



**TOWN OF GRANITE QUARRY  
PLANNING BOARD  
REGULAR MEETING AGENDA  
September 6, 2022  
6:00 p.m.**

**Call to Order** **Chair**

**Determination of Quorum** **Chair**

**1. Approval of Agenda**

**2. Approval of Minutes** **July 5, 2022 Regular Monthly Meeting  
August 1, 2022 Regular Monthly Meeting**

**New Business**

**3. Rezoning** **354 186 RL to RH**  
**A. Staff Summary**  
**B. Applicant Presentation**  
**C. Public Comment Period**  
**D. Board Discussion and Decision**

**ACTION REQUESTED:** Motion to (recommend the rezoning / not recommend the rezoning) of parcel 354 186 from Residential Low Density to Residential High Density to the Board of Aldermen and adopt the Statement of Consistency as presented.

**4. Ordinance Amendment** **UDO – ZBA Duties**  
**A. Staff Summary**  
**B. Board Discussion and Decision**

**ACTION REQUESTED:** Motion to (recommend / not recommend) Ordinance 2022-10 to adopt the amendments to the UDO for Zoning Board of Adjustment duties and adopt the Statement of Consistency as presented.

**Old Business** **None**

**Adjourn**

**Agenda Item Summary**

Regular Monthly Meeting

September 6, 2022

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

September 6, 2022

Agenda Item 2

Summary

Draft minutes from July 5, 2022 and August 1, 2022 Regular Monthly Meetings are attached for your review.

Action Requested

***Motion to approve July 5, 2022 and August 1, 2022, 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  
July 5, 2022, 6:00 p.m.**

**Present:** Chair Richard Luhrs, Vice-Chair Michelle Reid, Mike Brinkley, Jerry Holshouser, Jared Mathis

**Not Present:** Ronald Jacobs, Joe Hudson, David Morris, Dolores Shannon (A)

**Staff:** 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. Brinkley 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 June 6, 2022, Regular Monthly Meeting. Mr. Mathis seconded the motion. The motion passed with all in favor.

**New Business**

**3. Table of Uses Amendment                      Electronic Gaming Operations Correction**

The Board reviewed the recommended amendment to the UDO's Permitted Uses Table.

**ACTION:** Mr. Brinkley made a motion to approve (*recommending Ordinance 2022-06 to correct the UDO's Permitted Table of Uses and adopt the Statement of Consistency and Reasonableness as presented*). Mr. Mathis seconded the motion. The motion passed with all in favor.

**4. Application Review**

Board members reviewed the application of Curtis Buck, Jr. Mr. Buck was not in attendance. The Board asked that the clerk reach out to Mr. Buck and ask if he could attend the August Planning Board meeting.

**ACTION:** Vice-Chairwoman Reid made a motion to continue the item until the August meeting. Mr. Brinkley seconded the motion. The motion passed with all in favor.

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**Old Business**

**5. Discussion**

**Addressing System**

Mr. Brinkley brought up the continued issues with the addressing system. He stated the appraisal system is defaulting to Salisbury and Granite Quarry is not getting credit for new builds. Mr. Brinkley wanted the issue brought to the Board of Aldermen's attention.

**Adjournment**

**ACTION:** Mr. Mathis made a motion to adjourn the meeting. Mr. Brinkley seconded the motion. The motion passed with all in favor.

Chairman Luhrs closed the meeting at 6:21 p.m.

Respectfully Submitted,

Aubrey Smith  
Town Clerk

DRAFT



**TOWN OF GRANITE QUARRY  
PLANNING BOARD  
REGULAR MEETING MINUTES  
August 1, 2022, 6:00 p.m.**

**Present:** Chair Richard Luhrs, Vice-Chair Michelle Reid, Mike Brinkley, Jerry Holshouser, Jared Mathis, Joe Hudson, David Morris, Dolores Shannon (A)

**Not Present:** Ronald Jacobs

**Staff:** Interim Town Planner Bill Bailey, 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:** Mr. Brinkley made a motion to approve the agenda. Vice-Chairwoman Reid seconded the motion. The motion passed with all in favor.

Chairman Luhrs announced that there had been changes; the developer withdrew their application for the rezoning of 817 N. Salisbury Avenue the day of the meeting and the Planning Board member applicant pulled his application due to limited availability.

**ACTION:** Mr. Hudson made a motion to amend the agenda. Mr. Mathis seconded the motion. The motion passed with all in favor.

Chairman Luhrs stated for the record that this was the second time the rezoning had been removed from the agenda; both times residents made arrangements to be at the meeting. He stated the lack of advance notice of the change was bothersome.

**2. Approval of Minutes**

**July 5, 2022 Regular Meeting**

No action was taken.

**New Business**

**3. ~~Rezoning~~ ~~817 N. Salisbury Avenue~~**

Item was removed from the agenda because the applicant withdrew the rezoning request.

**4. Ordinance Amendment**

**Site Plan Approval Process**

**A. Staff Summary**

**Town Planner**

The Board of Aldermen directed staff to review site plan approval processes in light of 160D update discussions last year and Land Use Plan update discussions with a consultant in April of this year. Planner Bailey reviewed the proposed amendments to the site plan approval process and shared the reasoning behind the changes. While 160D allows for the Planning Board and Board of Aldermen to be involved, the intent is that major subdivision and major site plan applications should not be open to discretionary review.

