



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN
REGULAR MEETING
Monday, October 9, 2023
6:00 p.m.**

Call to Order

Moment of Silence

Pledge of Allegiance

1. Approval of Agenda

2. Approval of Consent Agenda

A. Approval of the Minutes

1) Regular Meeting September 11, 2023

2) Closed Session Meeting September 11, 2023 (*provided to the Board as a handout*)

B. Departmental Reports

C. Financial Reports

D. 2024 Schedules

- 2024 Board of Aldermen Regular Meeting Schedule / Holiday Closing Schedule
- 2024 Planning Board Meeting Schedule

3. Citizen Comments

(All comments are limited to 3 minutes. No sharing of minutes with other citizens.)

4. Town Manager Update

5. Guest Presentation

**Charter Amendment Process and Timeline
Tom Carruthers, NCLM Deputy General Counsel**

6. Public Hearing

GQDO Amendment – Article 11

A. Staff Summary

B. Public Hearing

C. Board Discussion and Decision

ACTION REQUESTED: Motion to adopt Ordinance ZTA-2023-10-09 to amend the Granite Quarry Development Ordinance Article 11.

Old Business

None

New Business

7. Discussion and Possible Action

Planning Board Draft Rules of Procedure

ACTION REQUESTED: Motion to adopt the replacement drafted Planning Board Rules of Procedure.

8. Proclamations

- Breast Cancer Awareness Month October
- Fire Prevention Week October 8-14, 2023
- Veterans Day November 11, 2023

9. Board Comments

10. Announcements and Date Reminders

- | | | | | |
|-----------|-----------|-------------|------------|---|
| A. | Wednesday | October 11 | 5:00 p.m. | Centralina Board of Delegates |
| B. | Wednesday | October 11 | 5:30 p.m. | Events Committee |
| C. | Friday | October 13 | 11:00 a.m. | FD Auxiliary Port-a-Pit |
| D. | Saturday | October 14 | | Fiddler’s Convention |
| E. | Monday | October 16 | 6:00 p.m. | Zoning Board of Adjustment |
| F. | Tuesday | October 17 | 3:30 p.m. | Revitalization Team |
| G. | Thursday | October 19 | 7:30 a.m. | Power in Partnership Breakfast |
| H. | Saturday | October 21 | 1:00 p.m. | Granite Fest |
| I. | Wednesday | October 25 | 5:30 p.m. | CRMPO TAC |
| J. | Thursday | October 26 | 5:30 p.m. | Community Appearance Commission |
| K. | Thursday | October 26 | 6:00 p.m. | Rowan Municipal Association |
| L. | Tuesday | October 31 | 5:00 p.m. | FD Trunk-or-Treat |
| M. | Monday | November 6 | 6:00 p.m. | Planning Board |
| N. | Tuesday | November 7 | | Election Day |
| O. | Wednesday | November 8 | 5:00 p.m. | Centralina Executive Board |
| P. | Thursday | November 9 | 5:30 p.m. | Community Appearance Commission |
| Q. | Friday | November 10 | | Office Closed in Observance of Veterans Day |
| R. | Saturday | November 11 | | Veterans Day |

Adjourn

Agenda Item Summary

Regular Meeting

October 9, 2023

Agenda Item 1

Summary:

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

Action Requested:

Motion to adopt the October 9, 2023 Board of Aldermen Meeting Agenda (as presented / as amended).

Approval of Agenda

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Second By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

For:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Against:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

In case of tie:

Mayor Brittany Barnhardt

- For
- Against

Agenda Item Summary

Regular Meeting

October 9, 2023

Agenda Item 2

Summary:

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

A. Approval of the Minutes

- 1) Regular Meeting September 11, 2023
- 2) Closed Session Meeting September 11, 2023 *(provided to the Board as a handout)*

B. Departmental Reports

C. Financial Reports

D. 2024 Schedules

- 2024 Board of Aldermen Regular Meeting Schedule / Holiday Closing Schedule
- 2024 Planning Board Meeting Schedule

Action Requested:

Motion to approve the consent agenda (as presented / as amended).

Approval of Consent Agenda

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Second By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

For:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Against:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

In case of tie:

Mayor Brittany Barnhardt

- For
- Against



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN
REGULAR MEETING MINUTES
Monday, September 11, 2023 6:00 p.m.**

Present: Mayor Brittany Barnhardt, Alderman Jim Costantino, Alderman Doug Shelton, Alderman Jeff Cannon

Not Present: Mayor Pro Tem John Linker

Staff: Town Manager Larry Smith, Town Clerk Aubrey Smith, Town Attorney Zachary Moretz, Finance Officer Shelly Shockley, Police Sergeant Richard Tester, Police Officer Joshua Atkins, Police Investigator Todd Taylor, Police Officer David Earnhardt

Call to Order: Mayor Barnhardt called the meeting to order at 6:00 p.m.

Moment of Silence: Mayor Barnhardt led a moment of silence.

Pledge of Allegiance: The Pledge of Allegiance was led by Mayor Barnhardt.

1. Approval of the Agenda

ACTION: Alderman Shelton made a motion to approve the agenda as presented. Alderman Costantino seconded the motion. The motion passed 3-0.

2. Approval of the Consent Agenda

A. Approval of the Minutes

- 1) Regular Meeting August 14, 2023
- 2) Special Meeting Minutes August 31, 2023

B. Departmental Reports

C. Financial Reports

D. Community Appearance Commission Appointment

ACTION: Alderman Costantino made a motion to approve the consent agenda. Alderman Shelton seconded the motion. The motion passed 3-0.

3. Citizen Comments:

- Marilyn Michael of 1309 Wrenwood Court thanked the Manager, Town staff, Mayor, Board of Aldermen, Rick Flowe of N-Focus, and the Planning Board led by Chairman Luhrs for all the hard work involved in developing the new Granite Quarry Development Ordinance.

4. **Town Manager's Update**

Manager Smith reviewed items from his report found in the agenda packet including a growth and planning update and an update on transformational projects. A meeting with Representative Warren earlier in the month regarding funding for the projects went well. Storm response and cleanup from first responders and Public Works was excellent. Tomorrow at the Faith Board meeting Manager Smith will follow up on the growth and non-annexation agreements. Manager Smith gave a brief reminder that staff and Board communications conducting town business are public records. The best practice is to conduct all town business over email and in open meetings as applicable; text messages are more difficult to retain. Manager Smith shared there is a temporary hiring and recruitment bonus in place for the PD.

Manager Smith called on Sergeant Tester who recognized Officer Earnhardt for being awarded his Advanced Law Enforcement Certificate from the North Carolina Department of Justice Criminal Justice Standards Division. To earn the certificate Officer Earnhardt had to complete more than 960 hours of training beyond the required in-service.

Old Business

None

New Business

5. **Discussion and Possible Action**

Salary Adjustment for Retiring Employees Policy

Manager Smith shared that during discussions on recruitment and retention with the League of Municipalities, he learned that the City of Burlington has had success with a policy that incentivizes advanced notification of retirement. A similar policy was drafted for the Board's consideration for use in the Town of Granite Quarry. During discussion Board members asked questions for clarification and stated their concerns with the policy. Mayor Barnhardt expressed an interest in recognizing years of service and the Board discussed possible changes to the current longevity program.

ACTION: Alderman Shelton made a motion to table the policy until budget discussions. Alderman Costantino seconded the motion. The motion passed 3-0.

6. **Budget Amendment**

Town Hall Roof Repair

The Board reviewed the budget amendment for Town Hall roof repair. There was discussion on the line for funding.

ACTION: Alderman Shelton made a motion to approve Budget Amendment #2 as presented. Alderman Costantino seconded the motion. The motion passed 3-0.

7. **Proclamation**

National Day of Service and Remembrance

Mayor Barnhardt read aloud the National Day of Service and Remembrance proclamation and proclaimed September 11, 2023 National Day of Service and Remembrance.

8. **Board Comments**

- Alderman Shelton asked whether it was time to do something with the Revitalization Team. Manager Smith shared there had been confusion in the past over the structure of the committee and that the original intent of the Revitalization Team was to advise on the Town Hall improvements. He stated that ideally a merchants group would become active and champion the development of a non-profit that could partner with the town on such projects as the downtown streetscape and Town Square. Alderman Shelton suggested making a decision regarding the status of the committee on next month's agenda. He stated he felt advisory boards and committees should be given very defined and specific mandates.

- Alderman Costantino pointed out the all-way stop is going up at Byrd Road and Faith Road.

9. Announcements and Date Reminders

A.	Wednesday	September 13	5:00 p.m.	Centralina Executive Board
B.	Thursday	September 14	5:30 p.m.	Community Appearance Commission
C.	Monday	September 18	6:00 p.m.	Zoning Board of Adjustment
D.	Tuesday	September 19	3:30 p.m.	Revitalization Team
E.	Thursday	September 21	7:30 a.m.	Power in Partnership Breakfast
F.	Wednesday	September 27	5:30 p.m.	CRMPO TAC
G.	Thursday	September 28	5:30 p.m.	Events Committee
H.	Monday	October 2	6:00 p.m.	Planning Board

10. Closed Session

ACTION: Alderman Shelton made a motion to go into closed session pursuant to N.C. General Statutes Section 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Alderman Costantino seconded the motion. The motion passed 3-0.

ACTION: Alderman Costantino made a motion to return to open session. Alderman Shelton seconded the motion. The motion passed 3-0.

During the Closed Session, the Board discussed the Town's stance on selling town-owned property. Once out of Closed Session, Alderman Shelton asked for a point of privilege to make a motion.

ACTION: Alderman Shelton made a motion that the Town establish a policy to not sell any town-owned properties for the foreseeable future. Alderman Costantino seconded the motion. The motion passed 3-0.

Mayor Barnhardt shared that during the closed session the following action was taken:

ACTION: Alderman Shelton made a motion to decline the offer to purchase. Alderman Cannon seconded the motion. The motion passed 3-0.

Adjourn

ACTION: Alderman Costantino made a motion to adjourn. Alderman Shelton seconded the motion. The motion passed 3-0.

The meeting ended at 7:10 p.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk

Planning Monthly Report

September 2023



Permits

5 Permit Applications

4 Permits Approved

0 Permits denied

Date	Address	Permit	Status
9-5-23	1023 S. Main St	Accessory Bldg.	Issued
9-20-23	107 W. Church St	Accessory Bldg.	Issued
9-26-23	175 Landmark Dr.	Home Occupation	Issued
9-28-23	304 Spruce Street	Fence	Issued

Planning/Zoning Review

Inquiry	Zoning	Comments
S. Main Street	RMST	9-12-23 meeting- considering dev. options
Lyerly Pond Road	SFR-2	9-12-23 meeting- considering dev. options
W. Church and N. Salisbury Ave	MS	9-12-23 meeting- consider vacant lot for dev.
Faith Rd	SFR-2	9-19-23 meeting to show options to owner

Planning Board. The Planning Board met on September 5, 2023 and recommended amendments to QQDO Article 11 and the Rules of Procedure to the Board of Aldermen.

Zoning Board of Adjustment. The Zoning Board of Adjustment did not have a quorum at its 9/18/2023 meeting.



September Work 2023 Public Works Report

- Normal Maintenance Duties Daily- (parks, cleaning, mowing, edging, service on equipment, limbs & sweeping)
- PM check on generator
- Nature trail maintenance weekly
- Filled various potholes
- Painted inside Civic shelter doors and base blocks
- Set up leaf vac for the season Starting 2nd week in Oct.
- Various new traffic signs replaced/repared
- Town signs trimmed and mulched
- Started prep work for Civic and Granite Fest
- Converted all vintage Christmas lights to LED for Lake

2007 Ford Truck	Mileage – 64,467	+43 miles
1995 Ford Dump Truck	Mileage – 45,670	+107 miles
2009 Ford Truck	Mileage – 94,854	+205 miles
2019 Ford Truck F350	Mileage – 21,067	+307 miles
2022 Chevy Silverado	Mileage – 17,790	+1,144 miles



Town of Granite Quarry Fire Department

Established May 15th, 1950

PO Box 351

www.granitequarrync.gov

Granite Quarry, NC

704/279-5596



Board Report October 2023

Chief Hord

Emergency Calls for Service September 2023

31 Calls in district

- 24- EMS (including strokes, falls, diabetic, CPR and other medical needs)
- 2- Overcooked food/Electrical issues
- 1- Grass Fire
- 1- Gas Leak/Haz Mat
- 1- Motor vehicle accidents
- 2- Public Assist

7 Calls to Salisbury

- 1- EMS
- 1- Structure fire
- 5- Cancelled en route

8 Calls to Rockwell Rural

- 3- EMS
- 1- Structure fire
- 3- Cancelled en route
- 1- Fire Alarm

6 Calls to South Salisbury cancelled en route

1 Call to Union MVA

3 Call to Rockwell City cancelled en route

1 Call to Faith cancelled en route

2 Calls to Millers Ferry cancelled en route

TOTAL – 59

ACTIVITIES

- Daily activities include apparatus & equipment checks, training, station maintenance, pre-plan development, hose and hydrant maintenance, water points, emergency response, public education, inspections, and the assistance of other divisions within the Town of GQ
- Monthly training included E.M.T continuing education and Joint Training with Faith F.D. & Rockwell Rural FD
- Multiple days of ladder training, water point training, hose evolutions, extrication tool familiarization, and district familiarization. Weekly shift training/ officer's choice
- Car Seat Check Station on Thursday from 1 p.m. to 4 p.m. – 8 seats installed/checked
- Grounds care on Thursdays
- GQ School visits on Thursdays
- Car seat event at Whittenburg Lutheran Church
- Pre-plan updates ongoing
- Multiple days planning October events
- Annual Maintenance completed on all apparatus

E-571

- Mileage – 22,416
- Hours – 2,012

E-572

- Mileage – 41,885
- Hours – 3,396.7

R-57

- Mileage – 38,669.7
- Hours – 3,564

SQ-57

- Mileage – 7,010
- Hours – 953



Granite Quarry-Faith Joint Police Authority

P.O. Box 351 • 143 North Salisbury Ave, Granite Quarry, NC 28072
Office: (704)279-2952 • Fax: (704)279-6648



Police Department Report October 2023

- Call volume report for the month of September 2023.
- See Attached for Total Calls for Service.
- Date of Report: 10/02/2023

- Total calls for service/activities – 925
 - 92 Officer Generated Calls
 - 91 Calls for Service
- Calls for service/activities Granite Quarry: 800
- Calls for service/activities Faith: 125
- Incident Reports- 9
- Arrest Reports- 4
- Crash Reports- 7
- Traffic Citations- 46

- The following is the ending and average mileage for each vehicle by month:

141 Ford Taurus-	End-	87,950
161 Ford Utility-	End-	84,175
171 Ford Utility -	End-	63,372
172 Ford Utility -	End-	106,235
173 Ford Utility -	End-	51,822
181 Ford F150 -	End-	98,247
191 Dodge Durango -	End-	53,570
201 Ford Utility-	End-	38,484
211 Ford Utility-	End-	20,000
212 Ford Utility-	End-	57,096

- Other Information:
 - Drug Collection Box. September 2023: 19.03 pounds collected.
 - September CID Report. 3 Cases assigned; 1 Cases cleared; 23 follow-ups conducted; 101 open assigned cases.
 - Officers completed 39 hours of in-service or continuing education training in Sept.

