

**Town of Montreat
Board of Commissioners Meeting – Public Forum
August 10, 2023 – 6:30 p.m.
Town Hall**

I. Call to Order

- Welcome
- Moment of Silence

II. Agenda Adoption

III. Public Comments

IV. Adjournment

**Town of Montreat
Board of Commissioners
Town Council Meeting
August 10, 2023 – 7:00 p.m.
Town Hall**

I. Call to Order

- Pledge of Allegiance
- Moment of Silence

II. Agenda Adoption

III. Mayor's Communications

IV. Consent Agenda

A. Meeting Minutes Adoption

- July 13th Public Forum Meeting Minutes
- July 13th Town Council Meeting Minutes

All items on the Consent Agenda are considered routine, to be enacted by one motion with the adoption of the agenda and without discussion. If a member of the governing body requests discussion of an item, it will be removed from the Consent Agenda and considered separately.

VI. Interim Town Manager's Communications

- Consent Agenda Review
- Other Items

VII. Administrative Reports

- Administration
- Planning and Zoning
- Police
- Public Works and Water
- Sanitation
- Streets
- Finance
- Additional Planning & Zoning Information

VIII. Public Comment

Public comments will be heard during this period for any and all items.

IX. Old Business

X. New Business

A. Public Hearing regarding Montreat Tomorrow Comprehensive Plan

- **Presenter: Ben Blackburn & Kayla DiCristina (if needed)**
- **See Agenda Materials on pages 24-100**
- **Suggested Motion: Move to open/close Public Hearing.**

B. Discussion of Proposed Changes of Montreat Tomorrow Comprehensive Plan by Board of Commissioners (no action will be taken)

- **Presenter:**
- **See Agenda Materials on pages 101-102**

C. Consideration of Nominations to appoint a Regular Member to Tree Board

- **See Rules on page 103**

D. Consideration of Nominations to appoint a Regular Member to Planning & Zoning Commission

- **See Rules on page 103**

E. Consideration of Nominations to appoint an Alternate Member to Planning & Zoning Commission

- **See Rules on page 103**

E. Consideration of Fee Schedule Updates and Proposed Water Rate Changes

- **Presenter of Fee Schedule Updates: Angie Murphy**
- **Presenter of Proposed Water Rate Changes: Commissioner Tom Widmer**
- **See Agenda Materials on pages 104-107**
- **Suggested Motion: Move to approve/deny proposed/amended Fee Schedule Updates and Proposed Water Rate Changes**

F. Consideration of Hiring Savannah Parrish as Town Manager

- **Presenter: Ben Blackburn**
- **Suggested Motion: Move to approve the hiring of Savannah Parrish as Town Manager with a start date of _____ at a salary of _____**

G. Consideration of Revisions to Bear Ordinance

- **Presenter: Mayor Pro Tem Mason Blake**
- **See Agenda Materials on pages 108-109**
- **Suggested Motion: Move to approve/deny proposed revision to the Bear Ordinance**

H. Consideration of Addendum to Tax Collections Agreement

- **Presenter: Ben Blackburn**
- **See Agenda Materials on pages 110-113**
- **Suggested Motion: Move to approve/deny addendum to Tax Collections Agreement**

I. Consideration of Order of Collection

- **Presenter: Ben Blackburn**
- **See Agenda Materials on page 119**
- **Suggested Motion: Move to approve/deny Order of Collection and authorize signature of Mayor Tim Helms**

J. Consideration of Appointing Rachel L. Eddings as Tax Collector

- **Presenter: Ben Blackburn**
- **See Agenda Materials on page 120**
- **Suggested Motion: Move to appoint/deny Rachel L. Eddings as Tax Collector**
- **Oath of Office: Administered by Town Clerk Angie Murphy**

XI. Public Comment

Public comments will be heard during this period for any and all items.

XII. Commissioner Communications

XIII. Dates to Remember

- **Tree Board, Tuesday August 22nd at 9:30 a.m. in Town Hall with Zoom options**
- **Board of Adjustment Meeting, (Tentative) Thursday August 24th at 5:00 p.m. in Town Hall with Zoom options**
- **Town Offices Closed, Monday September 4th in recognition of Labor Day. Sanitation services to resume on Tuesday, September 5th at 8:00 a.m.**
- **Landcare, Wednesday September 6th at 9:00 a.m. in Town Hall with Zoom Options**
- **September Town Council Meeting, Thursday September 14th at 7:00 p.m. in Town Hall with Zoom Options. Public Forum to begin at 6:30 p.m.**

- **Tree Board, Tuesday September 26th at 9:30 a.m. in Town Hall with Zoom options**

XV. Closed Session

- **Suggested Motion: Move to enter into Closed Session in accordance with NCGS 143-318.11(a)(3) for discussion/consultation with legal counsel.**

Adjournment

**Town of Montreat
Board of Commissioners
Public Forum Meeting Minutes
July 13, 2023 – 6:30 p.m.
Town Hall**

Board members present: Mayor Tim Helms
Mayor Pro Tem Mason Blake
Commissioner Jane Alexander
Commissioner Kitty Fouche
Commissioner Kent Otto
Commissioner Tom Widmer

Board members absent: None

Town staff present: Ben Blackburn, Interim Town Manager
Angie Murphy, Town Clerk

Twenty members of the public were present. Mayor Tim Helms called the meeting to order at 6:30 p.m., and led the group in a moment of silence.

Agenda Approval

Commissioner Kitty Fouche moved to adopt the agenda as presented. Commissioner Jane Alexander seconded and the motion carried 5/0.

Public Forum

Mrs. Shirley Mitchell of 201 Harmony Lane thanked all Montreators, the Public Works Department and the Police Department for the success of the July 4th Parade.

Adjournment

Commissioner Kitty Fouche moved to adjourn the meeting. Commissioner Tom Widmer seconded and the motion carried 5/0. The meeting was adjourned at 6:32 p.m.

Tim Helms, Mayor

Angie Murphy, Town Clerk

**Town of Montreat
Board of Commissioners
Meeting Minutes
July 13, 2023 – 7:00 p.m.
Town Hall**

Board members present: Mayor Tim Helms
Mayor Pro Tem Mason Blake
Commissioner Jane Alexander
Commissioner Kitty Fouche
Commissioner Kent Otto
Commissioner Tom Widmer

Board members absent: None

Town staff present: Ben Blackburn, Interim Town Manager
Angie Murphy, Town Clerk
Virginia “Gin” Johnson, Police Officer
Barry Creasman, Public Works Director
Rachel Eddings, Finance Officer

Twenty six members of the public were present at Town Hall and several more were watching via Zoom. Mayor Tim Helms called the meeting to order at 7:00 p.m., and led the group in the pledge of allegiance and a moment of silence.

Agenda Approval

Mayor Tim Helms asked if the Council would table the discussion of nominating a representative to Tree Board. Mayor Pro Tem Mason Blake moved to adopt the agenda as amended. Commissioner Jane Alexander seconded and the motion carried 5/0.

Mayor’s Communications

Mayor Tim Helms took a moment to congratulate Montreat on having a wonderful 4th of July Parade. Mayor Helms welcomed a new member of the Town of Montreat family – Etta June Brown! Miss Etta is the daughter of Sanitation Specialist Drew Brown and his wife Taylor.

Meeting Minutes Adoption

- June 8th Public Forum Meeting Minutes
- June 8th Town Council Meeting Minutes

Interim Town Manager’s Communications

Interim Town Manager Ben Blackburn had no communications for Council.

Administrative Reports

- Administration – This report was given in written format.
- Finance – This report was given in written format.
- Planning & Zoning – This report was given in written format.
- Police – This report was given in written format.
- Public Works and Water – This report was given in written format.
- Sanitation – This report was given in written format.
- Streets – This report was given in written format.
- Additional Planning & Zoning Information – This report was given in written format.

Public Comment

Mrs. Letta Jean Taylor of 376 Oklahoma Road spoke on behalf of Martha Campbell who could not be present this evening. Mrs. Taylor asked a series of questions about financial issues related to the ongoing MRA Lodge issue. These questions were asked during a Public Comment period when Council Members do not respond to questions from the public. Mayor Helms asked Interim Town Manager Ben Blackburn to meet with Mrs. Taylor at a later time to address her questions.

Ms. Heath Tinsley of 363 Nisbet Lane stated that in view of the recent lawsuit regarding the MRA Lodge issue and the continued parking issues around Town she would like to suggest adding the issue of tax revenue sources to the current Comprehensive Plan. Ms. Tinsley advised that the discussion was originally in the 2008 Comprehensive Plan under Section 3.3.3.

Old Business

There was no Old Business to discuss.

New Business

- A. Public Hearing regarding Montreat Tomorrow Comprehensive Plan: Mayor Helms thanked the following members of the Comprehensive Plan Steering Committee for their hard work over the past two years:
- Dr. Paul Maurer
 - Richard DuBose
 - John Casper
 - Dr. Bill Seaman
 - Maggie Elliott
 - Mari Gramling

- Daniel Hewitt

Mayor Pro Tem Mason Blake moved to open the Public Hearing. Commissioner Kent Otto seconded and the motion carried 5/0.

Ms. Priscilla Hayner of 319 Assembly Drive thanked the members of the Steering Committee for their hard work on the Comprehensive Plan. Ms. Hayner felt the plan was good and covered a lot of issues. Ms. Hayner wanted to see the vision statement for Community Character and Development and the subsequent objectives reflect something more defined for historic preservation. Ms. Hayner also echoed the previous comment about the need for a revenue section in the plan and possible future revenue sources.

Mrs. Shirley Mitchell of 201 Harmony Lane stated that she thought the date of the founding of Montreat by the Conference Center was incorrect.

Mr. Rusty Douglas of 227 Alabama Terrace asked about the new Special Use Permit process and stated that he hoped that the process remains unchanged in the new plan. Mr. Douglas also asked whether the MRA pays a different tax for people who come to use the Town's recreation facilities versus who comes for religious programs.

Mr. Powell Jones of 421 Appalachian Way stated that he hopes that the interpretation of the plan stays consistent with the needs and concerns of the community expressed today. Mr. Jones also echoed the previous comment about the need for a revenue section in the plan and possible future revenue sources.

Mr. Brad Hestir of 192 Mississippi Road, Chair of the Tree Board, was glad to see an objective that provides an opportunity for the Tree Board to collaborate with the MRA and additional entities. Mr. Hestir felt that a clear implementation section was missing from the plan.

Commissioner Jane Alexander moved to close the Public Hearing. Commissioner Tom Widmer seconded and the motion carried 5/0.

B. Discussion of Montreat Tomorrow Comprehensive Plan by Board of Commissioners: Mayor Helms advised that no decision was to be made at this meeting and another Public Hearing on this matter will be held in August.

- Commissioner Widmer asked why the revenue sources were not included in the plan since it was brought up several times by community members at the meeting this evening. Mayor Helms advised that the Commission was already working on this and are actively seeking new sources of revenue. Mayor Helms also stated that it is hard for a committee to identify these sources of revenue and that it is a task for Town Staff as well. Mayor Helms also stated that

each objective had been assigned to a specific department in the Town and will be addressed by Staff.

- Commissioner Alexander stated that she was happy with the plan and that they, as a Commission, will continue to revisit the plan as it is implemented.
- Commissioner Widmer asked about the next steps. Commissioner Widmer stated that he understood that the next meeting will have additional public comment and an opportunity for the Board of Commissioners to make a decision on the plan, but questioned if there were to be any additional review opportunities. Mayor Helms advised that if the Board of Commissioners wants to have a work session to review the plan they can. Mayor Helms also asked the Commissioners to review the plan themselves so that time in a work session or at the next Board of Commissioners meeting can work efficiently.

- C. Consideration of Body Camera Policy: Officer Virginia “Gin” Johnson advised that the body cameras for the Town of Montreat have already been purchased. Officer Johnson feels that they will be helpful for the Police Department and the Town as the cameras will protect the Town from liability. Commissioner Tom Widmer felt that the policy was really well written but he did not feel qualified to comment on whether it was “correct”. Officer Johnson advised that Chief Arrant, Interim Town Manager Ben Blackburn and Town Attorney Susan Taylor Rash have all reviewed the policy in its entirety. Mayor Pro Tem Mason Blake questioned whether or not the cameras would be used during off duty assignment such as parades or other functions and Officer Johnson stated that the cameras would be in use during those times as well. Mayor Pro Tem Mason Blake also questioned how the cameras were activated. Commissioner Kent Otto asked for further clarification on the use of cameras during off duty assignments. Commissioner Jane Alexander asked if during assist calls with the Town of Black Mountain would the cameras be worn and Officer Johnson advised that would be the case. Officer Johnson stated that the entire department was in favor of the body cameras because they protect the officer, the citizens and the Town. Officer Johnson will be providing officers with training aids for the new cameras. Commissioner Tom Widmer moved to approve the Body Camera Policy as presented. Commissioner Jane Alexander seconded and the motion carried 5/0.
- D. Discussion of Possible Updates to the Solid Waste Ordinance: Mayor Pro Tem Mason Blake mentioned that in the Council’s meeting packet was a sample citation form and procedures with regards to enforcing the Solid Waste Ordinance. Mayor Pro Tem Blake advised that the first citation was issued earlier this week by Town Staff. Mayor Pro Tem Blake also advised that there is need to establish a proposed fee of \$250 per hour if Town Staff have to clean up property owners’ trash. Mayor Pro Tem Blake also mentioned that the Board should take a hard look at requiring construction sites to have and utilize some sort of bear proof trash container.
- E. Continued Discussion of Parking Concerns on Lookout Road and Texas Road: Commissioner Tom Widmer advised that the parking issues on Texas Road have been addressed by the addition of “no parking signs” and continued police enforcement.

Public Comment

Mrs. Shirley Mitchell of 201 Harmony Lane expressed concerns over construction noise that can be heard at her home. Mrs. Mitchell also questioned who the Consultants were for the Comprehensive Plan and the costs involved.

Ms. Mari Gramling of 216 Alabama Terrace questioned who to call about a copperhead in her yard and expressed concerns about bears getting into unsecured trash. Ms. Gramling also stated that Alabama Terrace has become a main thoroughfare for a variety of vehicles which has led to speeding and parking issues.

Mrs. Letta Jean Taylor of 376 Oklahoma Road thanked the Public Works Department for coming in on their July 4th Holiday to set up for the Montreat Gait Race at the Montreat Gate and for assisting with the parade. Mrs. Taylor also stated that it was a treat to see Town Clerk Angie Murphy serving as Co-Grand Marshall in the 4th of July parade. Mrs. Taylor also expressed appreciation for the new paving on Oklahoma Road but expressed the continued need to repave other roads in Montreat and suggested a tax increase to help pay for the paving.

Mr. Daniel Hewitt of 525 Suwannee Drive expressed concern with regards to speeding on Greybeard Trail and made recommendations where new speed limit signs should be posted. Mr. Hewitt also suggested a new speed limit sign at the Montreat Gate Welcome Sign.

Commissioner Communications

Commissioner Kitty Fouche reminded everyone about the upcoming Presbyterian Heritage Center Ice Cream Social which will be held on July 22nd from 2:00 – 4:00 p.m. at the PHC. Commissioner Fouche also mentioned that she has missed the Board of Commissioner Planning Workshop and would like to see it resurrected whenever a new Town Manager is hired and onboard.

Commissioner Jane Alexander reminded everyone about the Cottagers Inc. meeting which will be held on Saturday, July 22nd at 10:00 a.m. in Upper Anderson Auditorium.

Commissioner Kent Otto mentioned that he would like to revisit protecting the bears while also encouraging them to move elsewhere.

Dates to Remember

- PZC Regular Meeting, Thursday July 27th at 10:30 a.m. in Town Hall with Zoom options
- Tree Board, Tuesday July 25th at 9:30 a.m. in Town Hall with Zoom options
- Landcare, Wednesday August 2nd at 9:00 a.m. in Town Hall with Zoom options
- August Board of Commissioner Meeting, Thursday August 19th at 7:00 p.m. in Town Hall with Zoom options. The Public Forum will begin at 6:30 p.m.
- Tree Board, Tuesday August 22nd at 9:30 a.m. in Town Hall with Zoom options
- Board of Adjustment (Tentative), Thursday August 24th at 5:00 p.m. in Town Hall with Zoom options

Adjournment

Commissioner Kent Otto moved to adjourn the meeting. Commissioner Jane Alexander seconded and the motion carried 5/0. The meeting was adjourned at 8:14 p.m.

Tim Helms, Mayor

Angie Murphy, Town Clerk



TOWN OF MONTREAT

P. O. Box 423, Montreat, NC 28757
Tel: (828) 669-8002 | Fax: (828) 669-3810
www.townofmontreat.org

ADMINISTRATIVE REPORTS: ADMINISTRATION

Town Administration report for the month of July 2023

Monthly Statistics	2022	2023
Public Meetings	8	4
Inter-Organizational /Intergovernmental Meetings	0	0
Agendas Prepared	6	3
Minutes Transcribed	7	3
Resolutions Drafted	0	0
Public Records Requests Processed	1	4
Water Bills Processed	675	680
Leak Adjustments	3	4
New Water Accounts Established	1	0
Purchase Orders	89	86
Professional Development Hours	32	2
Sunshine List Messages		10
Website Posts	12	10
Social Media Posts	0	3
Code Red Alerts	0	0
Workers Compensation Claims	0	0

Upcoming Events and Schedule Changes

Comments

N/A

Staff Communications

N/A



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ADMINISTRATIVE REPORTS: BUILDINGS AND INSPECTIONS

Buildings and Inspections report for the month of July 2023

Monthly Statistics	2022	2023
Building Permits Issued	13	10
Pending Building Permits	0	0
Building Inspections Performed	33	30
Stop Work Orders Issued	0	0
Defective Building Posted	0	0
Denied Building Permits	0	0
Fire Inspections Performed	0	0
Fire Re-Inspections Performed	0	0
Fire Permits Issued	0	0

Comments

Staff Communications



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ADMINISTRATIVE REPORTS: STREETS

Streets Department report for the month of July , 2023

Monthly Statistics	2022	2023
Miles of Road Maintained	15.46	17.12
Miles of New Road Constructed	0	0
Public Trees Removed	0	0
Sand Applied to Roads (tons)	0	0
Ice Melt Applied to Roads (pounds)	0	0
Monthly Fuel Costs	364.23	\$388.18
Contracted Employee Staff Hours	0	0
Road Closures	0	0

Comments

The paving is complete on Oklahoma Road. The concrete curbing will be installed soon. We have been going around town doing pot hole patching. So far we have put down 24 tons of asphalt make the repairs with more to come.



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ADMINISTRATIVE REPORTS: POLICE DEPARTMENT

Police Department report for the month of

July , 2023

Monthly Statistics	2022	2023
Mileage	2,975	2,899
Dispatched Calls	44	27
Officer-Initiated Calls	805	695
Fire Assistance Calls	2	3
EMS Assistance Calls	0	2
Motorist/Other Assistance Calls	16	14
Traffic Stops	33	40
Parking Issues	5	8
Burglar Alarm Responses	0	0
Fire Alarm Responses	0	3
Residential/Building Checks	0	266
Ordinance Violations	0	8
Law Enforcement Agency Assistance Calls	20	6
Animal Control Calls	5	12
Larcenies	0	0
Breaking & Entering Calls	3	3
Suspicious Person Investigations	6	4
Suspicious Vehicle Investigations	6	9
Disturbance Calls	8	6
Accident Responses	5	0
Auxiliary Hours Worked (Regular)	40	0
Auxiliary Hours Worked (Addittional)	16	36
Truck Turns at Gate	2	2
MPD Fuel Cost	\$ -	\$0.00
Professional Development Hours	0	36
Town Service	673	646
MRA Service	256	320
College Service	22	3

Comments

A reminder, our non-emergency number has changed. You can reach the MPD Officer on duty through Buncombe County Dispatch. 828-250-6670.



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ADMINISTRATIVE REPORTS: WATER AND PUBLIC WORKS

Water and Public Works report for the month of July , 2023

Monthly Statistics	2022	2023
Calls for Service	64	86
Water Leaks Repaired	0	0
New Water Lines Installed	0	0
Water Meters Read	674	674
Water Meter Replacements	0	0
Gallons of Water Produced	3720547	4,968,756
Monthly Fuel Cost	436.72	\$ 847.18
Hours Pumped (11 wells combined)	1883	3,003

Comments

0



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ADMINISTRATIVE REPORTS: SANITATION

Sanitation Department report for the month of July , 2023

Monthly Statistics	2022	2023
Tons of Curbside Trash Collected	54.34	55.5
Pay-As-You-Throw Trash Bags Collected	N/A	NA
Tons of Curbside Recycling Collected	6.28	8.26
Pay-As-You-Throw Recycling Bags Collected	N/A	NA
Cardboard Recycling Collected	0.76	3.22
Unique Curbside Sanitation Stops	1800	2,205
Bagged Leaf Pickup	110	265.00
Brush Pickup (cubic yards)	4 Loads	5 Loads
Hauling Fees	2398.8	\$5,167.02
Tipping Fees	1914.74	\$1,476.72
Dumpster Rental Fees	214.63	\$472.82
Sanitation Fuel	425.45	\$ 309.57

Comments:

We had 11 garbage cans broken into by the bears this month. All were found to have not been latched properly. Of the 11 cans we issued 2 warning letters by certified mailings and all 11 were cleaned up by the property owners or a representative of the property owner. We would like to remind folks to please ask folks to secure their garbage cans and to also tie up bags and to break down cardboard. Thank you all for your support.



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ADMINISTRATIVE REPORTS: ZONING ADMINISTRATION

Zoning Administration report for the month of July 2023

Monthly Statistics	2022	2023
Approved Zoning Permits	0	1
Denied Zoning Permits	0	0
Pending Zoning Permits	1	2
Variance/Interpretation Granted	0	0
Conditional Use Permits Granted	0	0
Permit Extensions Granted	0	0
Sign Permits Issued	0	0
Notices of Violation	0	0

Comments

Pending Zoning Permits are waiting for applicant responses on revisions or additional documents.

JULY 2022 - MONTH 1 OF FISCAL YEAR 2022-2023

REVENUES

Fund	Fund #	Budget	YTD Budget	YTD Collected	Difference
GENERAL FUND	10	2,074,556.00	172,879.67	33,263.22	(139,616.45)
WATER FUND	30	359,734.00	29,977.83	32,065.11	2,087.28
TOTAL REVENUES GENERAL & WATER FUNDS		2,434,290.00	202,857.50	65,328.33	(137,529.17)

EXPENSES

Dept Name	Fund #	Budget	YTD Budget	YTD Exp	Difference
GOVERNING BODY	10	45,572.00	3,797.67	5,274.88	(1,477.21)
ADMINISTRATION	10	471,922.00	39,326.83	36,587.81	2,739.02
PUBLIC BUILDINGS	10	120,862.00	10,071.83	24,266.69	(14,194.86)
POLICE	10	439,974.00	36,664.50	25,266.43	11,398.07
BUILDING AND ZONING	10	94,600.00	7,883.33	14,571.98	(6,688.65)
PUBLIC WORKS	10	117,593.00	9,799.42	11,359.91	(1,560.49)
STREET	10	624,083.00	52,006.92	9,577.77	42,429.15
SANITATION	10	136,900.00	11,408.33	8,583.12	2,825.21
ENVIRON,CONS,REC	10	23,050.00	1,920.83	324.75	1,596.08
TOTAL EXPENSES GENERAL FUND		2,074,556.00	172,879.67	135,813.34	37,066.33

Dept Name	Fund #	Budget	YTD Budget	YTD Exp	Difference
WATER	30	359,734.00	29,977.83	12,001.61	17,976.22
TOTAL EXPENSES WATER FUND		359,734.00	29,977.83	12,001.61	17,976.22

TOTAL EXPENSES GENERAL & WATER FUNDS	\$2,434,290.00	\$202,857.50	\$147,814.95	\$55,042.55
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GENERAL FUND INCOME/LOSS - YTD	(\$102,550.12)
WATER FUND INCOME/LOSS - YTD	\$20,063.50
NET INCOME - YTD 2022	(\$82,486.62)

SPECIAL PROJECTS					
Project	Fund #	Budget	This Month Actual	Amount Spent To Date	% Spent
TOWN HALL	13	2,389,579.77	0.00	2,317,203.80	96.97%
PUBLIC WORKS BLDG	14	403,888.86	822.92	398,393.11	98.64%
FEMA-GREYBEARD	15	242,760.00	0.00	242,684.30	99.97%
FEMA-TEXAS ROAD	16	38,272.00	0.00	38,071.55	99.48%
FEMA-PROVIDENCE TERR	17	15,883.00	0.00	15,683.00	98.74%
FEMA-CALVIN TRAIL	20	13,691.00	0.00	13,490.57	98.54%
FEMA-CULVERT PROJECT	21	47,491.00	0.00	39,274.83	82.70%
FEMA-URBAN FORESTRY 2018	23	10,000.00	0.00	841.28	8.41%
FEMA-URBAN FORESTRY 2019	24	10,114.00	0.00	2,352.41	23.26%
FEMA-MISC	25	214,747.00	5,843.52	62,903.55	29.29%
LANDCARE	26	1,560.00	860.00	909.95	58.33%
CARES ACT GRANT	27	9,697.06	0.00	5,135.53	52.96%
AMERICAN RESCUE PLAN ACT	28	138,633.39	0.00	55,423.00	39.98%
TOTAL SPECIAL PROJECTS		\$ 3,536,317.08	\$ 7,526.44	\$ 3,192,366.88	90.27%

July 2023 - MONTH 1 OF FISCAL YEAR 2023-2024

REVENUES

Fund	Fund #	Budget	YTD Budget	YTD Projected Budget Percentage	YTD Collected	YTD Actual Percentage	Difference
GENERAL FUND	10	2,030,592.00	169,216.00	8.33%	9,245.68	0.46%	(159,970.32)
WATER FUND	30	399,844.00	33,320.33	8.33%	32,826.73	8.21%	(493.60)
TOTAL REVENUES GENERAL & WATER FUNDS		2,430,436.00	202,536.33	8.33%	42,072.41	1.73%	(160,463.92)

EXPENSES

Dept Name	Fund #	Budget	YTD Budget	YTD Projected Budget Percentage	YTD Exp	YTD Actual Percentage	Difference
GOVERNING BODY	10	50,903.00	4,241.92	8.33%	6,020.88	11.83%	(1,778.96)
ADMINISTRATION	10	533,616.00	44,468.00	8.33%	45,686.59	8.56%	(1,218.59)
PUBLIC BUILDINGS	10	120,116.00	10,009.67	8.33%	27,499.45	22.89%	(17,489.78)
POLICE	10	494,744.00	41,228.67	8.33%	33,303.15	6.73%	7,925.52
BUILDING AND ZONING	10	91,400.00	7,616.67	8.33%	61.48	0.07%	7,555.19
PUBLIC WORKS	10	133,205.00	11,100.42	8.33%	9,055.87	6.80%	2,044.55
STREET	10	391,358.00	32,613.17	8.33%	10,545.92	2.69%	22,067.25
SANITATION	10	192,200.00	16,016.67	8.33%	7,868.10	4.09%	8,148.57
ENVIRON,CONS,REC	10	23,050.00	1,920.83	8.33%	0.00	0.00%	1,920.83
TOTAL EXPENSES GENERAL FUND		2,030,592.00	169,216.00	8.33%	140,041.44	6.90%	29,174.56

Dept Name	Fund #	Budget	YTD Budget	YTD Projected Budget Percentage	YTD Exp	YTD Actual Percentage	Difference
WATER	30	399,844.00	33,320.33	8.33%	7,622.02	1.91%	25,698.31
TOTAL EXPENSES WATER FUND		399,844.00	33,320.33	8.33%	7,622.02	1.91%	25,698.31
TOTAL EXPENSES GENERAL & WATER FUNDS		\$2,430,436.00	\$202,536.33	8.33%	\$147,663.46	6.08%	\$54,872.87
GENERAL FUND INCOME/LOSS - YTD			(\$130,795.76)				
WATER FUND INCOME/LOSS - YTD			\$25,204.71				
NET INCOME - YTD 2024			(\$105,591.05)				

SPECIAL PROJECTS							
Project	Fund #	Budget	This Month Actual		Amount Spent To Date		% Spent
FEMA-MISC	25	214,747.00	0.00		67,010.03		31.20%
LANDCARE	26	6,565.00	0.00		3,300.00		50.27%
AMERICAN RESCUE PLAN ACT	28	277,266.78	0.00		159,958.99		57.69%
TOTAL SPECIAL PROJECTS		\$ 498,578.78	\$ -		\$ 230,269.02		46.19%

July Permits Issued

5917	7/3/2023	David DuBard	151 Virginia Rd	demo	total demo of home	no			DH Griffin Wrecking Co	\$ 100
5918	7/5/2023	Martha Neville	203 Louisiana Rd	plumbing	repl dwv drainage	no			All About Plumbin & Septic	\$ 100
5919	7/11/2023	Christ Community Church	396 Geneva Place	mech/elect	5 ton hp c/o	no			Gentry Service Group	\$ 100
5920	7/11/2023	Stephan Rogers	128 Kanawha Dr	mech/elect	3 ton hp c/o	no			Mtn Heating & Cooling	\$ 100
5921	7/24/2023	Eric Rothstien	513 Providence Terr	electrical	rough for future solar	no			Sugar Hollow Solar	\$ 100
5922	7/25/2023	Catherine McIntosh	330 Florida Terrace	mech/elect	hvac c/o	no			Gentry Service Group	\$ 100
5923	7/26/2023	Eric Rothstien	513 Providence Terr	mech/gas	yard line	no			Subarban Propane	\$ 100
5924	7/27/2023	David Neel	423 Appalachian Way	plumbing	hose bibb/under sink filter	no			All About Plumbin & Septic	\$ 100
5925	7/28/2023	Diana & Troy Beckett	208 Harmony Lane	resi renov	exterior deck	yes	\$50,100		HV Meenan & Assoc	\$310.60
5926	7/31/2023	Owen Trappe	238 Texas Spur	mech/elect	hwh replacement	no			seco elect/tp howard	\$ 100



TOWN OF MONTREAT COMPREHENSIVE PLAN



JUNE 2023

Acknowledgments

Thank you to the members of the community who were involved in this planning process including the Steering Committee, residents, staff, and members of Council. This plan is a reflection of their dedication to the future of Montreat.