**B. Board Discussion and Decision**

Some concerns addressed by several individual Board members with the proposed changes included lack of perceived transparency and citizens not having an opportunity to comment at the Planning Board level. Several Board members also voiced concern that none of the Technical Review Committee (which is made up of the contracted planner, contracted engineer, Public Works Director, Fire Marshal, utility representatives as necessary, and the County) are residents of Granite Quarry.

*Ms. Shannon arrived at 6:08 p.m.*

**ACTION:** Mr. Brinkley made a motion to decline (*recommended denial of Ordinance 2022-09 amending the site plan approval process to the Board of Aldermen*). Mr. Morris seconded the motion. The motion passed with all in favor.

**ACTION:** Mr. Brinkley made a motion (*to adopt the Statement of Consistency, finding that it is not consistent*). Vice-Chairwoman Reid seconded the motion. The motion passed with all in favor.

Chairman Luhrs asked that a member of the Planning Board present the decision to the Board of Aldermen. After discussion, it was decided Chairman Luhrs would present.

**Old Business**

**5. Discussion**

**Meeting Time**

Chairman Luhrs and Vice-Chairwoman Reid asked that discussion of the Planning Board's meeting time be added to the agenda. Board members discussed availability and it was decided by consensus to leave the meeting at the current time.

~~**6. Application Review**~~ ~~**Curtis Buck, Jr.**~~

Item was removed from the agenda after the applicant withdrew their application due to lack of availability.

**Adjournment**

**ACTION:** Mr. Brinkley made a motion to adjourn the meeting. Mr. Mathis seconded the motion. The motion passed with all in favor.

Chairman Luhrs closed the meeting at 6:25 p.m.

Respectfully Submitted,

*Aubrey Smith*

Town Clerk

**Agenda Item Summary**

Regular Monthly Meeting

September 6, 2022

Agenda Item 3

**Rezoning 354 186**

Summary

A rezoning has been requested for Parcel 354 186 to change the property from RL (Residential Low Density) to RH (Residential High Density).

Adjoining property owners were notified by letters sent out August 26, 2022, of the requested rezoning and an opportunity to speak at the public hearing during the Board of Aldermen meeting on September 12, 2022.

Attachments

- Rezoning Application
- Property Map
- Dimensional Table
- Table of Uses
- Statements of Consistency

Action Requested

***Motion to (recommend the rezoning / not recommend the rezoning) of parcel 354 186 from Residential Low Density to Residential High Density to the Board of Aldermen and adopt the Statement of Consistency as presented.***

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)



Date: \_\_\_\_\_ Reviewed By: \_\_\_\_\_



**Rezoning Application**

**Property Information**

Property Address: \_\_\_\_\_  
Tax Map and Parcel Number 354 186 In Town Limits Yes, or In ETJ \_\_\_\_\_  
Parcel Size (sq. ft. or acres) 11.110 acres Interior Lot (Y/N) Yes Corner Lot (Y/N) Yes

**Owner's Information**

Name: DWB Realestate Properties, LLC Phone Number 704 221 2199  
Mailing Address: PO Box 546 Norwood, NC 28128  
Email davidbakercr@twc.com

**Contractor/Developer's Information**

Name: New Life Developers Phone Number 843 259 9289  
Mailing Address: 2310 Concord Lake Rd Kannapolis, NC 28083  
Email carlton@newlifedevelopers.com

**Project Information**

Current Zoning Classification RI Requested Zoning Classification RH  
Proposed Use of Property:  
New Construction 2 Story Residential Townhomes and 1 Story Residential Single Family Homes.

**Additional Comments:**

Notes:

Owner/Developer Signature DWB Real Estate Properties LLC by D. Wayne Baker MA

Date June 8, 2020 Application fee paid, Receipt Number pd. 7/11/2020

4/24/2020 Revision

## Exhibit A

### Old Description

BEGINNING at a point in the centerline of U.S. Highway #52, the Northeast corner of Tract 2, Lot 2; thence with the line of Tract 2, Lot 2 North 84 deg. 33 min. 04 sec. West 1,160.41 feet to the centerline of the Southern Railroad; thence with the centerline of the Southern Railroad the following courses and distances: (1) North 13 deg. 17 min. 20 sec. West 141.23 feet; (2) North 09 deg. 14 min. 20 sec. West 107.92 feet; (3) North 04 deg. 01 min. 40 sec. West 97.13 feet; and (4) North 01 deg. 04 min. 20 sec. East 81.93 feet to Oliver Walker's line; thence with his line South 84 deg. 33 min. 04 sec. East 1,145.19 feet to an iron pin in the centerline of U.S. Highway #52; thence with the centerline of said highway South 09 deg. 24 min. 00 sec. East 430.00 feet to the point of BEGINNING, being Tract 2, Lot 3, containing 11.10 acres as shown on plat of the property of George N. Lyerly Est. by Central Piedmont Planning and Surveying, June 1980, subject to the rights-of-way of the Southern Railroad and U.S. Highway #52 as shown on said plat, recorded in Map Book 1564, Rowan County Registry.