GQPD

Number of Events by Nature

CFS Granite Quarry Sept 2023

Nature	# Events
101C3 PAST PARENT ABDUCTION	1
103A2 FOUND PROPERTY	1
103A3 LOST PROPERTY	1
103O2 ADMIN/INFORMATION	4
104C2 COMMERCIAL BURG (INTRUSI	4
104C3 RESIDENTAL BURG (INTRUSI	2
105C2 ANIMAL-BARKING DOG	1
106B5 PAST ASSAULT	1
111D1 DAMAGE TO PROPERTY	2
111D2 MISCHIEF-DAMAGE TO PROP	1
113B2 OTHER NOISE COMPLAINT	3
113D1 DISTURBANCE / PHYSICAL	1
113D2 DISTURBANCE / VERBAL	3
115D1 DRIVING UNDER INFLUENCE	4
118B1 FRAUD-PAST CRIMINAL	1
119D3 HARASSMENT	2
122O2 MISC - INFORMATION	1
123B1 MISSING PERSON	1
125B1 CHECK WELFARE - ROUTINE	1
125B2 LOCKOUT - ROUTINE	1
125C1 KEEP THE PEACE	1
125D1 CHECK WELFARE-URGENT	2
129C1 SUSPICIOUS PERSON	7
129C3 SUSPICIOUS VEHICLE	7
129C5 SUSPICIOUS CIRCUMSTANCE	3
130B1 LARCENY (ALREADY OCC)	1
130D1 LARCENY	1
131B1 TRAFFIC ACCIDENT - PD	2
132B2 PARKING COMPLAINT	3

Nature	# Events
132B3 STALLED VEHICLE	1
133D1 TRESPASSING	2
135D1 ARMED SUBJECT	1
23C0A OVERDOSE (OVERRIDE)	1
23D2 OVERDOSE (UNCONSCIOUS)	1
23E1A OPIOID OVERDOSE (ACC)	1
77D4 TRAF ACC - VEH VS PED/BIK	1
911 HANG UP	5
ASSIST EMS	2
ASSIST MOTORIST	1
ATTEMPT TO LOCATE	1
BURGLARY ALARM	3
BUSINESS OR HOUSE CHECK	620
CODE ENFORCEMENT	1
COMMUNITY PROGRAM	2
DELIVER MESSAGE	5
FOLLOWUP	16
GENERAL INFORMATION	2
MISDIAL	9
PARK CHECK	7
REPOSSESSION	1
SCHOOL SECURITY CHECK	5
SEX OFFENDER CHECK	1
SUBPOENA SERVICE	3
TRAFFIC CHECK	6
TRAFFIC STOP	34
VEHICLE ACCIDENT PROP DAMAGE	3
WARRANT SERVICE	2
Total	800

GQPD

Number of Events by Nature

CFS Faith Sept 2023

Nature	# Events
102B1 PAST ABUSE	1
104C2 COMMERCIAL BURG (INTRUSI	4
104C3 RESIDENTAL BURG (INTRUSI	2
106B5 PAST ASSAULT	1
110B2 PAST RESIDENTIAL B&E	1
123B1 MISSING PERSON	1
125B1 CHECK WELFARE - ROUTINE	1
125B2 LOCKOUT - ROUTINE	1
129C3 SUSPICIOUS VEHICLE	1
129C5 SUSPICIOUS CIRCUMSTANCE	1
131O2 TRAFFIC - INFORMATION	1
132C1 SEVERE TRAFFIC VIOLATION	1
911 HANG UP	1
ASSIST EMS	1
ASSIST FIRE DEPT	1
BUSINESS OR HOUSE CHECK	76
DELIVER MESSAGE	2
MISDIAL	4
TRAFFIC CHECK	1
TRAFFIC CONTROL	10
TRAFFIC STOP	11
UNAUTHORIZED USE OF CONVEYANCE	1
WARRANT SERVICE	1
Total	125



Finance Department

Breakdown by Department:
As of September 30, 2023

Department	Budgeted	Encumbered	YTD	
Revenues:	<u>4,617,717</u>		<u>1,753,545</u>	<u>38%</u>
Total Revenues:	\$ 4,617,717		\$ 1,753,545	38%
Expenses:				
Governing Body	93,529	13,500	10,557	26%
Contingency & Transfers	1,014,146	-	108,578	0%
Administration	636,520	500	147,698	23%
Public Works	515,341	95,040	122,879	42%
Police	1,007,124	54,785	204,880	26%
Fire	732,897	14,850	163,703	24%
Streets	331,160	-	210,448	64%
Sanitation	193,250	-	41,888	22%
Parks & Recreation	<u>93,750</u>	<u>3,640</u>	<u>20,777</u>	<u>26%</u>
Total Expenses:	\$ 4,617,717	\$ 182,315	\$ 1,031,408	26%
Expense to Revenue:				59%

Please see the Budget Vs. Actual Report attached for individual line items

Revenues:					
Account	Budget	YTD	Variance	%	Notes
01-3100-12 Taxes - Budget Year	1,610,208	1,178,310	(431,898)	73%	
01-3100-17 Tax Penalties & Interest	4,000	1,093	(2,907)	27%	
01-3101-12 Taxes - Prior Years	8,000	1,527	(6,473)	19%	
01-3102-12 Vehicle Tax	144,188	45,765	(98,423)	32%	
01-3230-31 Local Option Sales Tax	1,118,010	364,245	(753,765)	33%	
01-3231-31 Solid Waste Disposal Tax	2,475	622	(1,853)	25%	
01-3316-32 Powell Pave & Patch Funds	90,000	45,830	(44,170)	51%	
01-3322-31 Beer & Wine - State	12,660	-	(12,660)	0%	
01-3324-31 Utilities Franchise Tax	141,387	32,668	(108,719)	23%	
01-3330-84 County First Responders	4,020	1,530	(2,490)	38%	
01-3413-89 Miscellaneous Revenue	2,700	611	(2,089)	23%	
01-3431-41 Police Authority Revenue_Faith	161,473	-	(161,473)	0%	
01-3431-45 Police Report Revenue	100	60	(40)	60%	
01-3431-89 Police Miscellaneous	1,100	153	(947)	14%	
01-3471-51 Environmental Fee Collection	184,750	31,314	(153,436)	17%	
01-3491-41 Subdivision & Zoning Fees	6,000	1,760	(4,240)	29%	
01-3613-41 Parks Miscellaneous	21,000	6,200	(14,800)	30%	
01-3713-33 Sal. Water/Sewer Reimbursement	50,000	-	(50,000)	0%	
01-3831-89 Interest on Investments	90,000	38,223	(51,777)	42%	
01-3834-41 Park Shelter Rentals	6,000	3,435	(2,565)	57%	1
01-3835-81 Surplus items Sold	1,000	200	(800)	20%	
01-3837-31 ABC Net Revenue-Co.	11,500	-	(11,500)	0%	
01-3991-99 Fund Balance Appropriated	947,146	-	(947,146)	0%	2
	4,617,717	1,753,545	(2,864,172)	38%	

Notes:

- 1 Includes GQ Civitans annual rental fee of \$1,200
- 2 Fund Balance Appropriated = Budget as Adopted + Budget Amendments as follows:

Budget as Adopted	938,146.00
BA #1 Legion Building Roof	9,000.00
Total Fund Balance Appropriated	947,146.00

Governing Body:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4110-02 Mayor/Aldermen Salary	18,745	-	-	18,745	0%	
01-4110-09 FICA Expense	1,434	-	-	1,434	0%	
01-4110-14 Insurance - Workers Comp	50	-	32	18	63%	
01-4110-18 Professional Services	33,500	13,500	2,214	17,786	47%	3
01-4110-26 Office Expense	900	-	-	900	0%	
01-4110-31 Training & Schools	900	-	-	900	0%	
01-4110-40 Dues & Subscriptions	16,250	-	5,882	10,368	36%	
01-4110-45 Insurance & Bonds	2,000	-	1,880	120	94%	4
01-4110-60 Special Projects	15,200	-	350	14,850	2%	
01-4110-61 Grants - Nonprofit Grant Program	350	-	200	150	57%	
01-4110-63 Elections	4,200	-	-	4,200	0%	
	93,529	13,500	10,557	69,472	26%	

Notes:

- 3 Audit contract is encumbered
- 4 Paid once annually at the beginning of the fiscal year

Contingency & Transfers:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-9820-96 Transfer to Capital Reserve Fund	76,000	-	76,000	-	100%	
01-9840-96 Transfer to Capital Project Funds	938,146	-	32,578	905,568	3%	5
	1,014,146	-	108,578	905,568	11%	

Notes:

- 5 Transfer to Transformational Project GPO

Administration:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4120-00 Salaries - Regular	301,925	-	62,277	239,648	21%	
01-4120-03 Salaries - Longevity	1,000	-	-	1,000	0%	
01-4120-07 401K Expense	15,097	-	3,114	11,983	21%	
01-4120-09 FICA Expense	23,174	-	4,671	18,503	20%	
01-4120-10 Retirement Expense	39,017	-	8,021	30,996	21%	
01-4120-11 Group Insurance	41,500	-	8,272	33,228	20%	
01-4120-14 Insurance - Workers Comp	500	-	425	75	85%	6
01-4120-17 Insurance – HRA/Admin Cost	1,200	-	300	900	25%	
01-4120-18 Professional Services	93,900	-	19,417	74,483	21%	
01-4120-22 Banquet Expense	1,700	-	-	1,700	0%	
01-4120-26 Office Expense	9,500	-	1,396	8,104	15%	
01-4120-31 Training & Schools	9,500	500	3,618	5,382	43%	
01-4120-32 Telephone/Communications	4,400	-	951	3,449	22%	
01-4120-33 Utilities	5,200	-	1,207	3,993	23%	
01-4120-34 Printing	6,000	-	1,358	4,642	23%	
01-4120-37 Advertising	2,600	-	170	2,430	7%	
01-4120-40 Dues & Subscriptions	2,650	-	561	2,089	21%	
01-4120-44 Contracted Services	43,807	-	10,158	33,649	23%	
01-4120-45 Insurance & Bonds	6,200	-	6,182	18	100%	6
01-4120-62 Committees - CAC	500	-	-	500	0%	
01-4120-68 Tax Collection	27,150	-	15,597	11,553	57%	
	636,520	500	147,698	488,322	23%	

Notes:

6 Paid once annually at the beginning of the fiscal year

Public Works:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4190-00 Salaries - Regular	146,665	-	30,993	115,672	21%	
01-4190-02 Salaries - Part-Time	70,000	-	14,726	55,274	21%	
01-4190-03 Salaries - Longevity	1,150	-	-	1,150	0%	
01-4190-07 401K Expense	7,334	-	1,527	5,807	21%	
01-4190-09 FICA Expense	16,663	-	3,462	13,201	21%	
01-4190-10 Retirement Expense	19,039	-	3,974	15,065	21%	
01-4190-11 Group Insurance	25,500	-	5,017	20,483	20%	
01-4190-14 Insurance - Workers Comp	7,200	-	6,228	972	87%	7
01-4190-20 Motor Fuel	16,000	-	2,205	13,795	14%	
01-4190-21 Uniforms	1,500	-	471	1,029	31%	
01-4190-24 Maint & Repair - Bldgs/Grounds	131,215	93,000	28,928	9,287	93%	8
01-4190-25 Maint & Repair - Vehicles	7,000	-	394	6,606	6%	
01-4190-29 Supplies & Equipment	15,000	1,500	3,841	9,659	36%	
01-4190-31 Training & Schools	200	-	-	200	0%	
01-4190-32 Telephone/Communications	900	-	231	669	26%	
01-4190-33 Utilities	3,750	-	853	2,897	23%	
01-4190-34 Printing	25	-	4	21	15%	
01-4190-35 Maint & Repairs - Equipment	9,000	-	1,369	7,631	15%	
01-4190-40 Dues & Subscriptions	6,900	-	6,656	245	96%	9
01-4190-44 Contracted Services	19,500	540	1,696	17,264	11%	
01-4190-45 Insurance & Bonds	4,800	-	4,794	6	100%	7
01-4190-58 Cap Outlay - Bldg/Infrastructure	6,000	-	5,509	491	92%	10
	515,341	95,040	122,879	297,422	42%	

Notes:

- 7 Paid once annually at the beginning of the fiscal year
- 8 Town Hall Roof is encumbered (minus deposit)
- 9 Includes IWorQ System
- 10 Carport at Quarry

