

MONTREAT GENERAL ORDINANCES

CHAPTER K – ENVIRONMENT

ARTICLE IV: HILLSIDE DEVELOPMENT

(Adopted 6/11/2009)

Section I. General Provisions.

1. Purpose. The hillside development regulations of this article shall establish guidelines for responsible land use addressing both aesthetics (the “viewscape”) and slope stability, utilizing approved methods of erosion prevention and stormwater control. Montreat contains intensely varied topography within a relatively small area, involving significant regions that transition abruptly from gentle slope to steep gradient. These factors pose unique challenges for the location and installation of structures while preserving the natural aesthetic characteristic of the Town. It has been determined that measures must be taken to ensure the stability of our hillsides while permitting continued low-impact development.
2. Scope. Except as otherwise expressly stated, the hillside development regulations of this article apply to all development within Montreat and the unincorporated areas of Buncombe County inside the extraterritorial jurisdiction of Montreat.
3. Applicability and Exemptions. The hillside development regulations of this article do not apply to any of the following development activities:
 - a) Land disturbing activities involving property with an existing slope less than forty percent (40%);
 - b) Land disturbing activities associated with the installation of water quality Best Management Practices (BMP’s) as set forth in the Stormwater Best Management Practices Manual published by the North Carolina Division of Water Quality. The BMP’s shall not affect the calculation of Approved Graded Area (AGA) if revegetation of the disturbed area is determined to adequately offset negative impacts of disturbance.
 - c) Grading and/or excavation activities undertaken exclusively for the purpose of installing a legally permitted septic leach/drainage field system. Site remediation must take place immediately following completion of land disturbing activities to replace vegetation with entirely native plantings, or a combination of at least fifty percent (50%) native and approved non-native plant species for erosion prevention and control. An erosion control plan must be submitted for approval before work commences;

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

- d) Minor improvements to properties involving the addition of one hundred (100) square feet impervious surface or less, and for which no grading or building permit are required;
- e) Activities undertaken on forestland for the production or harvesting of timber and timber products and conducted in accordance with best management practices as set out in Forest Practice Guidelines Related to Water Quality referenced as follows:
http://www.ncforestry.org/docs/Landowners/regulations/mgmt_practices.htm
- f) Activities for which a permit is required under the mining act, G.S. 74-46 et seq.:
<http://www.dlr.enr.state.nc.us/pages/miningprogram.html>
- g) Any development in which the owner has accrued a vested right. For the purposes of this Article only, a vested right is recognized if either (i) a preliminary plan has been approved by the Planning Board that meets the required specifications and standards of the Town of Montreat ordinances, Buncombe County ordinances, or (ii) a Land Disturbing Permit has been issued pursuant to a Buncombe County Soil Erosion and Sedimentation Control ordinance in effect on or before the effective date of this ordinance, and that such plan or permit remains unexpired.

A party in interest to a particular plan found to have no vested right to construct or develop on or before the effective date of this ordinance may appeal to the Town of Montreat Board of Adjustment for a hearing de novo. Such hearing shall be expedited and shall be limited to the issue of whether the landowner has a vested right to construct or develop their site under plans submitted to the effective date of this ordinance.

4. Interpretation of Certain Words or Terms. Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definitions. For the purposes of this Ordinance, certain words or terms used herein are defined as follows:
- a) Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular;
 - b) The word "shall" is always mandatory;
 - c) The word "may" is permissive;
 - d) The word "lot" includes the word "plot" or "parcel";
 - e) The term "remediation" refers to *aesthetic remediation* as defined herein;
 - f) The word "person" includes a firm, association, organization, partnership, trust company, limited liability company, or corporation as well as an individual;

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

- g) The terms “Department,” “Office(s),” or “Zoning and Inspections” refer to the Town of Montreat Zoning and Inspections Department;
- h) The term "Planning Commission" refers to the Montreat Planning and Zoning Commission. The terms "Town Commissioners" “Town Board of Commissioners” or "Mayor and Town Commissioners" refer to the legally constituted and elected governing body of the Town of Montreat. The term "Board of Adjustment" refers to the Zoning Board of Adjustment for the Town of Montreat.