### New Description

BEGINNING at a point in the centerline of the right of way of U.S. Highway 52, located at the southeast corner of the parcel described herein, thence a line North 88 deg. 00 min. 38 sec. West 149.42 feet (passing a 1/2" iron pipe set in the margin of the right of way of U.S. Highway 52 after 35.03 feet) to a 1/2" iron pipe at the common corner of lots 13 and 14 of Autumn Wood (Map Book 9995, page 1927); thence a line with lot 13 North 88 deg. 00 min. 20 sec. West 131.46 feet to a 1/2" iron pipe at the common corner of lots 12 and 13 of Autumn Wood; thence with the line of lot 12 North 87 deg. 58 min. 09 sec. West 131.49 feet to a 1/2" iron pipe at the common corner of lot 12 and 11 of Autumn Wood; thence with the line of lots 11, 10, and 9 of Autumn Wood, North 87 deg. 59 min. 13 sec. West 524.24 feet to a 1/2" iron pipe at the common corner of lots 9 and 8 of Autumn Wood; thence with the line of lot 8, North 87 deg. 59 min. 16 sec. West 172.31 feet to a 1/2" iron pipe at the corner of lot 8 of Autumn Wood and the margin of Norfolk Southern Railway; thence a line North 87 deg. 59 min. 16 sec. West 53.07 feet to the center line of Norfolk Southern Railway; thence 11 lines with Norfolk Southern Railway as follow: (1) North 16 deg. 53 min. 13 sec. West 36.30 feet; (2) North 16 deg. 25 min. 15 sec. West 32.93 feet; (3) North 15 deg. 55 min. 20 sec. West 36.23 feet; (4) North 14 deg. 53 min. 05 sec. West 38.15 feet; (5) North 13 deg. 51 min. 38 sec. West 33.79 feet; (6) North 12 deg. 33 min. 01 sec. West 34.77 feet; (7) North 09 deg. 49 min. 59 sec. West 70.24 feet; (8) North 06 deg. 59 min. 59 sec. West 34.90 feet; (9) North 05 deg. 12 min. 26 sec. West 38.34 feet; (10) North 03 deg. 13 min. 50 sec. West 42.85 feet; (11) North 01 deg. 19 min. 58 sec. West 29.06 feet to a point in the center of Norfolk Southern Railway; thence a line South 87 deg. 59 min. 29 sec. East, passing the corner of Anne O. Walker (Deed Book 484, Page 513) after 47.59 feet, and passing the top of a 3/4" iron pipe in the line of Walker after an additional 1047.69 feet, a total distance of 1144.48 feet to a point in the centerline of U.S. Highway 52; thence with U.S. Highway 52 a line South 12 deg. 50 min. 19 sec. East 430.01 feet to the point and place of BEGINNING, and being a 11.110 Ac. +/- tract as shown on Survey For: DWB Real Estate Properties LLC by Riley O. Gobble, Jr. PLS, dated August 18, 2018, which survey is incorporated herein by reference.

The above described property is subject to the interests of Norfolk Southern Railway. For reference see deed to Yadkin Railroad Co. recorded in Book 75, page 128, Rowan County Registry.



| District | Uses          | <i>Lot size &amp; Density</i>      |                         |  |                       | <i>Min. setback requirements</i>       |                          |                  |                  | <i>Max. height (feet)</i> |
|----------|---------------|------------------------------------|-------------------------|--|-----------------------|--|--------------------------|------------------|------------------|---------------------------|
|          |               | Max. Dwelling Units per Acre (DUA) | Min. Lot Area (sq. ft.) |  | Min. Lot width (feet) | Min. Front (feet)                      | Min. Front Corner (feet) | Min. Side (feet) | Min. Rear (feet) |                           |
| RR       | Single-Family | 2                                  | 20,000                  |  | 100                   | 40                                     | 30                       | 15               | 40               | 40                        |
|          | Other Uses*   | NA                                 | 40,000                  |  | 100                   | 40                                     | 30                       | 15               | 40               | 40                        |
| RL       | Single-Family | 4                                  | 10,000                  |  | 80                    | 30                                     | 25                       | 10               | 25               | 40                        |
|          | Other Uses*   | NA                                 | 20,000                  |  | 80                    | 30                                     | 25                       | 10               | 25               | 40                        |
| RM       | Single-Family | 6                                  | 7,500                   |  | 60                    | 10 (alley access)<br>25 (front access) | 10                       | 10               | 25               | 40                        |
|          | Two-Family    |                                    | 12,000                  |  | 80                    | 10 (alley access)<br>25 (front access) | 10                       | 10               | 25               | 40                        |