Police:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4310-00 Salaries - Regular	553,925	-	101,738	452,187	18%	
01-4310-02 Salaries - Part-Time	8,000	-	820	7,180	10%	
01-4310-03 Salaries - Longevity	2,500	-	-	2,500	0%	
01-4310-07 401K Expense	27,697	-	5,082	22,615	18%	
01-4310-09 FICA Expense	43,179	-	7,769	35,411	18%	
01-4310-10 Retirement Expense	78,123	-	14,270	63,853	18%	
01-4310-11 Group Insurance	93,500	-	19,099	74,401	20%	
01-4310-14 Insurance - Workers Comp	11,500	-	8,999	2,501	78%	11
01-4310-20 Motor Fuel	32,000	-	5,710	26,290	18%	
01-4310-21 Uniforms	4,400	-	295	4,105	7%	
01-4310-25 Maint & Repair - Vehicles	9,000	-	356	8,644	4%	
01-4310-26 Office Expense	1,500	-	340	1,160	23%	
01-4310-29 Supplies & Equipment	21,650	-	4,506	17,144	21%	
01-4310-31 Training & Schools	5,000	500	1,119	3,381	32%	
01-4310-32 Telephone/Communications	8,200	-	2,190	6,010	27%	
01-4310-33 Utilities	1,900	-	429	1,471	23%	
01-4310-34 Printing	1,000	-	373	627	37%	
01-4310-35 Maint & Repair - Equipment	2,000	-	92	1,908	5%	
01-4310-40 Dues & Subscriptions	4,800	-	1,621	3,179	34%	
01-4310-44 Contracted Services	23,250	-	13,795	9,455	59%	
01-4310-45 Insurance & Bonds	16,000	-	15,895	105	99%	11
01-4310-54 Cap Outlay - Vehicles	58,000	54,285	383	3,332	94%	12
	1,007,124	54,785	204,880	747,459	26%	

Notes:

- 11 Paid once annually at the beginning of the fiscal year
- 12 Vehicle and upfit are encumbered

Fire:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4340-00 Salaries - Regular	290,500	-	53,477	237,023	18%	
01-4340-02 Salaries - Part-Time	184,275	-	49,733	134,542	27%	
01-4340-03 Salaries - Longevity	2,200	-	-	2,200	0%	
01-4340-07 401K Expense	15,520	-	2,949	12,571	19%	
01-4340-09 FICA Expense	36,489	-	7,844	28,645	21%	
01-4340-10 Retirement Expense	40,263	-	7,555	32,708	19%	
01-4340-11 Group Insurance	54,000	-	6,678	47,322	12%	
01-4340-14 Insurance - Workers Comp	10,585	-	8,592	1,993	81%	13
01-4340-17 Firemen's Pension Fund	1,725	-	10	1,715	1%	
01-4340-20 Motor Fuel	8,500	-	1,885	6,615	22%	
01-4340-21 Uniforms	3,500	-	157	3,343	4%	
01-4340-25 Maint & Repair - Vehicles	10,000	850	2,221	6,929	31%	
01-4340-26 Office Expense	150	-	-	150	0%	
01-4340-29 Supplies & Equipment	30,000	14,000	4,023	11,977	60%	
01-4340-31 Training & Schools	2,500	-	1,164	1,336	47%	
01-4340-32 Telephone/Communications	5,400	-	1,499	3,901	28%	
01-4340-33 Utilities	6,800	-	1,600	5,200	24%	
01-4340-34 Printing	275	-	96	179	35%	
01-4340-35 Maint & Repair - Equipment	4,500	-	70	4,430	2%	
01-4340-40 Dues & Subscriptions	3,850	-	372	3,478	10%	
01-4340-44 Contracted Services	10,000	-	1,923	8,077	19%	
01-4340-45 Insurance & Bonds	11,865	-	11,854	11	100%	13
	732,897	14,850	163,703	554,344	24%	

Notes:

13 Paid once annually at the beginning of the fiscal year

Streets:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4510-18 Professional Services	1,000	-	-	1,000	0%	
01-4510-29 Supplies & Equipment	2,400	-	-	2,400	0%	
01-4510-39 Maint & Repair	30,000	-	-	30,000	0%	
01-4510-99 Unappropriated Fund Balance	56,600	-	-	56,600	0%	
01-4511-33 Utilities - Street Lights	38,000	-	9,867	28,133	26%	
01-4511-39 Other Services	300	-	-	300	0%	
01-4511-71 Debt Service - Principal	202,860	-	200,581	2,279	99%	14
	331,160	-	210,448	120,712	64%	

Notes:

14 Streets loan paid in full

Sanitation:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-4710-44 Contracted Services	193,250	-	41,888	151,362	22%	
	193,250	-	41,888	151,362	22%	

Notes:

Parks & Rec:						
Account	Budget	Encum.	YTD	Variance	%	Notes
01-6130-24 Maint & Repair - Bldgs/Grounds	35,000	500	10,486	24,014	31%	
01-6130-29 Supplies & Equipment	10,000	-	2,210	7,790	22%	
01-6130-32 Telephone/Communications	6,000	-	1,815	4,185	30%	
01-6130-33 Utilities	17,000	-	5,244	11,756	31%	
01-6130-44 Contracted Services	1,500	-	-	1,500	0%	
01-6130-62 Committees - PERC	24,250	3,140	1,022	20,088	17%	
	93,750	3,640	20,777	69,333	26%	

Notes:

Town of Granite Quarry, North Carolina
Capital Project Ordinance # 2020-04
FEMA Grant - Granite Lake Repairs
Inception 3/2/2020

<u>REVENUES</u>	Amended Project Authorization	Total To Date	Projected by Completion (Variance)
04-3613-26 Federal Emergency Management Agency Grant	\$ 576,286	\$ 506,020	2,311
04-3613-36 NC Division of Emergency Management Grant	192,095	168,673	770
<i>Total Revenues</i>	768,381	674,693	3,081
<u>OTHER FINANCING SOURCES</u>			
04-3981-96 Transfer from General Fund	-	-	-
<i>Total Other Financing Sources</i>	-	-	-
TOTAL REVENUES AND OTHER FINANCING SOURCES	768,381	674,693	3,081
<u>EXPENDITURES</u>			
04-6130-18 PROFESSIONAL SERVICES			
Engineer or Architect Fees	174,250	171,169	3,081
<i>Total Personnel</i>	174,250	171,169	3,081
04-6130-69 CAP OUTLAY - BLDG, STRUCT, OTHER			
Construction Cost	\$ 547,619	\$ 503,524	-
Contingency (10%)	46,512	\$ -	-
<i>Total Capital Outlay</i>	594,131	503,524	-
TOTAL EXPENDITURES	\$ 768,381	\$ 674,693	3,081
TOTAL FINANCING SOURCES OVER EXPENDITURES	\$ -	\$ -	-

Town of Granite Quarry, North Carolina
Capital Project Ordinance # 2023-01
Transformational Project
Inception 1/9/2023

<u>FINANCING SOURCES</u>	Amended Project Authorization	Total To Date	Projected by Completion (Variance)
08-3981-96 Transfer from General Fund	959,917	57,757	902,159
<i>Total Financing Sources</i>	<i>959,917</i>	<i>57,757</i>	<i>902,159</i>
TOTAL REVENUES AND OTHER FINANCING SOURCES	959,917	57,757	902,159
<u>EXPENDITURES</u>			
08-4930-18 Professional Services			
Pre-Development Services	39,100	25,613	13,487
Civic Park "Option 1" Improvements	49,800	15,895	33,906
Civic Park Master Plan	55,000	1,250	53,750
<i>Total Personnel</i>	<i>143,900</i>	<i>42,757</i>	<i>101,143</i>
08-4930-58 Cap Outlay - Construction	660,517	15,000	645,517
08-4930-97 Contingency	45,500	-	45,500
<i>Total Construction</i>	<i>706,017</i>	<i>15,000</i>	<i>691,017</i>
08-9840-96 Transfer to TAP Project Fund	110,000	-	110,000
<i>Total Transfers</i>	<i>110,000</i>	<i>-</i>	<i>110,000</i>
TOTAL EXPENDITURES	959,917	57,757	902,159
TOTAL FINANCING SOURCES OVER EXPENDITURES	\$ -	\$ -	-

Town of Granite Quarry, North Carolina
Capital Project Ordinance # 2023-03
Transportation Alternatives Program Project
Inception 2/13/2021

<u>REVENUES</u>	Project Authorization	Total To Date	Projected by Completion (Variance)
09-3450-36 Transportation Alternatives Program Funds	440,000	-	440,000
<i>Total Revenues</i>	440,000	-	440,000
<u>OTHER FINANCING SOURCES</u>			
09-3984-96 Transfer from Transformational Projects Fund	110,000	-	110,000
<i>Total Other Financing Sources</i>	110,000	-	110,000
TOTAL REVENUES AND OTHER FINANCING SOURCES	550,000	-	550,000
<u>EXPENDITURES</u>			
09-4511-18 Professional Services	70,000	-	70,000
<i>Total Personnel</i>	70,000	-	70,000
09-4511-58 Cap Outlay - Construction	452,500	-	452,500
09-4511-97 Contingency	27,500	-	27,500
<i>Total Construction</i>	480,000	-	480,000
TOTAL EXPENDITURES	550,000	-	550,000
TOTAL FINANCING SOURCES OVER EXPENDITURES	-	-	-

Town of Granite Quarry, North Carolina
Capital Reserve Fund
Inception 7/1/2023

	Amended Authorization	Total To Date
<u>FINANCING SOURCES</u>		
02-3981-96 Transfer from General Fund	76,000	76,000
<i>Total Other Financing Sources</i>	76,000	76,000
TOTAL REVENUES AND OTHER FINANCING SOURCES	76,000	76,000
 <u>EXPENDITURES</u>		
02-4190-54 Cap Outlay - Dump Truck	1,000	-
02-4260-58 Cap Outlay - Town Hall	-	-
02-4340-54 Cap Outlay - Fire Truck	75,000	-
<i>Total Capital Outlay</i>	76,000	-
TOTAL EXPENDITURES	76,000	-
<hr/>		
TOTAL FINANCING SOURCES OVER EXPENDITURES	-	76,000

Unassigned Fund Balance:

**These amounts are estimates only and intended to give an indication of the fiscal health of Unassigned Fund Balance.*

Unassigned Fund Balance as of 7/01/23	3,068,949
Revenues as of 9/30/23	1,753,545
Expenses as of 9/30/23	(1,031,408)
Revenues over Expense at 9/30/23	722,137
Less Encumbered	(182,315)
Less Restricted:	
Powell Bill	(45,830)
Reserved by State Statute	(342,456)
Total Restricted	(388,286)
Less Committed:	
Transformational Project CPO	(905,568)
Total Committed	(905,568)
Unassigned Fund Balance as of 9/30/23	\$ 2,314,917

Interest on Investments by Month														
FY 2023-2024														
Acct#	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Interest YTD	Invested Balance
Money Market Accounts:														
XX9011	18	2	16	-	-	-	-	-	-	-	-	-	36.41	53,690.91
XX1186	17	19	19	-	-	-	-	-	-	-	-	-	54.84	62,929.53
	35	21	35	-	-	-	-	-	-	-	-	-	\$ 91.25	\$ 116,620.44
NC Capital Management Trust:														
XX4319	11,469	11,705	14,957	-	-	-	-	-	-	-	-	-	38,131.34	3,483,781.62
	11,469	11,705	14,957	-	-	-	-	-	-	-	-	-	\$ 38,131.34	\$ 3,483,781.62
Totals													\$ 38,222.59	\$ 3,600,402

Total Invested Balance		\$ 3,600,402
Cash Balance (As of 9/30/23)	\$ 290,500	
Minus Outstanding Transactions (As of 9/30/23)	\$ 86,392	
Total Reconciled Cash Balance		\$ 376,892
Total Available Funds		\$ 3,977,294



2024 Board of Aldermen Regular Meeting Schedule

(Regular Meetings are scheduled for the second Monday of each month at 6:00 p.m.)

January 8	Monday
February 12	Monday
March 11	Monday
April 8	Monday
May 13	Monday
June 10	Monday
July 8	Monday
August 12	Monday
September 9	Monday
October 14	Monday
November 11	Monday
December 9	Monday

2024 Holiday Schedule

Holiday	Observance Date	Day of the Week
New Year's Day	January 1, 2024	Monday
Martin Luther King Jr. Day	January 15	Monday
Good Friday	March 29	Friday
Memorial Day	May 27	Monday
Independence Day	July 4	Thursday
Labor Day	September 2	Monday
Veterans Day	November 11	Monday
Thanksgiving	November 28 & 29	Thursday & Friday
Christmas	December 24, 25 & 26	Tues., Wed., & Thursday



2024 Planning Board Regular Meeting Schedule

(Regular Meetings are scheduled for the first Monday of each month at 6:00 p.m.
If the first Monday falls on a holiday, the Planning Board will meet the following Tuesday)

January 2	<i>Tuesday</i>
February 5	Monday
March 4	Monday
April 1	Monday
May 6	Monday
June 3	Monday
July 1	Monday
August 5	Monday
September 3	<i>Tuesday</i>
October 7	Monday
November 4	Monday
December 2	Monday

Town of Granite Quarry
Town Manager's Report
October 2023



1. **Staff updates, highlights, recognitions.** Manager will update any highlights from the past month.

- Chief Cook – FBI’s Carolina Command College. Provides law enforcement executives with recent developments and emerging issues that influence law enforcement policies and practices, and focuses on enhancing personal & personnel development.
- Shelly (Finance) – Fundamentals of Supervisory Practices. FO Certification pre-requisite, but also an all-around must-have for professional executive team members to better understand public employment law, best practices, interpersonal/interdepartmental communications, etc.
- Admin – Fish For Fun success, positive publicity.
- FD – Rowan Salisbury School visits: inspirational dedication, positive publicity.
- Harness the Power of Public Participation. Very interactive School of Gov’t course. Great insight into master plan consulting’s public engagement elements and navigating the shift of daily local government operations & operational culture we are all currently transitioning.

2. **Revitalization Team**

Last month the Board discussed the committee status. It was formed to study different elements of the Downtown Master Plan with an ultimate goal of businesses developing a downtown organization the Town could partner with (downtown development corporation, business association, etc).

By 2019 the Team had completed most of its 2016-2020 strategy studies. A number of organizational models were studied also but nothing formal came to fruition with the business community.