Steering Committee

Mayor Tim Helms

Paul Maurer

Richard DuBose

Maggie Elliott

Mari Gramling

Bill Seaman

John Casper

Daniel Hewitt

Town Council

Tim Helms

Mayor of Montreat

Town Staff

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Zoning Administrator and Code Enforcement Officer

Ben Blackburn

Interim Town Manager

CONSULTANTS

ms consultants, inc.

Trillium Planning



This page is reserved for formal adoption language.

Executive Summary

The town of Montreat is a small community located in Western North Carolina 18.2 miles east of Asheville. The community possesses great natural beauty and a strong sense of place and heritage, both of which have high meaning and priority for full-time residents, seasonal residents, and those whose lives are shaped by Montreat's several institutions. Once privately owned and operated by the Mountain Retreat Association, the town of Montreat was incorporated as a North Carolina town in 1967.

This plan is an update to the town's 2008 Comprehensive Plan (as reapproved in 2022) and serves as a guide to achieving three vision statements developed for the town over the next ten years. This plan emerged over an 18-month-long process of collaboration between the consultants, town staff, and the steering committee. During this time, the participants reviewed and analyzed the existing town plan and previous surveys, and performed public engagement appropriate to Montreat, including a community survey, a workshop, and several mini-meetings hosted by committee members.

Collectively, those who responded value the community's vast natural resources and the existing character of low-density residential housing. In the next ten years, those who responded hope to see solutions to the problems identified during the public engagement sessions, such as managing increased vehicular traffic volumes on roads and in parking lots and preserving the quality of Flat Creek.

The plan also identifies recent trends, including the Mountain Retreat Association's transition from summer- to four-season conference center, the growth of Montreat College, the continued increase of the full-time homeowner population, private home development, increasing tourism in the area, and limited opportunities for future development.

The 2022 survey that informs this plan is shaped largely by individual respondents, and their aspirations and concerns are appropriately reflected in the plan's three vision statements and objectives. The plan's findings are partly drawn from a broadly advertised, anonymous online survey form, available to any interested party, with 80% of the responses coming from individuals self-identified as not being full-time residents. When the 2022 survey is compared to a previous 2020 town survey of residents only, the results of both surveys show broad agreement, except for the descriptions of Montreat, where respondents were asked to characterize Montreat in three words (see Appendix, page 67). The differences apparent in the 2022 results may have been influenced by recent opposition concerning the Mountain Retreat Association's plan to construct a new lodge.

When analyzing both survey data and recent trends, the steering committee notes that the town's unique character, so valued by its residents and identified in their survey responses, is uncommonly reliant on the town's resident institutions and their continued vitality. Managing this dynamic – through careful discernment, leadership, and communication – will be a key to Montreat's future.

This plan responds to the desires and concerns of residents with three vision statements, each with its own accompanying objectives, addressing (i) *Community Character and Development*, (ii) *Natural Preservation and Stormwater*, and (iii) *Traffic and Transportation*. This plan includes a general implementation strategy that assigns a priority and identifies town staff entities tasked with achieving each of the objectives presented.

The committee notes that taxes remain the town's primary revenue source. Given the general reluctance to pursue increased tax rates or commercial development, growth in home values represents the most likely source of future tax revenue increases. As such, financial limitations may impact the ability to fully realize this plan.

Table of Contents

Plan Overview	01
Planning Process	
Project Timeline	
Community Context	05
Population	
Land Use & Zoning	
Environment	
Public Engagement	33
Online Survey	
Engagement Events	
Montreat Tomorrow	43
Vision Statements	
Objectives	
Next Steps	
Appendix	58
Survey Questions and Additional Graphics	

Additional Planning Documents

Town of Montreat Tree Management Guide

Town of Montreat Wayfinding Signage Plan

Town of Montreat Pedestrian, Bicycle, and Greenways Master Plan

Town of Montreat Open Space Conservation Plan

Buncombe Madison Regional Hazard Mitigation Plan

List of Figures

Figure 2-1 : Geographic Location of Montreat	6
Figure 2-2 : Montreat Planning Area	8
Figure 2-3 : Population Increase, 2010 to 2020	10
Figure 2-4 : Population, 2010 to 2020	10
Figure 2-5 : Travel Expenditures	11
Figure 2-6 : Median Home Value	11
Figure 2-7 : Active Transportation	12
Figure 2-8 : Developed Land Uses	15
Figure 2-9 : Current Zoning	16
Figure 2-10 : Land Use	18
Figure 2-11 : Land Ownership	21
Figure 2-12 : Change in Extreme Precipitation in the United States	23
Figure 2-13 : North Carolina Wildfires	23
Figure 2-14 : Rain Gardens	25
Figure 2-15 : Land Stability Index	26
Figure 2-16 : Landslide Hazard Areas	28
Figure 2-17 : Stormwater Infrastructure	30
Figure 2-18 : Flood Hazard Areas	32
Figure 3-1 : Demographics	36
Figure 3-2 : Why Montreat?	37
Figure 3-3 : Montreat's Characteristics	38
Figure 3-4 : Support for possible Businesses	38
Figure 3-5 : Agree/Disagree Matrix Results	40
Figure 3-6 : Pedestrian Danger Areas	41
Figure 3-7 : Development Areas	43
Figure 3-8 : Desired Development Types	43

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01

PLAN OVERVIEW

Planning Process

Project Timeline

PLAN OVERVIEW

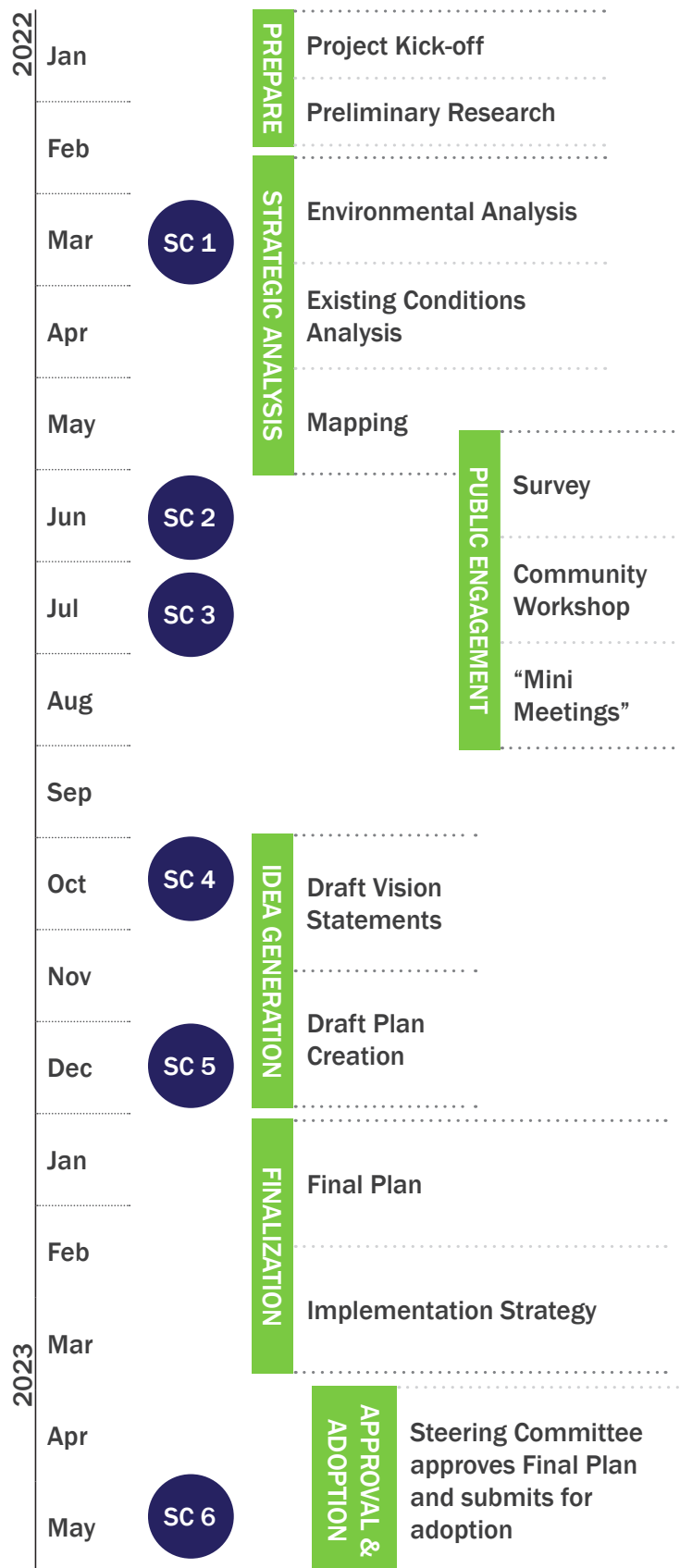
Montreat is a unique community that needs a unique Comprehensive Plan. *Montreat Tomorrow* is an update to the 2008 Comprehensive Plan for the Town of Montreat that includes significant community input and a vision for the next decade of the Town. At the start of 2022, the Town of Montreat began the process of updating its Comprehensive Plan. Research on existing conditions and trends, combined with stakeholder and community engagement, resulted in a plan that lays out the vision for Montreat for the next decade. *Montreat Tomorrow* is a resource that defines community values and will guide future decision-making in Montreat.

Planning Process

The planning process was a collaborative effort led by a Steering Committee of dedicated community advocates. The Steering Committee worked with consultants, the Mayor, and Town staff to facilitate meetings, workshops, and a community wide survey to gather public engagement and ensure final recommendations reflected the values of the Montreat community.

Observations and recent trends in Montreat informed how existing conditions were analyzed. Detailed analysis of the surrounding environment, demographic, and economic trends were combined with community feedback to create the vision statements and final recommendations in this plan.

Project Timeline



WHY PLAN?

Chapter 160D of the N.C. General Statutes requires local governments to have an up-to-date land use plan or Comprehensive Plan to enforce land use zoning. In addition to being a legal requirement for maintaining land use zoning authority, having a good land use or Comprehensive Plan in place can benefit the community.

The PlanNC Guidebook is a resource aimed at helping towns in North Carolina prepare impactful and streamlined plans. Quality comprehensive plans enable communities to “develop a shared vision that energizes local stakeholders and catalyzes lasting community improvements.”

As defined in the Guidebook, “A good land use plan is a community’s own vision for the future. A good plan is a roadmap for finding that future. And a good plan reflects the current conditions of a place as well as the actions for moving

forward. To accomplish such lofty goals, a good plan must be authentic to the place, built on substance, and framed for action.”

The PlanNC Guidebook emphasizes the opportunity that comes with the planning process to explore community values and priorities, and answer “big questions” about the future of the community.

“Through [the planning] process and with an adopted plan, a local government can engage citizens in decision making, wisely invest public dollars, guide development decisions, qualify for certain grant and government funding, and more.”

A Comprehensive Plan is one of many tools that contribute to community success by presenting a vision for the future, guiding investment and development decisions, and reflecting the community’s values.

Table 1-1 : Requirements and Options Provided in G.S. 160D-501

Purpose	“A comprehensive or land-use plan is intended to guide coordinated, efficient, and orderly development within the planning and development jurisdiction based on analysis of present and future needs.”	
Definition	“A comprehensive plan sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction.”	“A land-use plan uses text and maps to designate the future use or reuse of land.”
Data option	“Planning analysis may address inventories of existing conditions and assess future trends regarding demographics and economic, environmental, and cultural factors.”	
Process requirement	“The planning process shall include opportunities for citizen engagement in plan preparation and adoption.”	
Other plans	“A local government may prepare and adopt such other plans as deemed appropriate. This may include, but is not limited to, small area plans, housing plans, and recreation and open space plans.”	
Adoption	“Plans shall be adopted by the governing board with the advice and consultation of the planning board. Adoption and amendment of a comprehensive plan is a legislative decision and shall follow the process mandated for zoning text amendments set by G.S. 160D-601.”	
Relationship to other plans	“Plans adopted under this Chapter may be undertaken and adopted as part of or in conjunction with plans required under other statutes, including, but not limited to, the plans required by G.S. 113A-110.”	

Source: PlanNC Guidebook: A Practitioner’s Guide to Preparing Streamlined Community Plans

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02

COMMUNITY CONTEXT

Population

Land Use & Zoning

Environment

COMMUNITY CONTEXT

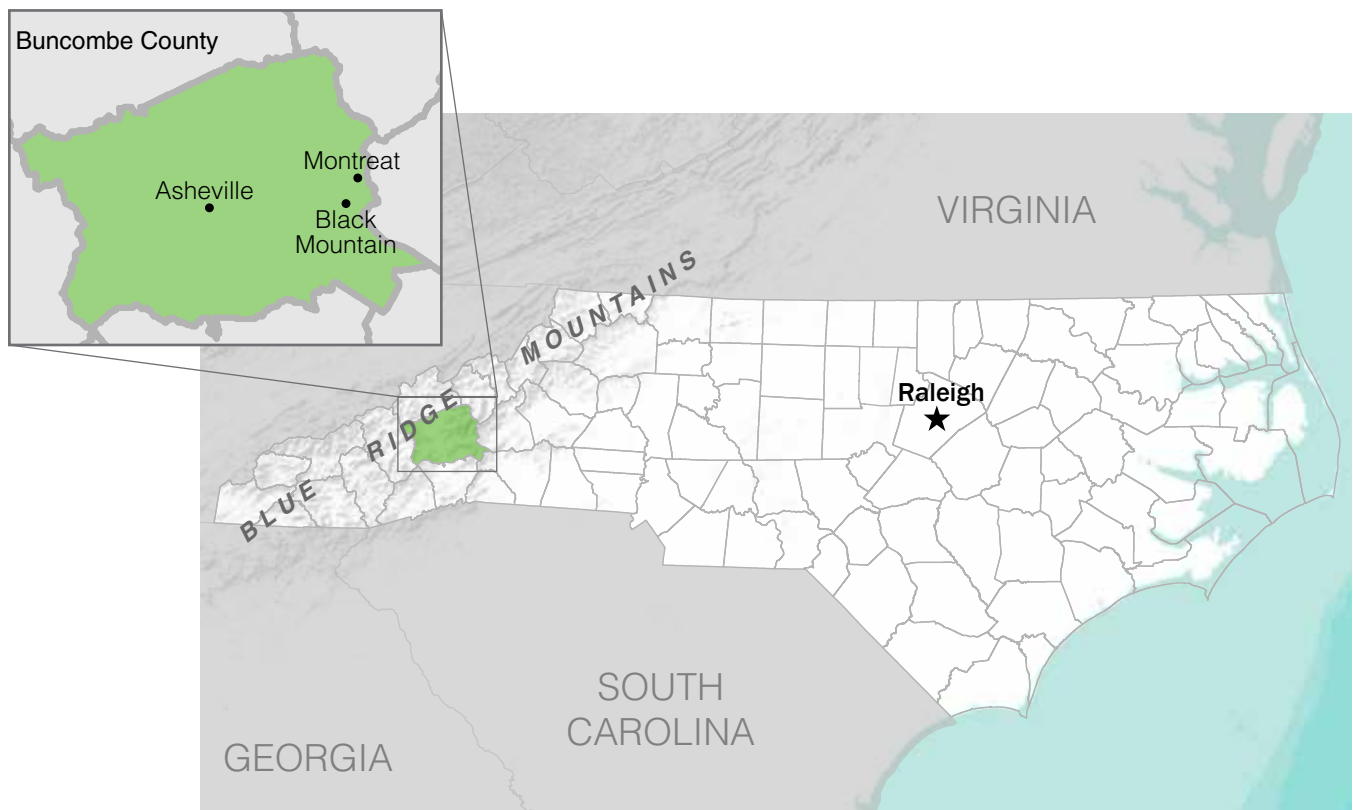
The Town of Montreat is located in Buncombe County east of Asheville and just north of the Town of Black Mountain. Figure 2-1 below has a map of the counties in North Carolina with an inset of Buncombe County. The Black Mountains provide the picturesque backdrop and plentiful opportunities to explore and enjoy the great outdoors.

Montreat's unique history continues to shape life and development trends in the Town today. Prior to incorporation, the area of the town was owned by the Mountain Retreat Association, (MRA) founded in 1897. In 1967, the Town of Montreat was officially incorporated through the N.C. General Assembly. The MRA and Montreat College, a private liberal arts

college founded by the MRA in 1916 but now independent, still play a large role in Montreat. Many of the MRA properties are made available for public use. For example, as a by-product of its ministry, the MRA serves as a privately funded Parks and Recreation Department for the Town's residents and visitors.

Today, Montreat has all the services of a small town including a public works department, a public water source, a police department, building inspections, and planning and zoning. The town is governed by a Council-Manager form of government.

Figure 2-1 : Geographic Location of Montreat



Historically, Montreat is known for being a national conference center associated with the Presbyterian Church. Montreat is also home to Montreat College, a small private Christian college. Montreat also attracts outdoor enthusiasts seeking the many recreational opportunities available. The town itself has a small-town charm punctuated by the campuses of its two main institutions.

Montreat is surrounded by steep ridges that offer sweeping views of the Flat Creek basin below. The peaceful and restorative quality of the natural beauty has continually attracted people to the area, and continues to define the character of the town.









Observations and recent trends in Montreat informed how existing conditions were analyzed. Western North Carolina has seen a growth in population and rising housing costs over the last decade. Changes in weather patterns indicate that Montreat may experience an increase in severe storms, increasing temperatures, and longer dry periods. Figure 2-2 shows a map of Montreat and the planning area. The planning area includes the land within Montreat's municipal boundary and the land in the Extra Territorial Jurisdiction (ETJ); more information on the ETJ can be found on page 16.



The Montreat Gate welcomes visitors and creates a distinctive sense of place.
Photo: Montreat Retreat Association

Figure 2-2 : Montreat Planning Area

LEGEND

-  Planning Area
-  County Boundary
-  Town of Montreat
-  Montreat Extra Territorial Jurisdiction
-  Parcels
-  Building Footprints
-  Road
-  Creeks and Streams

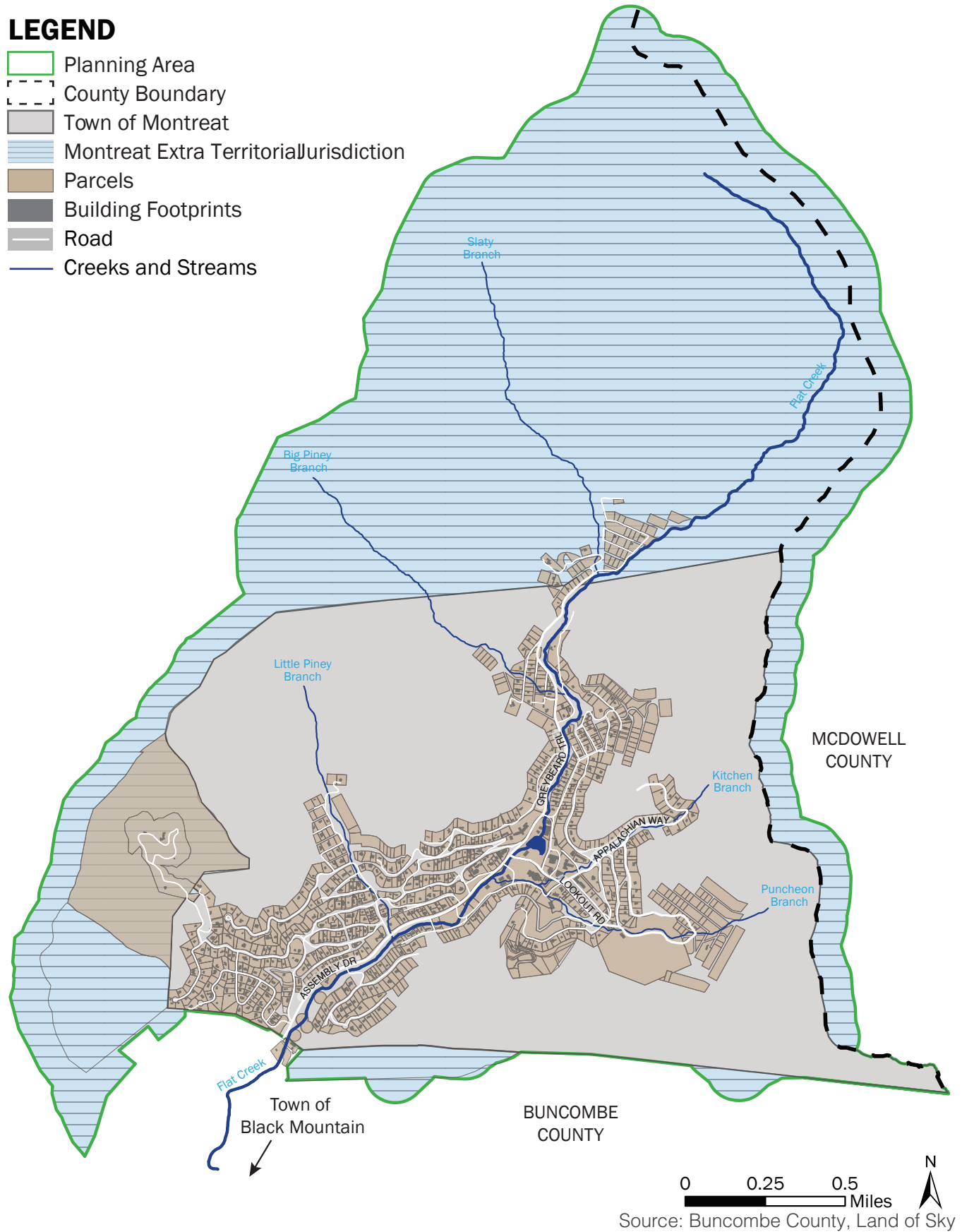
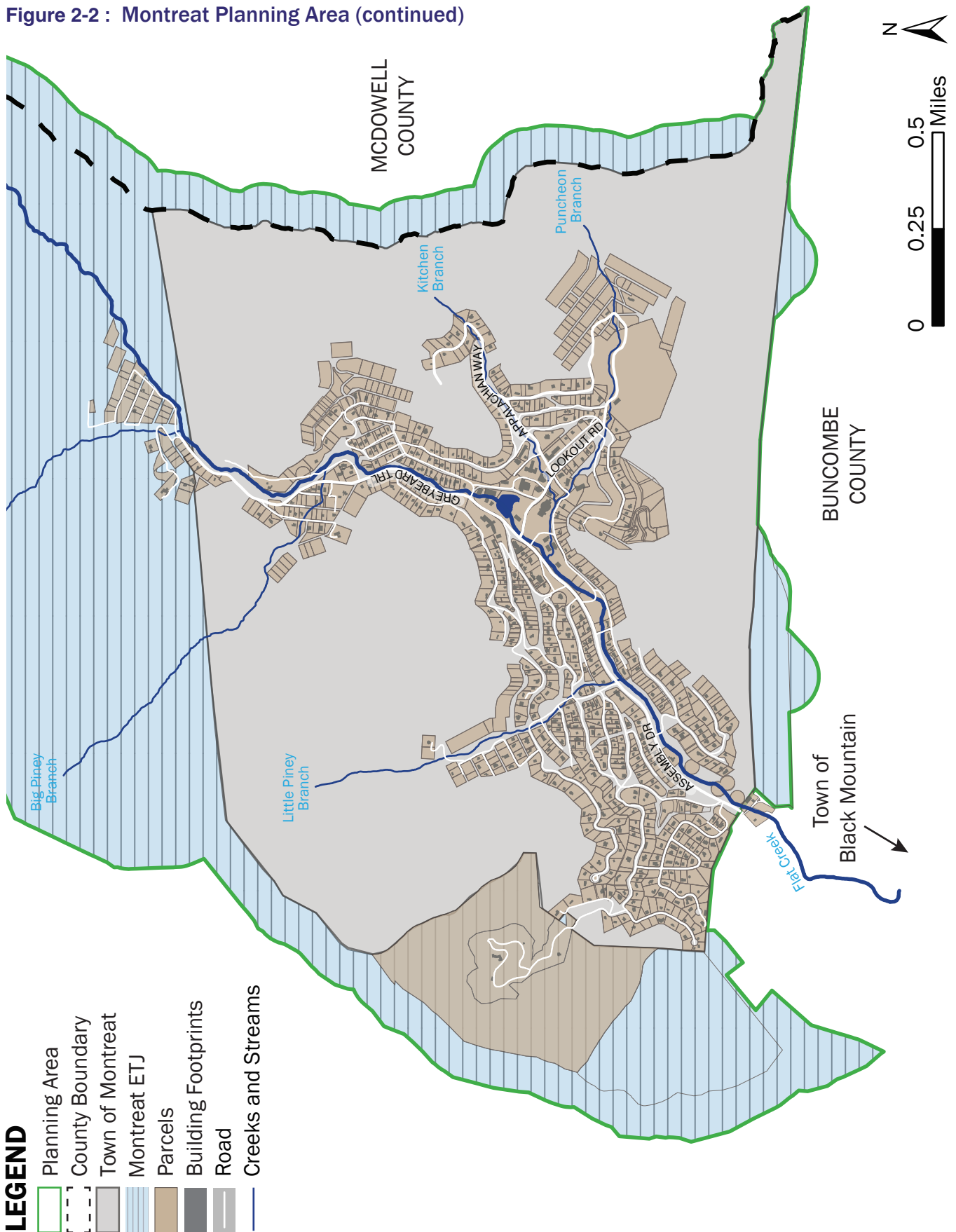


Figure 2-2 : Montreat Planning Area (continued)



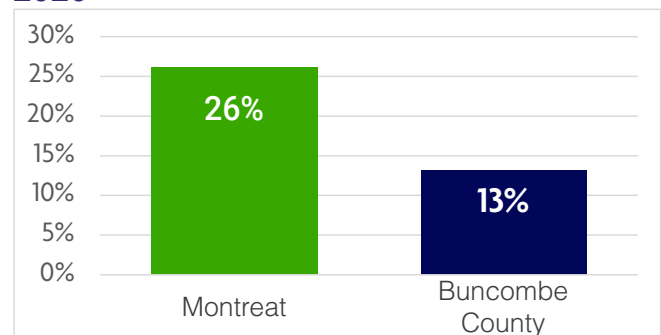
Population

The resident population in Montreat, the number of people present during non-business hours, fluctuates throughout the year due to the academic calendar, seasonal and part-time residents, and MRA program schedule. Montreat College enrolls around 650 students during the academic year. For these reasons, the population in Montreat is likely higher than the US Census estimates at most times of the year. The population represented in the Census data in this section reflects full-time residents of Montreat, as the Census does not capture part-time residents. The seasonal population changes put a strain on services during peak visitation in the summer months. The needs of part-time and full-time residents are different and that conflict can present challenges for town governance.

US Census estimates are also not reliable due to Montreat's small size. The Census often relies on a sampling method which results in a high margin of error for small communities. Still, according to the decennial census, Montreat's population grew at twice the rate of Buncombe County as a whole from 2010 to 2020 (Figure 2-3). While the specific estimates are not reliable, the trends over time can be used to gain insight into longer term population changes. Montreat's full-time population has been steadily increasing since 2012 (Figure 2-4). In the absence of reliable Census data on Montreat's population, other data sources

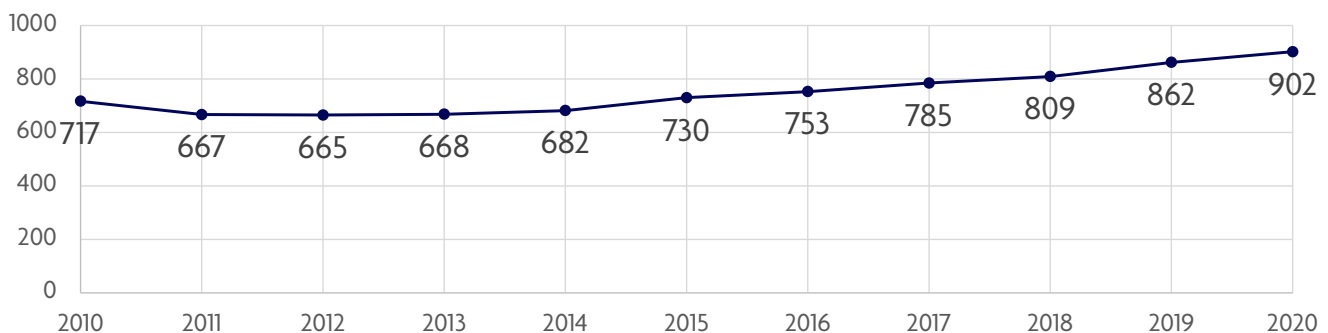
and anecdotal evidence can help shed light on recent trends. There are approximately 600 residences in Montreat with approximately 1/3 of them containing full-time residents. Based on increasing college enrollment, population growth trends, and county tourism data, it is likely that both seasonal and full-time populations are increasing (conference attendance numbers from the MRA are holding steady year to year; summer conference attendance is decreasing while off-season visits are increasing). Anecdotal evidence and survey responses (survey results are detailed in the following chapter) indicate that many seasonal residents move to Montreat permanently upon retirement. A growing population in a small town can cause strains on transportation networks and increase demand for parking, services, and commercial businesses. Development can also affect the environment, causing an increase in sedimentation and runoff.

