



**Town of
GRANITE QUARRY**
TOWN OF GRANITE QUARRY
PLANNING BOARD
BOARD OF ADJUSTMENT
REGULAR MEETING AGENDA
August 5, 2024
6:00 p.m.

Planning Board

Call to Order

Determination of Quorum

Pledge of Allegiance

1. Approval of Agenda

2. Approval of Minutes **June 3, 2024**

New Business

3. Ordinance **ZMA 2024-08-08-1 3000 Old Concord Road**

4. Ordinance **ZMA 2024-09-12-1 Hill Street**

Recess to Hold Board of Adjustment Meeting

Board of Adjustment

Call to Order 6:15 p.m.

Determination of Quorum

1. Approval of Agenda

2. Approval of Minutes **July 1, 2024**

New Business

None

Old Business

3. Appointment Recommendation **Vacancy**

Angela Nee's resignation created a vacancy in seat T3. This seat needs to be filled by a town resident. It is staff's recommendation that alternate Board of Adjustment member Jerry Holshouser be recommended to be appointed to fill the vacancy due to his residency as well as his proposed Planning Board term expiration of 7/31/2026. This item was continued from the July meeting.

Adjourn

Planning Board

Reconvene Planning Board Meeting

Old Business

5. Ordinance Review

Article 8 Review – Permitted Uses

Adjourn



**TOWN OF GRANITE QUARRY
PLANNING BOARD MEETING
REGULAR MEETING MINUTES
Monday, June 3, 2024**

Present: Chair Joe Hudson, Ronald Jacobs, Greg Summitt, Jerry Holshouser

Not Present: Fred Krusemark, Vice-Chair Jared Mathis, Dolores Shannon (A)

Staff: Planning, Zoning, and Subdivision Administrator Richard Flowe; Town Clerk Aubrey Smith

Call to Order: Chairman Hudson called the Planning Board meeting to order at 6:00 p.m.

Determination of Quorum: Chairman Hudson verified there was a quorum present.

Pledge of Allegiance: The Pledge of Allegiance was led by Chairman Hudson.

1. Approval of Agenda

ACTION: Mr. Summitt made a motion to approve the agenda. Mr. Jacobs seconded the motion. The motion passed with all in favor.

2. Approval of Minutes

May 6, 2024

ACTION: Mr. Jacobs made a motion to approve (*the May 2024 meeting minutes*). Mr. Summitt seconded the motion. The motion passed with all in favor.

3. Discussion

Reappointments

Clerk Smith shared that several Planning Board members have terms that will expire this summer. When the GQDO was adopted it was known that some terms would need to be adjusted to stagger them more evenly. Clerk Smith asked if one of the seated Town members with term expirations of July 31, 2024 would be willing to be reappointed for a period of two years instead of three to stagger the terms and Mr. Holshouser volunteered. The Board was asked to conduct a membership review to confirm everyone was interested in being reappointed and still eligible and then to make a recommendation for reappointments.

ACTION: Mr. Summitt made a motion to approve the reappointments of two years for Mr. Holshouser and three years for himself and Mr. Hudson (*to recommend reappointment of Jerry Holshouser, Greg Summitt, and Joe Hudson to Planning Board seats. Applicable waivers of the two-term limit are requested as well for members Holshouser and Hudson*). Mr. Jacobs seconded the motion. The motion passed with all in favor.

7. Ordinance Review

Article 8 Review – Permitted Uses

With the Board's permission because time allowed, Mr. Flowe introduced item 7, the review of GQDO Article 8. He shared that since the GQDO has been in place for nearly a year, now is the time to begin review for any necessary changes. The uses in particular will need review and discussion. Mr. Flowe requested that the Board members review the article and bring back any suggestions for change.

Recess

ACTION: Mr. Jacobs made a motion to recess (*to hold the Board of Adjustment meeting*). Mr. Summitt seconded the motion. The motion passed with all in favor.

The meeting was recessed at 6:11 p.m.

Chairman Hudson called the Planning Board meeting back to order at 6:20 p.m.