When we were straightening out the ordinances in 2020 we resolved that the committee was indeed not an ordained group, but we never removed it from the calendar. With our new Planning Director explaining to the PB that he’ll be working Master Plans in with the GQDO and their focus, staff’s recommendation is to:

- *Remove Revitalization as a standing committee meeting on the town calendar.*

We would continue including those interested from the team - along with the informal merchant’s group (most of which are both anyway) - in any of our community input/engagement.

3. **Town Board shirts.** Presentation slides attached. Staff just needs direction from the Board:

- A. *Seal or Logo?*
- B. Seal Design. If A = “Seal”:
 - *Colors, design okay?*
 - *Smaller text: keep or delete? (“Est 1901”, “Old Stone House 1776”)*
- C. *What type of clothing / any material preferences?*

4. **Growth / Non-Annexation agreements**

- Salisbury Council approved boundaries as we recommended. Next step is their attorney drafting Agreement language for both boards’ review.
- Faith Board confirmed “St Paul’s Church Rd unless/until Peeler Rd Ext” intention with GQ.

5. **Communications/IT, Community Engagement tools**

- iWorQ (mainly PWD scheduling, asset mgmt) data & info plugged in, software up & running
- HeyGov software (admin cashless payments, online reservations, etc) up & running; staff training
- Newsletter. Aubrey & contractor went over content & distribution. Staff is actively working with contractor on content and distribution list.
- Addressing fiber services issue discovered during storm disruptions to network, internet, phones

6. **Transformational Projects.**

- **Civic Park – Option 1 Scope of Services (Overflow lot, existing parking, trails)**
 - Survey/deed discrepancies. Completed attorney opinion on overflow lot discrepancy, finalized redrawing & properly transacting/recording northern park line discrepancy.
- **Civic Park – Master Plan**
 - Draft schedule developed & shared with Board
 - Working to expedite developing a first phase of community input in some form at Granite Fest
- **Town Square / Downtown Streetscape / Utilities.** Still coordinating between utilities.
 - Windstream and Charter have both now shared initial engineering design needs & concerns with Duke Energy engineers to discuss & work out within the feasibility study underway.
 - Original Scope, Task 1 (pre-development) complete. Initial brief with Planning Director on what the scopes of N-Focus and Stewart will need to be post-feasibility study (currently continuing with downtown / square coordination under hourly services).
- **Transportation Alternatives Program (TAP).**
(from Sept): “Still on radar needing to prioritize planning for October kickoff and project scheduling”
 - Especially with Jason as lead and PWD/FD’s October schedule so full, we have to be realistic and just continue to plan on getting this one going as is possible.

7. **General highlights**

- October heavy month for events; staff working it all into/in between ‘normal’ operations
- Granite Fest 2023 preparation in full swing across departments for 10/21/23 event
- NCDOT all-way stop at Faith Rd & Byrd Rd installed and working well
- Town Hall roof scheduled to begin 10/17/23

8. **Committee / Group Reports.**

A. **Community Appearance Commission (CAC).** 9/14/23

- Yard of Month. September winners: 607 Pine Hill Dr and 104 Granite Ln.
- Alderman Shelton attended and presented ideas about steering committees, taking on more programs within the CAC, and possibilities of forming a nonprofit group in the future.

B. **MPO Technical Coordinating Committee (TCC).** 9/20/23. Met as a subcommittee and discussed:

- Bike & Ped planning study funding and several submitted projects
- Cabarrus-Rowan MPO’s Socioeconomic population forecasting

C. **Events group** continued to work on Granite Fest event planning

D. **Safety Committee** worked on lining up & prioritizing annual required training for staff

E. **Rowan Municipal Association (RMA)**

- Next (and last GQ hosting) meeting is Thursday, 10/26/23 at 6:00pm at Trinity Oaks
- Hayley Edwards, Substance Abuse and Mental Health Program Manager, will be updating municipalities about the opioid settlement
- Please RSVP by Tuesday, 10/17/23

Agenda Item Summary

Regular Meeting

October 9, 2023

Agenda Item 5

**Tom Carruthers, NCLM
Deputy General Counsel**

Summary:

NCLM Deputy General Counsel Tom Carruthers will present on the charter amendment process and timeline as requested by the Board.

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Second By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

For:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Against:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

In case of tie:

Mayor Brittany Barnhardt

For

Against

Action Requested:

No action has been requested of the Board.

Agenda Item Summary

Regular Meeting
October 9, 2023
Agenda Item 6

GQDO Art. 11 Amendment

Summary:

Planning, Zoning, and Subdivision Administrator Richard Flowe will present on the proposed amendments to Article 11 as recommended by the Planning Board at its September 5, 2023 meeting.

Attachments:

- Ordinance ZTA-2023-10-09 Amending Art. 11
- GQDO Article 11 as amended

Action Requested:

Motion to adopt Ordinance ZTA-2023-10-09 to amend the Granite Quarry Development Ordinance Article 11.

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Second By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

For:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Against:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

In case of tie:

Mayor Brittany Barnhardt

- For
- Against

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

Ordinance Number ZTA-2023-10-09

WHEREAS, on June 30, 2023, the Town Board of Aldermen’s newly adopted Granite Quarry Development Ordinance, also known as the GQDO, became fully effective; and,

WHEREAS, the amendment of the GQDO to ensure tree conservation and protection standards are both consistent with the adopted *Town Plan 2040* by continuing to meet the adopted goals of *Town Plan 2040* emphasizing *Goal 1: Maintain Small-Town Character*, and *Goal 4: Foster Managed Growth* while reducing the burden upon those seeking to clear land for development; and reasonable because of the Town’s need to encourage both residential and non-residential development while balancing the natural environment to achieve adopted goals; then,

THEREFORE, BE IT ORDAINED by the Town Board of Aldermen that the Granite Quarry Development Ordinance be amended as follows:

Article 11 is hereby amended to reduce restrictions on clearing of smaller trees by increasing the threshold for restricted tree removal in land development projects from four (4) inches diameter at breast height (DBH) to six (6) inches DBH throughout.

This Ordinance shall become effective at 12:01 AM EST on October 10, 2023.

ADOPTED on this the 9th day of October 2023.

s/ _____

Brittany H. Barnhardt, Mayor

s/ _____

Aubrey Smith, Town Clerk

ARTICLE 11 (*amended Oct. 9, 2023*)

LANDSCAPE REQUIREMENTS AND TREE PROTECTION

11.1 Purpose

The regulations set forth in this Article are intended to reduce tree canopy loss and implement urban forest management improvements through requirements for tree protection, tree preservation, the planting of trees and the maintenance of existing and newly planted trees within the Town of Granite Quarry planning and development jurisdiction. Additionally, this Article will establish minimum standards for the design of landscapes so as to improve the community aesthetically, economically, and environmentally. The requirements are intended to enhance the quality of life through sustainable urban forest practices and increase the benefits trees provide, including, but not limited to the following.

- (A.) Absorption of carbon dioxide and returning oxygen
- (B.) Reduction of soil erosion and increase in rainwater infiltration
- (C.) Provision of shade for cooling
- (D.) Screening of noise, dust, glare, and visual intrusions
- (E.) Reduction of storm-water runoff
- (F.) Reduction of risk for both wild fires and structure fires
- (G.) Maintenance and improvement of Town appearance and aesthetics
- (H.) Provision of habitat for wildlife
- (I.) Preservation, protection, and enhancement of the natural environment

11.2 Administration

The following personnel have responsibility for administering and enforcing the provisions of this section:

- (A.) The *Planning, Zoning & Subdivision Administrator* shall have responsibility for overseeing the administration of this Article.
- (B.) The *Public Works Administrator* shall have responsibility and control over all trees and shrubbery planted or growing upon Town property including public street right-of-way.
- (C.) The *Planning, Zoning & Subdivision Administrator* shall have the authority to enforce the standards of this Article in the event of compliance failure. The *Planning, Zoning & Subdivision Administrator* shall also have responsibility and control over all regulated, unsafe, and diseased trees located on public and private property.

11.3 Applicability

The provisions of this article shall apply to the following:

- 11.3-1 All new major subdivisions with four (4) or more new lots, all new non-residential developments, and all new multi-family developments with four (4) or more units except for those projects listed under Exemptions below.
- 11.3-2 Changes in use, expansions, and new buildings for already existing residential, non-residential, or mixed-use developments as per the following:
- (A.) Changes in use to a higher intensity, such as a change from residential to commercial. The requirements shall be applicable to the entire lot;
 - (B.) All non-residential expansions of buildings, except the first three thousand (3,000) square feet of gross leasable area. The requirements of this article shall be applicable only to the expansion area;
 - (C.) Expansions exceeding 50 percent of the pre-expansion floor area must bring the entire site into compliance, super-ceding 11.3-2(B);
 - (D.) Renovations with a total cost exceeding 50 percent of the appraised value of the building as established by the Rowan County Tax Office. The value of any expansions or reconstruction of such structures over a three-year period shall be considered in calculating the 50 percent threshold.
- 11.3-3 Vehicular use areas shall be subject to the landscape requirements as outlined under the Parking Lot Landscape Requirements as follows:
- (A.) Any new parking lot with six (6) or more spaces;
 - (B.) Expanded portions of existing parking lots which are less than 50 per cent of the total vehicular use areas shall landscape the area included in and around the expansion;
 - (C.) Expansions exceeding 50 percent of the paved area must bring the entire vehicular use area into compliance with the Parking Lot Landscape Requirements;
 - (D.) Existing unpaved parking lots which are paved or existing paved lots which are demolished and repaved must bring the entire vehicular use area into compliance with the Parking Lot Landscape Requirements.
- 11.3-4 Any land disturbing activities or tree removal shall require a Tree Disturbance Permit as per section 11.10 of this Article.

11.4 Exemptions:

The provisions of this Article shall not apply to the uses and activities listed below. Any applicable requirements of Article 19 apply:

- 11.4-1 Properties within and abutting the Main Street (MS) District shall be exempt from the buffer and tree conservation area requirements but are still required to meet the street trees and parking lot landscaping requirements;
- 11.4-2 Property lines abutting utility easements in excess of sixty (60) feet in width and all railroad rights-of-way;
- 11.4-3 Property lines abutting dedicated street rights-of-way, which have remained unopened for a period of at least fifteen (15) years;
- 11.4-4 Tree removal on an area of three thousand (3,000) square feet or less, after the *Planning, Zoning & Subdivision Administrator* has determined that such a removal is not associated with a forthcoming development proposal and will not be inconsistent with any plan previously approved by the Town; however, watershed and/or soil erosion requirements may still apply if triggered;
- 11.4-5 Property covered by an active forestry management plan prepared by a North Carolina Registered Forester, provided that documentation has been furnished to the *Planning, Zoning & Subdivision Administrator*.

11.5 Landscape Plan Procedure

- 11.5-1 Landscape Plan Approval Required. An applicant must receive approval of a landscape plan from the *Planning, Zoning & Subdivision Administrator* prior to grading or before site work may begin.
- 11.5-2 Installation of Plant Materials Required. Installation of plant material shall occur prior to the issuance of a Certificate of Occupancy.
- 11.5-3 Performance Guarantee In lieu of Installation of Plant Materials.
 - (A.) If at the time of a request for a Certificate of Compliance, the required planting areas are not complete the developer may provide a performance guarantee in accordance with G.S. 160D-804.1, guaranteeing the installation of the plant materials if the following conditions are met:
 - (1.) Plant materials are unavailable,
 - (2.) Completion of the planting areas would jeopardize the health of the plant materials, or
 - (3.) Weather conditions prohibit completion of the planting areas.

The Performance Guarantee shall be in an amount equal to 125 percent of the estimated cost of the installation of the required plant materials, as determined by the Town. The *Planning, Zoning & Subdivision Administrator* may accept a valid contract assignable to the Town containing a ninety-day (90) termination and/or cancellation notice to the Town by any party exercising such action incorporated therein for the remaining materials and turn-key installation, as a form of cost estimation. The performance guarantee shall secure the installation of the plant materials as shown on the approved landscape plan. The performance guarantee shall remain in full force and effect until such time as the installation of plant materials is completed, inspected, and accepted by the Town of Granite Quarry. Failure to maintain the required performance guarantee shall result in the revocation of the approval of the site development plan and any permits issued as a result of the plan approval. The performance guarantee shall be renewed by the applicant unless all parties, including the Town, agree not to renew it at least sixty (60) days prior to its scheduled expiration date.

A temporary construction easement permitting the Town of Granite Quarry or its designee(s) to access the property for the purpose of installing the guaranteed plant materials shall be provided with the performance guarantee. The temporary construction easement shall be valid until all guaranteed plant materials have been installed and approved by the Town. The temporary construction easement shall bind all successive owners until the guaranteed plant materials have been installed and approved by the Town.

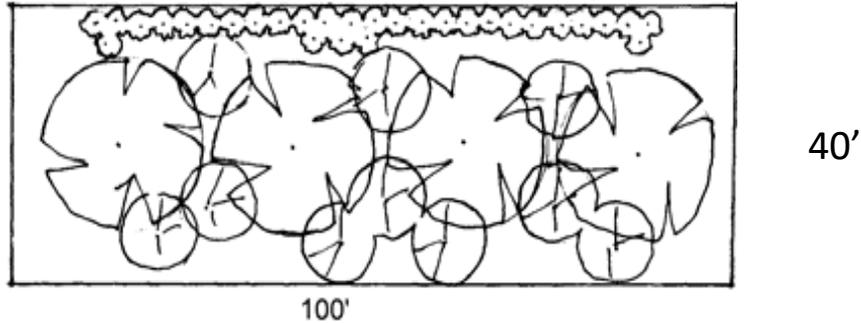
- (B.) Failure to initiate installation of the plant materials within one year of the date the performance guarantee was accepted by the Town of Granite Quarry may result in the Town, at its sole discretion, directing and/or installing the plant materials, with the cost to be paid from the performance guarantee. The performance guarantee shall, if requested by the Town, pay all or any portion of the performance guarantee to the Town up to the amount needed to complete the installation of the plant materials based on an estimate by the Town as described in 11.5-3(A) above. The Town at its discretion may spend such portion of said funds as deemed necessary to complete all or any portion of the required plant installation. The Town shall return to the developer any funds not spent in completing the plant installation, less reasonable administrative, professional and legal services cost resulting from the failure of the developer. Default on a project does not release the developer from responsibility for the completion of the plant installation. The Town may release a portion or all of any performance guarantee as the plant installation is completed and approved by the Town. In the event the amount of the performance guarantee on hand is insufficient to pay for completion of the plant installation, the property owner shall pay to the Town of Granite Quarry the total amount of the insufficiency. If the Town is not re-paid in full, the amount of the

insufficiency shall be the basis for a claim against the property and constitute a lien on the property in favor of the Town upon filing with the Register of Deeds.

