



Dear Madison County Planning Board members and County staff,

In 1983, the State of North Carolina implemented the Mountain Ridge Protection Act to protect the mountain ridgelines of our state. These actions were a direct response to abominations that private developers had built on ridgelines and mountaintops in other counties. Thereafter, Madison County had the foresight to take the additional step of putting in place further safeguards to protect one of our county's greatest assets: its natural beauty. One key rule that Madison County added was a 50ft setback on either side of a protected ridge. This simple rule makes protection of our ridgelines paramount, and enforcement of these rules relatively easy.

For 40 years, these important pieces of combined legislation have ensured that Madison County landowners, residents, and visitors would be blessed with visually stunning and natural mountain views, and have the confidence that those views would be protected for future generations. Countless people have purchased property in Madison County in part because of the beautiful ridgeline views protected by this county ordinance. Reducing or eliminating Madison County's existing setback requirement would not align the ordinance more closely with state law. Rather, both the Mountain Ridge Protection Act and general zoning authority granted to Madison County by the state empower our county to decide how best to pursue the Act's goals and protect mountaintop ridges. The clear decision put into action by our county leaders so many decades ago enshrined our shared commitment to the Jewel of the Blue Ridge.

The application for a proposed "Text Amendment" to Madison County's Ridge Protection ordinance will create the ability for developers to build visually detrimental structures on our protected county ridgelines and mountain tops. The current 50' setback defined in Madison County's Ridge Protection ordinance should remain intact to affirm the wise and thoughtful protections that have been in place for 40 years. A text amendment application for a county-wide ordinance, submitted by a single landowner with a financial stake in the amendment, is not a good way for county governments to reconsider county-wide policy decisions. That said, there is an established process for seeking variances on individual development needs through the Madison County Board of Adjustment. Addressing site-specific concerns through variance makes far more sense than doing away with an important element of the county Ridge Protection ordinance entirely.

The current 50-foot setback is clear, unambiguous, and has served us all well for 40 years. It is a sensible way, coupled with easy-to-follow rules that require minimal enforcement, to protect the mountain views we all cherish. Developers and a few landowners would benefit from this proposed change, in contrast with a vast majority of Madison County citizens, who cherish our unaltered natural ridgelines and assume that their elected officials are watching out for the best interests of all Madison County residents.

The challenges of building structures in the mountains are well understood, especially by developers and those familiar with our protective legislation and ordinances. We share concerns with the applicant about soil stability and steep slopes expressed in the text amendment application, and believe those concerns are better addressed by adopting a steep slopes ordinance, similar to those in nearby Jackson and Haywood counties. Those ordinances specifically address the environmental and safety risks attendant to such unstable conditions, which vary drastically from one parcel to another.



We are asking the Planning Board to recommend denial of this application, thereby re-affirming the setback rules that have worked successfully for 40 years for all residents of Madison County. Although we find no merit in the proposed Text Amendment to the Ridge Protection ordinance, this applicant still has the option to follow the same judicial process as any other applicant seeking regulatory relief in land development matters: namely, through the Madison County Board of Adjustment. Please protect the natural beauty our ridgelines that benefit landowners, residents, and visitors in our County for this and future generations.

Sincerely,

Clear Sky Madison and concerned residents of Madison County