| District | Uses          | Lot size & Density                 |                         |  |                       | Min. setback requirements              |                          |                  |                  | Max. height (feet) |
|----------|---------------|------------------------------------|-------------------------|--|-----------------------|--|--------------------------|------------------|------------------|--------------------|
|          |               | Max. Dwelling Units per Acre (DUA) | Min. Lot Area (sq. ft.) |  | Min. Lot width (feet) | Min. Front (feet)                      | Min. Front Corner (feet) | Min. Side (feet) | Min. Rear (feet) |                    |
|          | Other Uses*   |                                    | 20,000                  |  | 80                    | 25                                     | 10                       | 10               | 25               | 40                 |
|          | Single-Family | NA                                 | NA                      |  | 60                    | 10 (alley access)<br>25 (front access) |                          | 10               | 25               | 40                 |
| RH       | Two-Family    | 8                                  | NA                      |  | 80                    | 10 (alley access)<br>25 (front access) |                          | 10               | 25               | 40                 |
|          | Other Uses*   |                                    | 20,000                  |  | 80                    | 25                                     |                          | 10               | 25               | 40                 |
|          | All Uses*     | NA                                 | NA                      |  | NA                    | 30                                     |                          | 10               | 30               | 50                 |

| District     | Uses      | Lot size & Density                 |                         |  |                       | Min. setback requirements |                          |                  |                  | Max. height (feet) |
|--------------|-----------|------------------------------------|-------------------------|--|-----------------------|---------------------------|--------------------------|------------------|------------------|--------------------|
|              |           | Max. Dwelling Units per Acre (DUA) | Min. Lot Area (sq. ft.) |  | Min. Lot width (feet) | Min. Front (feet)         | Min. Front Corner (feet) | Min. Side (feet) | Min. Rear (feet) |                    |
| <i>OI</i>    | All Uses* | 8                                  | NA                      |  | NA                    | Min. 10<br>Max. 25        |                          | 10               | 25               | 50                 |
| <i>NB</i>    | All Uses* | 8                                  | NA                      |  | NA                    | 0                         |                          | 0                | 0                | 50                 |
| <i>CB</i>    | All Uses* | 8                                  | NA                      |  | NA                    | 25                        |                          | 10               | 30               | 50                 |
| <i>HB</i>    | All Uses* | NA                                 | NA                      |  | NA                    | 25                        |                          | 10               | 30               | 50                 |
| <i>DT/LI</i> | All Uses* | NA                                 | NA                      |  | NA                    | 25                        |                          | 10               | 30               | 50                 |
| <i>LI</i>    | All Uses* | NA                                 | NA                      |  | NA                    | 25                        |                          | 10               | 30               | 50(or CUP)         |
| <i>HI</i>    | CD Only   | NA                                 | NA                      |  | 50                    | 15                        |                          | 6                | 20               | 40                 |
| <i>PUD</i>   |           | Per Section 3.5.3                  |                         |  |                       |                           |                          |                  |                  |                    |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| <i>Residential Uses</i>                       |                  |    |    |    |    |    |    |    |    |    |       |       |
| Accessory dwellings                           | C                | C  | C  | C  |    |    |    |    |    |    |       | 4.2.1 |
| Accessory structures (residential)            | X                | X  | X  | X  |    |    |    |    |    |    |       | 4.2.2 |
| Boarding[houses] or roominghouses             | C                | C  | C  | C  |    |    |    |    |    |    |       | 4.2.3 |
| Conservation development                      | C                | C  | C  | C  |    |    |    |    |    |    |       | 4.2.4 |
| Family care homes for the handicapped         | X                | X  | X  | X  |    |    |    |    |    |    |       | 4.2.5 |
| Home occupations (customary)                  | X                | X  | X  | X  |    |    |    |    |    |    |       | 4.2.6 |
| Home occupations (rural)                      | C                |    |    |    |    |    |    |    |    |    |       | 4.2.6 |
| Manufactured home, individual lot (MH-O only) | X                | X  |    |    |    |    |    |    |    |    |       | 4.2.7 |
| Manufactured home community (MH-O only)       | C                | C  |    |    |    |    |    |    |    |    |       | 4.2.8 |
| Mixed-use dwelling                            |                  |    |    |    | X  | X  | X  |    |    |    |       | 4.2.9 |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |        |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|--------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR     |
| Multi-family dwellings (3 or more attached units) |                  |    |    | C  |    |    |    |    |    |    |       | 4.2.10 |
| Single-family dwellings                           | X                | X  | X  | X  |    |    |    |    |    |    |       |        |
| Temporary emergency manufactured home             | X                | X  | X  | X  |    |    |    |    |    |    |       | 4.2.11 |
| Temporary family care manufactured home           | C                | C  | C  | C  |    |    |    |    |    |    |       | 4.2.12 |
| Temporary family health care structure            | X                | X  | X  | X  |    |    |    |    |    |    |       |        |
| Two-family dwellings (duplexes)                   |                  |    | X  | X  |    |    |    |    |    |    |       |        |
| <i>Civic and Government Uses</i>                  |                  |    |    |    |    |    |    |    |    |    |       |        |
| Cemeteries (accessory use)                        | X                | X  | X  | X  | X  | X  | X  | X  | X  | X  | X     |        |
| Emergency services (fire, police, EMT)            | C                | C  | C  | C  | X  | C  | X  | X  | X  | X  | X     |        |