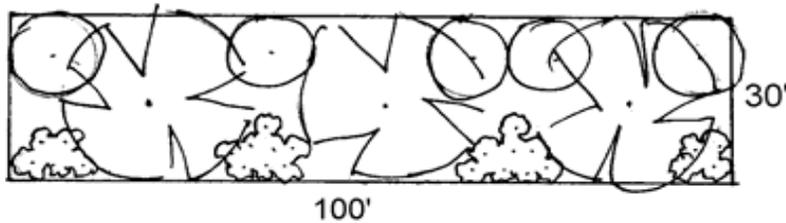
11.6 Landscape Requirements

The following buffer yards are hereby established and shall be required where applicable:

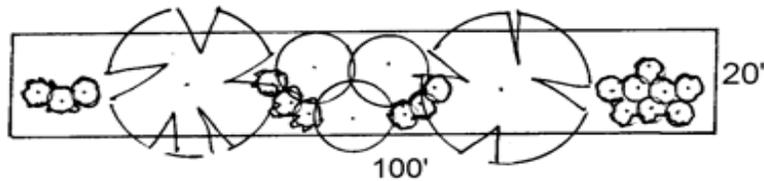
Type A Buffer Yard: A high-density screening buffer to substantially block visual contact between adjacent uses with a minimum of 90% opacity.



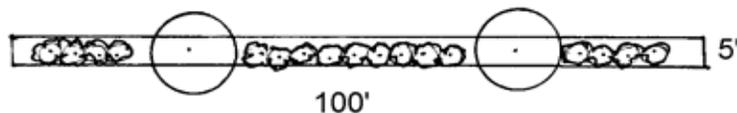
Type B Buffer Yard: A medium-density screening buffer to partially block visual contact between uses with a minimum of 60% opacity.



Type C Buffer Yard: A low-density screen intended to partially block visual contact between uses with a minimum of 60% opacity.



Type D Buffer Yard: A peripheral planting strip intended to separate uses, provide vegetation in densely developed areas, and to enhance the appearance of individual properties.



11.6-1 Buffering and Screening of Different Districts. Buffer yards, in accordance with section 11.3 above, to separate development in certain districts from adjacent districts are specified in Table 11.1 below. The buffer yards are required on the sides and rear of property being developed abutting the identified adjacent district. The following buffer yards shall be provided when property in an identified development district abuts one or more of the identified adjacent districts. To determine the required buffer yard for a development, first identify the development district in which the development is to be located. Then identify the adjacent district abutting the proposed development to determine the type buffer yard applicable to the project.

DEVELOPMENT DISTRICT	ADJACENT DISTRICT	BUFFER YARD REQUIRED
“AG”, “IND”, “HIO”	All other districts	Type A
“MU”, “C-52”, VSR”	“SFR”, “RMST”, “CIV”, “TNDO”	Type B
“MS”, “CIV”	“SFR”, “RMST”	Type C
“VSR”	“MS”, “MU”, “C-52”	Type C
“MS”, “C-52”	“MU”, “IND”	Type C
“SFR”, “RMST”, “TNDO”	All other districts	Type C
“MU”	“MS”, “C-52”, “VSR”	Type D

Plantings shall be provided in buffer yards as indicated in Table 11.2 below:

Buffer Yard Type	Average Width (ft.)	Minimum/ Maximum Width (ft.)	Evergreen Tree Rate per 100 lf	Canopy Tree Rate	Understory Tree Rate	Shrubs Rate
Type A Yard	40	35/65	8	4/100 lf 25 feet on center	10/100 lf 10 feet on center	33/100 lf 3 feet on center
Type B Yard	30	25/50	6	3/100 lf	5/100 lf	25/100 lf
Type C Yard	20	15 /40	4	2/100 lf	3/100 lf	17/100 lf
Type D Yard	5	5/10	0		2/100 lf	18/100 lf

(A.) Buffer Yard Alternative Standards and Conditions.

- (1.) The minimum buffer width for all buffer yards except the Type D yard may be reduced by 30% with the use of an opaque wall or fence constructed of masonry, stone or pressure treated lumber providing such reductions do not disturb the Critical Root Zone (CRZ) of existing trees. The wall or fence should be a minimum of five (5) feet in height. The wall or fence shall be set back from the property line a minimum of five (5) feet and shall be planted with half the required plantings, including all types of shrubs and trees required, on the outside of the wall or fence (facing the adjacent property).
- (2.) Understory trees shall be substituted for canopy trees at the rate of two (2) understory trees for every canopy tree to be planted within fifteen (15) feet of an overhead utility line.
- (3.) Canopy trees may be substituted for shrubs at the rate of one (1) canopy tree for eight (8) shrubs and understory trees may be substituted for shrubs at the rate of one (1) understory tree for five (5) shrubs if approved by the *Planning, Zoning & Subdivision Administrator*.

(B.) Location of Buffer Yard. Required trees and shrubs shall not be installed in street rights-of-way. Required trees and shrubs may be placed in water quality conservation easements, electric utility easements below overhead lines, and in drainage maintenance and utility easements upon approval by the *Planning, Zoning & Subdivision Administrator*.

(C.) Setback Less Than Buffer Yard. If the required building setback is less than the required buffer yard width, the building setback shall reduce the required planting yard width only alongside the building. The planting rate of the required planting yard shall still apply.

(D.) Encroachments Permitted in Required Planting Yards. The following are permitted in required planting yards provided the landscaping requirements are met and there is no interference with any sight area: Cornices, steps, canopies, overhanging eaves and gutters, windowsills, bay windows or similar architectural features, at-grade patios, chimneys and fireplaces, fire escapes, fire balconies, and fire towers may project not more than two and one-half (2 1/2) feet into any required planting yard, but in no case shall be closer than three (3) feet to any property line or handicap ramps except for porches and landings.

(E.) Obstructions. Landscaping shall not be placed in the sight visibility triangle which would obstruct the view of motorists using any street, driveway, or parking aisle.

11.6-2 Screening of Dumpsters, Outdoor Storage, and Utility Structures. All dumpsters, loading docks, outdoor storage areas over 40 square feet, and utility structures must

be screened if they are visible to adjacent public or private streets or any adjacent properties. Screening of a dumpster shall not be required in the Industrial District, unless the dumpster is located within one hundred (100) feet of an existing non-industrial land use. Screening options include:

- (A.) A single opaque material wall or fence with a minimum height of 6 feet.
- (B.) A combination of opaque materials, berming, and/or evergreen landscaping spaced at 8 feet on center that provides the required screening effect. The combination of opaque materials, berming, and/or evergreen landscaping shall have a minimum height of 6 feet within three (3) years of planting.
- (C.) The wall(s) of a principal or accessory structure may also count for screening.
- (D.) Chain-link fencing with woven slats of opaque material is *not* acceptable.

11.6-3 Street Trees. Street trees are required along all street frontages for all new developments described in Sections 11.3-1 and 11.3-2, unless excepted in Section 11.4. Trees are required at the following rate:

- (A.) One large maturing tree required for every 80 linear feet of street frontage. If overhead utilities are present, planting of one small maturing tree for every 40 linear feet of property abutting a street is required.
- (B.) Where the street abuts a parking lot over 3000 square feet in area and located within 50 feet of the edge of the pavement, shrubs shall be planted at the rate of one deciduous or evergreen shrub for every 5 linear feet of vehicular use area abutting the street in addition to the required street trees. The shrubs must achieve a minimum height of three feet at maturity.



- (C.) Street trees may be evenly spaced or spaced to accommodate existing site features. Street trees shall be a minimum of fifteen (15) feet apart and a maximum of ninety

(90) feet apart. No street tree shall be located more than twenty-five (25) feet from the edge of pavement.

(D.) Street trees shall be planted in the planting strip within the public right-of-way. In the Main Street (MS) and Mixed-Use (MU) Districts, the trees may be placed in tree pits with grates that are a minimum of sixteen (16) square feet.

(E.) Existing Trees: See Section 11.9 for information regarding credits for preservation of existing trees.

(F.) No more than fifteen (15) percent of the street-planting yard may be used for walkways serving individual lots, except in the MS, and MU districts. Parking, merchandise display, and off-street loading are prohibited in the street-planting yard.

11.6-4 Parking Lot Planting Areas.

(A.) Applicability. Parking lot landscaping buffers shall be required to separate parking areas from adjacent uses for new and/or expanding parking lots with six (6) or more spaces. Required canopy trees and shrubs shall be located within the parking lot and adjacent to parking spaces in planting areas between rows of parking spaces, at the end of parking bays, in tree islands, and/or around the periphery of the parking lot. The following buffer requirements shall apply to parking lots with six (6) or more spaces:

(1.) A minimum of a type D buffer shall be provided for all parking lots with six (6) or more spaces.

(2.) A type C buffer shall be provided along any edge of a parking lot with a minimum of six (6) spaces and occupying less than 1/2 acre that abuts an AG, SFR, or RMST zoning district.

(3.) A type C buffer shall be provided along all edges of any parking lot with a minimum of six (6) spaces and occupying less than 1/2 acre that is located within an AG, SFR, or RMST zoning district.

(4.) A type B buffer shall be provided along any edge of a parking lot with a minimum of six (6) spaces and occupying 1/2 acre or more that abuts an AG, SFR, or RMST zoning district.

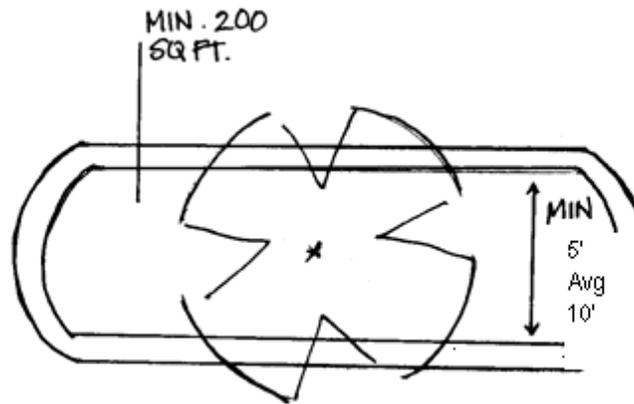
(5.) A type B buffer shall be provided along all edges of any parking lot with a minimum of six (6) spaces and occupying 1/2 acre or more that is located within an AG, SFR, or RMST zoning district.

(B.) Planting Rate. For every fifteen hundred (1500) square feet of vehicular use area (VUA), one (1) deciduous tree and four (4) shrubs must be planted. At least seventy-five (75) percent of the trees shall be large maturing species. Trees and shrubs must be planted within fifteen (15) feet of the VUA to meet the requirement.

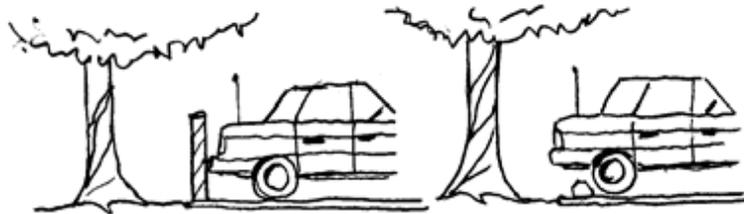
(C.) Existing Trees. See Section 11.9 for information regarding credits for preservation of existing trees in parking lots.

(D.) Reduction in Parking Requirements. To allow an existing development to retrofit parking to conform to the landscaping regulations, or for an existing or new development to preserve trees within or adjacent to a parking lot, the number of required off-street parking spaces may be reduced by the *Planning, Zoning & Subdivision Administrator* by up to ten (10) percent.

(E.) Tree Islands and Medians. When more than four trees are required in a lot with interior rows, fifty (50) percent of the trees and shrubs must be planted in islands or medians located within the parking lot. The planting islands or medians shall be a minimum size of 200 square feet with no dimension smaller than five (5) feet and an average width of ten (10) feet.

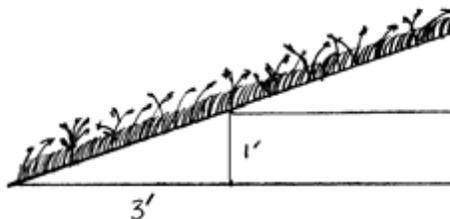


- (F.) Multiple Parking Bays. When there are more than 4 bays of parking, an interior island with an average width of twenty (20) feet and a length equivalent to the parking bay shall be constructed. It should include a pedestrian walkway five (5) feet or more wide and a planted strip on one or both sides. The median should be located in such a way as to enhance pedestrian circulation within the development, leading to the entrance or to an adjacent sidewalk and/or walkway.
- (G.) Perimeter Parking. All continuous runs of fifteen (15) or more parking spaces shall be interrupted by a tree island.
- (H.) Grouping. Shrubs and trees may be grouped or clustered in the required planting yards, except for the perimeter landscaping adjacent to parking lots, outside storage, access drives, and loading and unloading areas. The remainder of the materials shall be distributed throughout the planting yard. There shall be at least one (1) row of evergreen shrubs or evergreen understory trees in all Type A planting yards used in parking areas.
- (I.) Plant Protection. Whenever planting areas are adjacent to parking lots or drives, such areas shall be protected from damage by vehicles, lubricants, or fuels. Curbing or some other structural barrier is required to be placed around trees within five feet of a car bumper. Allowances may be made if rain gardens are incorporated into the planting area. Trees and shrubs in islands should be set back at least three feet from the curb to allow for the operation of car doors.