Figure 2-3 : Population increase, 2010 to 2020



Source: OSBM State Demographer of North Carolina

Figure 2-4 : Population, 2010 to 2020



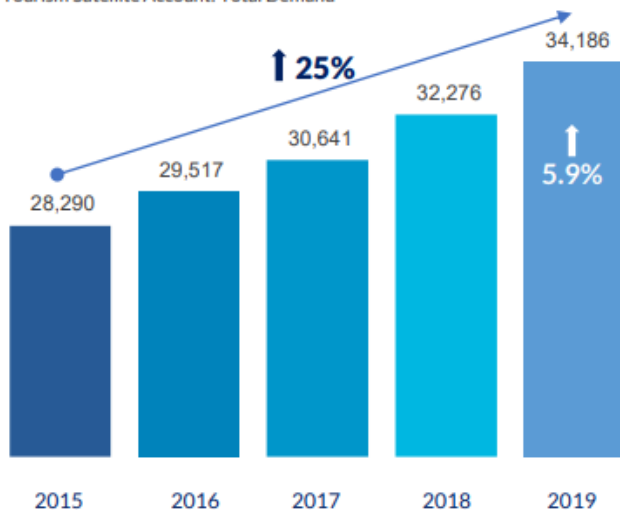
Source: OSBM State Demographer of North Carolina

TOURISM

The popularity of the region for tourism and recreation is increasing. Travel-related expenditures in the state increased 25 percent from 2015 to 2019 (Figure 2-5). In 2021 Buncombe County was the second fastest growing county in the state in visitor spending, composing 9.1 percent of the state's overall visitor expenditures (Source: Tourism Economics, 2022). The survey results indicate that residents, both full and part-time, have strong feelings about tourism and its effects on Montreat.

Anecdotal evidence suggests that Montreat attracts residents and visitors from around the region. There are a number of trails in Montreat's jurisdiction available for day or overnight hikers. Visitors may also come to use the conference center or see Montreat College. As the popularity of Asheville increases, more people will likely look for other options in the region bringing more tourists, more hikers, and more short-term and weekend visitors to Montreat. An increase in visitors to Montreat, coupled with the growing population, will likely have an effect on parking at the trailheads and traffic in town.

Figure 2-5 : Travel Expenditures
North Carolina travel-related expenditures
Tourism Satellite Account: Total Demand



Source: U.S. Travel Association; Tourism Economics

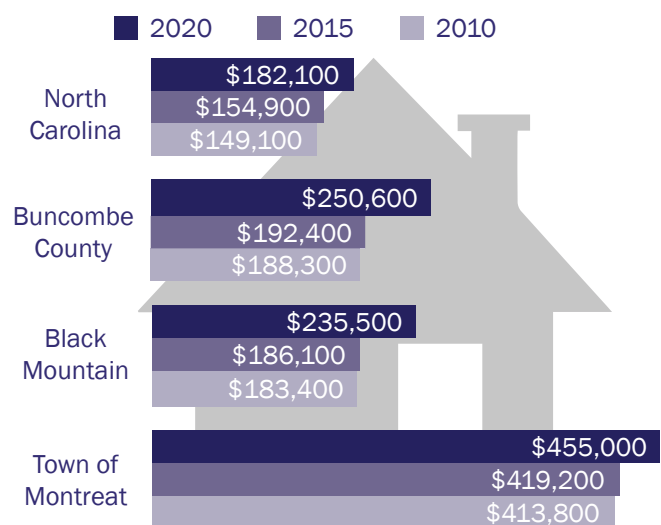
HOUSING

The median home value in Montreat is more than twice the median home value for North Carolina and nearly twice the median for Buncombe County and Black Mountain (Figure 2-6). Home values are rising more slowly in Montreat than in the county and state. Despite a slower increase, median home values in Montreat remain higher than state and county medians.

As a retreat town, there are part-time residents of Montreat that own property in the Town that is not their primary residence. Many families have had vacation properties for generations and may spend many months in Montreat at a time.

Reliable data on rental properties is difficult to find and continually fluctuates. An online search for rentals in Montreat shows a number of vacation rentals available, which may change throughout the year. The MRA has 235 rooms across 13 standalone cottages or lodges, and 29 campsites that are available to reserve. In sum, housing values in Montreat remain high and rental availability fluctuates over time.

Figure 2-6 : Median Home Value



Source: ACS 5-Year Estimates 2020, 2015, 2010

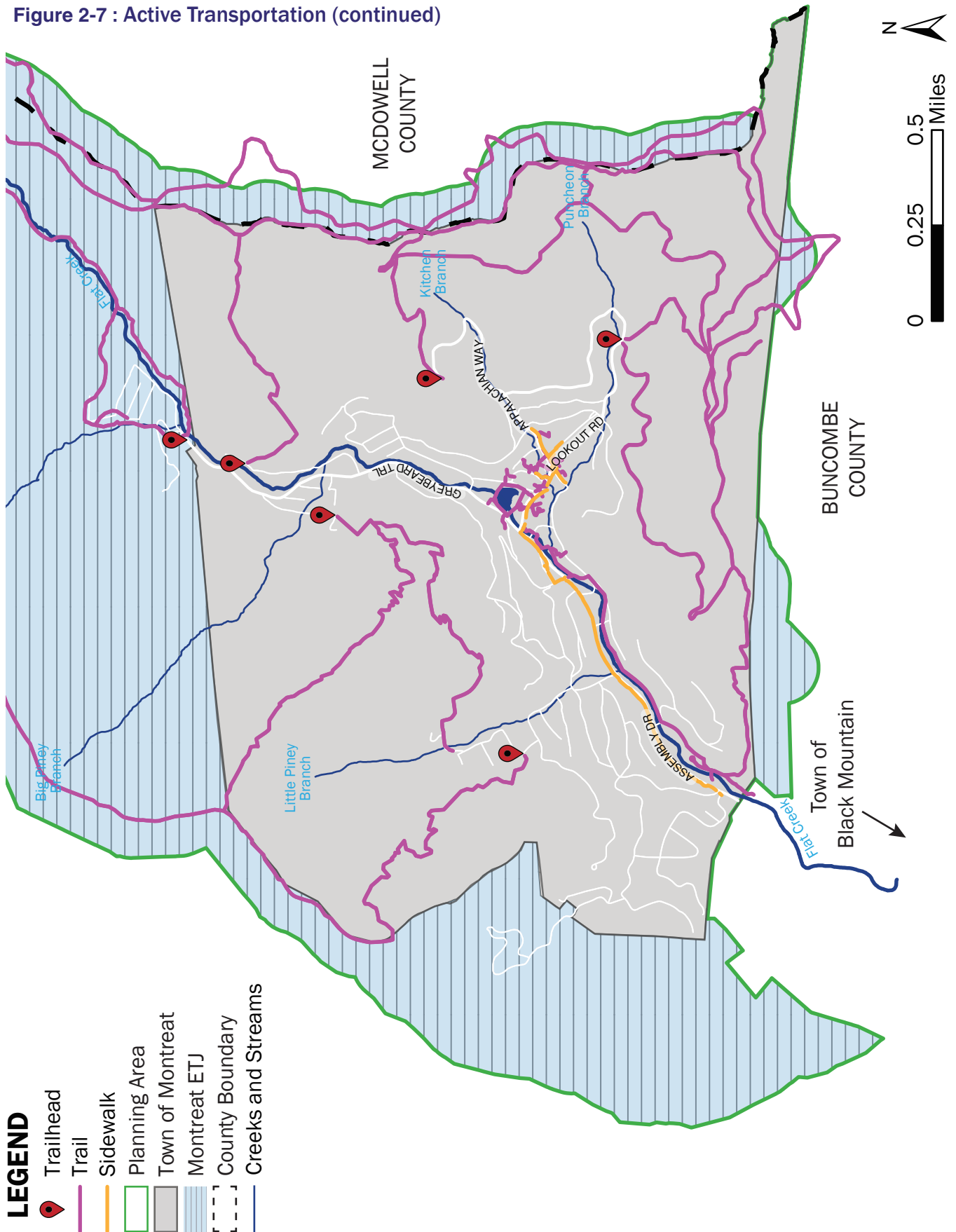
Figure 2-7 : Active Transportation



This map shows active transportation services in Montreat, including locations of trailheads, official trails, and sidewalks.

Source: Buncombe County, Land of Sky

Figure 2-7 : Active Transportation (continued)



Source: Buncombe County, Land of Sky

Land Use & Zoning

The Town of Montreat has planning and zoning authority within the town boundaries and in the Extra Territorial Jurisdiction (ETJ) outside the Town boundary. Montreat's ETJ extends to 500 feet on the opposite side of the ridgelines surrounding Flat Creek Basin on all sides of the Town and to the peak of Greybeard Mountain to the north. The ETJ is mostly in Buncombe County, but because it extends 500 feet beyond the ridgeline, a small portion of the ETJ is in McDowell County to the east.

The land in the ETJ is mostly MRA property in a conservation easement with some small, town-owned parcels and private property. The largest piece of private property in the ETJ is the Billy Graham property to the west of Montreat.

LAND USE

Currently three quarters of the land within the Town boundaries is conserved and cannot be developed. Much of the remaining land has already been developed largely for residential use. Low-density, single family housing is the most common land use for developed land in Montreat (Figure 2-8). Institutional uses, like Montreat College, are on the east side of town near Lake Susan. By the current definition in the Montreat Zoning Ordinance (MZO), there are no commercial uses in Montreat.

Extraterritorial Jurisdiction

Extraterritorial jurisdiction is intended to allow municipalities to address issues that affect public health and safety that may extend beyond the city or town limits. ETJ has changed over time, but in North Carolina, like many other states, ETJ extends one to three miles beyond the Town limits depending on population commonly referred to as "perimeter zoning." The boundary of an ETJ is determined by a boundary ordinance adopted by the governing board of the municipality.

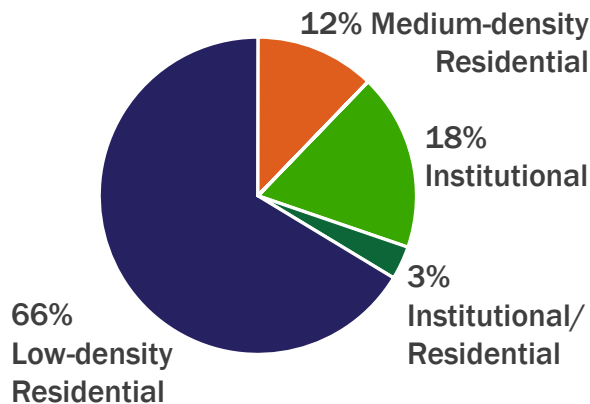
When a boundary ordinance is adopted, the municipality acquires jurisdiction over the ETJ area from the county for ordinances including: zoning and subdivision; housing and building codes; historic district regulations and historic landmarks; community development; erosion and sediment control; floodways, mountain ridges, and roadway corridors. A boundary

ordinance does not give taxation authority in the ETJ area. The city or town may choose to apply some or all of its regulations in the ETJ area. If the municipality chooses not to apply all its development regulations in the ETJ, the county may step in to enforce development regulations not applied, but is not required to do so.

In order to exercise its authority in an ETJ, all boards that exercise their function in the ETJ must include a member (or members depending on the population of the ETJ area) that represent the extraterritorial area. The county board of commissioners of each affected county is responsible for appointing those board members.

Source: Owens, D. (April, 2020). *Extraterritorial Jurisdiction for Planning and Development Regulation*. UNC School of Government.

Figure 2-8 : Developed Land Uses



Recreational Uses

Conserved land may be used for low impact recreational purposes. Recreational uses provide high quality experiences for residents and visitors with minimal land disruption. Figure 2-7 on the previous page shows the existing trails in Montreat and the ETJ. The map also shows the sidewalks in Montreat. There is one sidewalk along Assembly Drive that goes from the Montreat Gate to the Town Center and Lookout Road. The roads in the municipal boundary of Montreat are generally considered to be bike suitable and bike friendly.

ZONING

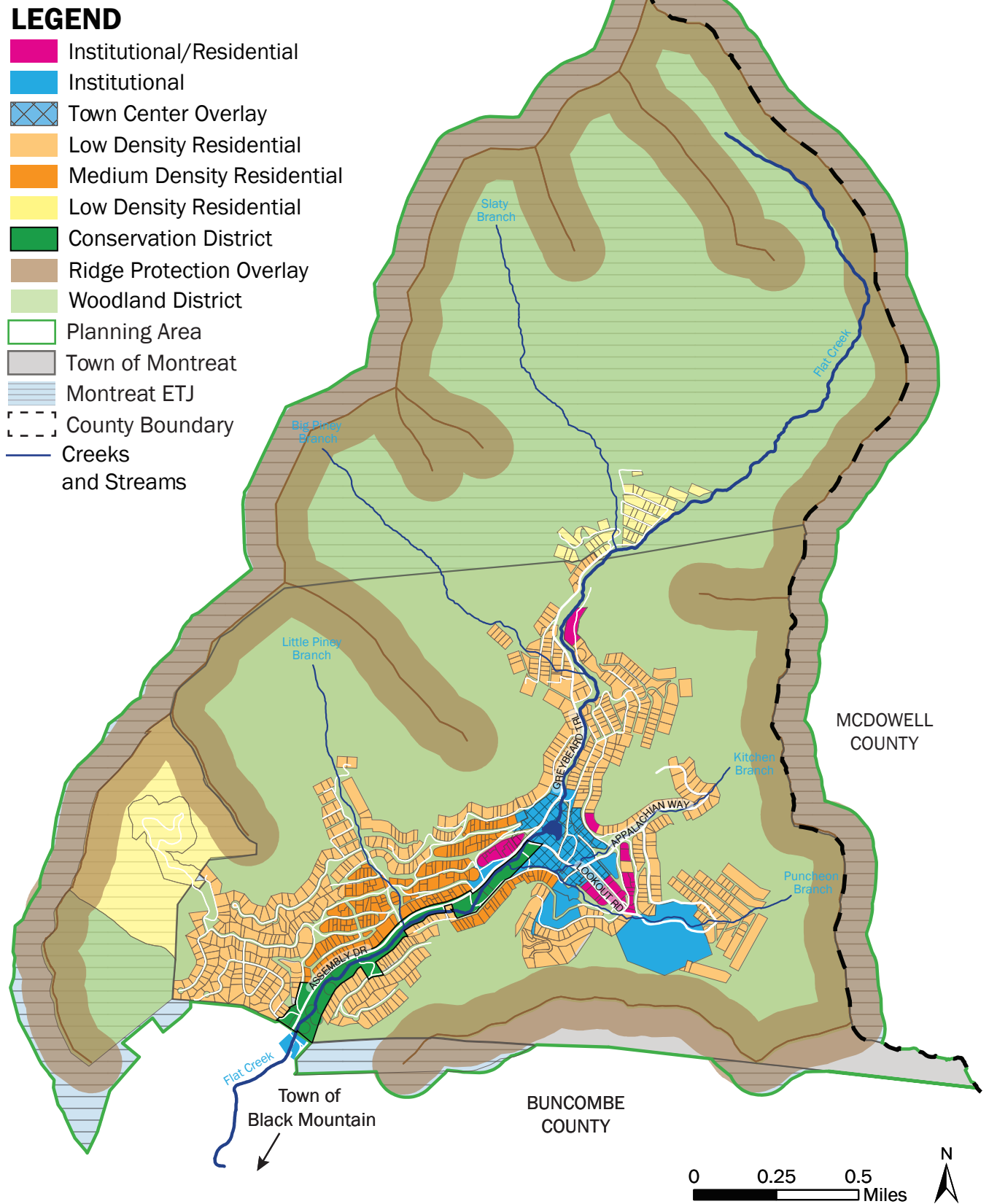
Single family and two family dwellings are permitted in all residential zones. Multi-family housing, defined as having three or more separate dwelling units, is allowed in the Institutional/Residential (IR) zone. However, the MZO requires larger setbacks for developments with more than two units. Historically few if any multi-family developments exist in Montreat. Single-family dwellings are also permitted in the Town Center Overlay (TCO) district which is zoned both institutional (I) and IR. The zoning code permits commercial uses, as defined in the MZO, in the I zone and in the IR zone with a Special Use Permit.

The Woodland District (WL) includes 75 percent of the land within the Town of Montreat and a large portion of the ETJ area. The WL was formed in 2004 when the MRA granted 2,500 acres to the Southern Appalachian Highlands Conservancy in a permanent conservation easement. Today, the conservation easement includes over 2,500 acres of undeveloped wilderness.

The Ridge Protection Overlay (RPO) is intended to protect the sensitive habitat of the ridgelines and preserve the views in Montreat. The regulations in the RPO are based on the North Carolina Mountain Ridge Protection Act of 1983. The RPO expands the area on either side of the ridgeline from 100 feet, required by the Mountain Ridge Protection Act, to 500 feet to further ensure that views are protected.

Figures 2-9 and 2-10 on the following pages show the current zoning and land use maps.

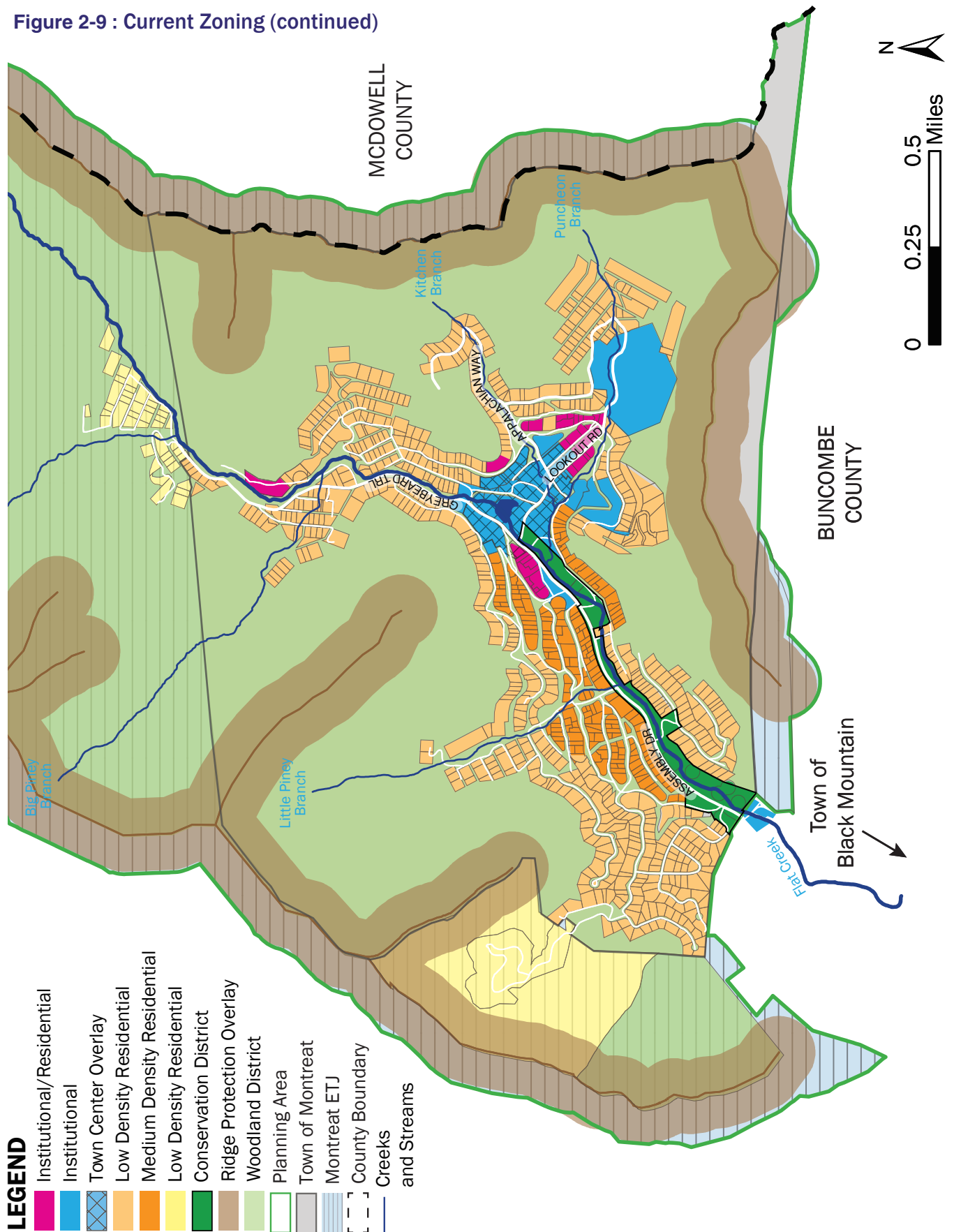
Figure 2-9 : Current Zoning



This map shows the current zoning for the Town according to the Montreat Zoning Ordinance.

Source: Buncombe County, Land of Sky

Figure 2-9 : Current Zoning (continued)

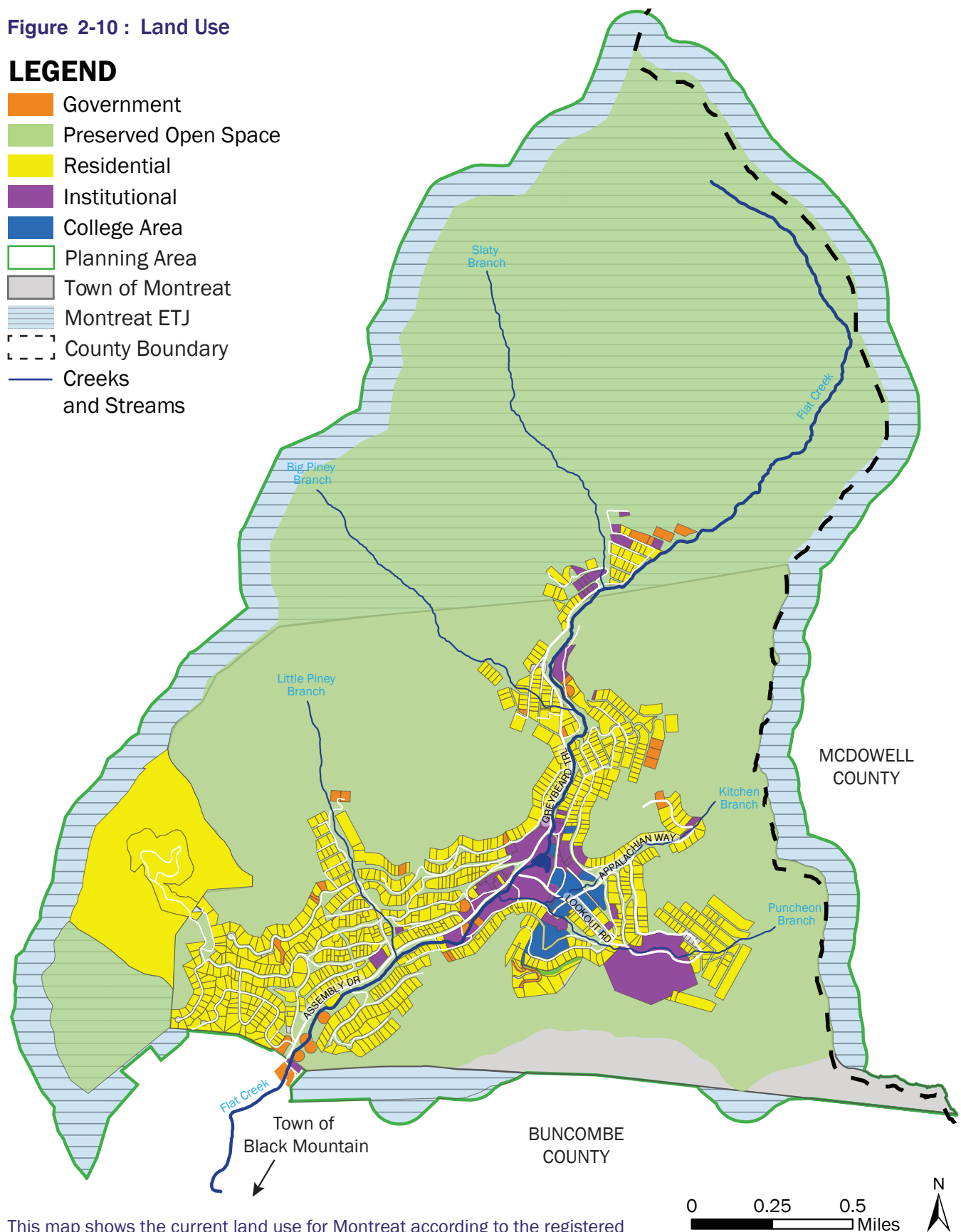


Source: Buncombe County, Land of Sky

Figure 2-10 : Land Use

LEGEND

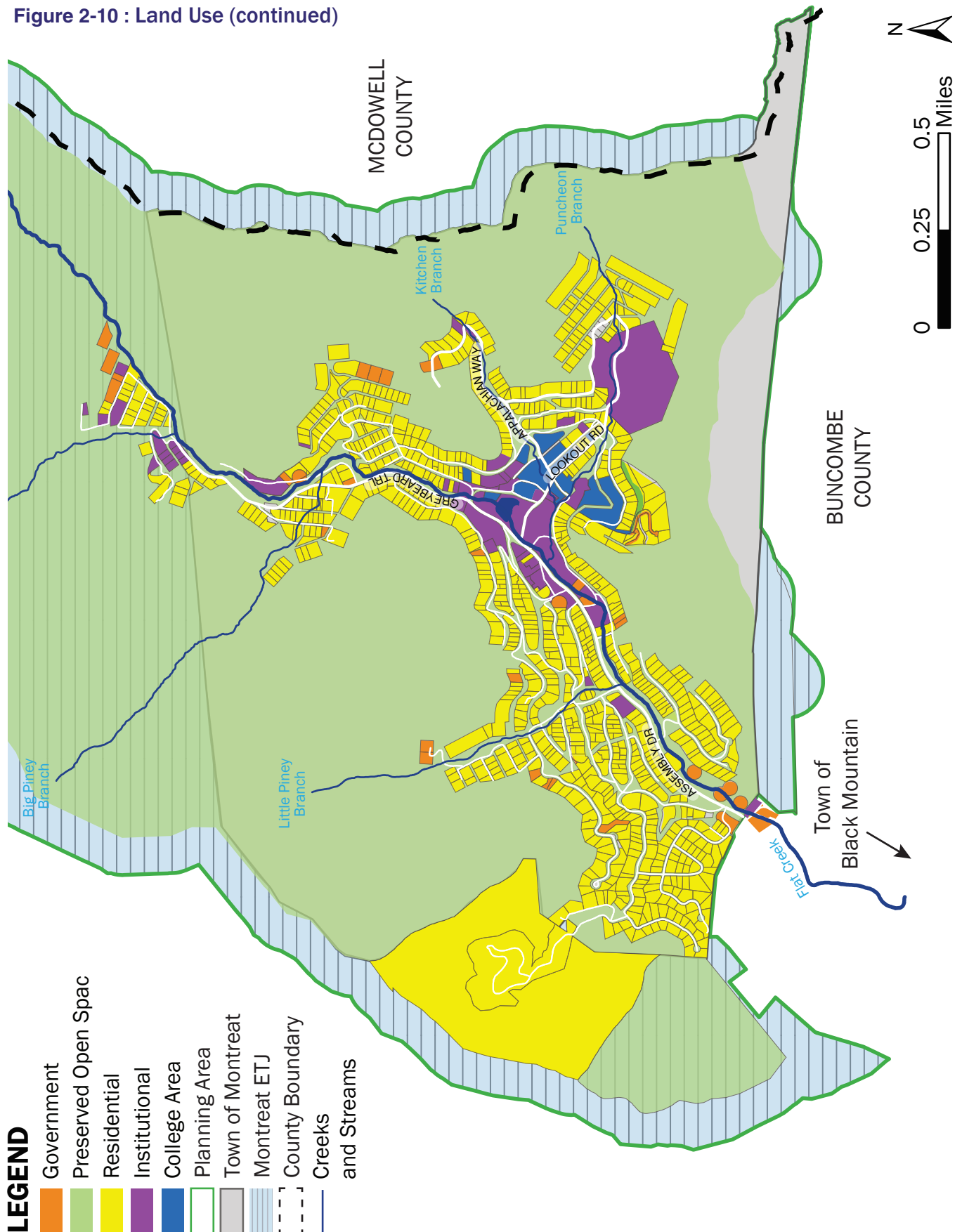
- Government
- Preserved Open Space
- Residential
- Institutional
- College Area
- Planning Area
- Town of Montreat
- Montreat ETJ
- County Boundary
- Creeks and Streams



This map shows the current land use for Montreat according to the registered property owner. Land owned by the MRA or other religious organizations is considered institutional, unless it is designated as preserved land.

