Board members present: All parties were present in person.

Board members: Wade Burns

Bill Scheu

Mason Blake

Dan Dean

Allen Crawford

Board members absent: Sally Stancil

Town staff present: Scott Adams, Zoning Administrator

Alex Carmichael, Town Administrator

Angie Murphy, Town Clerk

Special Guests: None

Two members of the public were present and several members were watching via Zoom. Mr. Scheu called the meeting to order at 10:30 a.m., and led the group in a moment of silence.

**Agenda Approval**

Mason Blake moved to adopt the agenda as presented. Wade Burns seconded and the motion carried 5/0.

**Meeting Minutes Adoption**

Dan Dean and Mason Blake previously submitted to the Commission and Town Clerk a list of corrections for the April 8th Meeting Minutes.

Dan Dean moved to approve the April 8th Meeting Minutes as amended. Mason Blake seconded and the motion carried 5/0.

**Presentation of Montreat Draft Stormwater Concept Plan**

Mary Roderick of Land-of-Sky Regional Council advised that a stormwater system inventory is required for NPDES Phase II permit (Montreat’s audit is in 2022). Land-of-Sky Regional Council has been developing stormwater inventories using 205j funding since 2015. Ms. Roderick briefly discussed GIS mapping tools for inlets and outfalls and results of the residents’ survey.

Tim Ormond of BlueEarth Engineering stated that in June 2020 62 streams and stormwater system observations were made and over 4,200 feet of stream conditions were assessed for stream habitat and bank stability. There was little bank instability found along Flat Creek and the tributaries. Professor Josh Holbrook of Montreat College completed Freshwater Habitat Assessments and these sites were rated from good to excellent. Professor Holbrook performed macroinvertebrate analysis at three sites and rated all as good to excellent. Mr. Ormond stated that BlueEarth visited each noted site in the residents’ survey and all issues were localized, meaning it was erosion or some need for maintenance. Mr. Ormond went on to detail the steps involved in their testing and field investigations.

Ms. Roderick outlined the next steps: apply for grant funding to support Homeowner Assistance Program, assist Montreat with developing a potential stormwater utility and seek funding for mountain region stormwater management guide.

A completed report will be presented at the June meeting.

**Continued Discussion of Draft 2021 Montreat Zoning Ordinance**

Scott Adams, Montreat Zoning Administrator, had recently received some inquiries from the MRA/Lodge Project Team/Architects. The first question was regarding minimum off-street automobile parking requirements and calculation methodology for “hotel” use. Mr. Adams advised that in the current ordinance “inn” and “lodge” are defined as permitted uses but in the proposed ordinance “inn” and “lodge” would need to be removed to make room for “hotel”. Dan Dean advised that in Montreat a lodge could be considered something totally different than a hotel and feels that a discussion about this matter is necessary.

The second question regarded minimum off-street bicycle parking and calculations methodology for “hotel” and other non-residential uses. The current ordinance differentiates between short-term and long-term parking requirements. The proposed ordinance makes bicycle parking essentially optional. There were no further comments on this matter.

The third question involved pgs. 43-44 in Permitted Uses Table, the terms “lodge” and “inn” as listed uses, albeit without definitions. Mr. Adams stated that this would be rectified in the conversation about “lodges” in Montreat that was mentioned above.

The fourth question involved off-street parking within setbacks. Is this allowed? In the new and old ordinances? Mr. Adams stated that it is discussed in Section 701.4 Curbing in the new 2021 Draft Montreat Zoning Ordinance and is assumed in the existing Montreat Zoning Ordinance.

The fifth question asked whether tandem parking is allowed within a parking garage? Surface parking? Tandem parking is parking two cars deep. In speaking with Mr. Scheu previously this particular question will not be addressed by the Planning & Zoning Commission at this time. They will consider it as a later update to 2021 Zoning Ordinance.

**Public Comment**

The following questions were asked of Bill Scheu on a phone call with the “Hayner Group”. Mason Blake will provide answers as follows:

1. What’s the process for changing review/approval authority for Special Use Permits from Board of Adjustment (quasi-judicial process) to Board of Commissioners (legislative process)? Chapter 160d requires a quasi-judicial process for all Special Use Permits. It does allow the ordinance to specify the Board of Adjustment, the Planning & Zoning or Town Council as who can adjudicate quasi-judicial decisions. Typically municipalities utilize Board of Adjustments because they are well-versed in quasi-judicial processes.

2. How do staff determine when a Conditional Use Permit/Special Use Permit application is “Complete”? Under the current ordinance the Zoning Administrator makes that determination. The Zoning Administrator is given the discretion to decide when it is complete. Mr. Scheu advised that the Commission could work with Mr. Adams to elaborate more on the application.

3. Decision about variances require a 4/5 majority vote. Conditional Use Permits/Special Use Permits only require a simple majority vote – why? Variances are a change to the Zoning Ordinance standards. Conditional Use Permits/Special Use Permits are simply a vote on whether or not an application meets objective zoning/development standards, in addition to discretionary review by Board of Adjustment members. Voting requirements are specified by state law.

4. In the Draft 2021 Montreat Zoning Ordinance, Section 311.637 is incorrect and should read 310.637. This was noted and corrected.

5. When and how are environmental issues considered in Conditional Use Permit/Special Use Permit process? Environmental issues are considered for all development processes. An applicant has to show compliance with all the standards of the code. Chapter K – Environment addresses this subject at length.

Brendan Hayner-Slattery of 319 Assembly Drive felt that the ordinance (310.364) outlines that the Board of Adjustment decides if the application is complete. Mr. Hayner-Slattery also felt that a more laid-out methodology is necessary to assist the Board of Adjustment in this determination.

Anne Hayner of 319 Assembly Drive reiterated Brendan Hayner-Slattery’s comments about having more guidelines on what a complete application entails which would be helpful for the Board of Adjustments.

Priscilla Hayner of 319 Assembly Drive felt that it would be acceptable to work with the Zoning Administrator to finalize the application only if it was set. Ms. Hayner felt that “setting” the application would be including it in the ordinance.

**Adjournment**

Dan Dean moved to adjourn the meeting. Mason Blake seconded and the meeting was adjourned at 12:05 p.m.

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Bill Scheu, Chair Angie Murphy, Town Clerk