11.7 Reforestation of Slopes Steeper than 3:1

11.7-1 Tree Cover Required. Areas having slopes steeper than 3:1 must be reforested to provide tree cover over the entire area.



The following standards apply:

- (A.) Reforestation shall include a minimum of one (1) tree per two hundred (200) square feet of surface area and shall be made up of a mixture of deciduous hardwood and evergreen trees that are a minimum of twelve (12) inches high at planting and approved by the *Planning, Zoning & Subdivision Administrator*.
- (B.) The trunk of any required tree shall be no closer than ten (10) feet from any other existing tree.

11.8 Tree Conservation and Protection

11.8-1 Purpose of Tree Conservation Area. The purpose of the Tree Conservation Area (TCA) is to encourage the preservation of healthy trees that are six (6) inches or greater in diameter at breast height (DBH).

11.8-2 Tree Conservation Area Determination. The TCA shall be provided in accordance with the chart below. If trees of six (6) inches or greater DBH exist within or partially within these areas, such trees must be saved to the extent possible. The area will be designated a TCA and shall not be disturbed except as allowed herein below in Table 11.3.

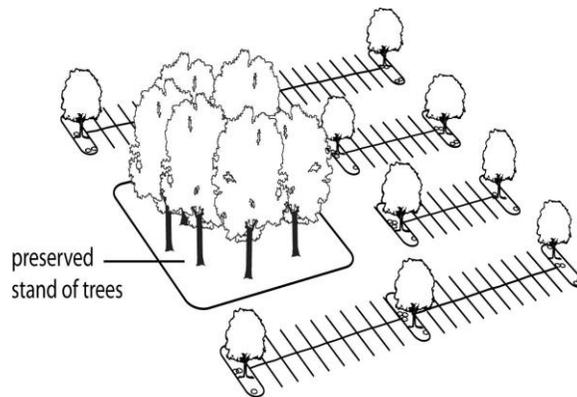
Table 11.3 – Tree Conservation Area (TCA)

Size of Parcel	TCA Required to Include
0 – 55,000 sq. ft.	One percent (1%) of lot area and located within the required planting yard
55,000 sq. ft. – 5 acres	One and one-half percent (1.5%) of lot area. All trees six (6) inches or greater DBH that are located within the required planting yards
5.01 – 10 acres	Three percent (3%) of lot area. All trees six (6) inches or greater DBH that are located within the required planting yard or within fifteen (15) feet of the side and rear property lines, whichever is greater
Greater than 10 acres	Six percent (6%) of lot area. All trees six (6) inches or greater DBH that are located within the required planting yard or within twenty-five (25) feet of the side and rear property lines, whichever is greater

11.8-3 Tree Conservation Area Selection.

(A.) In selecting which existing tree stands are to be designated as Tree Conservation Area (TCA), the landowner shall give due consideration to building, parking lot, driveway, street, and utility location as they relate to the practicality of preservation and shall use the following tree preservation priority list:

- (1.) Existing stands of mature hardwoods as highest priority, then
- (2.) Existing stands of younger hardwoods, then
- (3.) Existing specimen trees (as determined by the *Planning, Zoning & Subdivision Administrator*), then
- (4.) Existing stands of hardwoods and Pine mix, and lastly
- (5.) Existing stands of Pine trees. Preservation of a single Pine tree is not typically encouraged.



(B.) If it is necessary to pick among two or more stands of trees within a category listed above, then Tree Conservation Areas adjacent to the following priority list shall be used in order of significance:

- (1.) Type A buffer yards, as a first priority, then
 - (2.) Type B buffer yards, then
 - (3.) Type C buffer yards, then
 - (4.) Type D buffer yards, then
 - (5.) Street tree yards, and lastly
 - (6.) Vehicular use areas
- (C.) Smaller Trees: Trees less than six (6) inches DBH within the TCA may be preserved at the landowner's option and counted toward buffer yard, street tree, or vehicular use area requirements.

11.8-4 Tree Conservation Flexibility Standards. Flexibility can be granted in the following circumstances:

- (A.) Trees in Sensitive Areas: If there are trees that meet the TCA requirements on other areas of the site (riparian buffers, stream corridors, floodplains, etc.), the landowner may request that the required TCA be designated around such trees instead of the usual locations.
- (B.) Stream Buffer Credits: Properties falling under the Stormwater Management Control Requirements, which are required to maintain an undisturbed stream buffer, may use some of or the entire buffer to satisfy the required TCA, provided that the undisturbed stream buffer contains trees that are a minimum of six (6) inches in DBH.
- (C.) Land Dedication: Land dedicated to the Town that is contiguous to the property being developed may be used towards the tree preservation requirement, if the dedicated land contains trees that are a minimum of six (6) inches in DBH.
- (D.) Reforestation Credits: In situations where TCA requirements cannot be met based on site conditions and when approved by the *Planning, Zoning & Subdivision Administrator*, reforestation efforts on the property can be used to satisfy up to fifty (50) percent of the required TCA.
- (E.) Reduction in the Amount of TCA Required for Specimen Tree Preservation Within the Lot: To allow developers the flexibility to manipulate the location of required Tree Conservation Areas, and to encourage the preservation of certain specimen trees or tree stands within developed lots rather than just at the periphery, the *Planning, Zoning & Subdivision Administrator* may, at their discretion, allow the developer the right to reduce the total amount of required TCA using the following table:

Table 11.4

DBH of Existing Specimen Tree(s) in Inches	Allowable Reduction in TCA
8 – 12	5 % reduction
13 – 20	10% reduction
21 – 30	25% reduction
31+	40% reduction

(F.) Waivers: The *Planning, Zoning & Subdivision Administrator* shall have the authority to allow reduced buffer yards or to waive the buffer yard requirements to allow for a greater TCA in another area or make other exceptions, which meet the cause and intent of this section. Additionally, if the *Planning, Zoning & Subdivision Administrator* concludes that due to existing unusual or unique site characteristics, preserving some or all required trees in the TCA(s) would create an undue or unreasonable hardship, the protection of some or all of required trees in the TCA(s) may be waived.

Applicants for such a waiver shall submit their request in writing, along with any necessary site plans to demonstrate the hardship. The findings of the *Planning, Zoning & Subdivision Administrator* shall be final and binding to all parties. Appeals of the *Planning, Zoning & Subdivision Administrator's* decisions may be made to the *Board of Adjustment*, following the procedure outlined in Article 6 of this ordinance.

11.9 Tree Credits

- 11.9-1 Buffer Yards. All trees of appropriate size and type preserved in the Tree Conservation Area (TCA) that are within the buffer yard shall be credited toward meeting all or part of the buffer yard requirements. The protection of tree stands, rather than individual trees, is strongly encouraged.
- 11.9-2 Street Trees. Existing preserved trees may count toward up to 100% of the street tree requirement, providing there is no more than 65' between trees.
- 11.9-3 Parking Lots. For new, expanded, or rebuilt parking lots where trees are being preserved adjacent to the parking lot in order to meet the parking lot planting requirements, trees preserved in a TCA and within fifteen (15) feet of the parking lot may be used to satisfy up to fifty (50) percent of the required number of parking lot trees. Non-TCA trees located within the parking area may count towards up to 100% of the requirement. Trees in the TCA counted toward planting yard requirements may not count for required parking lot trees.
- 11.9-4 Tree Health. No credit will be allowed for any dead tree, any tree in poor health, or any tree subjected to grade alterations. Trees should have a life expectancy of greater than ten (10) years and have a relatively sound and solid trunk with no extensive decay, major insect, or pathological problems. For the purposes of determining the health or condition of any tree, the *Planning, Zoning & Subdivision Administrator* may defer to a qualified expert with the cost of the expert to be reimbursed by the applicant.
- 11.9-5 Tree Replacement. Except for storm damage, the death of any tree used for preservation credit within two (2) years of site development shall require the landowner to plant new trees equal to the number of credited trees. After two (2)

years any trees that were used for preservation credit that die shall be replaced.

11.9-6 Calculation of Credit. Credits are to be given in accordance with the chart below.

Table 11.5 – Tree Credits

DBH of Existing Tree(s) in Inches	Number of Trees Credited
6”-12”	2
13”-18”	3
19”-24”	4
25”+	5

11.9-7 Protection of Existing Trees. To receive credit, trees must be protected from direct and indirect root damage and trunk and crown disturbance. The following standards shall apply:

(A.) Critical Root Zone. To preserve existing trees within the designated TCA, the Critical Root Zone (CRZ) of the trees shall be preserved. The CRZ includes a radius around the tree equal to, or at least, one foot for every one inch of DBH. It is recommended to preserve the entire CRZ of each preserved tree.

- (1.) If the entire CRZ cannot be preserved, tree roots must be cut prior to the grading of the site and no closer than 10 feet from the tree trunk.
- (2.) Disturbance within the CRZ will be allowed only on one side of the tree(s) to be saved and only with prior approval by the *Planning, Zoning & Subdivision Administrator*.
- (3.) Construction site activities such as parking, material storage, dirt stockpiling, concrete washout, and other similar activities shall not be permitted within the TCA.
- (4.) The same land uses can encroach in the TCA as established in the Buffer Yards Section 11.6 provided there is no disturbance to the CRZ of the preserved trees.
- (5.) Changes that significantly raise the grade of soil adjacent to the TCA shall be avoided.
- (6.) Utility line trenches and similar uses shall avoid the TCA. Due to certain site conditions, where disturbance within the TCA is unavoidable, underground tunneling or directional boring of utilities is preferred and allowed on one side only. Trenching shall be used only as the last alternative and root-pruning equipment specifically designed for that purpose shall be used. The *Planning,*

Zoning & Subdivision Administrator shall be notified prior to this type of activity and an on-site meeting shall be performed to ensure compliance. See the Town of Granite Quarry Technical Standards & Specifications Manual for trenching detail.

(7.) Protective fencing shall be installed around the TCA prior to any tree disturbing activities. Such fences shall be at least four (4) feet high and shall consist of orange polyethylene safety fencing. Fencing shall remain in place until construction is complete and other landscaping has been installed, and the *Planning, Zoning & Subdivision Administrator* has approved its removal. See the Town of Granite Quarry Technical Standards & Specifications Manual fencing detail.

(8.) The TCA should be designated as such with "Tree Conservation Area" signs (in both English and Spanish) posted visibly on the outside of the fenced-in area. Signs may not be posted on the trees.

(B.) Tree Removal within the TCA. Trees less than six (6) inches DBH not being preserved, undergrowth and plant material in poor condition may be removed from the TCA. No roots shall be removed from the TCA. Stumps may be removed only by grinding. All requests for tree removal within the TCA must have prior approval by the *Planning, Zoning & Subdivision Administrator* pursuant to the provisions of this chapter. Any tree within the TCA, including the CRZ, which the landowner chooses to remove or that must be removed due to poor health or impractical means of preservation shall be removed in a manner that is in accordance with standard arboricultural practice (Per American National Standards Institute (ANSI) Standards) so as to cause as little disturbance or harm to those trees intended to be saved as practical. However, in an emergency situation due to storm damage; to alleviate an immediate hazard to the health, safety, and welfare of the citizens; or to repair property damage, prior approval for tree removal in previously approved designated areas is not required.

(C.) Tree Conservation Plan Procedures. Approval of a Tree Protection Plan is required for all projects described in Section 11.3, except those listed in Section 11.4 Exemptions and Section 11.10-2 below and shall be submitted along with all other necessary drawings to the Technical Review Committee. Tree protection items shall be included on all grading plans, erosion control plans, and tree disturbance permit plans. Upon approval of the plan, a Tree Disturbance Permit will be issued prior to any tree-disturbing activities.

11.10 Activities Requiring a Tree Disturbance Permit

11.10-1 Purpose. Except as otherwise exempted herein, it shall be unlawful to:

- (A.) Remove, excessively prune, apply chemicals that are harmful to, or disturb any tree or the soil within the CRZ of any tree; or
- (B.) Clear vegetation from a site; or
- (C.) Begin any excavation, remove soil, or place fill on a site within Town of Granite Quarry planning and development regulation jurisdiction until the *Planning, Zoning & Subdivision Administrator* has issued a permit certifying that such activity complies with the applicable provisions of this Ordinance.

11.10-2 Applicability and Exceptions. The provisions of this section shall apply to all Land Development except:

- (A.) Routine maintenance of existing vegetation outside the public rights-of-way, such as pruning, watering and fertilizing.
- (B.) The removal of dead trees and shrubs or trees and shrubs that have been diagnosed and determined to be diseased beyond treatment, with the burden of proof being placed on the remover.
- (C.) Removal of soil or vegetation from undeveloped land to allow for non-commercial open space no greater than one-quarter (1/4) acre, providing this activity does not take place within the CRZ of any rare or specimen tree.
- (D.) Land disturbing activity normally associated with the occupancy of an existing single family or two-family dwelling.
- (E.) Any new construction or expansion of a single family or two-family dwelling requiring a building permit and involving land disturbance less than ten thousand (10,000) square feet, unless the cumulative land disturbance is over ten thousand (10,000) square feet.

11.10-3 Tree Protection Plan Requirements. A Tree Protection Plan for all development projects to which these standards apply, along with all other necessary drawings, shall be submitted to the *Planning, Zoning & Subdivision Administrator*. Tree protection items shall be included on all grading plans, erosion control plans, and tree disturbance permit plans. Drawings shall identify the following items.

- (A.) Boundaries of the required Tree Conservation Area (TCA)
- (B.) Required planting yard

- (C.) Protected trees within the TCA including tree size and species
- (D.) CRZ of each proposed protected tree or group of trees
- (E.) Limits of clearing
- (F.) Grading
- (G.) Trenching
- (H.) Required tree protection measures including protective fencing and signage
- (I.) Overhead and underground utilities, rights-of-way, and easement
- (J.) Areas of reforestation if any
- (K.) Stream buffers, if any
- (L.) A complete survey of all trees on the *site* (outside the labeled TCA) that exceed 18 inches DBH, including tree size and species.