Old Business

None

New Business

4. Ordinance

ZTA 2024-06-10 (Religious Inst. In MS)

Mr. Flowe introduced the text amendment and draft ordinance regarding allowing religious institutions as a use in the Main Street (MS) district as well as a recommended amendment from the Planning Department to update the deadline for application submittal from the 25th to the 15th of each month. The draft ordinance included options to amend Article 8, Table 8.1, Section 1 by adding either 1) “L” for Listed Use or 2) an “A(10.1-11)” for additional use with certain specific standards. Mr. Flowe stated the second option may not necessarily be the best fit since it primarily applies to new construction and the current request is to hold a religious service in an existing building.

The applicant, Mr. Cannon, offered more information on the application and requested use. Mr. Cannon stated his church is meeting in a unit of the Brinkley Center that was vacant. He shared that the church intends to meet in the location temporarily while they look for a place to build. There are other churches in close proximity to the building. Mr. Cannon shared he felt the current ordinance was invalid based on his understanding of the Religious Land Use and Institutionalized Persons Act (RLUIPA) and questioned whether the text amendment fee would be required if the ordinance was invalid. Mr. Flowe stated most professional interpretations of the RLUIPA were that specific standards couldn’t be imposed that a non-religious institution in a similar situation wouldn’t have to comply with but that uses could still be limited to certain districts. In the GQDO a district was created for all civic-type uses, not to be restrictive, but to create the same set of standards. The reason the use wasn’t listed in all districts from the beginning was to keep the standards consistent; a religious institution in a commercial district would have different standards than a religious institution in a residential district.

ACTION: Mr. Jacobs made a motion to recommend approval of the text amendment (*ZTA-2024-06-10*) with Part 1, option 1 (*“L” for Listed Use*). Mr. Summitt seconded the motion. The motion passed 3-1 with Chairman Hudson, Mr. Jacobs, and Mr. Summitt in favor and Mr. Holshouser opposed.

5. Plan Review

Update to Comprehensive Land Use Plan

Mr. Flowe shared that an interlocal agreement for spheres of influence had been agreed upon by the Town Council and the City of Salisbury. He stated that the current Future Land Use Map would need to be updated to reflect the new spheres of influence. Mr. Flowe presented a drafted update to the FLUM and Comprehensive Land Use Plan and asked for feedback from the Board. The Board and members of the audience reviewed the current and proposed maps and discussed the intended future land use classification for specific properties.

There was discussion on balancing the residential and commercial land use in order for the tax burden not to lie solely on residents. Updates to the FLUM will not change the zoning of any property; rezonings would still need to be initiated by an application from a developer and/or property owner or

be initiated by the Town. Any new development in the agreed-upon sphere of influence would require annexation into the Town.

ACTION: Mr. Jacobs made a motion to recommend the updated plan and map (*Future Land Use Map and updated Comprehensive Town Plan 2040*). Mr. Holshouser seconded the motion. The motion passed with all in favor.

6. Ordinance

ZMA 2024-07-11 Cline

Mr. Flowe introduced the Zoning Map Amendment request for parcel 354 186 from Single-Family Residential 3 (SFR-3) to US Highway 52 Commercial District (C-52). Chairman Hudson stated that the current FLUM shows the property as residential but the updated draft of the FLUM shows the property as commercial. He asked Mr. Flowe the reasoning behind that change. Mr. Flowe responded that the location had generated a lot of commercial interest and that there were current limitations on the property with water and sewer. Mr. Jacobs stated the area does have other commercial development.

ACTION: Mr. Summitt made a motion to recommend approval of the rezoning (*ZMA-2024-07-11*). Mr. Jacobs seconded the motion. The motion passed with all in favor.