| USES   | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|--|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|  | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Government buildings (other, excludes correctional facilities)                           | C                | C  | C  | C  | X  | X  | X  | X  | X  | X  | X     |       |
| Non-profit charitable organizations  | C                |    |    |    | X  | X  | X  | X  | X  | X  | X     |       |
| Religious institutions and related uses (including day cares or schools of less than 25) | C                | C  | C  | C  | X  | X  | X  | X  | X  | X  | X     |       |
| Schools (public and private elementary, middle, and high)                                | C                | C  | C  | C  | X  | X  | X  | X  |    |    | X     |       |
| <i>Institutional Uses</i>  |                  |    |    |    |    |    |    |    |    |    |       |       |
| Assembly halls, coliseums, gymnasiums, and similar structures                            |                  |    |    |    | X  |    | X  | X  | X  |    | X     |       |
| Cemeteries (principal use)   |                  |    |    |    | C  |    |    | C  |    |    |       | 4.4.1 |
| Child day cares  | C                |    |    |    | X  | X  | X  | X  |    |    | X     | 4.4.2 |

| USES   | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |    |
|--|------------------|----|----|----|----|----|----|----|----|----|-------|----|
|  | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR |
| Clubs, lodges, fraternities, sororities, social, civic, and other similar organizations operated on a non-profit basis | C                | C  | C  | C  | X  |    |    | X  |    |    | X     |    |
| Colleges and universities  | C                |    |    |    | X  |    |    | X  |    |    | X     |    |
| Hospitals  |                  |    |    |    | X  |    |    | X  |    |    | X     |    |
| Instructional schools  |                  |    |    |    | X  |    |    | X  | X  |    | X     |    |
| Libraries, museums, and art galleries  | C                |    |    |    | X  | X  | X  | X  |    |    | X     |    |
| Research facilities  |                  |    |    |    | C  |    |    |    | X  | X  | X     |    |
| Residential care facilities (including halfway houses)   |                  |    |    |    | X  |    |    | X  |    |    |       |    |
| Residential care homes   |                  |    |    |    | X  | X  | X  | X  |    |    |       |    |
| Vocational schools   |                  |    |    |    | C  |    |    | C  | X  | X  | C     |    |
| <i>Office and Service Uses</i>   |                  |    |    |    |    |    |    |    |    |    |       |    |

| USES   | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|--|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|  | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Animal services (no outdoor kennels)                                 |                  |    |    |    |    |    | X  | X  | X  |    | X     |       |
| Animal services (with outdoor kennels)                               |                  |    |    |    |    |    |    | C  | C  |    | C     | 4.5.1 |
| Automobile services (no vehicle storage)                             |                  |    |    |    |    |    | C  | X  | X  | X  | X     | 4.5.2 |
| Automobile services (with vehicle storage)                           |                  |    |    |    |    |    | C  | C  | C  | C  | C     | 4.5.2 |
| Banks, financial offices, and similar uses                           |                  |    |    |    | X  |    | X  | X  |    |    | X     |       |
| Barber and beauty shops  |                  |    |    |    |    | X  | X  | X  |    |    | X     |       |
| Bed and breakfast inns   | C                |    |    |    |    | X  | X  |    |    |    |       | 4.5.3 |
| Body piercing and tattoo studios                                     |                  |    |    |    |    |    | X  |    |    |    |       | 4.5.4 |
| Communications offices (no visible towers or transmission equipment) |                  |    |    |    | X  |    | X  | X  |    |    | X     |       |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |    |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|----|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR |
| Dry-cleaning and laundry establishments           |                  |    |    |    |    | X  | X  | X  |    |    | X     |    |
| Funeral homes and mortuaries                      |                  |    |    |    |    |    | X  | X  |    |    | X     |    |
| Hotels, motels, and inns                          |                  |    |    |    |    |    | X  | X  |    |    |       |    |
| Medical, dental, and optical clinics              |                  |    |    |    | X  | X  | X  | X  |    |    | X     |    |
| Offices, professional                             |                  |    |    |    | X  | X  | X  | X  |    |    | X     |    |
| Repair services (indoor)                          |                  |    |    |    |    |    | X  | X  |    |    | X     |    |
| Services, other                                   |                  |    |    |    | C  | C  | C  | C  | C  | C  | C     |    |
| Studios for artists, designers, and photographers | C                | C  | C  | C  | X  | X  | X  | X  |    |    | X     |    |
| Tailoring services                                |                  |    |    |    |    | X  | X  | X  |    |    | X     |    |
| <i>Retail Uses</i>                                |                  |    |    |    |    |    |    |    |    |    |       |    |
| Alcohol beverage packaged, retail sales           |                  |    |    |    |    |    |    | X  |    |    | X     |    |