Source: Buncombe County, Land of Sky

Figure 2-10 : Land Use (continued)



Source: Buncombe County, Land of Sky

FUTURE LAND USE

Montreat's history has created a unique situation where the MRA owns the majority of land in the town, but most of that property is in a conservation easement that currently prevents it from being developed. The land in the conservation easement can be used for recreation and there are a number of trails in the conservation easement that are accessible to the public. Although privately owned, this piece of MRA property is managed for public use. The two other major land owners in Montreat are the Town itself and Montreat College. Figure 2-11 contains a map of the major land owners in Montreat. Residential properties owned by individuals were considered privately owned properties.

Within the town boundaries, the majority of developable land has already been developed. Changes in future land use would likely require redevelopment of existing parcels. Most of the land in the Extraterritorial Jurisdiction (ETJ) is included in either the Woodland District (WL) or the Ridge Protection Overlay (RPO) and is also protected from further development. However there are some properties under private ownership in the ETJ that could be developed. Development of these properties brings up concerns about the impact on the environment and municipal services such as roads and stormwater management, as residents of the ETJ are part of Buncombe County's tax base and not Montreat's tax base.

Conservation Easements

Conservation easements are voluntary agreements between a landowner and a public agency or qualified conservation organization. The landowner, commonly called a donor or grantor, agrees to preserve the land "in its natural condition without extensive disturbance." The organization or public agency, acting as the grantee, has the right to monitor the property and enforce the terms of the agreement. Landowners of property in a conservation easement retain their ownership of the land and are responsible for routine management of the land.

Conservation easements are usually implemented when landowners want to preserve their land, intensive land management is not required, and preservation of the land is compatible with current and future land uses.

Conservation easements provide some tax benefits to the grantor and can be permanent or agreed upon for a set amount of time. Each conservation agreement is written to meet the values and interests of the landowner and grantee, so what is allowed or restricted varies depending on the agreement.

VOLUNTARY CONSERVATION AGREEMENTS

An Introduction for
North Carolina Land Owners



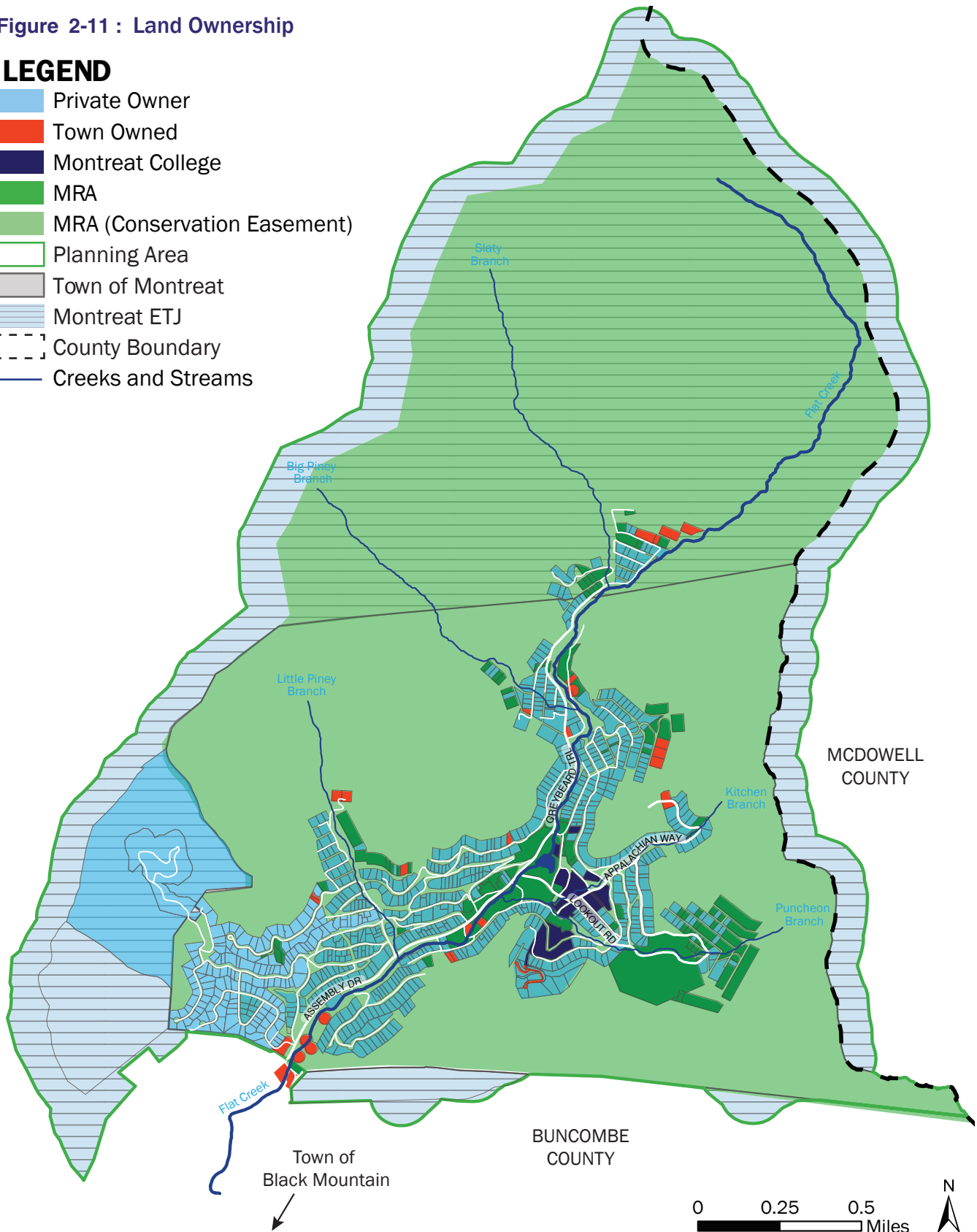
View the
document
[here](#).

Source: The North Carolina Land Trust. *Voluntary Conservation Agreements: An Introduction for North Carolina Land Owners*.

Figure 2-11 : Land Ownership

LEGEND

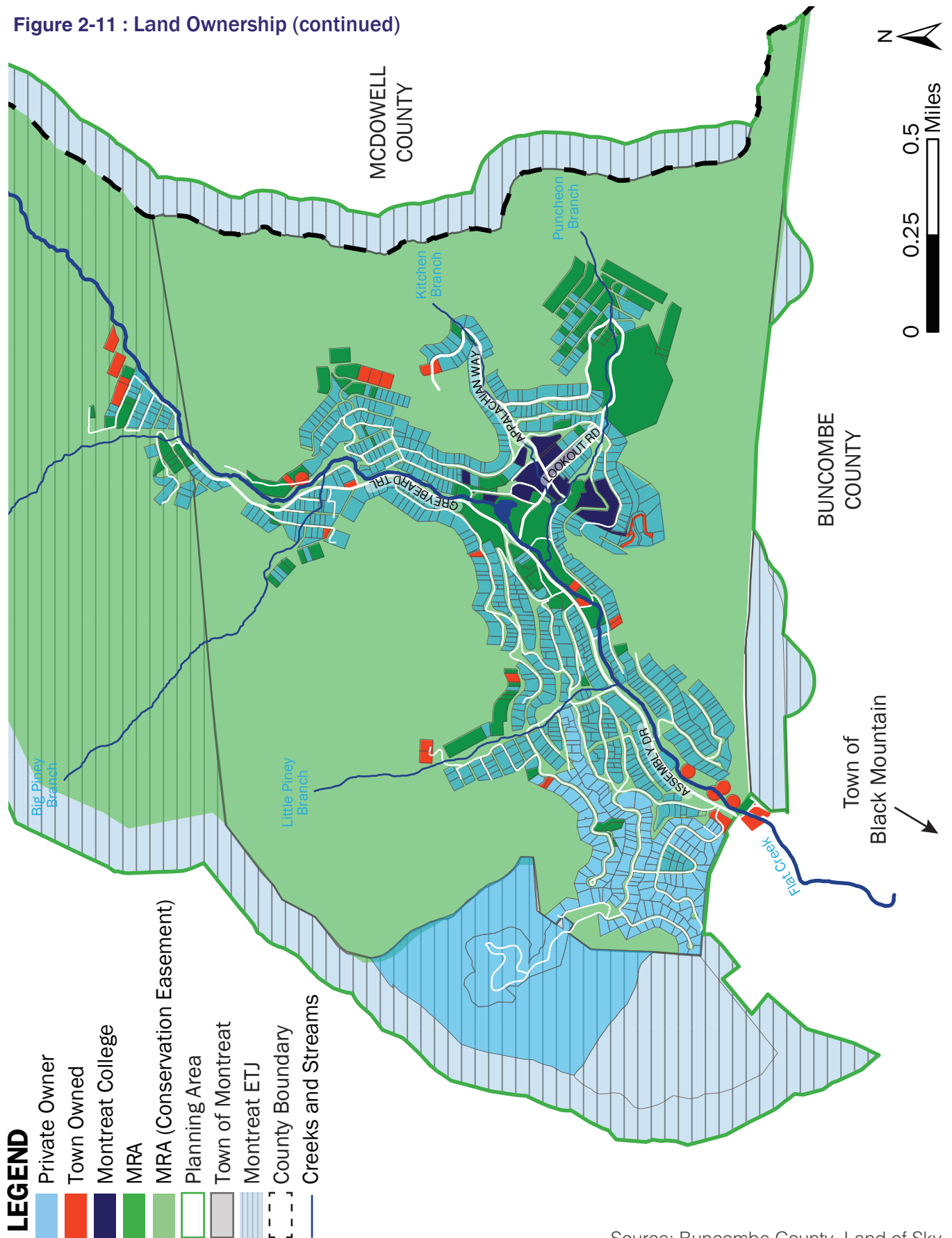
- Private Owner
- Town Owned
- Montreat College
- MRA
- MRA (Conservation Easement)
- Planning Area
- Town of Montreat
- Montreat ETJ
- County Boundary
- Creeks and Streams



This map shows the current land ownership in Montreat based on Buncombe County property records and may not reflect all easements, legal agreements, and development restrictions on these properties. Land owned by individual persons is considered private.

Source: Buncombe County, Land of Sky

Figure 2-11 : Land Ownership (continued)

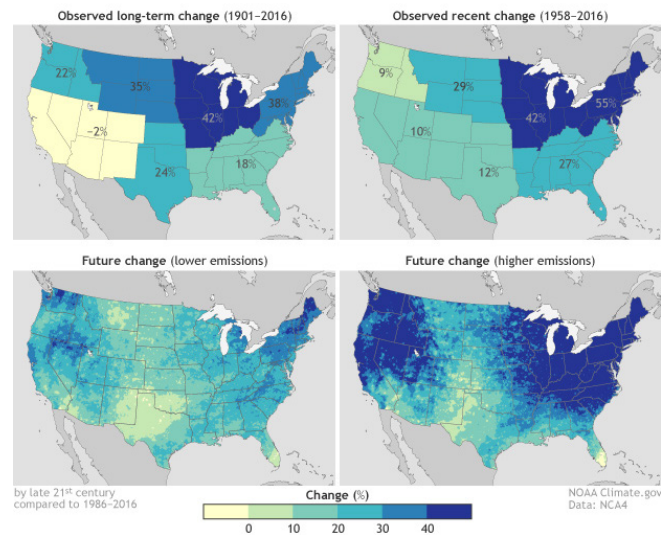


Environment

Montreat is nestled in the Flat Creek basin surrounded by the sweeping ridgelines of the Black Mountains. The natural beauty of the area has been admired and appreciated by Montreat residents and visitors since the valley's inception. In the public survey, the pristine natural surroundings are frequently cited as one of Montreat's greatest assets. The conservation easement and the RPO are evidence of the efforts to protect and preserve this undeveloped wilderness for future generations.

If extreme weather patterns continue to worsen, climate change will be a potential threat to the health of the forest. The southeastern U.S. has seen a 27% increase in heavy rains in the last half-century and will likely see more in years to come (Figure 2-12). As weather patterns change, native species may be out-competed by invasive species, further disrupting the local ecosystem. Concern about wildfires in North Carolina has increased since the devastating fires in 2016. The threat and intensity of wildfires could continue to increase due to dry conditions and historic forest management practices that have increased the prevalence of fire-sensitive species in the region (Figure 2-13).

Figure 2-12 : Change in Extreme Precipitation in the United States



Source: *Prepare for more downpours: Heavy rain has increased across most of the United States, and is likely to increase further.* National Oceanic and Atmospheric Administration (NOAA) Climate.gov.

Figure 2-13 : North Carolina Wildfires



Felix Stith is a Toe-Cane Watershed Coordinator for Blue Ridge Resource Conservation & Development (Photo: Appalachian Exposures)

“Here in western NC . . . [F]requency of fires drastically changed following European colonization and widespread settlement, resulting in less widespread wildland fire. Early state and United States Forests Service (USFS) fire suppression policies further reduced fire. The large reduction in fire, paired with extensive logging in the late 19th and early 20th century, drastically changed the forest structure and composition. [. . .]

Historically fire sensitive species would have lived along streams, and in shady coves with very moist soil, now these species often dominate on drier, well drained ridges, and even on steep south facing slopes. [. . .]

Many years of wildland fire suppression has increased forest density, and allowed for woody debris (fuels) to build up. These factors, paired with increasing drought and temperatures means when uncontrolled wildland fires now occur, they are often much more severe than they historically would have been.”

Source: Stith, F. All Wildland Fire Is Not Created Equal. *Toe Talk*. <http://www.blueridgercd.com/>

STORMWATER & EROSION

The mountainous terrain surrounding Montreat is the source of its beauty, but also requires proper management to limit the impact of human disturbances. Stormwater runoff can cause erosion and debris to flow into streams affecting stream water quality, and major storms can cause landslides and flooding. Most of the developed land in Montreat is on

relatively stable soil, but it is also in landslide deposit areas. Debris flows from a landslide can move swiftly, causing damage in the path of the flow and in the deposit areas. Figure 2-15 shows the land stability index and 2-17 shows where debris is likely to settle if a landslide were to occur. Slope movement lines indicate the direction of flow and geodetic

Wildfires & Landslides

Studies from the west coast indicate that wildfire can change the hydrology of watersheds “destabilizing slopes and baking soils such that they actually repel water,” (USGS, 2021) which can result in post-fire debris flows or flash flooding when a storm passes over previously burned areas.

In Western North Carolina, landslide and debris flows after the wildfires in 2016 caused millions of dollars of damage. In 2019, UNC began a project to study the relationship between wildfires and landslides and debris flows in North Carolina.

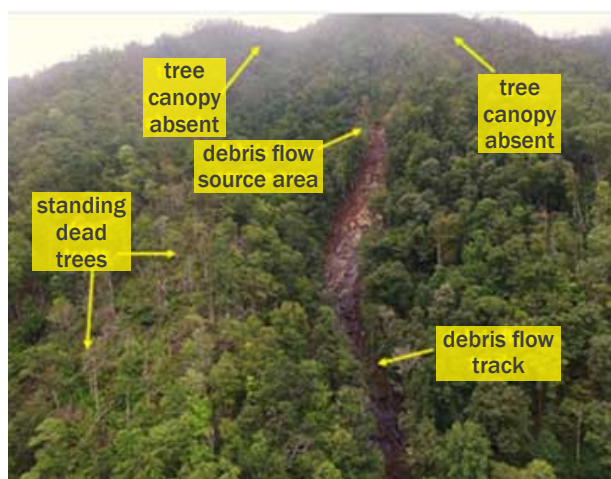
There are enough differences in the forest composition, fire severity, and recovery time between the east and west coasts that the same relationship cannot be assumed, but understanding the relationship can provide insight into landslide hazards and how to better prepare in the future.

“Understanding economic consequences of debris flows will be a driving factor in the continuation of studying wildfires and landslides in North Carolina [. . .] [A]n increase in extreme weather patterns, droughts, and wildfires or above normal rainfall, is setting up for more debris flows and community impact in the coming years,” (Patterson, 2020).

Sources: Patterson, C. (2020, May 26). *Researchers study the connection between wildfires and landslides in western North Carolina*. Collaboratory. <https://collaboratory.unc.edu/>
U.S. Geological Survey (USGS). (2021, Jan. 1). Post-wildfire hazards in Colorado can be as dangerous as the fires themselves. <https://www.usgs.gov/news/>



2016 Party Rock Fire
Photo: North Carolina Forest Service



Drone image showing an example of debris flow source area and track relative to a burned area.
Photo: Swain County Emergency Management

control points are geographic reference markers used in measuring landslide effects.

There are few places in Montreat for new construction as the steepness of the slopes and instability of the soil make the hillsides and ridges difficult for development. Development of currently undeveloped parcels or redevelopment of existing parcels can affect stormwater and erosion if impervious surface area is increased or trees are cleared.

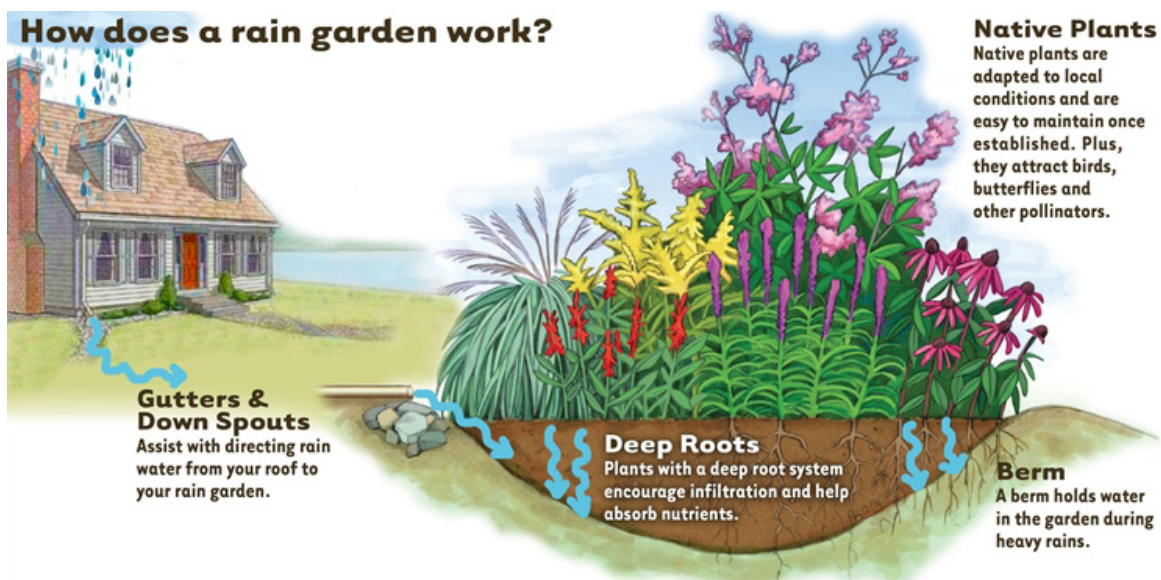
Montreat currently uses the Buncombe County Erosion and Sediment Control Ordinance, but the standards only apply to larger developments, exempting most projects in Montreat. The limited development of the area has helped maintain the high water quality of the rivers and streams flowing through Montreat. Erosion and sediment control is important for maintaining the health of these water bodies and the larger watershed in the future.

The town has a stormwater control ordinance in place that requires stormwater permits

and best management practices for most development. The Stormwater Infrastructure map in Figure 2-17 shows the stormwater management network for Montreat. Separate stormwater sewer systems collect or convey stormwater in open channel conveyances (ditches) or closed conveyances (pipes or culverts) separate from the sanitary sewer system. Stormwater enters the stormwater system at an inlet and exits the system into nearby waterways at an outfall.

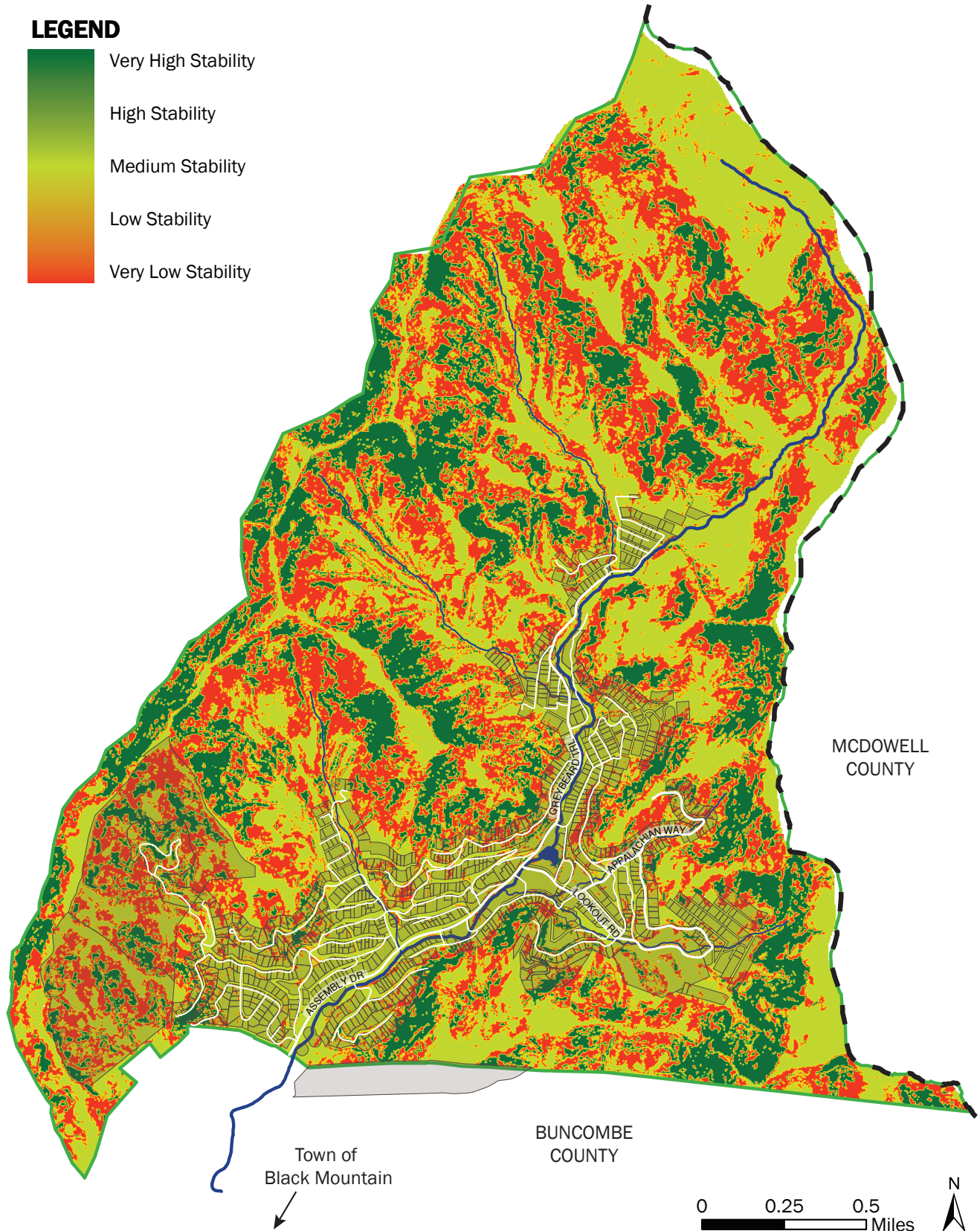
Stormwater control measures are designed to improve stormwater conditions by containing and slowing stormwater, allowing some of the water to filter into the soil before flowing into the creeks and streams. The current stormwater control ordinance emphasizes diffuse or directed flow designs, backyard wetlands and rain gardens (Figure 2-14), stormwater collection and refuse systems, vegetated swales, and removing impervious surfaces. Lake Susan, located on MRA-owned property, serves as a detention basin for floodwaters. See Figure 2-18 for a map of flood hazard areas in Montreat.

Figure 2-14 : Rain Gardens



Source: Warren County Soil & Water Conservation District. Rain Gardens.
<https://www.warrenswcd.com/rain-gardens.html>

Figure 2-15 : Land Stability Index



This map shows the relative land stability based on surveys done by Buncombe County.

Source: Buncombe County, Land of Sky

Figure 2-15 : Land Stability Index (continued)

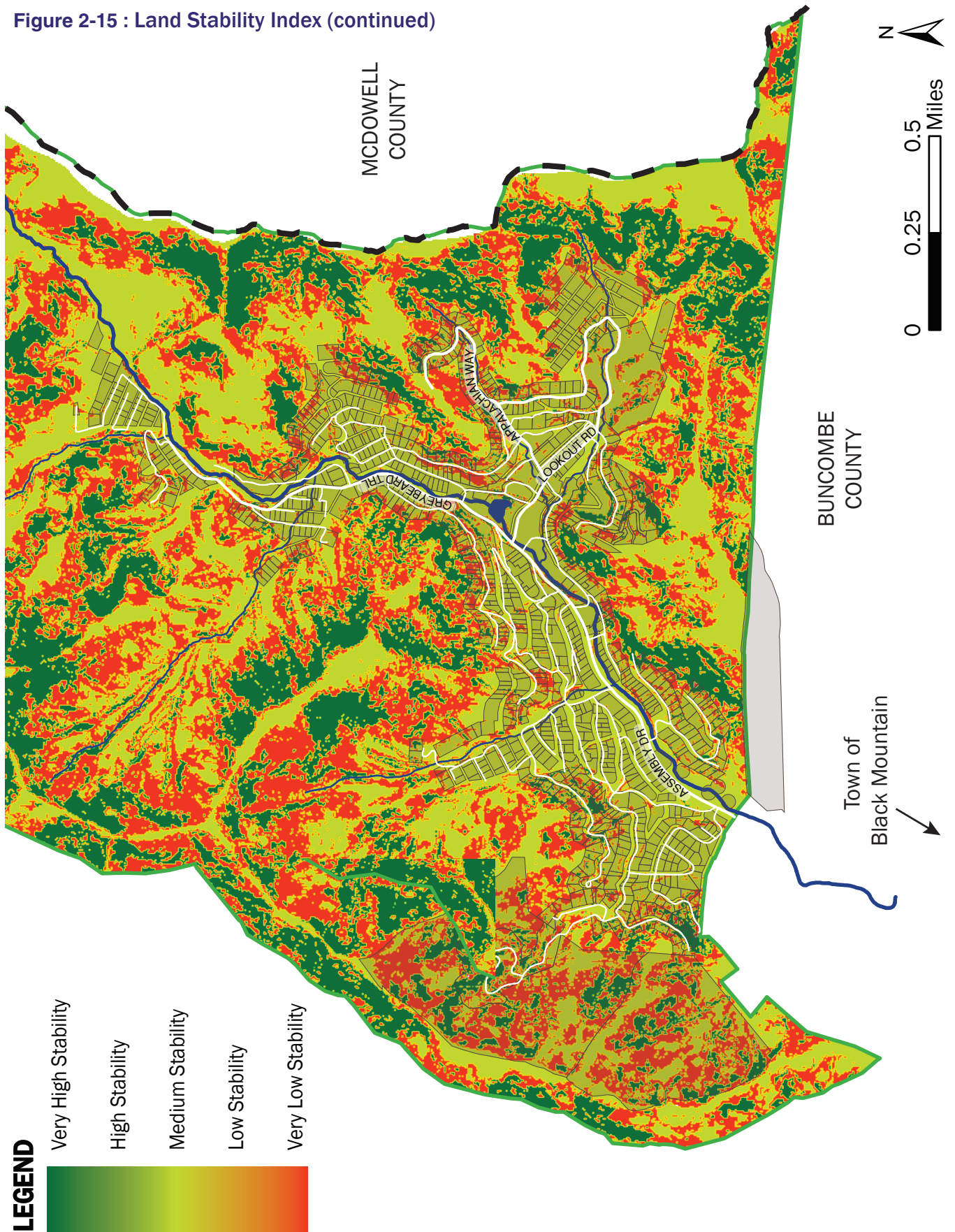
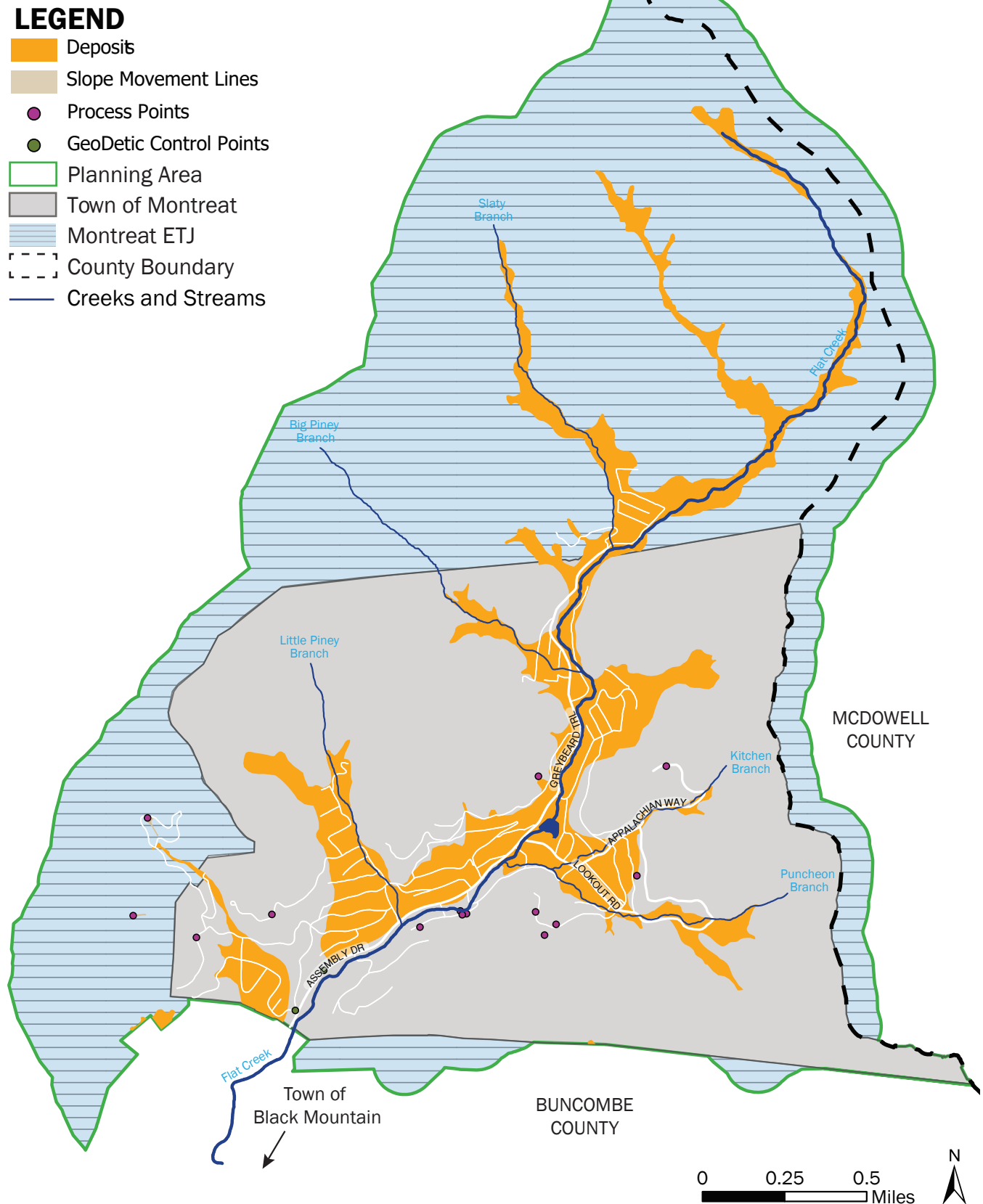