5. Definitions.

Aesthetic remediation: A variety of measures including, but not limited to, reclamation of non-developed portions of a disturbed area through reforestation, revegetation, naturescaping or other approved methods to restore the character of an area representative of its natural state; (re)introduction of approved plant species or modification of color and/or texture of surface materials to mitigate the undesirable visual impact of specific structural elements associated with a development project.

Aggregate Visible Area (AVA): The sum, expressed in square feet, of all exposed (plane) surfaces associated with a structure. Material exhibiting a high Light Reflectance Value of greater than thirty-two percent (>32%) represents a significant impact upon the viewscape when the aggregate quantity exceeds one hundred and fifty (150) square feet. A structure located within the Hillside Development Area having existing slope of forty percent (40%) or greater, with more than one hundred and fifty (150) square feet AVA and high Light Reflectance Value finishes/materials, shall require aesthetic remediation.

Applicant: An owner or developer of a site who executes the Hillside Development Permit Application pursuant to Town of Montreat Hillside Development Ordinance.

Approved Graded Area (AGA): The maximum surface area (measured in square feet) of a proposed development site that may be graded pursuant to execution of a Hillside Development Permit. Portions of the AGA unimproved by addition of structure(s) or impervious surfaces shall be remediated before issuance of the Certificate of Occupancy.

Artificial slope: Any land disturbing activity that modifies an existing slope.

Best Management Practices (BMP): Best Management Practices (BMP’s) consist of both structural and non-structural methods of preventing exposure to stormwater runoff, and provide measures designed to remove a substantial percentage of any pollutants that may be present in the stormwater stream. BMP’s also treat the volume of stormwater leaving a developed site with the goal of approximating pre-construction, or natural conditions.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

Cut slope: Exposed ground surface resulting from excavation of material.

Develop: Conversion of land to new service or purpose so as to make use of its resources, or to use the land for residential or commercial purposes.

Development density: The total number of primary structures permitted per unit area as modified by existing grade.

Development intensity: The permitted ratio, expressed as percentages, of unimproved (preserved) area versus developed (buildings, parking, other improvements) area.

Disturbed area: The portions of a development project that include graded areas disturbed so as to remove the natural cover in conjunction with development activities; both pervious and impervious surfaces installed and/or constructed including, but not limited to, buildings; concrete/asphalt pavement and gravel areas such as parking lots, patios, roads, and paths; lawn and artificially surfaced (e.g. recycled rubber mulch, crushed brick, etc) areas; retention structures including, but not limited to, timber, stone and masonry walls; buried tanks or cisterns, etc. Grading activities undertaken exclusively for the installation of legally permitted septic leach/drainage field systems are not regulated under the requirements of this definition.

Existing grade: The vertical elevation of the land as it exists on the adoption date of this ordinance.

Existing grade is determined as follows:

Calculation of Existing Grade. The applicant may submit calculations of the existing grade for the entire parcel or for the proposed graded area; these calculations shall be sealed by a licensed surveyor, engineer, or landscape architect. If no calculations are provided, the Town of Montreat may calculate the existing grade of any entire parcel – or portion thereof - using Buncombe County’s “Slope Tool” <http://72.250.240.51/slopetool/> or calculate the average slope of any portion of a parcel using the following formula:

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

- Where:
- S = Existing grade of parcel or fraction thereof, in percent
 - I = Contour interval of map in feet, with said contour intervals to be five feet or less
 - L = Total length of the contour lines within the parcel or fraction thereof, in feet
 - A = Area of the parcel or fraction thereof, in acres
 - 0.0023 = Product of two constants, one of which converts feet into acres and one of which converts a decimal fraction into a percentage
- Once “S” is calculated, it shall be rounded to the nearest whole number.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

The advantage of submitting calculations for existing grade within the proposed graded area may be realized by providing evidence that improvements will be limited to less steeply-sloped portions of a lot, thereby reducing restrictions placed upon development based upon existing grade.

Fill slope: Exposed ground surface resulting from deposition of material.

Finished grade: Proposed final elevation of a given lot area (surrounding a structure) subsequent to completion of development activities.

Geotechnical Assessment (GA): A comprehensive analysis of soil type(s), composition and characteristics (colluvial, cohesive or expansive, pH, water retention, etc.) conducted pursuant to proposed development of a building site.