| USES   | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|--|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|  | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Automobile sales or rental                                     |                  |    |    |    |    |    | C  | C  | C  |    | C     | 4.6.1 |
| Convenience stores (no automotive services)                    |                  |    |    |    |    | X  | X  | X  |    |    | X     |       |
| Heavy equipment sales or rental                                |                  |    |    |    |    |    |    | C  | C  |    | C     | 4.6.1 |
| Manufactured home sales  |                  |    |    |    |    |    |    | C  | C  |    | C     | 4.6.1 |
| Newsstands   |                  |    |    |    |    | X  | X  | X  |    |    | X     |       |
| Outdoor market (including farmers markets, flea markets, etc.) |                  |    |    |    |    |    | C  | C  |    |    | C     | 4.6.2 |
| Restaurants (no drive-through)                                 |                  |    |    |    |    | C  | X  | X  |    |    | X     |       |
| Restaurants (with drive-through)                               |                  |    |    |    |    | C  | C  | C  |    |    | C     | 4.9.2 |
| Retail uses, less than 20,000 square feet (indoor)             |                  |    |    |    |    | C  | X  | X  | C  |    | C     |       |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Retail uses, 20,000 square feet or greater (indoor)   |                  |    |    |    |    |    | C  | C  |    |    | C     |       |
| Retail accessory use in conjunction with principal use—Max. size is no more than 20% of gross floor area of the principal use |                  |    |    |    |    |    |    |    | X  | X  | X     | 4.6.3 |
| <i>Recreation and Entertainment Uses</i>  |                  |    |    |    |    |    |    |    |    |    |       |       |
| Adult establishments  |                  |    |    |    |    |    |    |    |    | C  |       | 4.7.1 |
| Amusement center  |                  |    |    |    |    |    | X  | X  |    |    |       |       |
| Bars and nightclubs   |                  |    |    |    |    |    |    |    |    |    |       |       |
| Billiards, pool halls, and bowling alleys   |                  |    |    |    |    |    |    | X  |    |    |       |       |
| Circuses, carnivals, fairs, side-shows  |                  |    |    |    |    |    |    |    |    | X  |       |       |
| Family campgrounds  | C                |    |    |    |    |    |    | C  |    |    |       | 4.7.2 |
| Golf courses  | C                | C  | C  | C  | X  |    |    |    |    |    |       |       |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Electronic gaming operations  |                  |    |    |    |    |    | C  | C  |    | C  |       | 4.6.4 |
| Parks (public)  | X                | X  | X  | X  | X  | X  | X  | X  | X  | X  | X     |       |
| Swimming pools (principal use)  | C                | C  | C  | C  |    |    |    |    |    |    |       | 4.7.3 |
| Swimming pools (residential accessory use)  | X                | X  | X  | X  | X  | X  | X  |    |    |    |       | 4.2.2 |
| Theater (indoor)  |                  |    |    |    |    |    | X  | X  |    |    | X     |       |
| Theater (outdoor)   |                  |    |    |    |    |    | C  | C  |    |    |       |       |
| <i>Industrial, Manufacturing, Warehousing, Wholesale, Distribution, and Transportation Uses</i> |                  |    |    |    |    |    |    |    |    |    |       |       |
| Automobile parking lots (principal)   |                  |    |    |    |    |    | C  | X  |    |    |       |       |
| Automobile parking structures   |                  |    |    |    |    |    | C  | X  | X  | X  | X     |       |
| Junk yards, salvage yards, recycling operations, and similar uses                               |                  |    |    |    |    |    |    |    |    | C  |       | 4.8.1 |
| Bus repair and storage terminals  |                  |    |    |    |    |    |    |    | X  | X  |       |       |

| USES   | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|--|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|  | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Bus terminals for passengers                         |                  |    |    |    |    |    |    | X  |    |    |       |       |
| Cabinet and woodworking shops                        |                  |    |    |    |    |    |    |    | X  | X  | X     |       |
| Contractors shops and storage yards                  |                  |    |    |    |    |    |    |    | X  |    | X     |       |
| Distribution uses (accessory)                        |                  |    |    |    |    |    |    | X  | X  | X  | X     |       |
| Distribution uses (principal)                        |                  |    |    |    |    |    |    | C  | X  | X  | X     |       |
| Energy production (solar farm)                       | C                |    |    |    |    |    |    |    |    | C  |       | 4.8.2 |
| Foundries producing iron and steel products          |                  |    |    |    |    |    |    |    |    | X  |       |       |
| Hazardous material storage                           |                  |    |    |    |    |    |    |    |    | C  |       |       |
| Industrial equipment machinery, repair and servicing |                  |    |    |    |    |    |    |    | X  | X  | X     |       |
| Industrial research facilities                       |                  |    |    |    |    |    |    |    | X  | X  |       |       |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Lumber yards, building materials storage and sale |                  |    |    |    |    |    |    | C  | X  | X  |       |       |
| Manufacturing, heavy                              |                  |    |    |    |    |    |    |    |    | C  |       |       |
| Manufacturing, light                              |                  |    |    |    |    |    |    | C  | X  | X  | X     |       |
| Machine shops                                     |                  |    |    |    |    |    |    |    | X  | X  | X     |       |
| Manufactured home manufacturing                   |                  |    |    |    |    |    |    |    |    | C  |       |       |
| Printing and publishing establishments            |                  |    |    |    |    |    |    | X  | X  | X  | X     |       |
| Quarrying   |                  |    |    |    |    |    |    |    |    | C  |       | 4.8.3 |
| Railroad freight yards                            |                  |    |    |    |    |    |    |    |    | X  |       |       |
| Railroad stations                                 |                  |    |    |    |    |    | C  | X  | X  |    | X     |       |
| Sheet metal shops                                 |                  |    |    |    |    |    |    |    | X  | X  | X     |       |
| Sign painting, exclusive of manufacturing         |                  |    |    |    |    |    |    | X  | X  |    | X     |       |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |       |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|-------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR    |
| Taxicab stand or office   |                  |    |    |    |    |    |    | X  |    |    |       |       |
| Tire recapping and retreading                                   |                  |    |    |    |    |    |    |    | X  | X  |       |       |
| Trucking terminals  |                  |    |    |    |    |    |    |    | X  | X  |       |       |
| Warehouse uses (accessory)                                      |                  |    |    |    |    |    |    | X  | X  | X  | X     |       |
| Warehouse uses (principal)                                      |                  |    |    |    |    |    |    |    | X  | X  | X     |       |
| Warehouse, mini   |                  |    |    |    |    |    |    | C  | X  | X  | X     |       |
| Wholesale uses  |                  |    |    |    |    |    |    |    | X  | X  | X     |       |
| <i>Agricultural Uses</i>  |                  |    |    |    |    |    |    |    |    |    |       |       |
| Bona-fide farm (excluding hogs)                                 | X                | X  |    |    | X  |    |    |    | X  | X  |       | 4.9.1 |
| Greenhouse or horticultural nursery (including outdoor storage) |                  |    |    |    |    |    |    |    | X  | X  | X     |       |