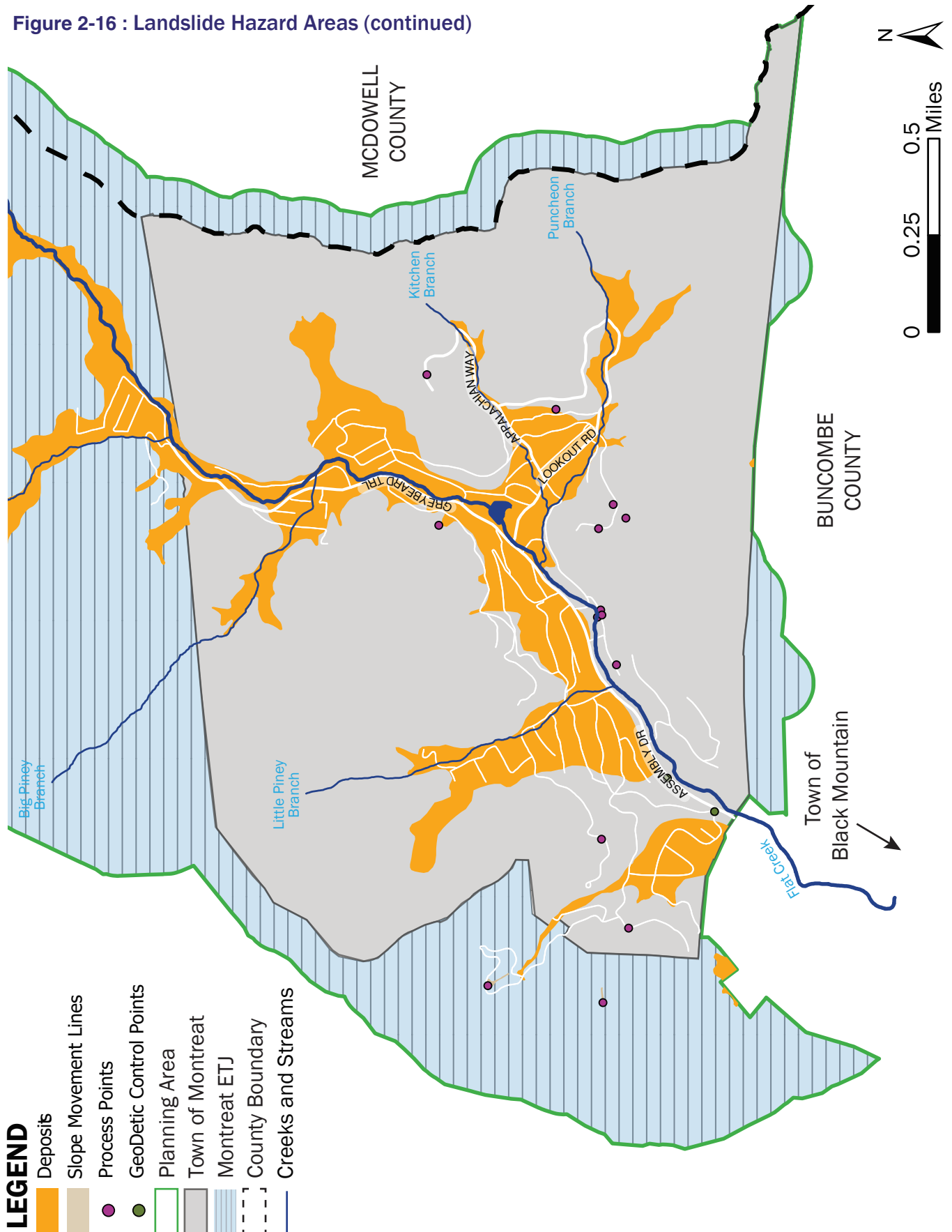
Figure 2-16 : Landslide Hazard Areas



This map shows the landslide hazard areas based on the estimated deposit areas of landslide debris.

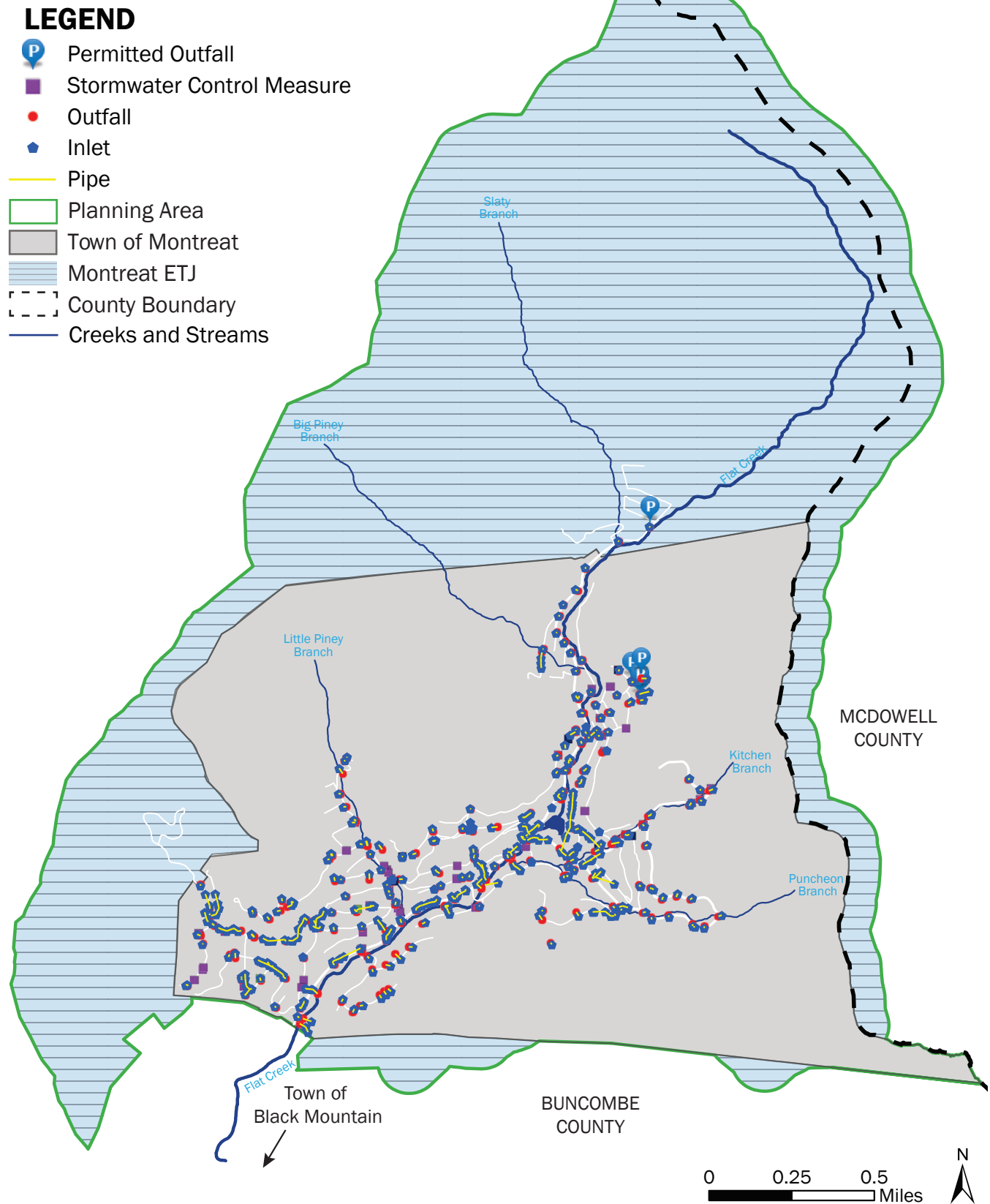
Source: North Carolina Geological Survey

Figure 2-16 : Landslide Hazard Areas (continued)



Source: North Carolina Geological Survey

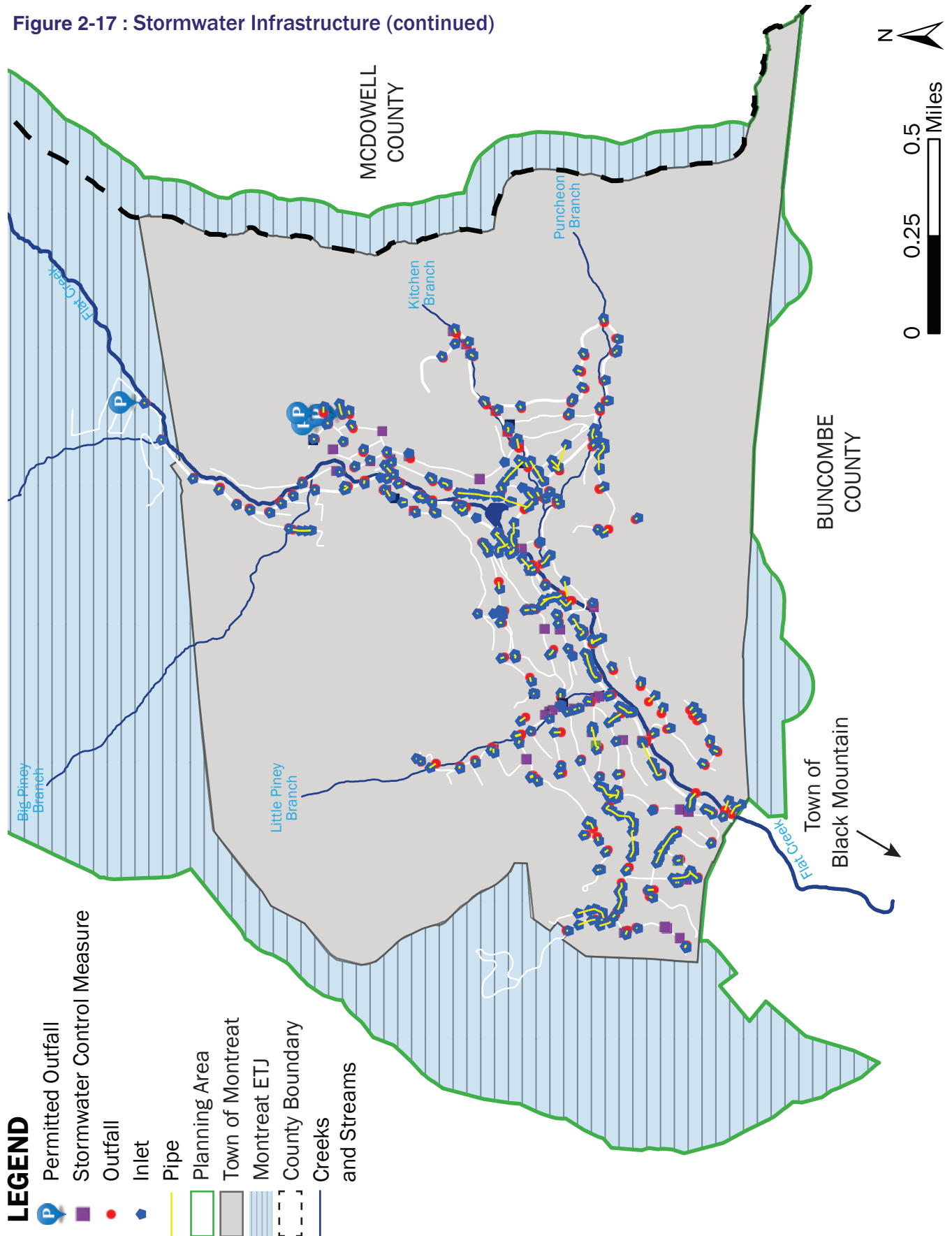
Figure 2-17 : Stormwater Infrastructure



This map shows the existing stormwater infrastructure in Montreat.

Source: Buncombe County, Land of Sky

Figure 2-17 : Stormwater Infrastructure (continued)

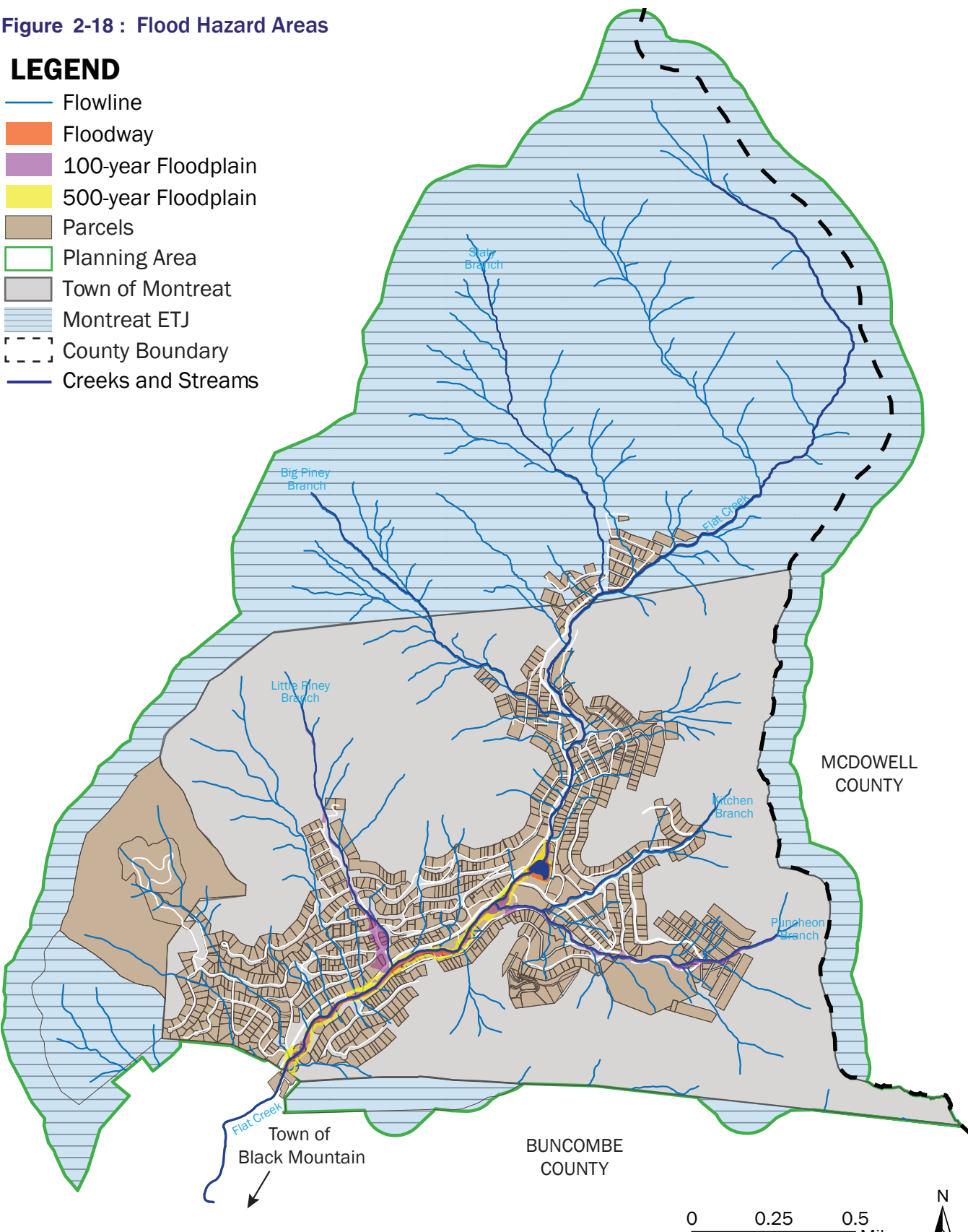


Source: Buncombe County, Land of Sky

Figure 2-18 : Flood Hazard Areas

LEGEND

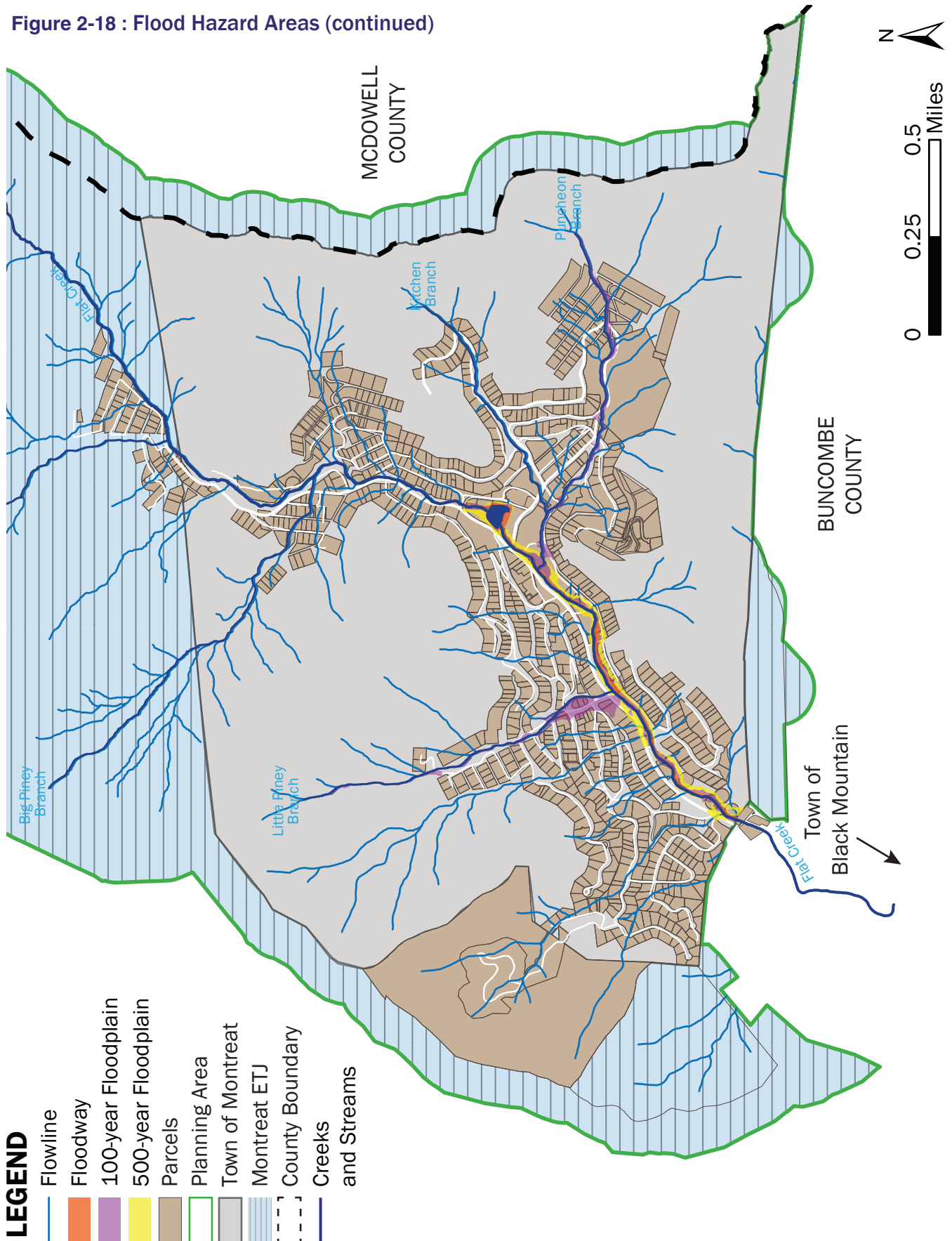
- Flowline
- Floodway
- 100-year Floodplain
- 500-year Floodplain
- Parcels
- Planning Area
- Town of Montreat
- Montreat ETJ
- - - County Boundary
- Creeks and Streams



This map shows the flood hazard areas identified by FEMA's National Flood Hazard Layer database.

Source: Buncombe County, Land of Sky

Figure 2-18 : Flood Hazard Areas (continued)



Source: Buncombe County, Land of Sky

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03

PUBLIC ENGAGEMENT

Online Survey

Engagement Events

Online Survey

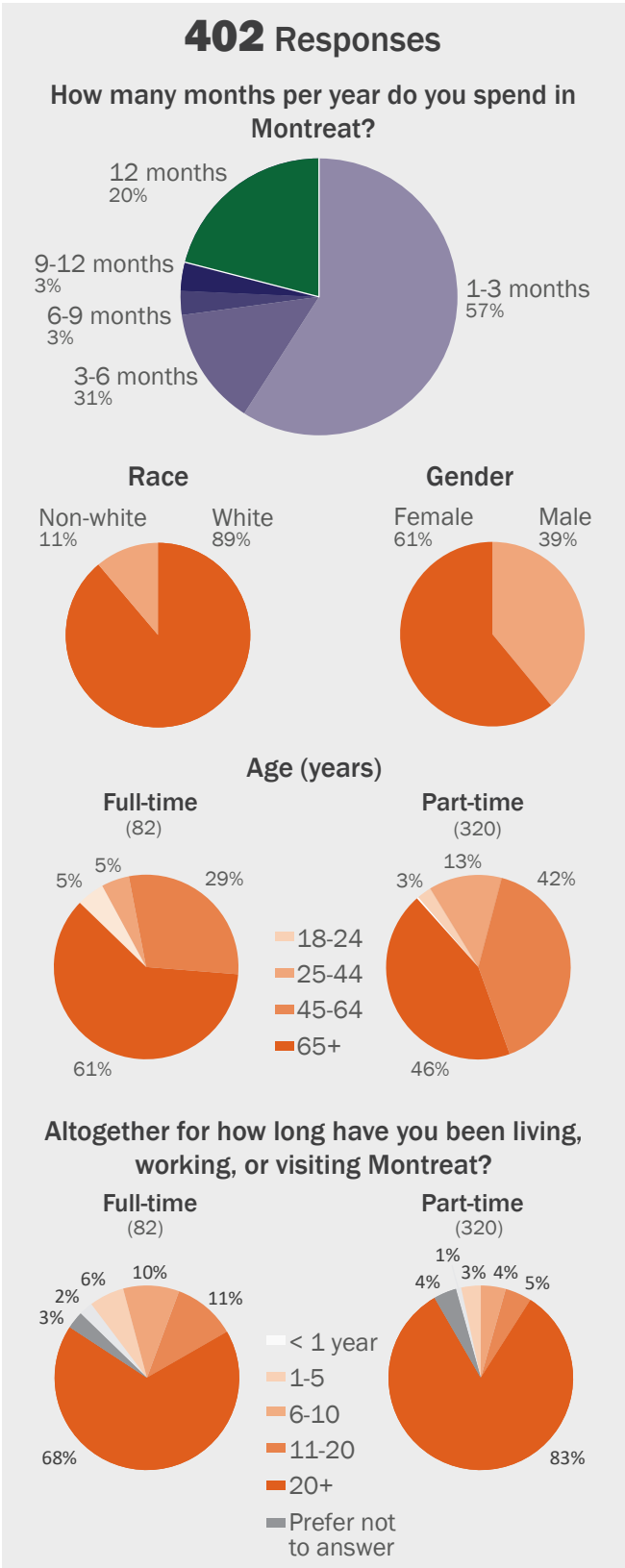
The online survey was open from May 21st to July 6th, 2022. Figure 3-1 summarizes survey participant profiles. Out of the 402 responses, 82 (20%) reported that they spend all 12 months of the year in Montreal. More than half of survey participants (57%) reported that they spend less than three months out of the year in Montreal; less than a month was not an option. Survey participants that reported spending 12 months per year in Montreal were considered full-time residents, while the other 320 responses were counted as part-time residents for the purposes of this plan.

PARTICIPANT DEMOGRAPHICS

The majority of survey participants were over the age of 45, with almost half (47%) over the age of 65. Part-time residents skewed slightly younger with a more even split between those age 45 to 64 and those over 65. More than 90% of survey participants were white and approximately 60% were female.

Since Montreal has many part-time residents, the survey also asked participants how long they had been living, working, or visiting Montreal. However, the survey did not distinguish between residents that have always lived in Montreal from now full-time residents that used to be part-time. This is important because many survey participants indicated that they are currently part-time residents but plan on moving to Montreal full-time when they retire. Fewer full-time residents have been associated with Montreal for more than 20 years than survey participants considered part-time residents (67% and 83% respectively). This indicates that, although the percentage of survey participants that are full-time residents is small, the part-time residents that responded to the survey have strong ties to Montreal.

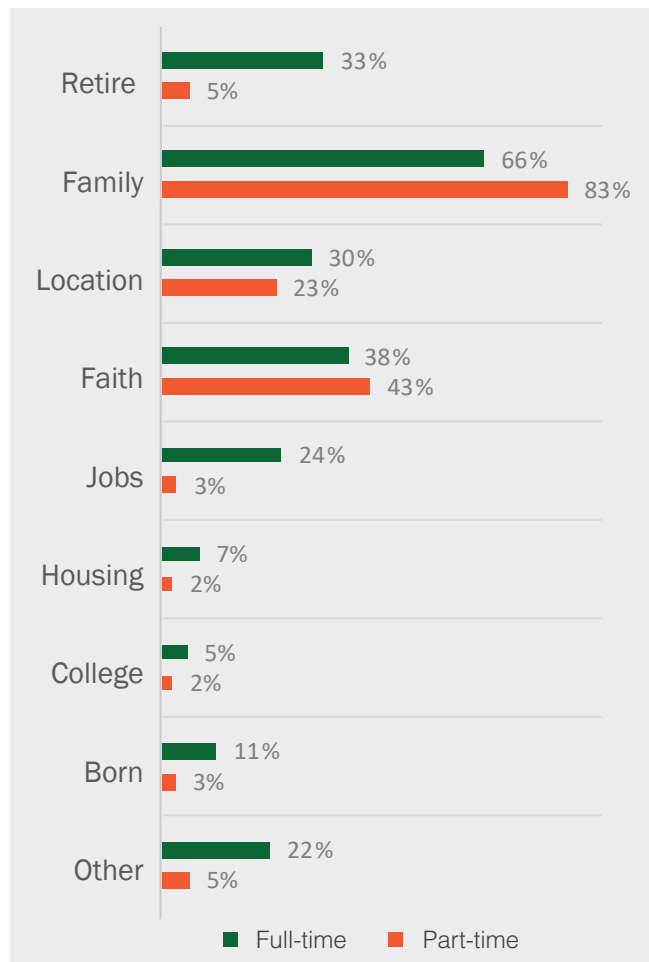
Figure 3-1 : Demographics



Due to Montreat's unique history, what brought residents to Montreat is of interest. The most common reason that participants came to Montreat was family, followed by faith and location for both full-time and part-time residents (Figure 3-2). More than 30% of full-time residents reported that retirement brought them to Montreat. Less than five percent of survey participants reported that college is what brought them to Montreat, indicating that the survey results were probably not heavily impacted by the student population in Montreat.

Responses are broken down by part-time and full-time residents to highlight where there was a noticeable difference between the group's responses.

Figure 3-2 : Why Montreat?