11.10-4 Plan Notes. The following required notes shall be indicated on tree protection plans, erosion control plans, grading plans, and Tree Disturbance Permit plans in **LARGER FONT SIZE IN BOLD CAPITAL LETTERS**:

- (A.) Contact the Planning Department to set up a pre-construction meeting.
- (B.) All tree protection devices must be installed prior to inspection by the *Planning, Zoning & Subdivision Administrator* and prior to any tree disturbance activities.
- (C.) Removal or damage of trees in the conservation area will be subject to the penalties established in the Section 11.18, Enforcement, of this Ordinance.

11.10-5 Plan Review. The aforementioned plans shall be reviewed by the *Planning, Zoning & Subdivision Administrator* for conformance with applicable provisions of this section and for tree and vegetation viability. The plans will either be approved or returned for revisions. Reasons for return shall be noted on the proposed plan.

11.10-6 Installation of Protective Measures. All tree protection measures shall be installed prior to inspection by the *Planning, Zoning & Subdivision Administrator or their designee* and prior to tree disturbance.

11.10-7 Site Inspections. The *Planning, Zoning & Subdivision Administrator or their designee* will conduct follow-up site inspections for enforcement of the tree protection requirements.

11.10-8 Permit Display. All permits issued hereunder shall be so displayed as to be clearly visible from a public right-of-way.

11.10-9 Emergency Waiver. The provisions of this section are waived if compliance would hamper the rescue of life or property from immediate danger or the repair of utilities in the event of emergencies such as wind storms, ice storms, or other disasters.

11.11 Rare and Specimen Trees

11.11-1 Rare and Specimen Trees on Developing Land.

- (A.) Rare and specimen trees shall be shown on all Tree Protection Plans if such trees are within one hundred (100) feet of areas where soil disturbance or construction activity is proposed. In addition, these trees shall be identified and located by survey on the Tree Protection Plan if such trees are located on the development site or adjacent public property. The *Planning, Zoning & Subdivision Administrator* may visit the site to determine the accuracy of identification.
- (B.) Proposed development shall be designed to preserve rare and specimen trees. Where rare and specimen trees exist, flexible approaches such as adjustments to lot layout, placement of buildings and paved surfaces, and location of utilities shall be pursued in order to save them.
- (C.) No soil disturbance from construction, trenching, grading, paving, or storage of equipment or materials shall take place within the critical root zone of any rare or specimen tree to be preserved unless the *Planning, Zoning & Subdivision Administrator* determines there is no reasonable way the property can be developed without such disturbance or unless the proposed work will be carried out in accordance with the specifications for such work in the Granite Quarry Technical Standards & Specifications Manual.
- (D.) No rare tree shall be removed from land being developed unless the *Planning, Zoning & Subdivision Administrator* determines there is no reasonable way the property can be otherwise developed, improved, or properly maintained and the tree saved.

11.11-2 Voluntary Protection of Rare and Specimen Trees on Private Land.

Rare and specimen trees that are located on individual lots with single and two-family homes shall be protected if voluntarily registered by the property owner.

11.12 Land Being Developed Outside the Tree Conservation Area (TCA)

11.12-1 Protective Fencing.

- (A.) Vegetation located outside the TCA that is to be protected on land being developed, as indicated on a Tree Protection Plan, shall be protected by fences or other equally

effective measures during construction activity. Such fencing shall be located and erected according to Town standards and be located as shown on the Tree Protection Plan and site grading plans. All land disturbing activity, storage of equipment, building material, soil, and other debris shall be kept within the area of development activity and outside of the protective fencing.

- (B.) Vegetation that is to be retained during rights-of-way clearing of single family or two-family residential subdivisions, as indicated on a Tree Protection Plan, shall be delineated by high visibility flagging during construction activity. Such flagging shall be located and installed according to Town standards and be located as shown on the landscape protection and site grading plans. The use of flagging shall be limited to those specific applications where no rare or specimen trees will be affected by development activity and the *Planning, Zoning & Subdivision Administrator* determines it to be as effective as protective fencing.
- (C.) Landscaping activities taking place after the removal of protective fencing shall be accomplished with light machinery or hand labor and in accordance with the Town of Granite Quarry Technical Standards & Specifications Manual.

11.12-2 Treatment of Trees During Construction.

- (A.) No nails, ropes, cables, signs or fencing shall be attached to any part of any tree that is to be preserved.
- (B.) Trees that are damaged during construction shall be treated so as to promote their continued health.

11.12-3 Removal of Regulated Trees. No regulated tree shall be removed without first acquiring a permit from the *Planning, Zoning & Subdivision Administrator*. Failure to do so shall constitute a violation of this chapter and shall be subject to the penalty provisions in Section 11.18, Enforcement, of this Ordinance.

- (A.) Enforcement. Upon a determination that work does not conform to the provisions of this section, the *Planning, Zoning & Subdivision Administrator* shall cause issue of a *Stop Work Order* which shall remain in effect until all corrections are made in conformance with this Ordinance.
- (B.) Pre-construction Conference. Prior to the commencement of any activities requiring a permit, a pre-construction conference with the *Planning, Zoning & Subdivision Administrator* shall take place to review procedures for protection and management of all protected landscape elements identified on the landscape protection plan and to designate one or more persons as landscape protection supervisor(s).

11.13 Public Trees and Trees Interfering with Public Space – Maintenance and Protection

The following standards are hereby established for the maintenance and protection of public trees:

- 11.13-1 Approved Personnel. No person except an authorized employee or contractor of a public utility or other approved public personnel shall cut, prune, or remove any living tree on or in a public highway, right-of-way, public park, sidewalk, or other public property; or cut or disturb or interfere in any way with the roots of any tree on public property.
- 11.13-2 Owner Responsibility for Private Trees Interfering with Public Space. Every owner of any tree overhanging any street or right-of-way within the Town shall prune the branches so that such branches shall not significantly obstruct the view of any street intersection and so that there shall be a clear space of thirteen (13) feet above the street surface or eight (8) feet above the sidewalk surface. Said owners shall remove all dead, diseased or unsafe trees, or broken or decayed limbs that constitute a nuisance to the safety of the public. The Town shall have the right to prune any tree or shrub on private or public property when it constitutes a public safety hazard, interferes with pedestrian traffic or the visibility of any traffic control device, sign, or sight triangle.
- 11.13-3 Placement of Materials Around Plants. No person shall pile building or other material around any tree or shrub in a public right-of-way in any manner that will injure such tree or shrub.
- 11.13-4 Paving Adjacent to Trees. No person shall pave or place gravel, soil, or other such material within eight (8) feet of any tree on public property, unless approved by the *Planning, Zoning & Subdivision Administrator*. Plans which fail to identify an impacted tree shall not constitute a transfer of responsibility to the Town or its *Planning, Zoning & Subdivision Administrator*.
- 11.13-5 Dumping of Deleterious Matter. No person shall dump, pour or spill any oil, pesticide, or other deleterious matter upon any tree or tree space in any public rights-of-way, or keep or maintain upon any public rights-of-way, any receptacle from which any oil, pesticide, or other deleterious matter leaks or drips onto any soil, parking area, or concrete gutter so as to injure any tree on any public property.
- 11.13-6 Disposal of Materials on Public Places. No person shall use parks, sidewalks, utility easements, or other public places to dump grass clippings, tree trimmings, rocks or other organic refuse. This shall not apply to properly placed yard waste that is intended for pickup by Town of Granite Quarry Public Services or Solid Waste crews.

- 11.13-7 Decoration, Posting and/or Advertising on Public Trees. No person shall decorate a tree or shrub in any public right-of-way, neutral ground, park, sight triangle or sidewalk, either with or without lights, or place advertising material, posters, political placards, rope, or wire on trees in public properties.
- 11.13-8 Planting of Street Trees. No part of this section is intended to prohibit the planting of street trees by adjacent property owners within tree planter strips, providing that the selection and location of said trees is in accordance with planting specifications set forth in this section and that any such planting conducted under utility lines shall be limited to planting material taken from the list of recommended small-maturing trees in this Ordinance.

11.14 Hazard Trees

The following standards are hereby established for trees and shrubs determined to be hazardous.

- 11.14-1 Removal of Trees. The *Planning, Zoning & Subdivision Administrator* may order the removal of any tree, shrub, or part thereof on private or public property, which is unsafe or injurious to sewers or other public improvements, structures, or to the general public.
- 11.14-2 Right to Enter upon Property. The *Public Works Administrator* or their designee may enter upon public or private property in the Town to spray or otherwise treat any tree infected or infested by any parasite, insect, or disease to prevent the breeding or scattering of any parasite or animal pest and to prevent danger to persons or property or to trees planted on Town property.
- 11.14-3 Owner Notification and Opportunity to Correct. Prior to exercising the authority conferred by this section, the *Planning, Zoning & Subdivision Administrator* shall give the owner notice and an opportunity to correct the condition by requesting that corrective action be taken. The request shall be in writing and sent via First Class Mail to the owner of the property in question and shall be acted upon within twelve (12) days (or a lesser period of time if an imminent threat to life or property exists) from the date of the receipt of the request. If, after twelve (12) days, the owner has not corrected the condition or undertaken action that would lead to a timely correction of the condition, the *Planning, Zoning & Subdivision Administrator* may enter upon the property, perform the work necessary to correct the condition, and bill the owner for the actual costs incurred. If the property owner fails to pay the bill for such work within thirty (30) days of such notice, the amount of the bill and any collection costs, including attorney's fees and court costs, incurred shall become a lien against the subject property and shall be collected in the same manner provided for the collection of delinquent taxes. In situations involving an immediate threat to public health,

safety, or welfare, the Town may act without prior notification to the property owner.

11.15 Species Selection and Planting Techniques

In order to ensure that landscaping required by this article is suitable and is planted in the correct manner, the following selection and planting techniques are hereby established.

11.15-1 Plant Species: Species used in required planting yards and parking lots shall be of a locally adapted nature. Other species may be approved by the *Planning, Zoning & Subdivision Administrator*. See the Town of Granite Quarry Technical Standards & Specifications Manual for: “recommended”, “not recommended” and/or “prohibited species.”

11.15-2 Plant Size: Specific plant sizes are listed below:

(A.) Canopy Tree Size: When mature, a canopy tree should have a minimum height of forty (40) feet and have a minimum crown width of thirty (30) feet. Canopy trees must be a minimum of two (2) inches in caliper, measured six (6) inches above grade, when planted.

(B.) Understory Tree Size: When mature, an understory tree must have a minimum height of twenty-five (25). Understory trees must be a minimum of one and one half (1.5) inches in caliper measured six (6) inches above grade at the time of installation.

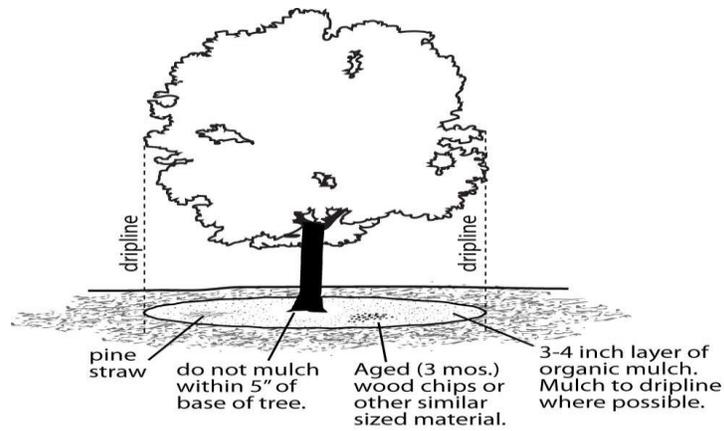
(C.) Shrub Size and Type: All shrubs approved for landscaping of vehicle use areas, loading and unloading areas, and outside storage areas shall be evergreen, with a minimum size of eighteen (18) inches, spread or height, when installed and reach a minimum height of thirty-six (36) inches and a minimum spread of thirty (30) inches. Such shrubs shall be planted using required planting techniques and located parallel to the edge of parking lots, access drives, loading and unloading areas, and outside storage areas. Required shrubs in other locations, outside of the areas listed above, may be evergreen or deciduous and shall be three (3) gallon in size as per American National Standards Institute (ANSI) standards at the time of installation.

11.15-3 Planting Techniques

The following soil preparation techniques shall be used for all required landscape areas:

(A.) Soil preparation for the entire landscape yard includes the addition of organic amendments tilled to a depth of eight (8) to twelve (12) inches.

(B.) All plantings in landscape yards shall be mulched, including interior parking lot islands less than five hundred (500) square feet, to a depth of three to four (4) inches. The mulch shall be free of trash and maintained weed free thereafter. The sketch below and Figure 2 herein, illustrate these principles.



- (C.) Earthen basins are to be constructed around the installed plants.
- (D.) Plants, as required by this section, are to be grouped together where possible.
- (E.) For establishment and survival, plants shall be watered by the landowner or contractor for the first year after planting.