Global Stability (GS): Geotechnical analysis of characteristics within a reinforced soil mass evaluating potential slip surfaces or failure planes that can go behind or through the reinforced soil mass. Global Stability shall be included in assessment of all development if recommended by the consulting geotechnical engineer. The analysis takes into consideration the following factors:

- The overall geometry of the structural system installed including, but not limited to, foundation & retaining walls, footings, etc., and the slopes above and below the system.
- Loading or surcharge conditions (e.g. 250 pounds per square foot (3.65 kPa) for highway loading). Any superimposed load, with the exception of retained earth, shall be considered surcharge.
- Soil parameters (shear strength and unit weight of the soil) determined by the laboratory tests of the soil conducted as part of a geotechnical survey or assessment.
- Subsurface and surface water conditions (groundwater can have a negative effect on slope stability).

Hillside Development Area: That region inside the Town of Montreat boundaries and unincorporated areas of Buncombe County within Montreat extraterritorial jurisdiction (ETJ) with an existing slope equal to forty percent (40%) or greater.

Impervious surface: Any surface that does not allow water to percolate through, or significantly penetrate, for natural absorption by the ground within a twenty-four (24) hour period, including but not limited to: rooftops; parking/driving areas finished with asphalt, concrete, or densely-compacted gravel; patios, or pools.

Improved site: A lot or parcel that contains disturbed area(s) attributable to development activities.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

Land disturbing activity: Any use of, or operations on, the land by any person or firm in residential, industrial, educational, institutional, or commercial development, including road construction and maintenance, that results in a change in the natural cover or topography.

Light Reflectance Value (LRV): A measurement used to express the percentage (0-100%) of light reflected from the surface of a material. Large exposed regions of structures with LRV greater than thirty-two percent (>32%) shall require aesthetic remediation.

Low Impact Development (LID): A term used in the United States to describe a land planning and engineering design approach to managing stormwater runoff. LID emphasizes conservation and use of on-site natural features to protect water quality.

Natural grade: The elevation of a given lot area before any land disturbing activities commence.

Naturescaping: Landscaping installed using only native plant species and materials endemic to the region.

Non-conforming Improved Lot: Any improved lot in existence prior to adoption of this ordinance that, whether by aggregate graded area and/or existing impervious area, exceed the permitted limits established herein.

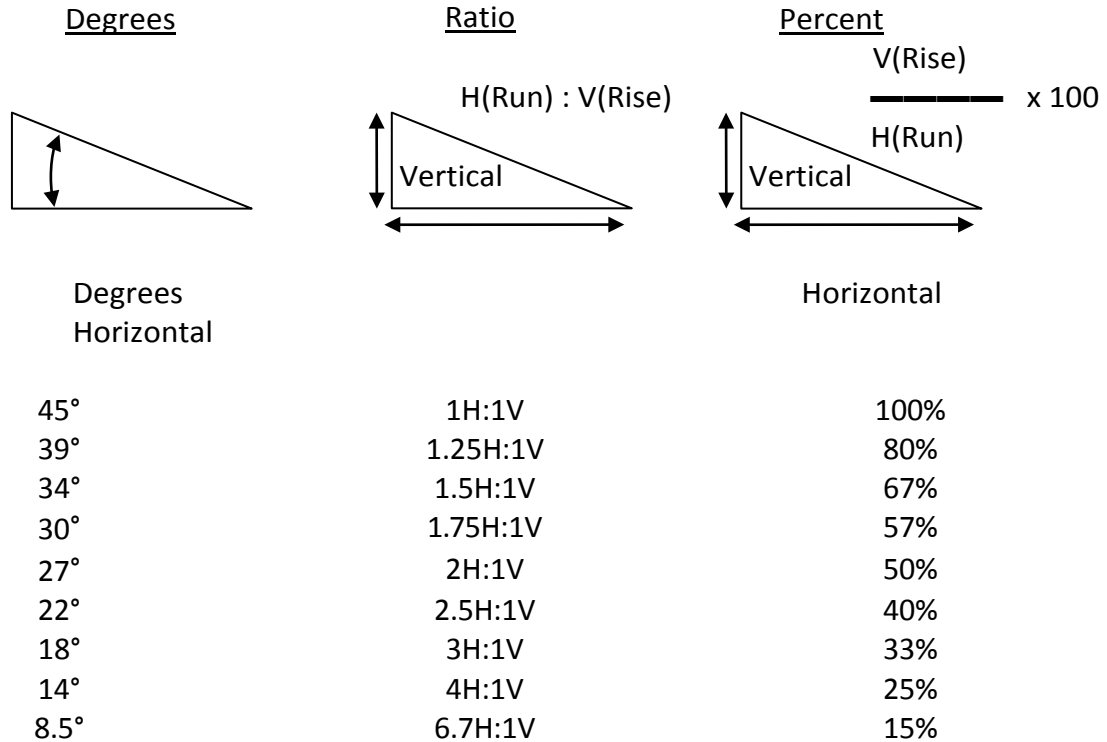
Reforestation: The action of renewing forest cover as by natural seeding or by the artificial planting of seeds or young trees.