Adjournment

ACTION: Mr. Holshouser made a motion to adjourn. Mr. Jacobs seconded the motion. The motion passed with all in favor. Chairman Hudson closed the meeting at 7:30 p.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk

**MEMORANDUM
TOWN OF GRANITE QUARRY, N.C.**

To: Mayor and Town Council

Date: June 27, 2024

From: F. Richard “Rick” Flowe, AICP, Planning, Zoning & Subdivision Administrator

Re: Voluntary Annexation Petition for non-contiguous property of Rachel S. Stone of 3410 Old Concord Road, Salisbury, NC 28146

BACKGROUND

On June 13, 2024, the owner of property located at 3000 Old Concord Road (Rowan County Parcel ID 402 073, 402 078, and 402 018) submitted a petition for voluntary non-contiguous annexation into the town limits of the Town of Granite Quarry. The properties when taken together consist of approximately 20.92 acres. Location map from Rowan County GIS:



FINDINGS AND CONCLUSIONS

The North Carolina General Statutes require that property deemed non-contiguous to the “primary corporate limits” of a municipality must meet certain requirements for annexation. The following provisions demonstrate the eligibility of the subject property(s) for annexation by the Town as follows:

1. The property lies within an area contained within the defined boundaries of an annexation boundary agreement authorized by NCGS 160A, Article 4A, Part 6.
2. The property meets the requirements of NCGS 160A-58.1(b2).
3. The property owner has submitted a petition to the Town of Granite Quarry for annexation.

The property does not currently have a Town of Granite Quarry zoning designation due to its location beyond the Extraterritorial Jurisdiction of the Town; therefore, a concurrent hearing may be held at the time of annexation to designate an initial zoning designation upon the Official Zoning Map of the Town.

FISCAL IMPACT

The property will be subject to applicable taxes and fees in accordance with rates in effect throughout the Town. The Town will deliver standard municipal services for this property upon development. The Town will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING

There are several steps required to annex and apply Town zoning to this property. The following outline illustrates how this process may be completed in two regular meetings of the Mayor and Town Council.

THE ACTIONS THAT MAY BE TAKEN AT THE July 11, 2024 MEETING INCLUDE:

- a. **Direct (by Resolution #RES-2024-07-11-1) for the Town Clerk to investigate the sufficiency of the petition.**
- b. **Clerk presents “Certification of Sufficiency” to the Board**
- c. **Upon receipt of petition certification by Town Clerk, call (by Resolution #RES-2024-07-11-2) for public hearing at next regular meeting.**

ADDITIONAL STEPS BEFORE AND BETWEEN TOWN BOARD MEETINGS

While the Mayor and Town Council undertake the process of annexation, staff will:

1. Place an item on the August 5, 2024 Planning Board agenda a request their recommendation on the designation of the appropriate zoning district requested by the petitioner as “Industrial” (IND) and a concurrent designation upon the Future Land Use Map of the Town Plan 2040 of “Employment/Manufacturing”;

2. Advertise for a **Public Legislative Hearing scheduled for August 8, 2024 before the Mayor and Town Council** on the subject of annexing and applying an initial Town zoning designation to the property.

NEXT STEPS BY MAYOR AND TOWN COUNCIL - THE ACTIONS THAT MAY BE TAKEN AT THE August 8, 2024 REGULAR MEETING INCLUDE:

1. Concurrently conducting the required Legislative Public Hearings for the purpose of receiving input from citizens and/or persons owning an interest in the subject property.
2. Consideration (adoption or rejection) of an Ordinance #ANNEX-2024-08-08-1 Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-08-08-1 Amending the Official Zoning Map of the Grantie Quarry Development Ordinance Future Land Use Map of the Town Plan 2040 (initial zoning) to reflect designations upon the subject property.

FINAL STEPS FOLLOWING ANNEXATION AND ZONING

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in Clerk's record, Administrator's record and online.
2. Update shape-files with Rowan County GIS to reflect new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Rowan County Register of Deeds;
4. Notify all public utilities (telecom, etc.) of the change in the corporate limits of the Town for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site development plan(s) and/or preliminary plat(s) for any future development project upon the subject property;
6. Process zoning permit application(s) and issue permit(s) upon compliance with the Granite Quarry Development Ordinance (GQDO).