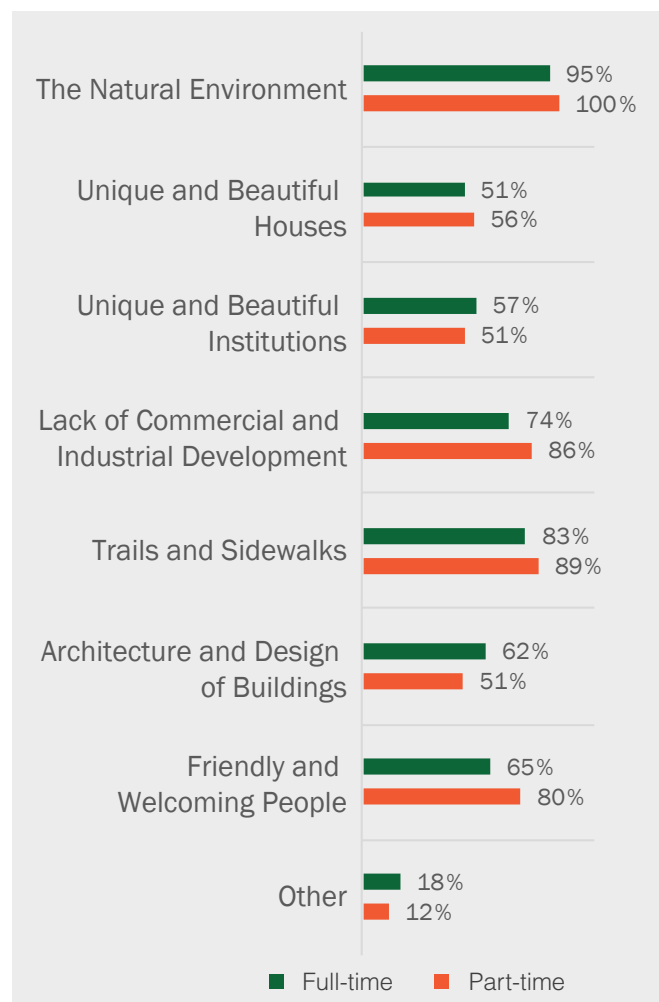


MONTREAT'S CHARACTERISTICS

A list of positive characteristics commonly attributed to Montreat was presented in the survey. Respondents were asked to select the characteristics that they agreed Montreat has and that they enjoy. They were also given the opportunity to describe any other attributes they thought were missing from the list. Full-time residents and part-time residents selected many of the same attributes, but some of the attributes were selected more frequently by one group than another. Figure 3-3 provides a breakdown of these results.

Currently there are no for-profit retail establishments operating in Montreat. Residents go to the nearby town of Black

Figure 3-3 : Montreat's Characteristics



Mountain to go out to eat or shop for groceries. Survey participants were asked which, if any, kinds of businesses they would like to have in Montreat and where they would locate them. If there were to be businesses in Montreat, the preference is for a café or coffee shop and a small grocery or convenience store. Full-time residents indicated that they were more amenable to limited commercial business inside the town than part-time residents (Figure 3-4). 53% of part-time residents, and 35% of full-time residents selected none for businesses they would like to see in Montreat. Survey participants were also asked where they thought businesses should be located if they were in Montreat. The town center was most frequently identified as the appropriate place for businesses to locate. Maps displaying the results from these questions are in the appendix.

MATRIX QUESTIONS

A series of questions asked respondents to rank how much they agreed or disagreed with statements about potential concerns, future opportunities, and possible policies (Figure 3-5). In general, the responses from full-time and part-time residents were similar, with only a few of the questions resulting in notable differences in responses.

The questions that resulted in the greatest gap between full-time and part-time residents had to do with development and growth in Montreat. Part-time residents were more likely to indicate that they feel like Montreat is changing (75% versus 66%) and more concerned with how quickly Montreat is growing (60% versus 38%). Full-time residents were slightly less likely to indicate they were concerned that Montreat is growing quickly than part-time residents (29% versus 21%).

Full-time residents and part-time residents also differ slightly in what they would like to see in Montreat. Although the overall consensus is that residents would not like to see more tourism in Montreat, part-time residents indicated that they feel more strongly against tourism than full-time residents. 30% of part-time residents indicated they disagree and 46% indicated they strongly disagree with the statement “I would like to see more tourism in Montreat”, while 26% of full-time residents indicated they disagree and only 30% indicated they strongly disagree. Around a third of full-time and part-time residents (37% and 35% respectively) indicated that they would like to see more venues for events and gatherings in Montreat. Most survey participants indicated they would not like to see small-scale commercial businesses in Montreat, 44% of full-time residents and 58% of part-time residents. However, full-time residents were more likely to indicate they are open to having commercial businesses in Montreat than

Figure 3-4 : Support for Possible Businesses

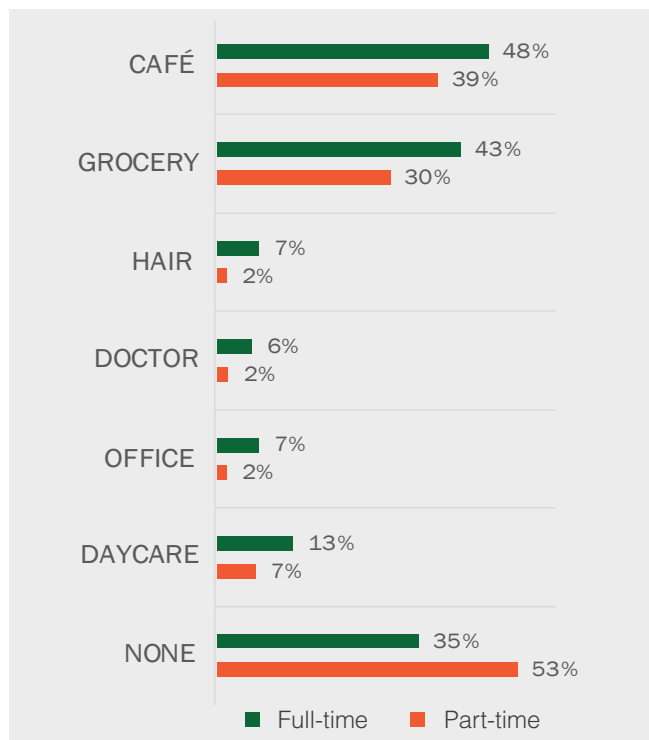
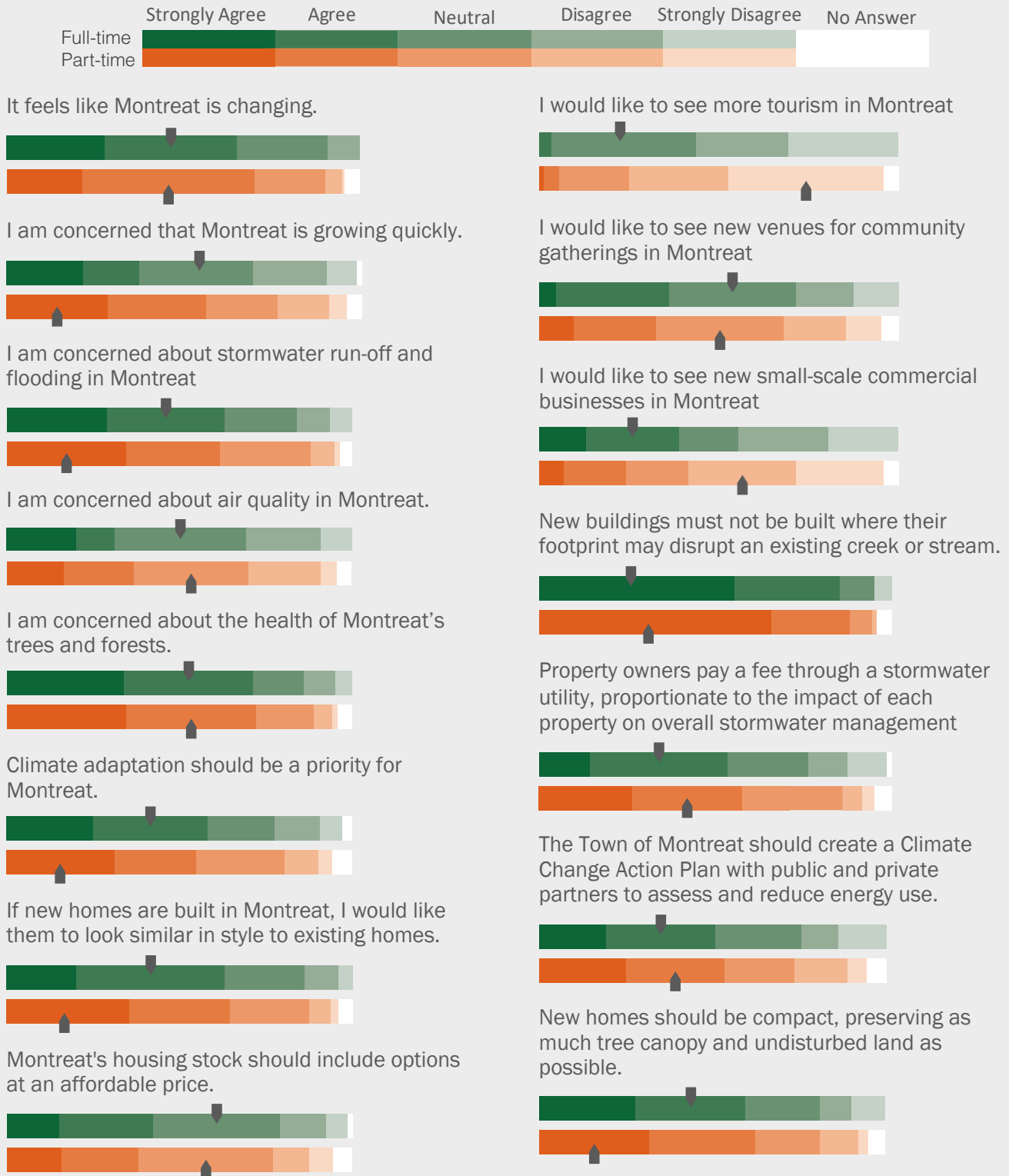


Figure 3-5 : Agree/Disagree Matrix Results

Matrix questions were answered on a scale from strongly agree to strongly disagree, the arrows indicate the most frequent response for each question.



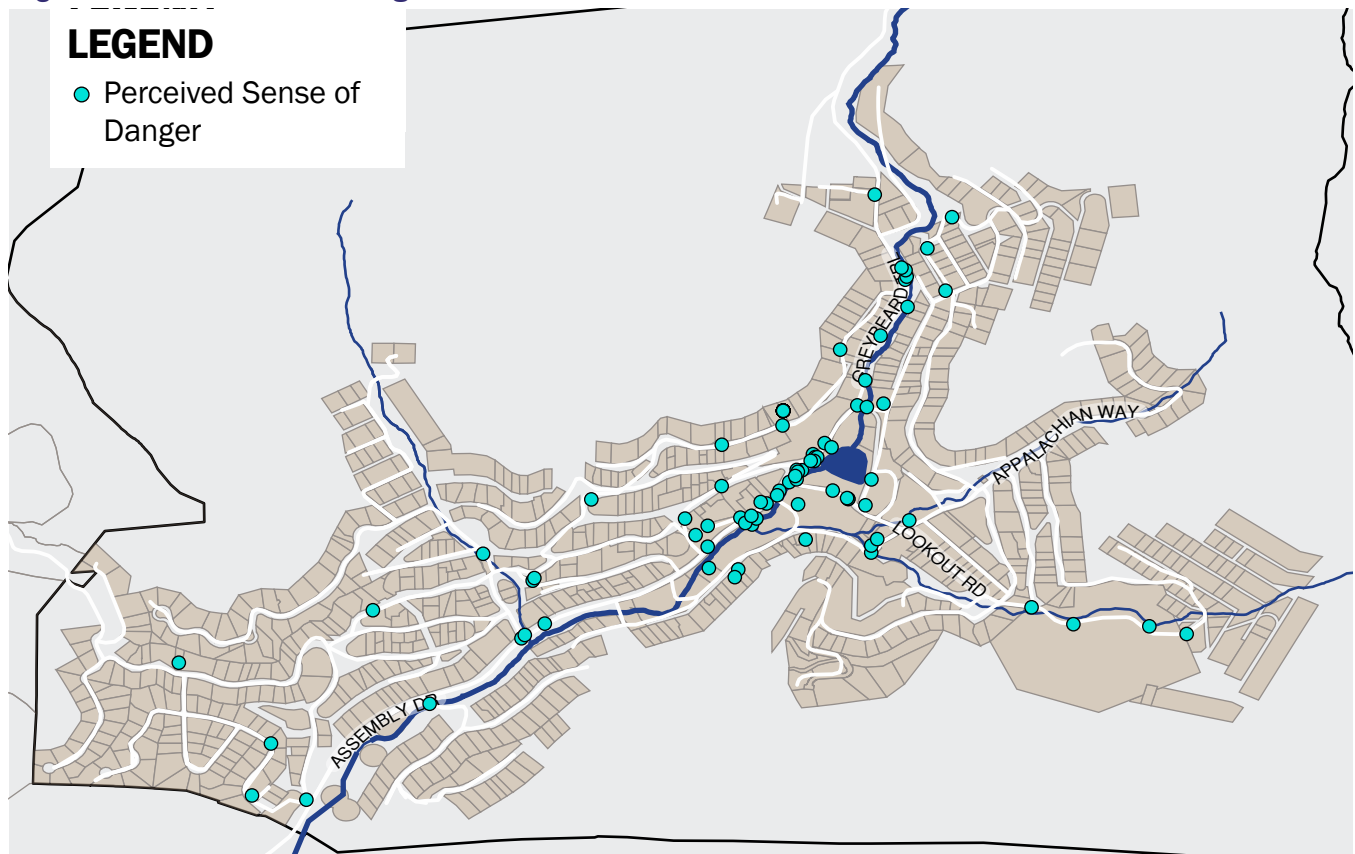
part-time residents with 39% responding that they would like to see small-scale businesses compared to only 26% of part-time residents.

The environment is a concern for most survey participants. Slightly less than two thirds (62%) of survey participants indicated that they were concerned about stormwater and flooding. About a third (35%) of participants responded that they were neutral about air quality in Montreat, while 36% indicated that they were concerned and 27% indicated they were not concerned. Almost three quarters (73%) of survey participants indicated that they were concerned about the health of Montreat's trees and forests. More than half (55%) of participants indicated that climate adaptation should be a priority, with another quarter (24%) reporting they were neutral to having that as a priority. As the natural environment was the most highly cited positive characteristic

of Montreat, it follows that residents are concerned with environmental quality and protection.

Both full-time and part-time residents had majority support for all four of the policy statements relating to the environment and conservation, but part-time residents indicated a stronger response overall. The most strongly supported policy was that new buildings must not be built where their footprint could disrupt a creek or stream, with 88% of all responses in agreement. Requiring new homes to be compact in order to preserve the tree canopy and undisturbed land, was also highly supported, with 60% of full-time residents and 67% of part-time residents agreeing with the policy. 54% of full-time residents and 62% of part-time residents indicated that they agree property owners should pay a stormwater utility fee proportionate to the impact of their

Figure 3-6 : Pedestrian Danger Areas



property on stormwater management. 51% of full-time and 57% of part-time residents support creating a Climate Change Action Plan in order to assess and reduce energy use in Montreat. Since the survey did not ask participants whether or not they owned property in Montreat, it is unclear how many of the responses to these policies were theoretical—part-time residents not being affected by the policy, but supporting the idea—which may partially explain why they were more likely to strongly agree with the policy statements.

PEDESTRIAN SAFETY

Respondents were asked about how safe they felt walking in Montreat, and given the opportunity to indicate areas of potential pedestrian danger. Figure 3-6 shows where respondents feel pedestrian safety is a concern. Assembly Drive approaching Lake

Susan was the area of most concern.

Engagement Events

MINI MEETINGS

To get feedback from as many people as possible, the project team created “Meeting in a Box” kits so that members of the steering committee could host their own mini meetings. The meetings focused on the topic of land use, and materials and guidance for discussion were provided. There were four mini meetings held, with a total of 56 participants and an average of 14 at each meeting. The meetings took place on July 21st, August 11th, August 15th, and August 30th of 2022.

Themes that came up in all of the meetings included: support for preserving Montreat’s history; concern with increased traffic especially from construction vehicles; and concern over large developments in Montreat. The financial challenges of funding various programs or initiatives was brought up multiple times as the Town has limited revenue sources. Residential property taxes provide the vast majority of revenue, and the Town lacks the commercial and industrial entities to provide sales and property taxes that most municipalities rely on. Some suggestions for increasing the Town’s revenues included implementing parking permit requirements, increasing water usage fees, soliciting donations and grants for programs and projects, and reevaluating policies regarding short-term rental properties to increase taxes or fees. It is important to note that some suggested solutions may not be permitted by North Carolina Law.

One of the meetings specifically focused on stormwater issues and stream health. Restricting development along stream beds, increasing community education, and increasing tree preservation efforts were all discussed as potential ways to protect water

quality and reduce risk of damage from flooding. In addition to general safety concerns, one meeting discussed creating an alternate exit route in case of emergency as there is only one road into and out of the Town.

COMMUNITY WORKSHOP

The community workshop was held on July 26th at Town Hall and was open to the public. Following a brief presentation, workshop attendees participated in an engagement activity where they contributed to an “Idea Garden” to build on the vision for Montreat. Some suggested ideas were provided that participants could “water,” (add supporting comments), “grow,” (build on the idea), or “bug,” (point out flaws or critiques) or come up with their own idea. The ideas that emerged from the activity focused on four main topics: traffic control, development, trails and sidewalks, and community environmental protections.

There is a desire for improved trail maintenance, more sidewalks and crosswalks, and more public seating like park benches. There is also support for educational signage for natural and historic landmarks. More crosswalks and sidewalks would help reduce concern for pedestrian safety. Speed bumps, lower speed limits, and no-car zones were also suggested as ways to calm traffic and increase safety. Parking congestion was cited as an issue that would require collaboration with Montreat College and the MRA to address. Annual parking permits and charging for on-street parking were brought up as potential solutions.

More development, especially commercial or institutional, is generally not desired in Montreat by those participating in the engagement events. Establishing a historic district or architectural review board to maintain the character of Montreat is a supported idea. Community environmental

efforts like creating a stormwater utility fee, removing dead or dying trees, and encouraging recycling were all supported ideas, but participants also pointed out “bugs” that would have to be worked out if these kinds of programs were to be implemented. Private property rights and the limitations of Montreat’s financial and jurisdictional capabilities need to be considered in any potential policies.

Montreat By You Worksheet

Community workshop attendees participated in a mapping activity that asked them to identify which type of development they thought was appropriate in different areas of Town. Montreat was divided into seven areas (Figure 3-7) where participants could identify where they could see bigger buildings on bigger lots, smaller buildings on smaller lots, townhouses and apartments, or other kinds of development. Figure 3-8 has the breakdown of the results.

Participants indicated that if any development was constructed, they would prefer smaller buildings on smaller lots in all areas of Montreat. The areas indicated for bigger buildings on bigger lots were on the edge of Town in areas three, four, six and seven. Although there were people who did not want commercial or other non-residential development anywhere in Montreat, the two participants who did indicate commercial development both placed it in area three, in the Town Center. There was not much desire expressed for townhouses and apartments, but areas three, four and seven were indicated as the most appropriate place for them to be developed. Responses expressed a desire for open space requirements for redevelopment as well as new development and raised concerns about water, sewer, and stormwater management.

Figure 3-7 : Development Areas

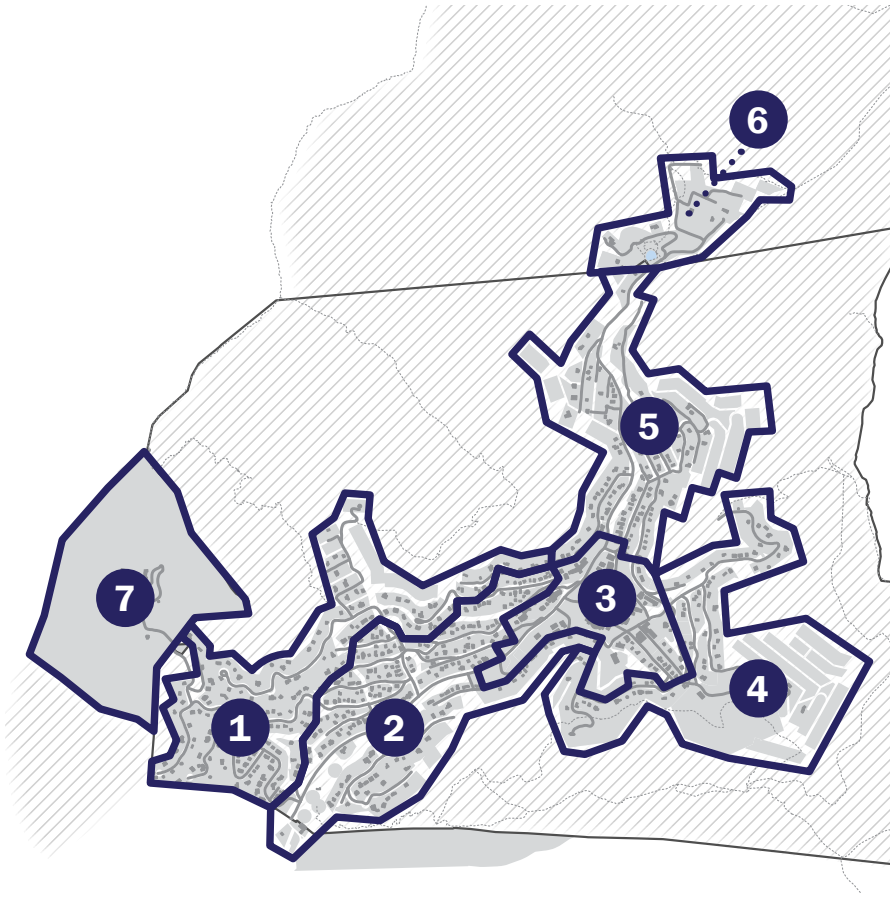


Figure 3-8 : Desired Development types

	Bigger buildings on bigger lots	Smaller buildings on smaller lots	Apartments/ Townhomes	Commercial	Other
Area 1	0%	15%	0%	0%	0%
Area 2	0%	19%	4%	0%	0%
Area 3	15%	12%	15%	8%	4%
Area 4	12%	27%	27%	0%	4%
Area 5	0%	19%	0%	0%	0%
Area 6	8%	15%	0%	0%	0%
Area 7	23%	19%	12%	0%	0%

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04

MONTREAL TOMORROW

Vision Statements

Objectives

Next Steps

VISION STATEMENTS

The Steering Committee and consultant team worked together to create vision statements to guide the objectives for Montreat Tomorrow. Three major topics emerged from the planning process: Natural Preservation and Stormwater (Environment); Community Character and Development (Development); and Traffic and Transportation (Transportation). Specific objectives addressing these topics were then created and finalized by the Steering Committee.

The final objectives address the future of the environment, development, and transportation in Montreat. The guiding vision statements were written with points of tension or potential conflict in mind, reflect what was heard from the public, look to the future, and attempt to address some of the issues which Montreat may face in the coming years.



Montreat will value and protect its tree canopy, streams, land, and natural beauty.



Montreat will be a community that respects buildings with historic value, encourages new development to consider the surrounding architecture, and strives for resilience in the face of a changing climate.














Montreat will be accessible for people as they age, safe for children and families, and calm for those driving, biking, and walking.

OBJECTIVES

The following objectives can be seen as stepping stones towards realizing the future of Montreat imagined in the vision statements. With the help of the Mayor and Town staff, each objective was given a priority level and determined to be either a long- or short-term goal. Short-term objectives should aim to be completed in five years, while long-term objectives are on a ten year timeline. The entity or commission responsible for leading the initiative for each objective was identified and is indicated below.

The objectives, timelines, and responsible entities are dependent on multiple external factors. The recommendations in this chapter are meant to be a guideline for how to proceed and are not legally binding.

LEGEND	
	Short-term Objective
	Long-term Objective
	High Priority
	Medium Priority
	Low Priority
	Town of Montreat
	Planning & Zoning
	Public Works
	Land Care Committee
	Tree Board
	Open Space Committee
	Firewise Committee

Environment

1

The Town of Montreat should develop regulations to encourage fire safety indoors and outdoors. These regulations should be customized to fit the needs of the community, weighing carefully the impact on public safety and natural areas as well as the likely responsibilities placed on property owners as such regulations are passed.



2

The Tree Board should collaborate with existing stakeholders and their representatives (the MRA wilderness committee, Montreat Cottagers, Southern Appalachian Highlands Conservancy) to identify and recommend to Town Council strategies for protection of our forests and for its health and resiliency, and to propose funding required for such strategies.



3

Create a local erosion and sediment control ordinance for grading permits and requirements for projects that currently are not covered by Buncombe County's Erosion and Sediment Control Ordinances.



4

Explore the adoption of additional stream protection ordinances.



5

Institute periodic review (i.e., every five years) by the Tree Board of the *Recommended Species List* (Montreat Zoning Ordinance, Appendix A) to ensure riparian species (those that are native to creeksides) are included.



6

Explore conservation easements as an avenue for land protection.



CASE STUDY - FIREWISE SITES OF EXCELLENCE



The Firewise USA Sites of Excellence was a two year pilot program started in 2019. Seven Firewise sites were selected to participate in the challenge to increase participation in wildfire mitigation activities. The seven sites selected were small communities in high wildfire risk areas from across the country, many of them bordering a state forest. Two of the sites were vacation communities with only a portion of the population residing there full time. Each site had its own approach and challenges, but commonalities between them emerged. Firewise USA published the findings in 2022 and identified common challenges, successful strategies, and best practices for increasing participation in wildfire mitigation activities.

Wildfire mitigation is a community effort led by individual actions, success requires buy-in from residents. Two common challenges faced were resistance from residents who wanted to “live among the trees” and those who were concerned with privacy and government oversight. Providing education to residents about wildfire risks, working together to create specific action steps for mitigation, and providing opportunities for positive interaction with government employees, as well as encouraging neighbor-to-neighbor communication, helped overcome these challenges.

State forestry agency employees reiterated the importance of forming a relationship with the sites to better understand the community and how they could provide support and assistance most effectively. Creating “targeted, quantifiable goals helped Firewise sites focus their efforts and reduce risk.”



Educational events hosted with local fire department.

Home risk assessments in 7-R Ranch conducted by the Texas A&M Forest Service.



Firewise community workday in Arkansas.

Other successful strategies used by the sites to improve buy-in and participation included:

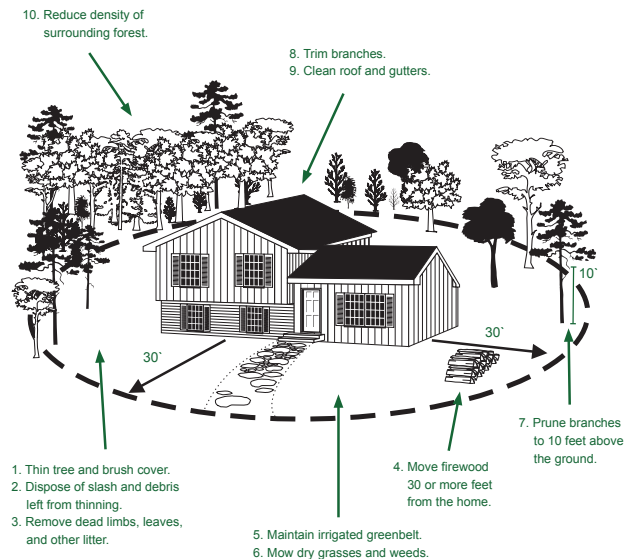
- Utilizing Home Owners Associations (HOA) to enforce Firewise landscaping regulations
- Conducting home risk assessments and providing individualized recommendations
- Focusing on mitigating threats in the home ignition zone
- Setting an example for homeowners in common spaces
- Building a sense of community by organizing public chipping days, curbside brush collection, and communal slash pile burns
- Taking advantage of community events to provide education and information
- Bringing in local emergency management representatives or vendors to provide information on fire safety

Source: Miller, R. (2022, May). *Residents Reducing Wildfire Risks: Findings from the NFPA® Firewise® Sites of Excellence Pilot, 2019–2020*. National Fire Protection Association (NFPA).

Firewise Landscaping

Firewise landscaping is about creating defensible space or a “survivable space buffer” around your home. The size of the buffer depends on the landscape, but for all homes there are three key factors for creating defensible space:

1. **Vegetation Choice** - Native plants that are fire resistant and a variety of species help create a healthier, more resilient landscape.
2. **Location & Spacing** - “Defensible” does not mean barren; plants should be widely spaced in irregular clusters to reduce risk.
3. **Maintenance** - Thinning, trimming, and removing dead limbs or brush to reduce the available fuel reduces the intensity and slows the spread of wildfires.



Source: Bardon, R. (n.d.) *Firewise Landscaping in North Carolina*. N.C. Cooperative Extension Service.