Revegetation: Reintroducing entirely native, or a combination of at least fifty-percent (50%) native and approved non-native, plant species (see Appendix A) back into a disturbed area to effect aesthetic remediation and prevent potential erosion.

Slope: The extent to which a land form deviates from the perfectly horizontal as expressed in percent, degree or ratio. To ensure consistent conversion between these separate methods of expressing the extent of slope, the following explanatory table is provided as part of this definition.

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Slope Measurements



Viewscape: The overall aesthetic impression a view presents at any given time within commonly traveled or occupied locations inside Montreat and/or its extraterritorial jurisdiction.

Section II. Administration and Procedures.

1. Administration of this Ordinance. All questions arising in connection with this Ordinance shall be presented first to the Code Administrator who shall be responsible for the day-to-day administration of this Ordinance. The Board of Adjustment shall have the authority to rule on matters of interpretation of this Ordinance and consider appeals from the decisions of the Code Administrator. Any appeal from a decision of the Board of Adjustment shall be to the courts as provided by law.

2. Review and Appeals Procedure.
 - a) A Hillside Development Permit is required for all development and redevelopment on lots with an existing slope of forty percent (40%) or greater, unless exempt pursuant to this ordinance.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

- b) Two (2) copies of a site plan including the following information shall be submitted:
 - 1. Orientation referencing north meridian;
 - 2. Scale of drawing; boundaries and acreage of the parcel;
 - 3. Location of adjacent streets and any easements;
 - 4. Location of existing and/or proposed structures including setbacks; structure dimensions and separation distance(s);
 - 5. Contour interval(s) of existing and proposed contours; and
 - 6. Clear graphic indication of any proposed alterations or additions
- c) The site plan and permit application shall be accompanied by results from the required Geotechnical Assessment and recommendations from a North Carolina-registered geotechnical engineer.
- d) Application and permit review fees shall be established by the Montreat Board of Commissioners and posted in the fee schedule for Town services.
- e) Plan review fees shall be double the posted amount when land disturbing activity begins before a Hillside Development Permit is issued by the Town.
- f) The Department shall review the submittal for completeness and for compliance with the requirements of this ordinance. An incomplete or nonconforming permit application will be returned to the applicant prior to review with an explanation of issues requiring resolution before plan review can be initiated.
- g) Within thirty (30) days of receipt of complete application for hillside development approval, the Department shall take action on the plan.
- h) Approval, approval with modifications, or denial of the proposed hillside development project shall be in writing. In the case of denial, the reasons for denial shall be clearly stated. The applicant may appeal the decision of the Code Administrator to the Board of Adjustment.
- i) Upon appeal, the Montreat Board of Adjustment will conduct a hearing in the nature of a quasi-judicial proceeding with all findings of fact supported by material evidence.
- j) Decisions appealing the final decision by the Board of Adjustment may be filed in Buncombe County Superior Court, to be reviewed by proceedings in the nature of certiorari, within thirty (30) days of the final decision of the Board of Adjustment.
- k) The Code Administrator shall take action on revisions to a hillside development application which has been previously denied, within fifteen (15) days of receipt of the revised plan application for approval.
- l) If a revised application is not re-submitted within sixty (60) calendar days from the

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

date the applicant was notified, the application shall be considered withdrawn, and a new submittal for the same or substantially the same project shall be required along with the appropriate fee and pursuant to the then current standards.