| USES   | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |        |
|--|------------------|----|----|----|----|----|----|----|----|----|-------|--------|
|  | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR     |
| Greenhouses and gardens which are incidental to a residential use and conducted on a non-commercial basis only | X                | X  | X  | X  |    |    |    |    |    |    |       |        |
| Produce stands (permanent)   | X                |    |    |    |    |    |    |    |    |    |       | 4.9.2  |
| <i>Other Uses</i>  |                  |    |    |    |    |    |    |    |    |    |       |        |
| Accessory structures (non-residential)   |                  |    |    |    | X  | X  | X  | X  | X  | X  | X     | 4.10.1 |
| Drive-through/drive-in uses (for permitted uses, excluding restaurants)  |                  |    |    |    |    | X  | X  | X  |    |    |       | 4.10.2 |
| Outdoor storage (associated with permitted non-residential use)  |                  |    |    |    |    |    |    | C  | C  | X  | C     | 4.10.3 |

| USES  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |       |        |
|---|------------------|----|----|----|----|----|----|----|----|----|-------|--------|
|   | RR               | RL | RM | RH | OI | NB | CB | HB | LI | HI | DT/LI | SR     |
| Outdoor storage-industrial park (associated with permitted non-residential use) |                  |    |    |    |    |    |    |    | X  | X  |       | 4.10.3 |
| Parking of recreational and commercial vehicles (residential districts)         | X                | X  | X  | X  |    |    |    |    |    |    |       | 4.10.4 |
| Telecommunications towers   |                  |    |    |    |    |    |    | C  | C  | C  | C     | 4.10.5 |
| Temporary uses  | X                | X  | X  | X  | X  | X  | X  | X  | X  | X  | X     | 4.10.6 |
| Utility facilities (except service or storage yards)                            | C                | C  | C  | C  | C  | C  | C  | C  | X  | X  | C     |        |

STATEMENT of CONSISTENCY and REASONABLENESS  
for the  
ADOPTION of the TOWN of GRANITE QUARRY DEVELOPMENT ORDINANCE  
AMENDMENT

**WHEREAS**, the Granite Quarry Town Board of Aldermen adopted the 2000 Comprehensive Land Use Plan Update on January 6, 2020 hereafter referred to as the “Plan”; and

**WHEREAS**, the Town Board of Aldermen finds it necessary to modify the unified development ordinance to maintain consistency with the Plan; and

**WHEREAS**, prior to adopting or rejecting any zoning ordinance or amendment thereto, the Town Board of Aldermen must, in accordance with G.S. 160D-605, adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explain why the Town Board of Aldermen considers the action taken to be reasonable and in the public interest.

**THEREFORE**, the Town Board of Aldermen hereby finds the adoption of the map amendment to the Unified Development Ordinance is consistent with the Plan in that standards, specifications and policies set forth in the new Granite Quarry Unified Development Ordinance (UDO) will support the expansion of the Town of Granite Quarry economy, preserve the character of the Town through practical standards for land use and development, and support the protection of natural resources as required by both Federal and State of North Carolina statutes. The map amendment is deemed reasonable in the way it will facilitate carrying out the goals of the Plan through each of the following:

1. Establish environmentally responsible yet business oriented common-sense principles aimed to protect both the local environment and property rights,
2. Minimize negative impacts on the natural and fiscal resources of Granite Quarry,
3. Minimize negative impacts on local property tax and utility rate payers,
4. Welcome those future residents and businesses seeking to contribute to the success of the Town’s efforts to establish a resilient sustainable and stable local economy,
5. Reinforce the tax base,
6. Expand opportunities for local business success, and
7. Promote the health, safety and welfare of the citizens, businesses, and property owners of Granite Quarry.