**AN ORDINANCE AMENDING THE
GRANITE QUARRY DEVELOPMENT ORDINANCE
OF THE TOWN OF GRANITE QUARRY, NORTH CAROLINA**

Ordinance #ZMA-2024-08-08-1

BE IT ORDAINED by the Mayor and Town Council of the Town of Granite Quarry, North Carolina that the Official Zoning Map (OZM) of the Granite Quarry Development Ordinance (GQDO) be amended in accordance with both GQDO Article 5 and Article 6 of G.S. Chapter 160D. The owner, Rachel Shinn Stone, of property located at 3000 Old Concord Road (Rowan County Parcel ID 402 073, 402 078, and 402 018) submitted a petition for voluntary non-contiguous annexation into the town limits of the Town of Granite Quarry. The properties when taken together consist of approximately 20.92 acres.

Part 1. Consistency with Adopted Comprehensive Plan.

The Town Council finds that a zoning map amendment applicable to the subject properties, from Rowan County MFR (multi-family) and CBI (commercial/business/industry) Zoning Districts establishing a new zoning designation in accordance with G.S. 160D-604(a) of “Industrial (IND)” is consistent with the Town’s 2040 Comprehensive Land Use & Master Plan (the Plan) and the “Employment/Manufacturing” designation upon the subject property as appearing on the Plan’s “Future Land Use Map” therein as amended, as required by G.S. 160D-605(a).

Part 2. Statement of Reasonableness.

This amendment is reasonable because the subject property allows for the growth and expansion of employment opportunities supporting the local economic base of the Town while improving the quality of life for Granite Quarry residents by enabling both job opportunities and diversification of the tax base by adding non-residential properties developed in accordance with the GQDO.

Part 3. Establishment of New Zoning Designation.

That Rowan County Parcels 402 073, 402 078, and 402 018 as shown in Attachments “A” and “B”, attached hereto shall be designated “Industrial (IND)” on the Official Zoning Map. Said parcels consisting of approximately 20.92 acres in total.

Part 4. Amendment of Future Land Use Map.

That Rowan County Parcels 402 073, 402 078, and 402 018, as shown in Attachments “A” and “B”, attached hereto, shall be designated “Employment/Manufacturing” on the Future Land Use Map.

Part 5. Effective Date.

This Ordinance shall be effective at 12:01 AM on the 9th day of August 2024.

Adopted this 8th day of August 2024.

s/ _____
Brittany H. Barnhardt, Mayor

s/ _____
Aubrey Smith, Town Clerk

Attachment "A"

Aerial image sourced from Google Earth by petitioner's agent illustrating the properties subject to this annexation:



Location Map from Rowan County GIS showing parcels 402 018, 402 073, and 402 78:




DR


Attachment "B"

Description(s):


Parcel 402 073

BEGINNING at a railroad spike set, said railroad spike set being a common corner with the Rowan County Health Department and further being in the center line of Old Concord Road (SR 1002) and thence with the line of the Rowan County Health Department, South 82 degrees 48 minutes 00 seconds East 653.30 feet to an existing iron rod being a common corner with the Rowan County Board of Education; thence with the Board of Education South 03 degrees 40 minutes 40 seconds West 462.78 feet to an existing stone; thence North 71 degrees 28 minutes 05 seconds West 1000.68 feet to an existing iron rod being in the center line of Old Concord Road; thence North 55 degrees 44 minutes 45 seconds East 355.36 feet to the point and place of BEGINNING and being 7.130 acres as shown on a survey and map entitled "Boundary And Division Survey Plat For Blanche M. Julian", prepared by Hilderbran Surveying Company, dated October 25, 1999. 