- m) Application for an amendment to an approved hillside development plan in written and graphic form may be made at any time. Until such time as an amendment is approved by the Code Administrator, it shall be unlawful to deviate from the approved plan.
- n) A hillside development permit shall become null and void if the applicant has failed to make progress on the site within six (6) months after the date of approval. The Code Administrator may grant a single, six-month extension of this time limit, for good cause shown, upon receiving a written request from the applicant before the expiration of the approved plan.

3. Penalties for Violation.

Civil penalties may be imposed as follows:

- a) Any person who violates any of the provisions of this article, or rules or orders adopted or issued pursuant to this article, or who initiates or continues improvement to property for which a hillside development permit is required, except in accordance with the terms, conditions and provisions of an approved plan shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days as provided by N.C.G.S. § 14-4 and § 15A-1340.23. Each day such violation continues shall constitute a separate offense pursuant to N.C.G.S. § 160A-175 (g). Additional fees may be charged for remedies and enforcement of this ordinance.
- b) No penalty shall be assessed until the applicant is notified of the violation by registered or certified mail, return receipt requested, or, if reasonable attempts to contact the applicant have failed, by conspicuously posting the property in such manner as to be readily visible from an adjacent street or public thoroughfare for a period not less than ten (10) days giving notice to the violation.

A posting affidavit shall be required, including graphic record of the noticing, and filed with Zoning and Inspections Department. The notice shall list the parcel identification number and location of the property, the date, the applicant's name and a description of the violation in reasonable detail. It shall also specify the timeframe in which the violation shall be corrected, and warn that failure to correct the violation within the prescribed time period will result in the assessment of civil penalty or other enforcement action.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

- c) If the violation has not been corrected within the designated time period, a civil penalty may be assessed from the date the violation is detected.
- d) Refusal to accept the notice or failure to notify the Code Administrator of a change of address shall not relieve the violator’s obligation to pay such penalty.
- e) The Code Administrator may refuse to issue a certificate of occupancy for any building or other improvements constructed or being constructed on a site for which an approved hillside development permit has been issued until the applicant has taken the remedial measures set forth in the notice of violation and cured the violations described therein.

4. Development Standards.

5.

- a) Grading. The following requirements shall regulate the extent (see Table I) and technique of grading within a hillside development area based on the existing grade.

Table I. Approved Graded Area.

****NOTE**** Slope values shown in the above table shall be interpreted in the following manner: “40% -

APPROVED GRADED AREA (AGA) BY SLOPE		
SLOPE	AGA	NOTE (*)
40% - 45%	40%	GA (*)
45% - 50%	35%	GA (*)
50% - 55%	30%	GA (*)
55% - 60%+	25%	GA (*)

45%” will include all slopes 40% up to any slope less than 45%, etc.

- (*) A Geotechnical Assessment shall be required for lots with existing grade forty percent (40%) or greater. Investigation of Global Stability shall be required as indicated by a Geotechnical Assessment. The recommendations of a NC registered geotechnical engineer regarding a particular site may reduce the percentage AGA below the value indicated.

Applicants may request up to fifty percent (50%) increase of tabular Approved Graded Area by the Code Administrator if accompanied by a Landscape Plan detailing adequate revegetation of the disturbed area to offset negative impacts of disturbance. The increase shall only be granted in cases determined by the Code Administrator to be justified, due to inherent difficulties associated with the subject lot making adequate grading impractical or upon written recommendation of a NC registered geotechnical engineer. The additional approved graded area shall not be built upon to include impervious cover or structures.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

b) Front Yard Setback Reduction. Owners of previously-platted smaller parcels defined as 0.30 acre or less with an existing grade of forty percent (40%) or greater may request up to a fifty percent (50%) reduction in the required front yard building setback for the associated Zoning District. Requests will be evaluated on a case-by-case basis, and permission must be evidenced by written approval bearing signatures of both the Zoning and Town Administrators.

c) Vehicular Access Construction. Roads, streets and driveways constructed on any lot, parcel, tract of land or designated right-of-way within a hillside development area with natural grade forty percent (40%) or greater shall require consultation with a North Carolina-registered geotechnical engineer prior to land disturbing activities.

