



**TOWN OF GRANITE QUARRY
PLANNING BOARD
REGULAR MEETING AGENDA
December 6, 2021
6:00 p.m.**

- | | |
|---|--|
| Call to Order | Chairman Luhrs |
| Determination of Quorum | Chairman Luhrs |
| 1. Approval of Agenda | Board |
| 2. Approval of Minutes | November 1, 2021, Regular Monthly Meeting |
| Old Business | |
| 3. SB300 Decriminalization of Local Ordinances | Planner Blount |
| New Business | |
| 4. Planning Recap | Planner Blount |
| Adjourn | |

Agenda Item Summary
Regular Monthly Meeting
December 6, 2021
Agenda Item 1

Summary

The Board may discuss, add, or delete items from the agenda.

Action Requested

Motion to adopt the agenda (as presented / as amended).

Approval of Agenda

Motion Made By:

Second By:

For:

- Chair Richard Luhrs
- Vice-Chair Michelle Reid
- David Morris
- Jared Mathis
- Jerry Holshouser
- Joe Hudson
- Mike Brinkley
- Ronald Jacobs
- Dolores Shannon (A)

Against:

- Chair Richard Luhrs
- Vice-Chair Michelle Reid
- David Morris
- Jared Mathis
- Jerry Holshouser
- Joe Hudson
- Mike Brinkley
- Ronald Jacobs
- Dolores Shannon (A)

Agenda Item Summary
Regular Monthly Meeting
December 6, 2021
Agenda Item 2

Summary

Draft minutes from the November 1, 2021 Regular Monthly Meeting are attached for your review.

Action Requested

Motion to approve the November 1, 2021 Regular Monthly Meeting minutes (as presented / as amended).

Approval of Minutes

Motion Made By:

Second By:

For:

- Chair Richard Luhrs
- Vice-Chair Michelle Reid
- David Morris
- Jared Mathis
- Jerry Holshouser
- Joe Hudson
- Mike Brinkley
- Ronald Jacobs
- Dolores Shannon (A)

Against:

- Chair Richard Luhrs
- Vice-Chair Michelle Reid
- David Morris
- Jared Mathis
- Jerry Holshouser
- Joe Hudson
- Mike Brinkley
- Ronald Jacobs
- Dolores Shannon (A)



**TOWN OF GRANITE QUARRY
PLANNING BOARD
REGULAR MEETING MINUTES
November 1, 2021 6:00 p.m.**

Present: Chair Richard Luhrs, Vice Chair Michelle Reid, Mike Brinkley, Jerry Holshouser, Jared Mathis, Joe Hudson, Ronald Jacobs

Not Present: David Morris, Dolores Shannon (A), Jim King (A)

Staff: Town Planner Steve Blount, Town Clerk Aubrey Smith

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

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

1. Approval of Agenda

ACTION: Vice-Chairwoman Reid made a motion to approve the agenda. Mr. Hudson seconded the motion. The motion passed with all in favor.

2. Approval of Minutes

ACTION: Mr. Brinkley made a motion to approve the minutes from the September 7, 2021 Regular Monthly Meeting as presented. Mr. Mathis seconded the motion. The motion passed with all in favor.

New Business

3. Site Plan Review

Village at Granite Phase III

Chairman Luhrs asked that all residents who wished to speak at the public hearing be aware that comments were only being heard concerning Phase III.

A. Staff Presentation

Planner Blount shared a PowerPoint presentation on the Village at Granite Phase III. He reviewed the planning and approval process. The townhomes and the property they sit on will be sold to individual owners and the rest of the property will be owned by the HOA. The plans shown in the PowerPoint and agenda packet were preliminary plans to be approved from the planning perspective.

B. Applicant Presentation

Daniel Hines with Bohler, a civil engineer firm working with LGI, stated he was happy to answer any questions. Questions were asked regarding public versus private roads and whether a lighting plan had been submitted. The lighting plan will be submitted during the engineering phase.

