



**Town of
GRANITE QUARRY**
TOWN OF GRANITE QUARRY
PLANNING BOARD
BOARD OF ADJUSTMENT
REGULAR MEETING AGENDA
July 1, 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

None

Old Business

3. Ordinance Review

Article 8 Review – Permitted Uses

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 **June 3, 2024**

New Business

3. Election

Chair

4. 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.

ACTION REQUESTED: Motion to recommend appointment of alternate Board of Adjustment member Jerry Holshouser to the vacant seat T3 with a term expiration of 7/31/2026.

Old Business

5. Review and Possible Action

Rules of Procedure

Adjourn or Continue

Planning Board

Reconvene Planning Board Meeting

Old Business - *Continued*

3. 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