The site assessment shall include investigation for colluvial deposits and other factors indicating potential instability. Recommendations of the geotechnical engineer shall be submitted with the application for review and approval. All streets constructed shall meet the minimum street construction standards for the Town as detailed in (Insert reference to Montreat’s Street Standards Ordinance).

d) Artificial Slopes. Artificial slopes shall be reforested, revegetated, naturescaped or otherwise remediated to visually integrate disturbed areas into surrounding terrain with the purpose of maintaining a natural appearance. Artificial slopes shall not exceed a 1:1 cut and 1.5:1 fill. However, if stable exposed rock is the intended result, the cut and/or fill slope(s) may be increased with approval of the Code Administrator and supporting recommendation from a North Carolina-registered professional engineer.

Remediation shall consist of a combination of trees, shrubs and groundcover plants native to the area or taken from the list of approved species contained in Appendix A of the Town of Montreat Zoning Ordinance. A maintenance plan shall be required for remediation areas and such plan shall include provisions for replacement of dead vegetation when greater than fifty percent (50%) mortality rate occurs. Invasive plant species, as referenced in list maintained by NC State University (see link below), shall not be introduced as landscape specimens or for remediation purposes:

<http://www.ncsu.edu/goingnative/howto/mapping/invexse/index.html>

e) Preservation of Vegetation. All trees and other natural vegetation shall be preserved in hillside development areas except within the designated Approved Graded Area. Non-native invasive species may be removed. For new development or additions, these preservation areas shall be designated on plans submitted for development approval. For existing development, aerial photographs or other

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

methods for determining the extent of tree cover shall be utilized to enforce this requirement. Preservation areas shall be clearly designated during all land disturbing activities using protective fencing. If a property owner desires to remove trees or other protected vegetation required to be preserved in this section, he or she may submit an alternative landscape plan for consideration by the Code Administrator. The alternative landscape plan must contain:

- i. a tree survey of the property showing which trees and protected vegetation are to be removed and which will remain;
- ii. the location of any structures, driveways and other impervious surfaces; and
- iii. an explanation of the reason(s) for removal of the required trees and other protected vegetation, including a statement of how the removal supports the purposes of this section or how such removal can be mitigated consistent with the purposes of this section.

Within two (2) business days of receiving an alternative landscape plan, the Code Administrator shall approve, approve with conditions, or deny the alternative landscape plan. If the Code Administrator denies the alternative landscape plan, the reasons shall be detailed in writing. Appeals of the Code Administrator's decisions shall be made, in writing, to the Board of Adjustment within thirty (30) days of denial of the alternative landscape plan.

- f) Structure height. The maximum height of principal structures in all residential zoning districts within hillside development areas shall be limited to thirty five (35) feet. No structure shall exceed the height requirement of the underlying zoning district. For the purpose of this section, height shall be defined as the vertical distance measured from average natural grade encompassing the living areas of a structure to the highest point of its roofline, or from the top of the parapet or roof surface for flat-roofed structures. Carports, garages, decks and other non-inhabited additions to structures that may increase the building footprint are not included in calculation of average natural grade.
- g) Light Reflectance Value (LRV). Large exposed regions of structures greater than one hundred and fifty square feet (>150SF) with LRV greater than thirty-two percent (>32%) shall require aesthetic remediation. Building finish and trim materials possessing muted colors, natural tones and textures representative of the structure's surroundings will minimize the visual impact within wooded areas.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

- h) Existing Non-Conformities. Non-conforming improved lots in existence prior to adoption of this ordinance that violate the minimum provisions for AGA and/or maximum impervious area, shall be combined with contiguous lots in the same ownership prior to further development and evaluated for compliance with the minimum provisions of this ordinance. A twenty percent (20%) allowance shall be made for existing impervious area on improved lots within the Institutional (I) or Institutional/Residential (I/R) Districts of Montreat. If the applicant demonstrates that no possibility of combining adjacent lots exist to achieve compliance, and the maximum allowable increases available for AGA and impervious area still exceeds allowable tabular values, a variance must first be obtained from the Board of Adjustment before additional improvements are permitted for grading or increased impervious area on the property.
- i) Development Intensity. Intensity of development shall be limited as follows in hillside development areas of Montreat to preserve, to the greatest reasonable extent, the viewscape and other natural features that distinguish the Town from neighboring developed mountain regions. For the purpose of this section, “impervious ratio” shall mean the quotient obtained from the combined gross structure footprint and other impervious surface areas on a lot, divided by the gross area of the lot or site.