ADDITIONAL PLANNING DOCUMENT

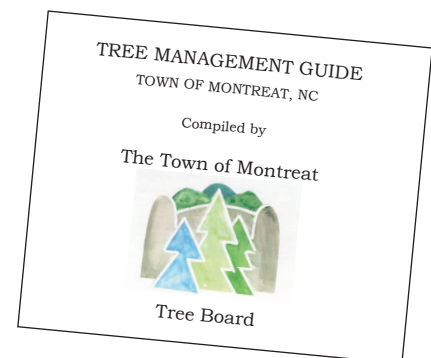
Tree Management Guide

Last Updated July 2019

The Tree Management Guide was compiled by the Montreat Tree Board to consolidate information about tree care and protection along with relevant regulations. The guide contains inventories of the trees along the public right-of-way (ROW) for Assembly Drive, and Greybeard Trail. The inventory includes information on tree health, location, and risk assessment.

Recommended species, what to do in case of a fallen tree, and planting and pruning guides are included as appendices. The Firewise Landscaping document from North Carolina State University is also included in the appendices.

[VIEW THE PLAN HERE](#)





ADDITIONAL PLANNING DOCUMENT

Open Space Conservation Plan

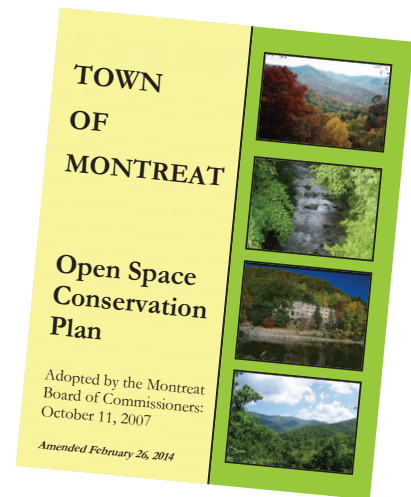
Last Updated February 2014

The Open Space Conservation Plan was intended to “enhance the Town’s ability to protect lands with high natural resource value.” The plan defines open space as “an area of Montreat’s landscape that is essentially undeveloped, such as ridges, streams, and woodlands,” and identifies three key types: natural areas, low impact recreation areas, and viewscape areas.

The plan prioritizes protecting land on large parcels that currently has no legal protections, is adjacent to already preserved land, and is of high resource value to maximize the benefits of preservation.




In addition to proposing an Open Space Fund to help finance conservation efforts, the plan also identifies other potential funding sources.

VIEW THE PLAN [HERE](#)






- 7




Implement the stormwater management plan as required and approved by Small MS4 NPDES Permit.


- 8




Inventory the Town's current stormwater infrastructure and identify opportunities for system improvements and expansions.


- 9




Create a voluntary stormwater control measure and flood risk mitigation program with established goals that includes educational opportunities and outreach efforts.


- 10




Investigate implementing viewshed protection regulations in Montreat.


- 11

Examine the existing Hillside Development Ordinance and ensure that it is enforceable, practical, and sufficient for its purpose, with consideration to the responsibility placed on those building on property in Montreat.


- 12

Support and implement the goals and recommendations for the Town of Montreat in the Buncombe and Madison County Regional Hazard Mitigation Plan.



NPDES MS4 Program

The North Carolina Department of Environmental Quality (DEQ) administers the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Program mandated under the federal Clean Water Act.

An MS4 is an infrastructure system owned by a municipality or public entity that deals with stormwater management and discharge. Only MS4s that meet certain criteria are regulated and require a permit. MS4s are regulated to reduce the amount of pollutants that are flushed into surface waters by runoff.

The MS4 Program expands after every decennial census. Small MS4 permittees were added after the 2000 census in phase two of

the Environmental Protection Agency's MS4 regulations.

MS4 permits require a Stormwater Management Plan (SWMP) to implement, enforce, and evaluate six minimum control measures:



1. Public Education & Outreach
2. Public Involvement & Participation
3. Illicit Discharge Detection & Elimination
4. Construction Site Runoff Controls
5. Post-Construction Site Runoff Controls
6. Pollution Prevention & Good Housekeeping

Source: North Carolina Department of Environmental Quality (DEQ)



ADDITIONAL PLANNING DOCUMENT

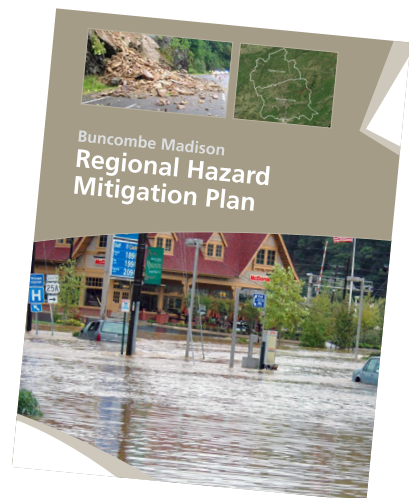
Buncombe Madison Regional Hazard Mitigation Plan

Last Updated April 2021

The Buncombe Madison Regional Hazard Mitigation Plan “recommends specific actions to minimize hazard vulnerability and protect residents from losses to those hazards that pose the greatest risk.” In addition to structural solutions, other actions that can help reduce the region’s vulnerability to identified hazards, including “Local policies on community growth and development, incentives for natural resource protection, and public awareness and outreach activities,” are also recommended.

The plan focuses on hazards that pose “high” or “moderate” risk based on a detailed hazard risk assessment. Section 6 of the plan contains a detailed vulnerability assessment broken down by municipality in both counties.

VIEW THE PLAN [HERE](#)



Development

1

Support private property owners in the creation of conservation easements and/or deed restrictions on land with recreational value to the public.



2

Investigate implementing a maximum lot coverage standard in the Montreat Zoning Ordinance to cap the percentage of a lot that can be developed.



3

In cooperation with the Town, Montreat College, the Mountain Retreat Association, and local organizations, work to update and implement a wayfinding plan including educational signage.



4

Preserve, protect, and enhance the character of Montreat by evaluating and improving existing allowable uses, densities, and dimensional regulations in each Zoning District.



5

Investigate development regulations per Zoning District for short-term rentals with consideration for existing short-term rentals and potential funding sources.



6

Support current and new activities with local, regional, and state partners to educate the public about the value of historic properties and landmarks.



In the spirit of the long-term success of the Town of Montreat, work collaboratively with the institutions of the Town, including, but not limited to, Montreat College and the Mountain Retreat Association, on any future development plans to support the vitality and future of the institutions and the Town.



ADDITIONAL PLANNING DOCUMENT

Wayfinding Signage Plan

Adopted November 2013

The Wayfinding Signage plan was intended to create “a system of destination and directional signage to guide visitors to primary and secondary attractions in Montreat,” and promote walking and bicycling within town. The plan identified seven types of wayfinding signs that could be installed and where some of them should be located.

The plan also called for the Sign Ordinance to be updated to align with the Signage Design Manual, to be created with the help of a design consultant. To date, this plan has not been implemented.

VIEW THE PLAN [HERE](#)



Transportation

1

Calm traffic and lower speeds by partnering with regional transportation agencies to conduct a study of feasible options. This may include, but is not limited to, investigating posting advanced warning signs near the Montreat Gate, seasonal speed tables, or additional stop signs.



2

Periodically examine the availability and demand for parking in the Town of Montreat. Develop strategies as needed to address parking issues. Special consideration to seasonal parking needs should be included.



3

Investigate developing a freight plan in partnership with local and regional partners. This plan may include, but is not limited to, designated truck routes, drop/off/delivery zones, and a permit system for overweight vehicles to be charged a fee.



4

Update and implement the Town's Bicycle, Pedestrian, and Greenways Master Plan.



5

Support private-public partnership opportunities to fund and support trail maintenance.



CASE STUDY - KEENE, NY

The town of Keene, New York has a population of just over 1,000 people and is composed of the hamlets of Keene, Keene Valley, and St. Huberts. Located in Adirondack Park, trails for many of the High Peaks can be accessed via trailheads along State Route 73 in town. The Adirondack Mountain Club Johns Brook Lodge is located in town along with the Adirondack Mountain Reserve (AMR), a privately owned conservation easement of 7,000 acres.

The town of Keene operates a shuttle on weekends and holidays from May through October that takes hikers from a parking lot in town to another parking lot owned jointly by the Department of Environmental Conservation (DEC) and a private landowner, but overflow parking is still a problem. The problem of parking at the trailheads has been acknowledged for some time. In 2017, an article from the Adirondack Explorer wrote, “On a busy summer day, over flow parking along NYS Rt 73 makes it a dangerous gauntlet. In the hamlet of Keene Valley, we regularly have blocked driveways and fire hydrants, and Adirondack Street and Johns Brook Road can be so congested that emergency vehicles can’t get through.”



AMR Ausable Club.
Photo by Anna Kirby.



Cars parked illegally on Route 73 below Roaring Brook parking lot.



AMR hiker shuttle.

Increasing tourism in recent years has exacerbated the problem, and in May of 2019 the DEC prohibited parking on a four-mile stretch of Route 73 without adequate parking alternatives in place. The town of Keene implemented a “front-country steward” program staffed by volunteers to provide visitors with information and help reduce illegal parking. A stakeholder meeting was held in August 2019 to address the parking issues along Route 73. There was consensus that a comprehensive management system was needed. The most supported solution was implementing a pilot hiker or parking permit program.

In 2021, the AMR and the DEC launched a parking reservation pilot program to help manage available parking. Also running May through October, reservations are free and can be made up to two weeks in advance. Reservations are required for all visitors using the AMR parking lot arriving by car, bike, or foot. Visitors who arrive via Greyhound or Trailways bus do not need a reservation and can show a bus ticket from the previous 24 hours instead. The program is only for hikes with trailheads on AMR land.

Sources: *The Lowdown on AMR Hiker Parking Reservations*, Adirondacks, USA.

Izzo, E. (2019, Aug. 10). *Route 73 conundrum*. Adirondack Daily Enterprise.

Wilson, J. (2018, April 19). *Hiker Traffic Along the Route 73 Corridor: Balancing Access, Safety, & the Needs of Residents*. Adirondack Park Local Government Day.



ADDITIONAL PLANNING DOCUMENT

Pedestrian, Bicycle, and Greenways Master Plan

Adopted January 2011

The Pedestrian, Bicycle, and Greenways Master Plan was designed to provide a framework for creating a walkable and bikable town with the goals of improving connectivity and accessibility, increasing safety, and encouraging environmental stewardship.

The proposed greenway along Assembly Drive, replacing the narrow dirt path, was completed, but other recommendations have yet to be implemented. Bike lanes along Assembly Drive and Lookout Road and sidewalks connecting key destinations in the core of Montreat were some of the other proposals.

The plan also contains valuable information on the location and accessibility of trailheads in Montreat.

VIEW THE PLAN [HERE](#)



NEXT STEPS

Keep in mind that implementation of planning goals is a process, and that objectives may require cooperation from multiple parties to complete. Each objective was assigned a priority and responsible entity. These assignments are intended to serve as a starting point for implementation and may change as different circumstances or situations arise.

Some general strategies that can help maintain momentum in achieving plan objectives are:

- Evaluate municipal funds on an annual basis to identify and allocate available funds.
- Identify internal and external pathways to secure new funding resources, as allowed by state law.
- Delegate existing subcommittees to lead implementation of objectives, and create new subcommittees as needed.
- Utilize internal staff to complete amendments and ordinance development (primarily through the Planning and Zoning Department).
- Review this plan and examine the status of objectives annually.
- Reevaluate priorities accordingly after review.

APPENDIX: SURVEY QUESTIONS AND ADDITIONAL GRAPHICS

Share your opinion about the following statements. Click all that apply.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
It feels like Montreat is changing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am concerned about stormwater run-off and flooding in Montreat.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am concerned about air quality in Montreat.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am concerned about the health of Montreat's trees and forests.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Climate adaptation should be a priority for Montreat.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am concerned that Montreat is growing quickly.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would like to see more tourism in Montreat.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would like to see new venues for community gatherings in Montreat (like a new park or community garden).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would like to see new small-scale commercial business in Montreat (like a coffee shop or small office).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If new homes are built in Montreat, I would like them to look similar in style to existing homes.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Montreat's housing stock should include options at an affordable price.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Below are some examples of possible policies that could be adopted in Montreat related to sustainability. How strongly would you support each of them?

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
New buildings must not be built where their footprint may disrupt an existing creek or stream.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Property owners pay a fee through a stormwater utility, proportionate to the impact of each property on overall stormwater management.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Town of Montreat should create a Climate Change Action Plan with public and private partners to assess and reduce energy use.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New homes should be compact, preserving as much tree canopy and undisturbed land as possible.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are there any specific areas in Montreat that you feel are especially dangerous and/or inconvenient to walk, bike, or drive?

A follow-up question asking where will appear if you choose yes.

☐ Yes

☐ No

Currently, there are no for-profit businesses operating in Montreat. Which of the following, if any, would you support in Montreat?

Next, you will be asked about possible locations of whichever establishments you select below.

☐ Café or Restaurant

☐ Small Grocery Store

☐ Hair Salon / Barber

☐ Doctor / Dentist Office

☐ Daycare

☐ Offices

☐ Other (I have an idea!)

☐ None

The Comprehensive Plan will guide the Town's development in the future. Please share any other issues, comments, or other considerations you would like to be included in the plan.

The Town of Montreat released a community survey in 2020. About 200 people provided responses. In the survey, Montreat residents were asked to describe Montreat in three words. In the 2022 survey, respondents were asked whether they agreed with the descriptions of Montreat that appeared in the word cloud, a graphic where words appear larger if more than one person submitted the word, resulting from the 2020 survey. Both full time and part time residents generally agreed with the descriptions in the 2020 survey. Participants were also asked if there were any words that they would like to add to the description. The word cloud created from their additional descriptions and the word cloud from the 2020 survey are shown below.

A word cloud of positive adjectives and nouns, with 'beautiful' and 'peaceful' being the most prominent words. Other words include 'friendly', 'natural', 'spiritual', 'lovely', 'happy', 'caring', 'sanctuary', 'restful', 'quiet', 'great', 'nature', 'wonderful', 'relaxed', 'friendship', 'inspiring', 'college', 'supportive', 'welcoming', 'faith', 'unique', 'home', 'beauty', 'special', 'history', 'presbyterian', 'loving', 'quaint', 'mountains', 'retreat', 'stone', 'summer', 'walkable', 'active', 'heaven', 'white', 'wilderness', 'mountain', 'heritage', 'safe', 'green', 'community', 'inclusive', 'relaxing', 'family', and 'serene'. The words are arranged in a circular pattern, with 'beautiful' and 'peaceful' at the top and 'friendly' and 'natural' at the bottom. The colors are a mix of purple, blue, green, and orange.

A word cloud of adjectives describing a sanctuary. The words are arranged in a circular pattern, with 'peaceful' and 'nature' being the largest and most central. Other prominent words include 'sanctuary', 'historic', 'family', 'quiet', 'spiritual', 'welcoming', 'friendly', 'community', 'restorative', 'presbyterian', 'tranquil', 'god', 'non-commercial', 'changing', 'divided', 'relaxing', 'beautiful', 'memories', 'heritage', 'green', 'inspiring', 'caring', 'wilderness', 'retreat', 'serene', 'walkable', 'calm', 'protected', 'home', 'special', 'restful', 'love', 'safe', 'inclusive', 'hiking', 'quaint', 'mountains', 'renewal', 'unique', 'authoritarian', 'friendly', 'pristine', 'welcoming', 'preserved', 'respice', 'comfort', 'charming', 'christian', 'friendship', 'restorative', 'community', 'friendly', 'authoritarian', 'friendly', 'pristine', 'welcoming', 'preserved', 'respice', 'comfort', 'charming', 'christian', 'friendship', 'restorative'. The colors of the words range from dark blue to light green.