C. Public Hearing

Opened: Chairman Luhrs opened the public hearing at 6:29 p.m.

Comments:

- Mark Cody, 1115 Winding Creek Rd. Asked questions regarding parking and stated concern over cars extending from the garage door onto the sidewalk. He also stated concern regarding the street exit onto Faith Road and asked if there would be a provision for a traffic light. He also stated concern over width of roads in Phase I and suggested making the roads wider in Phase III.
- Jason Bosch, 1180 Winding Creek Road. Stated concern over community events and impact of multi-family housing on property values. He asked if the townhomes would be governed by the HOA.
- Eve Martin, 2940 Faith Road. Questioned the vegetative buffer and how it would affect her property adjacent to the townhomes.

Closed: Chairman Luhrs closed the public hearing at 6:40 p.m.

Planner Blount addressed the questions.

- There are plans for a 20-foot opaque vegetative buffer. It will extend from property line in towards the new development.
- Sidewalks will be on the front of the houses and the driveways will be on the back.
- Faith Road traffic light is up to DOT.
- The road width currently meets the standards of the UDO.
- Multi-family housing has been shown since 2007. The impact on property values has been factored in since the very inception.
- A playground has been built and there are plans for a set of trails that will be created before completion of the project. There may be a small park provided in Phase II.
- HOA bylaws were approved and are registered at the Register of Deeds. For more information on the HOA, residents were encouraged to read their deeds.

Mr. Hines voiced willingness to show plans for the buffering to the adjacent property owner.

D. Board Deliberations

The Board discussed the ordinance that addressed parking in single family homes. There were concerns stated regarding vehicles hanging over onto the private road in the back. Planner Blount stated that the ordinance required a 19-foot driveway. Various parts of the plan will be split out and sent to experts for further review. The concerns voiced will be passed on as well.

E. Board Decision

ACTION: Mr. Brinkley made a motion to approve the site plan and subdivision plan for Phase 3 of the Village at Granite development as presented by staff. Mr. Jacobs seconded the motion. The motion passed 6-0.

Statement of Consistency

In voting to approve the proposed site plan and to allow the proposed subdivision of property, the Granite Quarry Planning Board does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.

ACTION: Mr. Jacobs made a motion to adopt the statement of consistency as presented. Mr. Hudson seconded the motion. The motion passed 6-0.

4. Code Enforcement Discussion

Chairman Luhrs opened the code enforcement discussion. He commented about the ongoing issue. Planner Blount reiterated that other efforts besides code enforcement, including planting trees, would help make a difference. He encouraged the Board members to report specific code violations.

5. Membership Discussion Rev. Jim King

Clerk Smith notified the Board that staff has been unable to contact Rev. King for several months. The suggestion was made to recommend Rev. King's removal from the Planning Board to the Board of Aldermen.

ACTION: Mr. Mathis made a motion to recommend removal of Rev. Jim King from the Planning Board due to lack of availability to participate. Vice-Chairwoman Reid seconded the motion. The motion passed 6-0.

Old Business

6. Driveway Text Amendment UDO and Code of Ordinances

Planner Blount reviewed the proposed amendments for Driveway text amendments that were included in the agenda packet.

The Board discussed the following changes:

- Adding the language "i.e., gravel drives" to
 - B. Residential Driveways**
 - c. Driveway material shall be a minimum of:**
 - vi. Other paving materials as might be approved by the Town's Maintenance Director (i.e., gravel driveways).**
- Changing the wording of
 - A. General**
 - k. Maintenance responsibility for all driveways including associated curb cuts, sidewalks and driveways will rest with the property owner.**

Mr. Brinkley stated concern with sidewalk maintenance being left to the property owner. Planner Blount suggested just removing the word "sidewalks".
 - **B. Residential Driveways**
 - c. Driveway material shall be a minimum of:**
 - i. ~~4-inch~~ 6-inch thick 3,000 psi poured concrete over a 4" compacted stone base or, Change 4-inch to 6-inch and remove compacted stone base.**
 - ii. Pressure compacted 4-inch thick asphalt over a 6" compacted stone base or,**

Mr. Brinkley suggested removing "compacted stone base", but after discussion it was agreed to leave it.
- The change should be made for Commercial Driveways as well, but not Industrial Driveways.