Parcel 402 078

BEGINNING at an existing iron, said existing iron being a common corner with the 7.130 acre tract, thence with the 7.130 acre tract South 71 degrees 28 minutes 05 seconds East 900.68 feet to a new iron rod set being a common corner with a 5.583 acre tract; thence with the 5.583 acre tract South 17 degrees 20 minutes 10 seconds East 252.93 feet to a new iron rod set being the point of Beginning of the 5.583 acre tract and further being in the line of Max P. Webb and Glenn T. Webb (690-375); thence with Webb North 86 degrees 23 minutes 55 seconds West 1008.06 feet to an existing iron rod being a common corner with Deanna L. Graham (773-431); thence with Graham North 33 degrees 59 minutes 40 seconds West 322.76 feet to an existing iron rod being in the center line of Old Concord Road; thence with the center line of Old Concord Road four (4) lines as follows: (1) North 48 degrees 56 minutes 30 seconds East 73.71 feet to a rod, (2) North 52 degrees 04 minutes 50 seconds East 70.00 feet to a rod, (3) North 53 degrees 36 minutes 30 seconds East 70.00 feet to a rod, and (4) North 54 degrees 40 minutes 15 seconds East 110.36 feet to the point and place of BEGINNING and being 8.760 acres as shown on a survey and map entitled "Boundary and Division Survey Plat For Blanche M. Julian", prepared by Hilderbran Surveying Company, dated October 25, 1999. 

Parcel 402 018

BEGINNING at a new iron rod set, said new iron rod set being in the line of Max P. Webb and Glenn T. Webb (690-375) and further being the easterly most rear point of an 8.760 acre tract, thence a line with Webb South 86 degrees 23 minutes 55 seconds East 210.00 feet to an existing stone monument; thence again with Webb South 87 degrees 48 minutes 20 seconds East 892.00 feet to an existing axle; thence two (2) lines with Rowan County as follows: (1) North 03 degrees 12 minutes 20 seconds West 210.25 feet to an iron, and (2) North 87 degrees 36 minutes 50 seconds West 307.06 feet to an existing iron rod being in the line of the Rowan County Board of Education (623-343); thence with the Board of Education North 87 degrees 30 minutes 10 seconds West 787.19 feet to an existing iron being a common corner with the 7.130 acre tract; thence North 71 degrees 28 minutes 05 seconds West 100.00 feet to a new iron rod set; thence South 17 degrees 20 minutes 10 seconds East 252.93 feet to the point and place of BEGINNING and being 5.583 acres as shown on a survey and map entitled "Boundary and Division Survey Plat For Blanche M. Julian", prepared by Hilderbran Surveying Company, dated October 25, 1999. 

**AN ORDINANCE AMENDING THE
GRANITE QUARRY DEVELOPMENT ORDINANCE
OF THE TOWN OF GRANITE QUARRY, NORTH CAROLINA**

Ordinance #ZMA-2024-09-12-1

BE IT ORDAINED by the Mayor and Town Council of the Town of Granite Quarry, North Carolina that the Official Zoning Map (OZM) of the Granite Quarry Development Ordinance (GQDO) be amended in accordance with both GQDO Article 5 and Article 6 of G.S. Chapter 160D. The subject property of JONES CHRIS & YARBOROUGH LAKOYA, described as Rowan County Parcel located at 0 Hill Street (Parcel 352 016, PIN 5677-05-18-4947) and described with illustration in Attachment “A” attached hereto. Said parcel consists of approximately 3.24 acres.

Part 1. Consistency with Adopted Comprehensive Plan.

The Town Council finds that a zoning map amendment applicable to the subject properties, from the current designation of "Single-Family Residential-3 (SFR-3)" to a new zoning designation in accordance with G.S. 160D-604(a) of "Residential Main Street Transition (RMST)" is consistent with the Town's 2040 Comprehensive Land Use & Master Plan (the Plan) and the Neighborhood" designation on the Plan's "Future Land Use Map", as required by G.S. 160D-605(a).

Part 2. Statement of Reasonableness.

This amendment is reasonable because the subject property allows for the creation of new neighborhoods supporting the local businesses of the Town while improving connectivity and infrastructure to improve the quality of life for Granite Quarry residents by enabling additional housing opportunities developed in accordance with the GQDO.

Part 3. Establishment of New Zoning Designation.

That Rowan County Parcel 352 016, PIN 5677-05-18-4947 as shown in Attachment “A” attached hereto shall be designated “Residential Main Street Transition (RMST)” on the Official Zoning Map.

Part 4. Effective Date.

This Ordinance shall be effective at 12:01 AM on the 13th day of September 2024.

Adopted this 12th day of September 2024.

s/ _____
Brittany H. Barnhardt, Mayor

s/ _____
Aubrey Smith, Town Clerk