Figure A-1 : Cafe

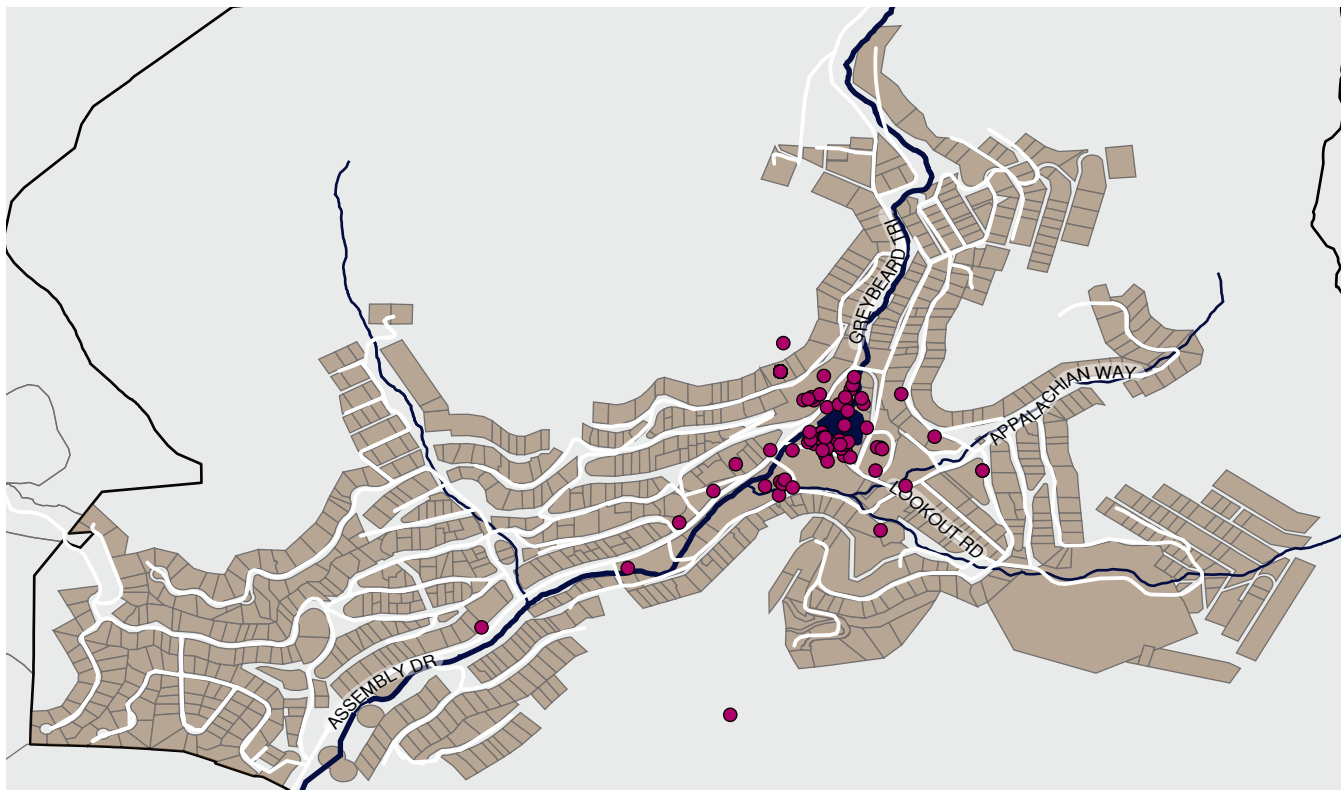


Figure A-2 : Grocery Store

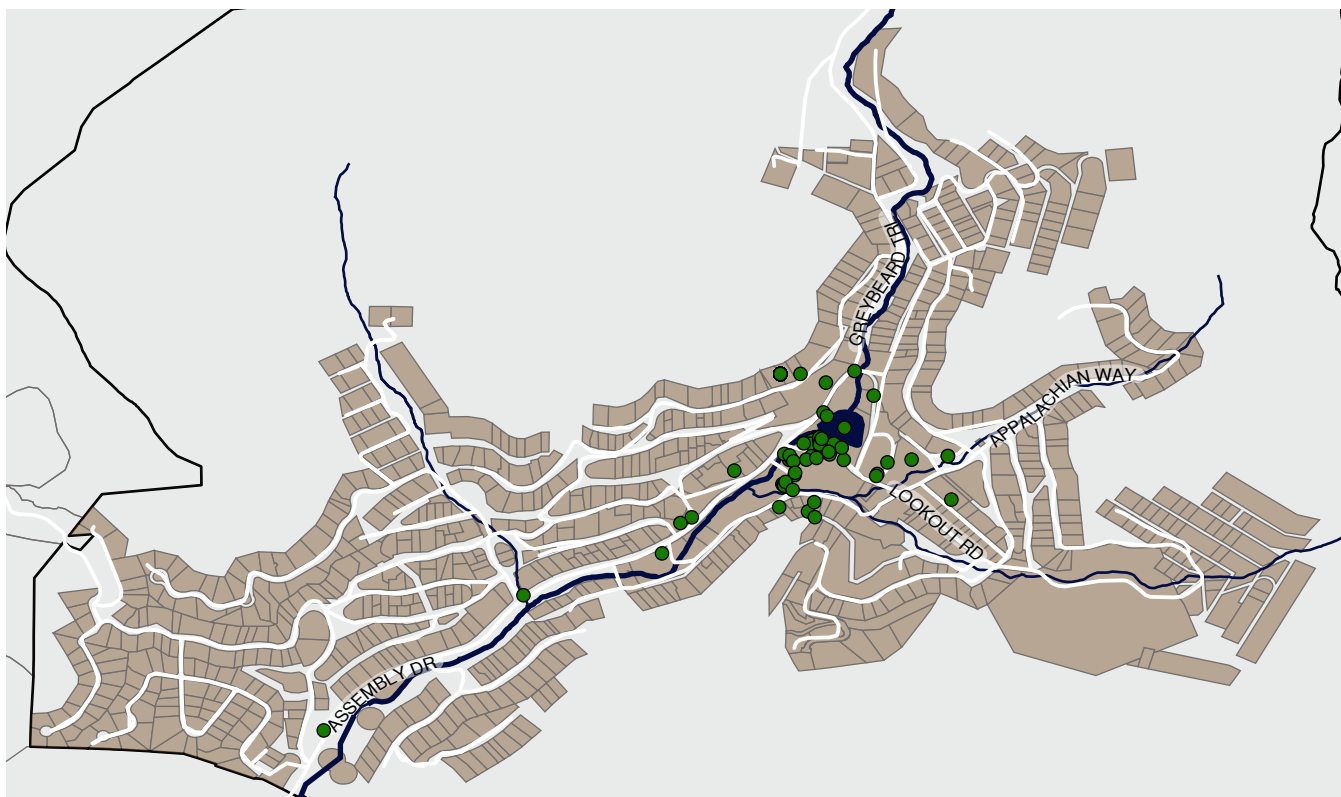


Figure A-3 : Doctor's Office

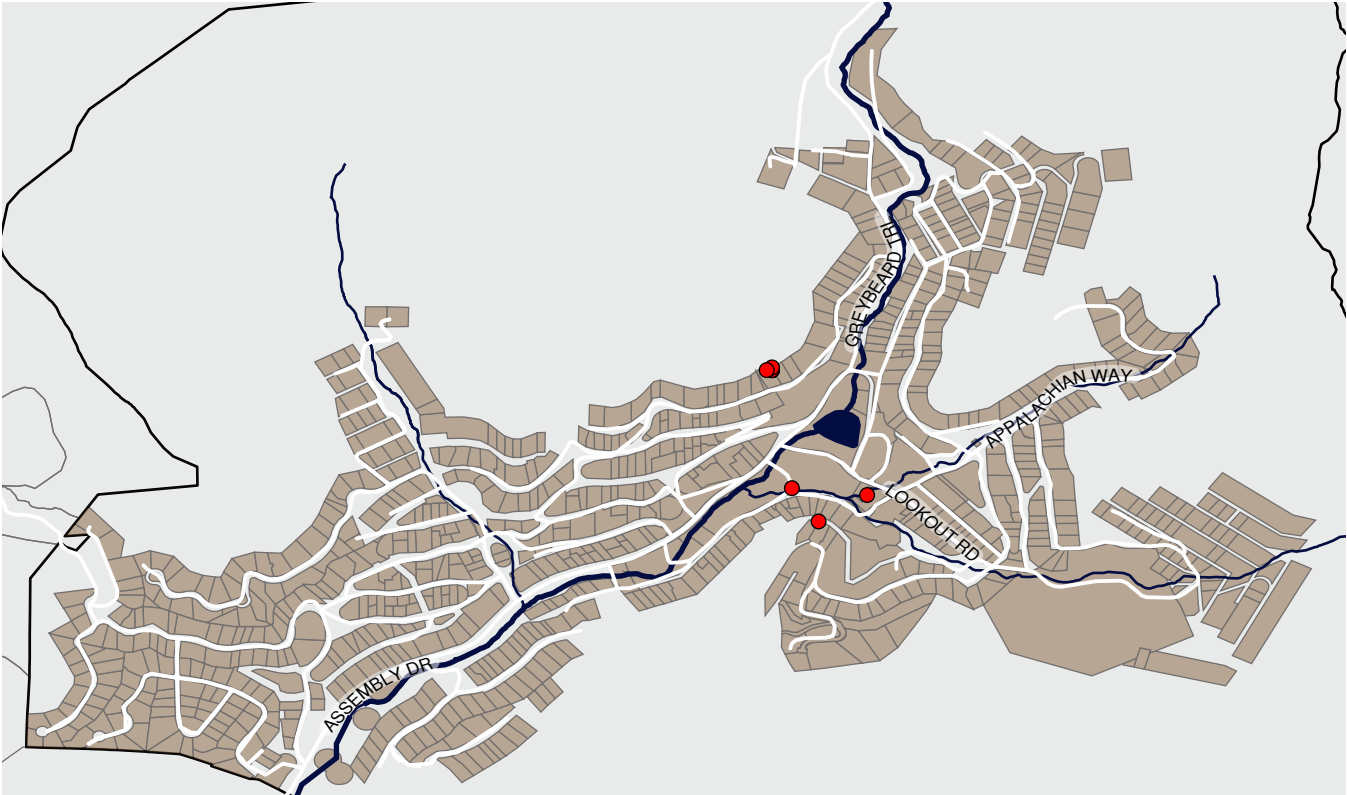


Figure A-4 : Office

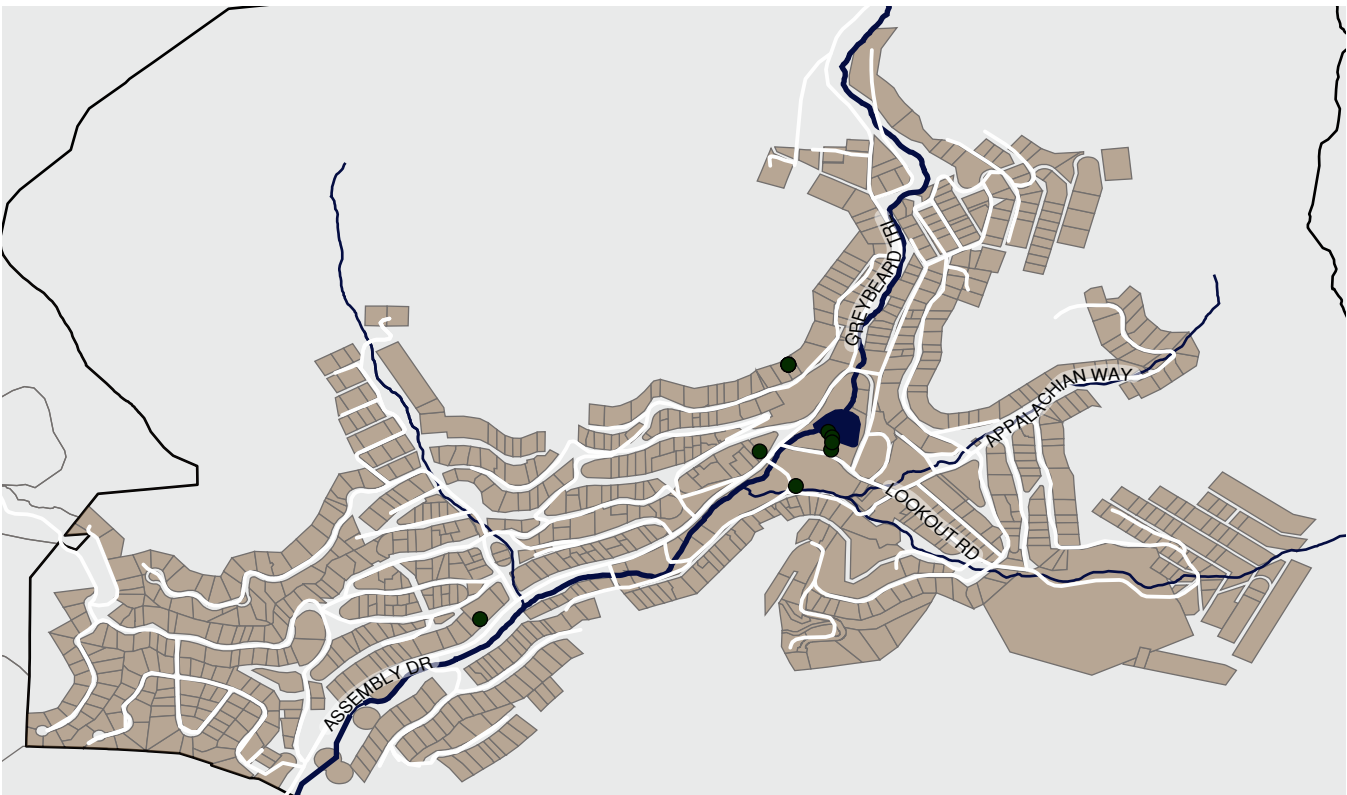


Figure A-5 : Salon

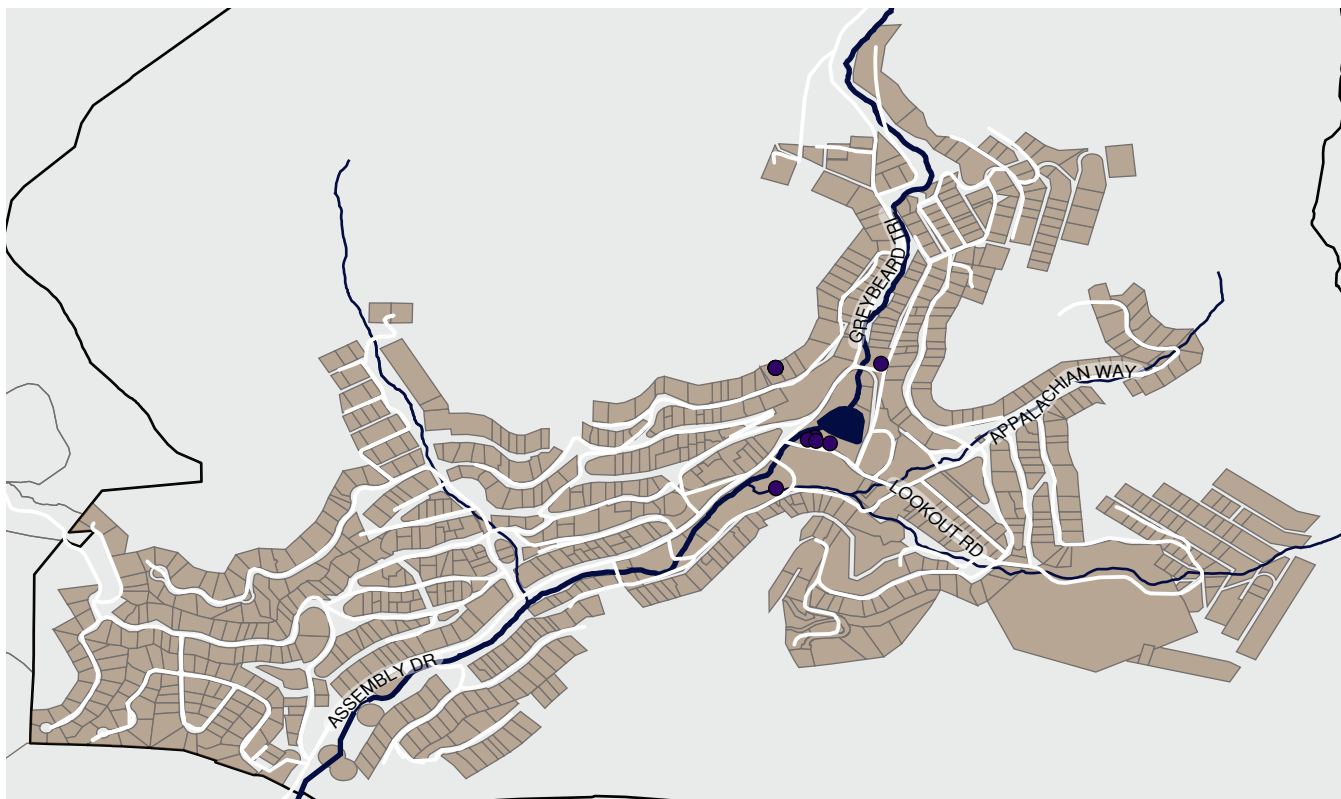


Figure A-6 : Daycare

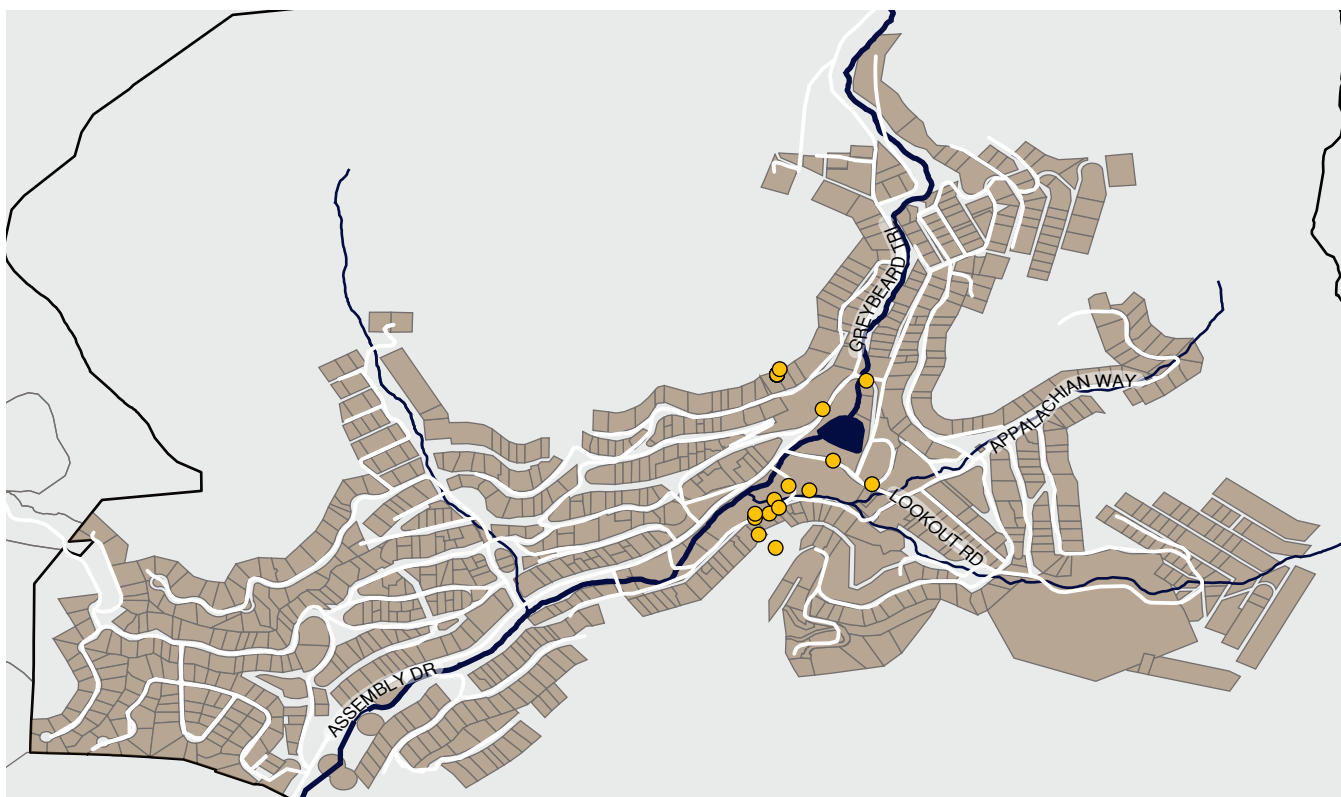
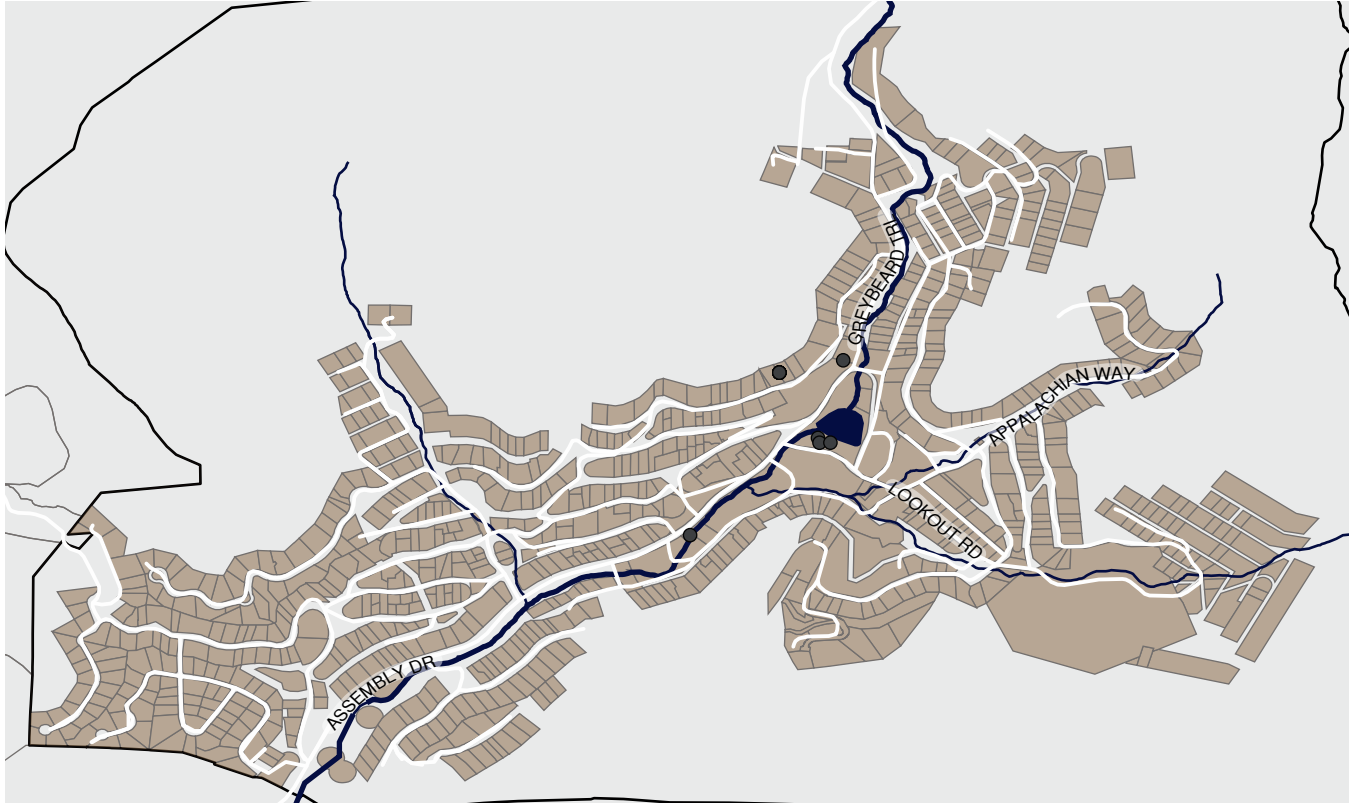


Figure A-7 : Other




BOC Changes to the Comprehensive Plan

August 1, 2023




Change #1

Development Objective 7, page 55

In current Plan:



In the spirit of the long-term success of the Town of Montreat, work collaboratively with the institutions of the Town, including, but not limited to, Montreat College and the Mountain Retreat Association, on any future development plans to support the vitality and future of the institutions and the Town.



Add new copy below **in red**:

In the spirit of the long-term success of the Town of Montreat, **and guided by the above vision statements and objectives**, work collaboratively with **citizens and** the institutions of the Town, including, but not limited to, Montreat College and the Mountain Retreat Association, on any future development plans to support the vitality and future of the institutions and the Town.

Change #2

NEXT STEPS

Keep in mind that implementation of planning goals is a process, and that objectives may require cooperation from multiple parties to complete. Each objective was assigned a priority and responsible entity. These assignments are intended to serve as a starting point for implementation and may change as different circumstances or situations arise.

Some general strategies that can help maintain momentum in achieving plan objectives are:

- Secure new revenue sources due to the sole dependency on the residential tax base and the growing demand on municipal services by MRA and Montreat College who are exempt from taxes.
- Evaluate municipal funds on an annual basis to identify and allocate available funds.
- ~~Identify internal and external pathways to secure new funding resources, as allowed by state law.~~
- Delegate existing subcommittees to lead implementation of objectives, and create new subcommittees as needed.
- Utilize internal staff to complete amendments and ordinance development (primarily through the Planning and Zoning Department).
- Review this plan and examine the status of objectives annually.
- Reevaluate priorities accordingly after review.

Rules for Appointment to Town Boards & Committees

Rule 30. Appointments

- A. The Board may consider and make appointments to other bodies, including its own committees, if any, only in open session. The Board may not consider or fill a vacancy among its own membership except in open session.
- B. Rather than proceeding by motion, the Board shall use the following procedure to make appointments to various other boards and offices:
 - The Mayor shall open the floor for nominations, whereupon the names of possible appointees may be put forward by Board members.
 - The names submitted shall be debated.
 - When the debate ends, the Mayor shall call the roll of the Board members, and each member shall cast his or her vote.

If more than one appointee is to be selected, then each Board member shall have as many votes as there are slots to be filled. The votes from a majority of the Board members voting shall be required for appointment. A Board member may cast all of his or her votes or fewer than all of them, but he or she shall not cast more than one vote for a single candidate.

Proposed Fee Updates

	Current Fee	Proposed Fee
Parking Violation	\$30	\$50
Handicap Parking Violation	\$75	\$250
Mattress Pickup	\$5/each	\$15/each
TV/Computer Monitor	\$0	\$15/each (landfill charges \$10)
Returned Check Fee	\$25	\$35 (bank charges us \$35)
Water Billing Fee	\$0.35	\$1.50 (cover mailing costs, etc.)
Sanitation/Solid Waste Fee	\$0	\$15 (fee annually to water bill)
Special Pickup Per truck load	\$25 min	\$30 min
B/W Copies	\$0.10	\$0.25
Color Copies	\$0.25	\$0.75
Notary Fees	\$5.00	\$10.00 (per NC Sec of State)

Suggested changes in Red

WATER RATES

Water bills are composed of two distinct charges: Water Access Fees and Water Consumption Fees:

- Water Access Fees recover the costs of meter reading, meter maintenance, and billing for water and sewer. They also cover some work done by other town departments such as public works, finance, and administration that support these functions.
- Water Consumption Fees are based on the amount of water actually consumed for the month

No changes under Residential

Institutional

Water Access Fees:

- ¾ inch line: \$14.35
- 1 inch line: \$92.25
- 2 inch line: \$225.50
- 2 inch fire suppression line: \$75.50
- 6 inch line: \$553.50
- 6 inch fire suppression line: \$125.75

Water Rates (per 1,000 gallons):

Consumption up to 3,999,999 based on previous year's usage, all accounts combined per institution: \$7.83

Consumption 4,000,000 or more based on previous year's usage, all accounts combined per institution: \$9.39

Water Rate outside of Town Limits - 1.63 times in-Town rate

Meter Set: \$315.00

Meter Tap: \$1,830.10

REVISION TO ORDINANCE PROHIBITING FEEDING OF BEARS

ARTICLE V OF CHAPTER G

Section 1. Feeding Prohibited. No person shall:

- a) feed, give, place, expose, deposit, distribute or scatter any edible material or attractant with the intention of feeding, attracting or enticing a black bear; or
- b) store pet food, garbage or other bear attractants in a manner that will result in bear feedings when black bear are known to frequent the area.

This section shall not apply in the case of an unintentional feeding of a black bear.

"Unintentional feeding" means using or placing any material for a purpose other than to attract or entice black bears but which results in the attraction or enticement of a black bear, and shall include but need not be limited to the feeding of a black bear as a result of the inadvertent failure to secure a bird feeder from access by a bear. "Unintentional feeding" does not include (i) putting out or storing garbage or trash in a manner which does not comply with the requirements set forth in article II of chapter G, or (ii) continuing any activity, ~~other than~~ **including without limitation** placing bird food in a bird feeder **or feeders**, after being notified by the Montreat Police that the activity is having the effect of attracting or enticing black bears **and being notified in writing by the Town to refrain from and cease the activity.**

Section 2. Violations. Any person violating any of the provisions of this ordinance or failing or refusing to comply with this ordinance shall subject to the following penalties:

- a) Violations of this ordinance shall be a class 3 misdemeanor and shall subject the offender to a fine not to exceed Two Hundred Dollars (\$200.00) and/or imprisonment not to exceed twenty (20) days or the maximum provided by NCGS section 15A-1340.23. The maximum fine is greater than \$50.00.
- b) Violations of this ordinance shall also subject the offender to a civil penalty upon the issuance of a citation for a violation. The Town may recover the civil penalty, if not paid to the Town within thirty (30) days after the citation is issued, in a civil action of the nature of a debt pursuant to NCGS section 160A-175. The civil penalty for each violation of this ordinance shall be \$100 for the first violation, \$250 for the second violation, and \$500 for the third and each subsequent violation. Notwithstanding anything in this subsection b) to the contrary, no person shall be assessed a civil penalty pursuant to this subsection b) unless the person has first been issued a prior written warning for a violation of section 1 of this ordinance.

- c) In the event of a violation of this ordinance, the Town may also institute a civil action in a court of competent jurisdiction for injunctive relief to prohibit and prevent such violation or violations and the court may proceed in the action in a summary manner.
- d) If the violation is of a continuing nature, each day during which it continues shall constitute an additional, separate and distinct offense.
- e) Second or subsequent violations of this ordinance by the same person for the same activity occurring within five (5) years of the first such violation shall be subject to the higher penalties set forth above.
- f) The provisions of this ordinance may be enforced by one or a combination of the remedies authorized in this ordinance.

ADDENDUM TO TAX COLLECTIONS AGREEMENT

This Addendum to the Tax Collections Agreement (“Agreement”) made and entered into May 10, 2019 by and between Buncombe County, a political subdivision of the State of North Carolina (“County”) and the Town of Montreat, a North Carolina Municipal Corporation (“Town”):

Witnesseth:

Whereas, the County and Town previously entered into an Agreement for the County to bill and collect real estate, business personal, personal property taxes, including the Town’s fee charged for motor vehicles licensed within the Town, any taxes related to motor vehicles, and any lien for special assessments made and confirmed by the Town;

Whereas, the Agreement is currently valid through June 30, 2025:

Whereas, the County and the Town desire to modify the Agreement to conform to the provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.

Now therefore, in consideration of the mutual covenants of the parties hereto and for the purposes aforesaid, it is hereby agreed between the County and Town as follows:

A. That paragraph 9 of the Agreement shall be replaced with the following:

The Town will adopt the same optional collection procedures that govern the collection of taxes by the County, including but not limited to:

- a. the adoption of any County discount rate that may be afforded to citizens who pay their taxes early;
- b. the adoption of a resolution to forgo collection of ad valorem tax bills that do not exceed five dollars (\$5.00) pursuant to N.C.G.S. § 105-321(f);
- c. the adoption of a resolution regarding small overpayments and underpayments of one dollar (\$1.00) or less pursuant to N.C.G.S. § 105-357(c); and
- d. the adoption of a resolution directing the tax collector to apply overpayments of up to fifteen dollars (\$15.00) as a credit against the tax liability for taxes due the next succeeding year pursuant to N.C.G.S. § 105-321(g).

B. That the following provisions will be added to the Agreement:

21. The Town will appoint a tax collector (“Town Tax Collector”) pursuant to N.C.G.S. § 105-349(a)-(b).

22. The Town Tax Collector shall take the oath prescribed in N.C.G.S. § 105-349(g)

23. The Town Tax Collector, by this Agreement, delegates all of his/her duties to the County Tax Collector. By and through this delegation, all duties of the of the Town Tax Collector for the collection of taxes, fees and assessments to be collected by the Town pursuant to N.C.G.S. § 105-349 through 378 are transferred to the County Tax Collector, specifically, including settlements as provided in N.C.G.S. § 105-373. The delegation of duties by the Town Tax Collector to the County Tax Collector shall apply to any and all subsequent Town Tax Collectors and County Tax Collectors.
 24. Upon the delegation of duties by the Town Tax Collector to the County Tax Collector, the County Tax Collector shall take the same oath required of the Town Tax Collector.
 25. The Town Tax Collector shall have furnished a bond pursuant to N.C.G.S. § 105-349. Such bond shall cover the Town Tax Collector and any person to whom the Town Tax Collector has delegated his/her duties and authority.
 26. Each year, pursuant to N.C.G.S. 105-321, the Montreat Town Council shall adopt and enter in its minutes an order directing the Town Tax Collector to collect the taxes charged in the tax records and receipts. The Town Tax Collector shall deliver a copy of this order to the County Tax Collector within five days of its adoption.
- C. That each and every other of the terms and conditions of the Agreement remain in full force and effect.

[signature pages follow]

SIGNATURE PAGE 1 OF 2 TO ADDENDUM TO TAX COLLECTION AGREEMENT BETWEEN
BUNCOMBE COUNTY AND THE TOWN OF MONTREAT

IN WITNESS WHEREOF, the parties have caused this Addendum to the Tax Collection Agreement to be executed in their corporate names, by their duly authorized officers, all by authority of their governing bodies of each of their taxing units duly adopted, this the day and year first above written.

BUNCOMBE COUNTY

By: _____
Avril Pinder, County Manager

ATTEST:

APPROVED BY:

Lamar Joyner, Clerk to the Buncombe
County Board of Commissioners

Jennifer Pike
Buncombe County Tax Collector

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, Notary Public for said County and State, have personal knowledge of the identity of Lamar Joyner, and hereby certify that said Lamar Joyner, Clerk to the Buncombe County Board of Commissioners, personally appeared before me this day and acknowledged that he is Clerk to the Buncombe County Board of Commissioners and that Avril Pinder is the Buncombe County Manager, and that by the authority duly given and as the act of the County of Buncombe, the foregoing instrument was signed in its name by said County Manager, sealed with its official seal, and voluntarily attested to by himself as its Clerk as the act and deed of the County of Buncombe, all by authority duly given by its governing body.

Witness my hand and notarial seal, this the _____ day of _____, 2023.

Notary Public
Printed Name:
My commission expires:

SIGNATURE PAGE 2 OF 2 TO ADDENDUM TO TAX COLLECTION AGREEMENT BETWEEN
BUNCOMBE COUNTY AND THE TOWN OF MONTREAT

IN WITNESS WHEREOF, the parties have caused this Addendum to the Tax Collection Agreement to be executed in their corporate names, by their duly authorized officers, all by authority of their governing bodies of each of their taxing units duly adopted, this the day and year first above written.

TOWN OF MONTREAT

By: _____
Timothy Helms, Mayor

ATTEST:

APPROVED BY:

Angie Murphy, Town Clerk

Town of Montreat Tax Collector

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, Notary Public for said County and State, do hereby certify that Angie Murphy, Town Clerk, personally appeared before me this day and acknowledged that she is Clerk to the Town of Montreat and that Timothy Helms is the Montreat Mayor, and that by the authority duly given and as the act of the Town of Montreat, the foregoing instrument was signed in its name by said Town Manager, sealed with its official seal, and voluntarily attested to by herself as its Clerk as the act and deed of the Town of Montreat, all by authority duly given by its governing body.

Witness my hand and notarial seal, this the _____ day of _____, 2023.

Notary Public
Printed Name:
My commission expires:



Coates' Canons NC Local Government Law

County Tax Collectors and City Taxes

Published: 04/13/23

Author Name: Chris McLaughlin

It's increasingly common for county tax collectors to collect taxes for municipalities in their counties.

Five years ago I discussed [in this blog post](#) how interlocal agreements can authorize these arrangements. Below, I dive a bit more deeply into the details on how such agreements should be crafted. Many thanks to the collectors who responded to my query on the Ptax listserv (to which you should subscribe if you are not already—[click here](#)).

Appointment as Municipal Tax Collector

G.S. 105-349 requires every local government that levies property taxes to appoint a tax collector. It makes no exceptions for governments that contract with other governments for tax collection services. If a local government fails to appoint a tax collector, then technically no one has the authority to use the collection remedies available under the Machinery Act (attachment, levy, foreclosure) for that local government's property taxes.

My informal survey via Ptax suggests that this requirement is being ignored by many (most?) municipalities that rely on their counties for property tax collection. About 90% of the county tax collectors who responded to my query reported that they have not been appointed municipal tax collector despite being contractually obligated to collect municipal taxes.

However, a handful of county tax collectors said that the interlocal agreements between their counties and the towns specifically appointed them as municipal tax collectors through a provision like this:

The Tax Collector of the County is, by this Agreement, appointed as the Tax Collector for the Town, for same term under which they serve as County Tax Collector. This Agreement and appointment as Town Tax Collector shall apply to any subsequently appointed County Tax Collector. All duties of the Town

Tax Collector for the collection of the taxes, fees and assessments to be collected by the County, pursuant to N.C.G.S. §105-349 through 378, are transferred to the County Tax Collector, including Settlements as provided in N.C.G.S. §105-373.

Note the language referring to term of the municipal tax collector, which was not included in the sample agreements shared with me by county tax collectors. I think the appointment as municipal tax collector must reference a term for that appointment, given that the Machinery Act requires that all local government tax collectors be appointed for specific terms during which they can be removed from office only for “good cause.”

If your interlocal agreements do not contain a similar appointment provision, I recommend you add one. Alternatively, the county could ask the municipal board to adopt a resolution to the same effect. Either way, the county tax collector should also take the oath required for the municipal tax collector position. G.S. 105-349(g). That oath could be done separately for each municipality for which the collector is responsible, or it could be done once with an oath that lists the county and all of those municipalities.

Remember the Limitation on Holding Multiple Offices

The state constitution (Art. VI, Sect. 9) generally prohibits one individual from holding more than one appointed or elected office. However, the appoint provision for tax collectors (G.S. 105-349(e)) permits an appointed tax collector to hold one additional appointed or elected office. As a result, it is permissible for the county tax collector to also be appointed tax collector by a single municipality. But if the county tax collector also serves as the county assessor (usually under the title “tax administrator”), then appointing that person as tax collector for a municipality would violate the two-office limitation created by G.S. 105-349(e). That limitation would also be violated if a county tax collector were appointed as municipal tax collector by more than one municipality. The best solution in

those situations is probably for the municipality to appoint one its own employees as tax collector and then have the board order that individual to delegate all of their collection responsibilities to the county tax collector.

Bonding

If a county tax collector is also responsible for municipal taxes, their bond must cover both county and municipal taxes. G.S. 105-349(c). The interlocal agreement should require the tax collector to obtain a separate bond to cover municipal taxes or modify the collector's existing bond to do so. It's probably best for the town to cover the cost of that new or modified bond, although that issue can be negotiated between the parties.

While the Machinery Act leaves the specific amount of the bond up to the governing board, it does state that no tax collector shall be permitted to collect any taxes not covered by their bond. I think this means that a tax collector's bond must be large enough to cover the full tax levy for which they are responsible, including the county tax levy plus the levies for all of the municipalities for which they are responsible. That's big money for larger counties and could make for an expensive bond. One tax collector told me that his bond covers only the amount of cash that is reasonably expected to be handled by his office in a given day. I'd be interested in hearing more about the bond amounts for tax collectors; please email me (mclaughlin@sog.unc.edu) if you are willing to share the details of your bond.

Annual Order of Collection

Technically a tax collector has no authority to use enforced collections for a given tax levy unless and until they are ordered to collect those taxes under G.S. 105-321(b). This order must happen annually for each new tax levy. If you are collecting a municipality's taxes, you should ask that governing board to issue an order of collection to you each spring or summer just as your board of commissioners does for county taxes.

Municipality to Mirror County Tax Resolutions

The county tax collector's life will be much less complicated if municipal taxes are governed by the same optional collection procedures the county applies to its own taxes. Accordingly, the interlocal agreement should obligate the municipality to adopt resolutions that mirror county resolutions

concerning discounts under G.S. 105-360(c), the lack of an obligation to collect minimal taxes (\$5 and less) under G.S. 105-321(f), and the authority to apply overpayments of up to \$15 to the following year's taxes under G.S. 105-321(g).

Refunds & Releases

I don't think the municipality may delegate to the county the authority to rule on requests for refunds or releases of municipal taxes. As a result, the county tax collector must obtain from the municipality's governing board approval of any municipal property tax refund or release under G.S. 105-381 just as the collector gets approval from the board of commissioners for refunds or releases of county taxes.

Remember that a governing board may delegate authority to approve small refunds and releases (<\$100) to that government's unit's attorney, finance officer, or manager. But that authority cannot be delegated to officials from another unit of government.

Many tax collectors obtain after-the-fact approval for routine refunds and releases (overpayments, double listings, etc.) from their boards via the consent calendar at the next board meeting. This approach seems low risk, but tax collectors should always get clear instructions from their boards (both county and municipal) on when and how they want to review and act on refunds and releases.

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Pursuant to NCGS § 105-321, ORDER OF COLLECTION

State of North Carolina
Town of Montreat

To the Tax Collector of Town of Montreat and by delegated authority, the Tax Collector for Buncombe County:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Buncombe County Tax Department and the Information Technology Office and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Montreat, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law. Tax records for the Town of Montreat are delivered to you for collection. You are further authorized to call upon the Sheriff to levy upon and sell personal property under execution for the payment of taxes.

Witness my hand and official seal, this ____ day of _____, 2023

_____(Seal)
Timothy Helms, Mayor
Town of Montreat

Attest:

Angie Murphy, Clerk
Town of Montreat



TOWN OF MONTREAT

P. O. Box 423, Montreat, NC 28757
Tel: (828) 669-8002 | Fax: (828) 669-3810
www.townofmontreat.org

I, Rachel L. Eddings, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will not allow my actions as tax collector to be influenced by personal or political friendships or obligations and that I will faithfully discharge the duties of my office as Tax Collector, so help me God.

This the _____ day of _____, 2023.

Rachel L. Eddings

Ben Blackburn, Interim Town Manager

Angie Murphy, Town Clerk