ACTION: Mr. Brinkley made a motion to approve the mentioned changes. Mr. Hudson seconded the motion. The motion passed 6-0.

Adjournment

ACTION: Mr. Jacobs made a motion to adjourn the meeting. Mr. Holshouser seconded the motion. The motion passed with all in favor.

Chairman Luhrs closed the meeting at 7:42 p.m.

Respectfully Submitted,

Aubrey Smith
Town Clerk

DRAFT



MEMO

Date: October 26, 2021

TO: Planning Board

From: Town Planner

RE: SB300- Decriminalization of Local Ordinances- part 1

Narrative:

Part of Senate Bill SB300 that has been signed into law, attempts to reduce the load on the criminal court system by decriminalizing local ordinances. What this means is that local ordinances will be handled by citation with a set penalty attached. Inability to collect due to failure to pay the citation would require the Town to file a civil action to collect just like any other past due bill. While the bill allows some parts of our Code of Ordinance to retain their criminal status, it specifically does not allow development ordinances to be handled as criminal actions. This change should have little practical impact on Granite Quarry as to my knowledge, the town has never used a criminal action, preferring abatement (i.e., we mow someone's grass after they refuse to mow it themselves) which is followed by the property owner being billed for the cost of the work and then by a lien being filed against the property to force eventual payment. Other options include a judicial injunction, stop work orders, and civil citation as allowed by Chapter 15 of the Unified Development Ordinance (UDO).

The following is a suggested text amendment to remove the criminal action option from Appendix A, Chapter 15, Section 15.4 of the Town's UDO:

(yellow text added, strikethrough text deleted)

Sec. 15.4. - Penalties.

A. Nothing in this Ordinance, nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for herein, any violation of the terms of this Ordinance shall subject the violator to all available the penalties and remedies, ~~either criminal or civil or both.~~

B. In case any structure or use is erected, constructed, reconstructed, altered, repaired, converted or maintained in violation of this Ordinance as herein provided, an action for injunction or other appropriate action to prevent such violation may be instituted by the Administrator, the Rowan County Building Inspector, any other appropriate Town authority, or any person who may be damaged by such violation.

15.4.1 **-Deleted-**

Criminal Penalties.

~~Any person, firm, or corporation convicted of violating the provisions of this Ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined an amount not to exceed 500 dollars and/or imprisoned for a period not to exceed 30 days. Each day of violation shall be considered a separate offense, provided that the violation of this Ordinance is not corrected within 10 days of receipt of the warning citation.~~

ORDINANCE NO. 2021-19

**AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S
UNIFIED DEVELOPMENT ORDINANCE**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE
QUARRY:**

Section 1. That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Appendix A; Chapter 15. Administration; Sec. 15.4. Penalties.; subsections A. and B., which such sections shall read as follows:

- A. Nothing in this Ordinance, nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws. In addition to the remedies provided for herein, any violation of the terms of this Ordinance shall subject the violator to all available penalties and remedies.
- B. In case any structure or use is erected, constructed, reconstructed, altered, repaired, converted or maintained in violation of this Ordinance as herein provided, an action for injunction or other appropriate action to prevent such violation may be instituted by the Administrator, the Rowan County Building Inspector, any other appropriate Town authority, or any person who may be damaged by such violation.

Section 2. That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by amending text of Appendix A; Chapter 15. Administration; Sec. 15.4.1 Criminal Penalties, which such section shall read as follows:

15.4.1 Deleted

Section 3. All ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 4. This ordinance is effective on the 13th day of December 2021.

Brittany H. Barnhardt, Mayor

ATTEST:

APPROVED AS TO FORM:

Aubrey Smith, Town Clerk

Carl M. Short, Town Attorney