

Town of Beech Mountain
Planning Board Meeting Minutes
August 28, 2012

Call to Order:

Vice-Chairman Andy Porter, called the meeting to order at 9:03 AM. Other Board Members present in attendance were John Hoffman, Brian Barnes, James True and Matt LaVigne.

Adoption of Agenda:

Brian Barnes made a motion to adopt the agenda with the postponement of the Cellular Communication Tower due to parties involved could not attend the meeting. Mr. Hoffman seconded and said motion was carried with no objections.

Approval of Minutes:

Andy Porter made a motion to adopt the minutes from the previous Planning Board meeting with a change on page 4 under number 2- "in the meantime" was left out of the statement. Motion was seconded and motion carried with no opposition.

Election of New Officers:

Andy Porter was nominated as new chairman by Brian Barnes and was elected with no opposition. New vice-chair nomination of Brian Barnes by Andy Porter and was elected with no opposition.

Discuss Parking Regulations:

Planning Director, James Scott, started the discussion of the parking issues with Beech Towers not have adequate parking. Owners of the condos currently park on property owned by Ski Beech. Each condo requires 2 spaces per condo plus the commercial spaces needed for the 1st floor businesses.

Mr. Scott felt that there was a need to revise Beech Mountain's parking ordinance, as it did not seem to be consistent with the realities of business and the seasonal fluctuation of visitors to Beech Mountain. He had researched the parking ordinances across the state for best practices in parking regulation and had picked up several good ideas that could be added into our existing ordinance. He proposed that first of all, the number of required spaces for several different uses could be justifiably reduced. Second, he proposed a provision allowed parking requirements for business or commercial to be reduced by up to ½ if a parking study/parking plan is provided that adequately details how actual demand may be accommodated. Such a study shall be based upon factual evidence of parking demands and should include a scaled diagram with entrance and exit, day or night use, seasonal use and average occupancy. He also proposed that a system of "in-lieu" fees could be created, whereby commercial entities could opt to pay a fee in place of providing the required number of parking spaces. These fees would then be applied to creating public parking or pedestrian amenities that reduced the need for parking. His proposed changes also provided a calculation for counting unmarked spaces and provisions that allowed for sharing of parking spaces between businesses that operated predominately on diverging seasonal or daily schedules.

Mr. Scott also produced the results of a study that he had done at the request of the Planning Board on the amount of parking provided by Beech Mountain's current business establishments. His basic finding was that parking requirements were not being violated as much as the board would have

thought; so he did not feel that grandfathering was an issue. Nevertheless, Planning Board members were concerned about existing commercial entities not meeting the parking requirements and thought that grandfathering would still be a good option. Mr. Scott was leery of having a double standard (existing businesses vs. new) and questioned how substantial modifications to existing structures or uses would factor in.

After much discussion, the Planning Board questioned whether simply abolishing parking requirements totally would be a solution. It was discussed that commercial entities have a responsibility to provide adequate parking or their businesses would suffer. Market forces themselves may take care of the problems. Other regulations already prohibit parking on public streets, and parking on the private property of another is already a civil matter between the two parties that the town need not get involved in. The Board felt that abolishing parking regulations for commercial entities was a potentially good idea and asked Mr. Scott to inquire about the feasibility of moving forward with it.

Discuss Zoning for Large Group Rentals:

Mr. Scott opened the discussion of complaints about rental properties that rent to large groups. He asked the Planning Board to consider some changes that would make rentals to large groups only allowed as a “Conditional Use” and make all those who operate them go through the Town to get permits. The application to get a permit would include parking plan, number of bedrooms (including size), number of bathrooms, proof of TDA registration, fire inspection, plan for trash pickup on a daily basis (no dumpsters in residential areas) and indoor/outdoor recreation area. As a Conditional Use, the Board of Adjustment must approve and must find that the rental would be in harmony with neighborhood and not infringe on neighbors enjoyment of their property. The plan would divide residential vacation rentals into groups as either residential high intensity or low intensity, depending on how many occupants they anticipated. Lake Lure was an example in the development of his proposed amendments.

There was a discussion of what to consider as a large group and proposed answers ranged from 8 to 12 people.

A resident, Ms. Nichols, was there to explain her issues with her neighbor, Clark Kennedy, who built a house under single family zoning and now rents the main part of the house to 30 + people at any given time. The renters now overflow into the street & infringe on Ms. Nichols’ privacy and curtail her enjoyment of her own property.

Mr. Scott explains that the under the current ordinance a single family dwelling adding on to make space for a rental remains a single family residence if it does not have 2 kitchens.

James True brought up concern about it being enforceable and the topic was tabled for additional ideas.

Discuss Progress on Comprehensive Plan:

Mr. Scott presented the background on the Town’s transportation network and roads system. He stated that the Town has 198 roads (66.62 miles) and compared this amount to what other towns in the area have. He said the town probably has the highest mileage per capita ratio of any town in NC.

The discussion then turned to the substance of the Comprehensive Plan for improving and maintaining this system. The first goal outlined and discussed is to ensure accessibility and policies would be to

support measures to get to and from Beech Mountain. The strategies would include supporting NCDOT plans that lead into the direction of Beech Mountain (ex: the widening of Hwy 105); improve accessibility by improving Buckeye Creek Road and create and improve other access routes.

The second Goal is to ensure top level of service on our roads (maintenance). Policies needed would be to improve the roads that have the greatest accessibility and the strategies needed include effective use of resources and to continue the gravel and paving schedule.

The third goal is safety with strategies including snow removal program, curb regulation, sign upgrade program and guard rails. The topic of speed bumps was brought up but was dismissed due to problem caused to snow plows and emergency vehicles.

The fourth goal discussed was to continue to pursue accessibility options and modes (pedestrian, cyclist and golf carts). Policies would include allowing golf carts by repealing the current ordinance and allow golf carts on town roads but not on state roads. In the future to add bike and golf cart lanes on roads.

After some discussion, the board was in general agreement with the Transportation section of the plan and recommended to move forward with the next section of the draft Comprehensive Plan next month.

Call to Adjournment:

A motion to adjourn was made per Andy Porter

Brian Barnes suggests that the comprehensive plan be moved higher on the agenda for the next meeting.

Motion to adjourn was made again and seconded by Brian Barnes.

Respectfully Submitted,

James Scott
Secretary to the Board