Table II. Allowable Development Intensity.

MAXIMUM IMPERVIOUS RATIO/AVA			
Existing Grade	Maximum Allowable Impervious Ratio	Maximum Allowable Ratio With Bonus	Aggregate Visible Area (AVA) Permitted With High LRV (>32%)
40% - 45%	0.30	0.40	* 400 SF
45% - 50%	0.25	0.375	* 350 SF
50% - 55%	0.225	0.338	* 300 SF
> 55%	0.20	0.30	< * 250 SF

****NOTE**** Existing grade values shown in the above table shall be interpreted in the following manner: “40% - 45%” will include all slopes 40% up to any slope less than 45%, etc.

The maximum impervious ratio may be offset by an intensity bonus accrued through conscientious measures undertaken to mitigate the impact of improvements within hillside development areas.

Montreat General Ordinances
Chapter K – Environment
Article IV: Hillside Development
Rev. 9/08/2011

The symbol (*) in column 4 of Table II indicates combined area(s) that shall require remediation to lessen the negative visual effect. “Earth berm” homes, “green” roofs, LEED, Green Globe, NC Healthy Built Home, Clear Water Contractor, and other sustainable and innovative alternatives to conventional construction practices, recognized at the national or state level to be consistent with LID project goals, will receive consideration for development intensity bonus credit as well.

- i) Intensity Bonus. An intensity bonus may be granted for each of the items listed below. A total intensity bonus of up to fifty percent (50%) of the allowable intensity may be achieved under this provision through accumulation. No intensity bonus shall permit a structure to violate requirements of the underlying zoning district or to allow development in the case of a non-conforming improved lot. Measures such as locating structures and other improvements on less steep and (environmentally or aesthetically) sensitive areas of a lot and designating a preservation easement for more sensitive regions, shall receive an intensity bonus. Less sensitive areas may include previously cleared areas, such as pastures/fields, old camp or home sites, and logging roads, provided such clearing predates June 11, 2009.
1. Grading is limited to ninety percent (90%) or less of the maximum approved graded area allowed in Table I; bonus of fifteen percent (15%);
 2. Grading of streets, access drives and driveways is located outside of slopes forty percent (40%) or greater and/or is predominately located on existing cleared areas; bonus of fifteen percent (15%);
 3. Structures and parking areas are screened by vegetation to minimize the visual impact from commonly frequented or accessible areas; bonus of fifteen percent (15%);
 4. The Code Administrator determines that substantial stormwater best management practices are met in the proposed development, or rainwater recycling/retention features such as cisterns or rain gardens are implemented; bonus of fifteen percent (15%);
- j) Development Density. Re-combinations, re-development or newly-platted tracts undergoing development activities, or major/minor subdivisions as defined in the Subdivision Ordinance for the Town of Montreat with an existing grade of forty percent (40%) or greater shall conform to the following density table:

Montreat General Ordinances
Chapter K - Environment
Article IV: Hillside Development
Rev. 9/08/2011

Table III. Development Density.

SLOPE %	UNITS PER ACRE	MINIMUM LOT IN ACRES
40	1.650	0.606
41	1.585	0.631
42	1.524	0.656
43	1.468	0.681
44	1.416	0.706
45	1.368	0.731
46	1.323	0.756
47	1.280	0.781
48	1.241	0.806
49	1.203	0.831
50	1.168	0.856
51	1.135	0.881
52	1.104	0.906
53	1.074	0.931
54	1.046	0.956
55	1.019	0.981
56	0.994	1.006
57	0.970	1.031
58	0.947	1.056
59	0.925	1.081
60	0.904	1.107
61	0.884	1.131
62	0.865	1.156
63	0.847	1.181
64	0.829	1.206
65	0.812	1.231