public health and safety, and promote environmentally sound design and planning. The objectives include:

- Protecting life and property from hazardous conditions related to steep slopes like rock falls, flash flooding, debris flows, mudslides, and wildfires.
- Preserve and enhance scenic and environmental resources of the landscape and retention of natural topographic features like streams, slopes, ridgelines, rock outcroppings, vistas, and natural plant and tree formations.
- To encourage innovative site and architectural planning so that development is harmonious with the character of the area.
- Minimize grading and cut and fill operations
- Preserve riparian vegetation
- To require sites to retain trees and other vegetation to stabilize steep slopes and prevent erosion.
- Preserve predominant views of hillsides to retain the sense of identity and imagery that hills and mountains convey to the Town of Maggie Valley

Is My Property Affected?

The Steep Slope Protection Ordinance applies to properties that are zoned Residential Conservation 1 (RC-1) and Residential Conservation 2 (RC-2).

These Residential Conservation districts were established to provide additional environmental protection measures to regulate development in steep slope areas and promote environmentally sound design and planning that protects natural landscapes within Maggie Valley.

- RC-1 has a maximum of 3 **single family and 6 multi-family dwelling units per acre** .
 - RC-2 has a maximum of 3.75 **single family and 7.5 multifamily dwelling units per acre**.
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The Steep Slope Ordinance also applies if the property meets the definition of a steep slope.

A steep slope is defined as any lot, parcel, tract, or portion of land that has a natural elevation of 2,900 feet above sea level or higher, with a natural slope of 25% or greater.

The area on any parcel, lot or tract that constitutes a Steep Slope area shall be the only portion subject to the steep slope requirements. Areas that are not considered Steep Slope shall apply base requirements of either R-2 or R-3 depending on which Conservation district the property is located within.

How is a Steep Slope Determined?

The Average natural slope for a property is calculated using the following formula:

$$S = \frac{.0023(I)(L)}{A}$$

S = Existing grade of Parcel in Percent

I = Contour Interval of map in feet, with said contour intervals to be five feet or less

L = Total length of the contour lines within the parcel in feet

A = Area of the Parcel in Acres

0.0023 = Product of two constants, one of which converts feet into acres and one of which converts a decimal into a percentage

Slope Development Standards

Developers should make a reasonable effort to preserve and protect natural features of the slope, such as trees and other plant material, and rock outcroppings which may help to stabilize the slope.

In addition, no person may construct a Tall Building or Structure on any Protected Mountain Ridge as defined by N.C.G.S 113A-206.

Table 152.15 (e): Specific Steep Slope Development Standards

Average Slope	25-29%	30-34%	35-39%	40-44%	45-49%	50% +
Maximum Density/ Minimum Lot size	25% reduction underlying zoning	50% reduction underlying zoning	4 acres/du	5 acres/du	7.5 acres/du	10 acres/du
Minimum Front Setback	RC-1: 25 ft	RC-1: 25 ft	RC-1: 25 ft	RC-1: 30 ft	RC-1: 30 ft	RC-1: 30 ft
	RC-2: 20 ft	RC-2: 20 ft	RC-2: 20 ft	RC-2: 25 ft	RC-2: 25 ft	RC-2: 25 ft
Minimum Side Setback	15 ft	15 ft	15 ft	20 ft	20 ft	20 ft
Minimum Rear Setback	15 ft	15 ft	15 ft	20 ft	20 ft	20 ft
Minimum Riparian buffer	30 feet	30 feet	30 feet	30 feet	30 feet	30 feet
Maximum Building Height	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet

Standards Explained

The table above outlines the standards for development for the Steep Slope Ordinance. It is important to note that acres/du is to be understood as the number of acres a lot needs per dwelling unit.

For Example, if a property comprising of 100 acres was scheduled to be subdivided, and the average slope of the property was between 40-44%, then the developer would need to have a minimum lot size of 5 acres. In this scenario, the maximum amount of lots would be 20.

When it comes to setbacks, if a lot has an average slope between 30-34%, then the side and rear setbacks would be a minimum of 15 feet. The minimum front setback would be 25 feet for RC-1 and 20 feet for RC-2.

As you can see from the table above, the minimum riparian buffer for properties with an average slope above 25% is 30 feet. The maximum building height for properties with an average slope above 25% is 35 feet.

Questions concerning this ordinance should be directed to the Maggie Valley Planning Department

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