**Recommended** this the 6<sup>th</sup> day of September 2022

\_\_\_\_\_  
Richard Luhrs, Chair per G.S 160D-604(d)

**Adopted** this the 12<sup>th</sup> day of September 2022

\_\_\_\_\_  
Brittany Barnhardt, Mayor per G.S. 160D-605

Attest: \_\_\_\_\_  
Aubrey Smith, Town Clerk

STATEMENT of CONSISTENCY and REASONABLENESS  
for the  
ADOPTION of the TOWN of GRANITE QUARRY DEVELOPMENT ORDINANCE  
AMENDMENT

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**THEREFORE**, the Town Board of Aldermen hereby finds the adoption of the map amendment to the Unified Development Ordinance is not consistent with the Plan in that standards, specifications and policies set forth in the new Granite Quarry Unified Development Ordinance (UDO) will support the expansion of the Town of Granite Quarry economy, preserve the character of the Town through practical standards for land use and development, and support the protection of natural resources as required by both Federal and State of North Carolina statutes. The map amendment is **not** deemed reasonable in the way it will facilitate carrying out the goals of the Plan through each of the following:

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Richard Luhrs, Chair per G.S 160D-604(d)

**Adopted** this the 12<sup>th</sup> day of September 2022

\_\_\_\_\_  
Brittany Barnhardt, Mayor per G.S. 160D-605

Attest: \_\_\_\_\_  
Aubrey Smith, Town Clerk

**Agenda Item Summary**

Regular Monthly Meeting

September 6, 2022

Agenda Item 4

**Ord. 2022-10 ZBA**

Summary

The proposed text amendments to UDO 15.5.3 are for clarification.

Attachments

- Ordinance 2022-10
- Statement of Consistency

Action Requested

***Motion to (recommend / not recommend) Ordinance 2022-10 to adopt the amendments to the UDO for Zoning Board of Adjustment duties and adopt the Statement of Consistency as presented.***

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)

## ORDINANCE NO. 2022-10

### 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 Chapter 15. – ADMINISTRATION Sec. 15.5. – Board of adjustment is hereby amended to read as follows:

##### **15.5.3 Proceedings of the Board of Adjustment.**

- ~~A.~~ The Board shall adopt rules and by-laws in accordance with the provisions of this Ordinance and of Article 19, Chapter 160A of the General Statutes of North Carolina [G.S. Chapter 160A, Article 19]. *The rules of procedure provide guidelines and regulations for the following: general rules, officers and duties, members, rules of conduct for members, meetings, appeals and applications, and amendments.*
- ~~B.~~ *Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Vice Chairman, may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the Board shall be open to the public. Covered in Rules of Procedure in more detail.*
- ~~C.~~ *The Chairman of the Board of Adjustment, or in his absence the Vice Chairman, may appoint alternates to sit for any regular members in case of the absence or disqualification of any regular members. In such case the alternate members shall have the same powers and duties of the regular members they are replacing during such time. In no case, however, shall more than five (5) regular members or combination of regular members and the alternate members be empowered to make motions or to vote on any matter that comes before the Board involving this ordinance. The ZBA no longer has alternates.*
- ~~D.~~ *The concurring vote four-fifths (4/5) of the Board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the Board for calculation of the requisite majority if there are no qualified alternates to take the place of such members. The Rules of Procedure cleanup and clarify this statement.*
- ~~E.~~ *In other Board business, such as procedural and by-law matters, a simple majority of a quorum shall be required to pass on any matter.*
- ~~F.~~ *Board of Adjustment members shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that*

~~member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. Covered in Rules of Procedure in more detail.~~

~~G. The zoning Board of Adjustment shall elect a chairman and a vice chairman from its members who shall serve for one (1) year, until reelected, or until their successors are elected. Covered in Rules of Procedure in more detail.~~

~~H. The board shall appoint a secretary, who may be a municipal officer, an employee of the Town of Granite Quarry, a member of the planning board, a member of the zoning Board of Adjustment, or any local citizen. Covered in Rules of Procedure in more detail.~~

**Section 2.** All ordinances in conflict herewith are repealed to the extent of any such conflict.

**Section 3.** This ordinance is effective on the \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Brittany H. Barnhardt, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Aubrey Smith, Town Clerk

\_\_\_\_\_  
Carl M. Short, Town Attorney

**ORDINANCE NO. 2022-10**

**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 Chapter 15. – ADMINISTRATION Sec. 15.5. – Board of adjustment is hereby amended to read as follows:

**15.5.3 *Proceedings of the Board of Adjustment.***

The Board shall adopt rules and by-laws in accordance with the provisions of this Ordinance and of Article 19, Chapter 160A of the General Statutes of North Carolina [G.S. Chapter 160A, Article 19]. The rules of procedure provide guidelines and regulations for the following: general rules, officers and duties, members, rules of conduct for members, meetings, appeals and applications, and amendments.

**Section 2.** All ordinances in conflict herewith are repealed to the extent of any such conflict.

**Section 3.** This ordinance is effective on the \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Brittany H. Barnhardt, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Aubrey Smith, Town Clerk

\_\_\_\_\_  
Carl M. Short, Town Attorney

STATEMENT of CONSISTENCY and REASONABLENESS  
for the  
ADOPTION of the TOWN of GRANITE QUARRY DEVELOPMENT ORDINANCE  
AMENDMENT

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**Recommended** this the 6<sup>th</sup> day of September 2022

\_\_\_\_\_  
Richard Luhrs, Chair per G.S 160D-604(d)

**Adopted** this the 12<sup>th</sup> day of September 2022

\_\_\_\_\_  
Brittany Barnhardt, Mayor per G.S. 160D-605

Attest: \_\_\_\_\_  
Aubrey Smith, Town Clerk