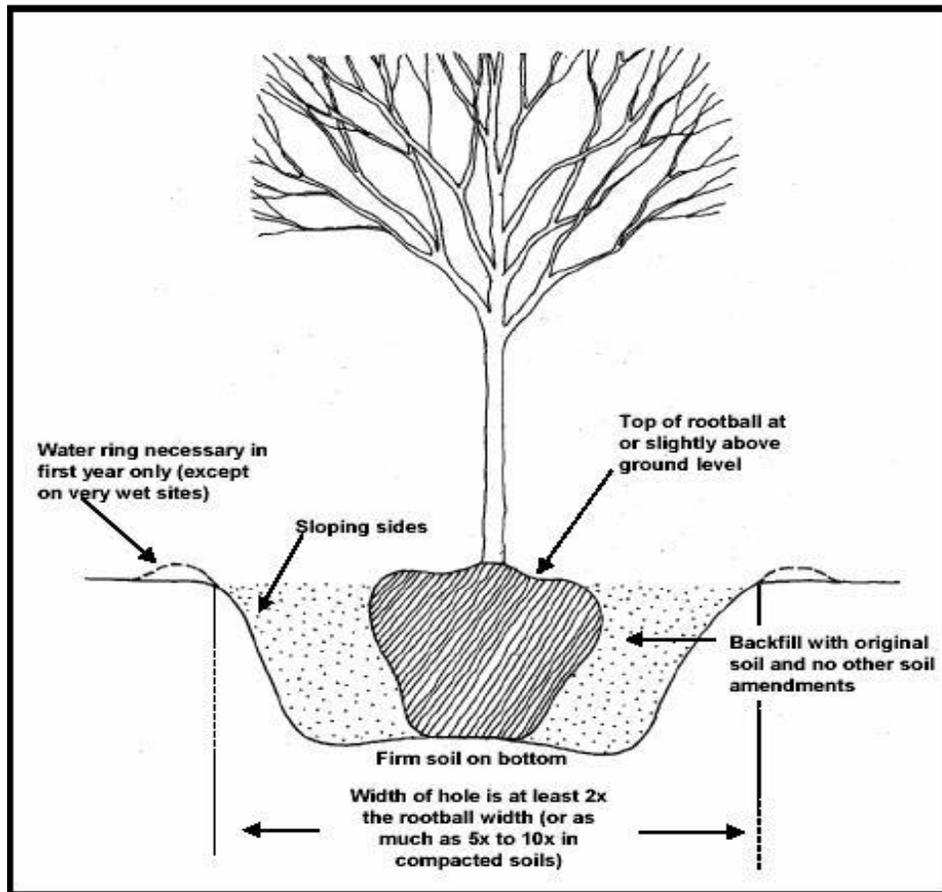
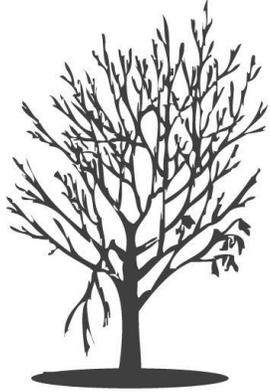


Figure 2. Recommended Tree Planting Method

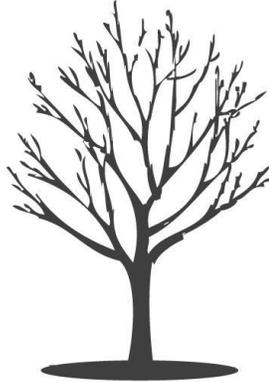
11.16 Maintenance of Regulated Planting Spaces

- 11.16-1 Owner Responsibility. The owner or lessee of the property where landscaping is required shall be responsible for the maintenance and protection of all plant and screening material. Landscaped areas shall be maintained in good condition and kept free of debris. Any dead, unhealthy, or missing plants (preserved or planted) shall be replaced with new plant material equal to the number of credited plants planted or preserved, subject to the provisions of this Ordinance. The replacement plant material shall be sized according to the requirements of this section and shall conform to the initial planting rates and standards. The replacement plant material shall be planted within one hundred eighty (180) days of the date that dead, unhealthy, or missing plants are identified. Regulated spaces include those physical areas in which trees and landscape materials are required by this section.
- 11.16-2 Failure to Maintain. Failure to maintain or replace dead, damaged, or diseased material or to repair a broken fence or wall (where such fence or wall is considered a required portion of the landscape as outlined by this section) shall constitute a violation of this Ordinance and shall be subject to the provisions in Section 11.18, Enforcement, if not replaced within 30 days of notification.
- 11.16-3 Destruction by Natural Event. In the occurrence of a natural event which destroys a large quantity of vegetation, the owner or lessee shall have 180 days to replant. Replaced plant material must be in compliance with the minimum size, spacing and quantity standards of this section.
- 11.16-4 Irrigation. It is suggested that drip irrigation, which includes drip misters, be used for required landscaping planting beds during the required establishment period. After establishment, supplemental watering can be reduced and used on an as needed basis. Traditional spray irrigation is prohibited except for turf areas.
- 11.16-5 Pruning. All required trees shall be allowed to reach their mature size and shall be maintained at their mature size. Trimming and pruning shall be done in strict accordance with the (ANSI) standards. Topping is not an acceptable pruning practice. Topping is the reduction of a tree's size using heading cuts that shorten limbs or branches back to a predetermined crown limit. The *Planning, Zoning & Subdivision Administrator* may require the removal and replacement of any tree(s) located in required planting yards or TCA's that have been topped or excessively trimmed.



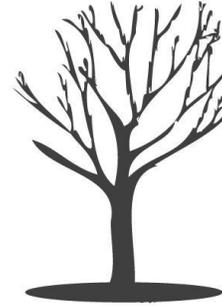
Before Pruning

Mature trees often need pruning due to crowded foliage, broken and dead branches, and asymmetrical shape.



After Proper Pruning

After pruning, trees should retain a symmetrical appearance and tree-like form. A minimum canopy spread of 20 feet must be maintained.



After Excessive Pruning

Pruning in excess of one fourth (25%) of the required canopy spread is prohibited. Tree-topping (hatracking) is prohibited.

11.17 Regulation of Tree Care Professionals

The following standards are established for tree care professionals working within the Town of Granite Quarry and its jurisdiction.

11.17-1 Town-Owned Lands.

- (A.) It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees or trees within Town owned public rights-of-way without first applying for and procuring a Tree Disturbance Permit. Such a permit will only be granted to individuals, businesses, or companies who employ a Certified Arborist to perform or supervise all tree work.
- (B.) In order to receive a Tree Disturbance Permit, applicants must first sign an affidavit agreeing to abide by ANSI 300 Standards for tree care. Specifically, the “topping” of trees shall be prohibited except in cases where the top of the tree has been injured beyond repair by a storm or related incident.
- (C.) Before any permit shall be issued, each applicant must first file evidence of possession of liability insurance and workman’s compensation insurance, in the minimum amounts as required by the Town of Granite Quarry, indemnifying the Town or any person injured or damage resulting from the pursuit of such endeavors as herein described.
- (D.) The *Planning, Zoning & Subdivision Administrator* is authorized to suspend or revoke the right of any person or business to perform work for the Town of Granite Quarry that engages in work practices that do not comply with tree care standards as

specified in this section and the related ANSI Standards.

11.17-2 Private Lands.

- (A.) The Town of Granite Quarry shall not directly regulate private companies providing tree care services on private property. However, the *Planning, Zoning & Subdivision Administrator* may direct property owners to the International Society of Arboriculture (ISA) website or other resources to assist in the location of Certified Arborists, who have specific training in tree care.

11.18 Enforcement

Enforcement of the standards and requirements set forth in this article shall be as provided below.

11.18-1 Notice and Appeal.

- (A.) Notice of Violation. The *Planning, Zoning & Subdivision Administrator* shall provide notice of the violation and any required remedies. The notice of violation shall be served by any means authorized under G.S. 1A-1, Rule 4, and the notice shall set forth the nature of the violation, the measures required to comply with this section, if compliance is at all practicable, and a reasonable time period (not less than 30 days and not to exceed 180 days) within which compliance must be met.
- (B.) Appeal. If any aggrieved party disagrees with a decision of the *Planning, Zoning & Subdivision Administrator*, such party may request a hearing within twelve (12) working days of receipt of the violation. The request must be in writing and directed to the *Board of Adjustment*. The hearing will be conducted at the next regularly scheduled meeting of the *Board of Adjustment*.
- (C.) Decision of *Board of Adjustment*. The *Board of Adjustment* may modify, amend or revise the decision appealed. The decision of the *Board of Adjustment* shall be served upon the appealing party by registered or certified mail, return receipt requested, or by hand delivery.
- (D.) Appeal to Superior Court. If any aggrieved party is dissatisfied with the decision of the *Board of Adjustment*, an appeal may be filed with the Rowan County Superior Court. Notice of the appeal must be filed within thirty (30) days of receipt of the *Board of Adjustment* decision. Any appeals to the Superior Court shall be in the nature of certiorari.
- (E.) Injunction. Any aggrieved party may request an injunction to preserve the status quo during the pending of any appeal in accordance with applicable North Carolina law.

11.18-2 Penalties.

- (A.) Tree Disturbance Prior to Permit Approval. The penalty for the removal of or damage to trees, prior to the issuance of a tree disturbance permit shall be a civil penalty of ten thousand dollars (\$10,000.00) per acre or prorated fraction thereof. (i.e., the civil penalty for a site of 0.35 acres that is cleared prior to approval or prior to the issuance of a tree disturbance permit is three thousand five hundred dollars (\$3,500.00)). Additionally, the Town of Granite Quarry, under G.S. 160D-921, may deny a building permit to any landowner who clears land in anticipation of development in violation of this section for up to three (3) years after completion of the timber harvest. If it is determined that the timber harvest was a “willful violation” of this Ordinance, then the Town of Granite Quarry reserves the right to deny development approvals for a period of two (2) years following the timber harvest.
- (B.) Removal or Damage to Individual Trees after Permit Approval: The penalty for removal of or damage to the CRZ of protected trees after the issuance of a tree disturbance permit within an approved TCA without approval by the *Planning, Zoning & Subdivision Administrator* shall result in a civil penalty as determined by the *Planning, Zoning & Subdivision Administrator*, up to the amount shown in Table 11.6 below, in addition to the replacement of those trees with quality specimens native to the Central Piedmont & Northeastern Piedmont regions of North Carolina.

Table 11.6 – Penalties for Unauthorized Tree Removal

DBH of Tree(s) Removed or Damaged	Maximum Civil Penalty	Reforestation (4-inch DBH minimum)
6 – 11.9 inches	\$800	1 tree
12 – 20.9 inches	\$1,600	2 trees
21 – 28.9 inches	\$2,400	3 trees
29 – 35.9 inches	\$3,200	4 trees
36+ inches	\$4,000	5 trees

- (C.) Removal of an Area of Trees after Permit Approval. The penalty for removal of or damage to an area of protected trees that have not been surveyed after the issuance of a tree disturbance permit within an approved TCA without approval of the *Planning, Zoning & Subdivision Administrator*, shall result in a civil penalty of ten thousand dollars (\$10,000.00) per acre or prorated fraction thereof but not less than one thousand dollars (\$1,000.00). Such areas shall be reforested at a rate one (1), two-inch caliper canopy tree per two hundred (200) square feet.

(D.) Failure to Install or Maintain Tree Protection Devices. There shall be a civil penalty of five hundred dollars (\$500.00) per day for failure to install or maintain approved tree protection measures sufficient to protect the TCA beginning with the date the citation is issued and ending when the site is in compliance. The property owner may be subject to any penalties for damage under Section 11.18-2 above.

(E.) Failure to Comply with the provisions of Section 11.6 Landscape Requirements. There shall be a penalty of five hundred dollars (\$500.00) per day for failure to install required landscape material or to replace dead landscape material beginning with the date the citation is issued and ending when the site is in compliance.

(F.) Civil Penalties Considered Restorative. Civil penalties assessed under this section are considered restorative; intended to provide compensation to the Town for costs associated with the Town's program to monitor, control, prosecute, cure and/or correct the violation. As such, the amount declared herein is presumed to provide sufficient restoration to the Town for its costs. The decision of the *Planning, Zoning & Subdivision Administrator* to assess a civil penalty may be delivered by personal service, by registered mail, or certified mail return receipt requested or by any means authorized under G.S. 1A-1, Rule 4. Each day of a continuing violation shall constitute a separate violation.

11.18-3 Appeal to Superior Court. Every decision of the *Planning, Zoning & Subdivision Administrator* or the *Board of Adjustment* to assess a civil penalty shall be subject to review by the Rowan County Superior Court by proceedings in the nature of certiorari. Any petition for review by the Superior Court shall be filed with the Clerk of Superior Court within 30 days after the decision of the *Planning, Zoning & Subdivision Administrator* or *Board of Adjustment* to assess a civil penalty.

11.18-4 Failure to Appeal and/or Pay: Any civil penalty that is assessed against a person who violates the provisions of this Ordinance shall be recovered by the Town in a civil action in the nature of a debt (placement of liens against properties, etc.), to be brought in the Rowan County Superior Court if the violator fails to give notice of timely appeal and fails to pay the penalty within the prescribed period of time after he or she has been cited for the violation.

11.18-5 Violations Not Criminal: A violation of this Ordinance shall not be considered a misdemeanor under N.C. General Statute 14-4.

Agenda Item Summary

Regular Meeting
October 9, 2023
Agenda Item 7

Summary:

Planning, Zoning, and Subdivision Administrator Richard Flowe will present on the proposed updated Rules of Procedure as recommended by the Planning Board at its September 5, 2023 meeting.

Attachment:

- Planning Board Rules of Procedure Draft

Action Requested:

Motion to adopt the replacement drafted Planning Board Rules of Procedure.

PB Rules of Procedure

Motion Made By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Second By:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

For:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

Against:

- Jim Costantino
- John Linker
- Doug Shelton
- Jeff Cannon

In case of tie:

Mayor Brittany Barnhardt

- For
- Against

RULES OF PROCEDURE
GRANITE QUARRY PLANNING BOARD

PART I
PLANNING BOARD

- 1-1 The official name of the Planning Board shall be the “Granite Quarry Planning Board”, hereafter referred to as the “Planning Board”.

PART II
OBJECTIVE AND PURPOSE

- 2-1 The primary objective of the Planning Board is to develop and maintain a continuing, cooperative planning program to benefit the people of the Town of Granite Quarry.
- 2-2 The purposes of the Planning Board are:
- (a) To make studies of the Town and it’s surrounding area;
 - (b) To determine objectives to be sought in the development of the areas under study;
 - (c) To prepare and recommend plans for adoption by the Board of Aldermen achieving these objectives;
 - (d) To develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
 - (e) To keep the Board of Aldermen and the general public informed and advised as to these matters; and
 - (f) To perform any other related duties that the Board of Aldermen may direct.

PART III
MEMBERSHIP

- 3-1 Members of the Planning Board shall be appointed by the Board of Aldermen for designated terms in accordance with Article 4 of the Granite Quarry Development Ordinance (GQDO).
- 3-2 If a vacancy occurs on the Planning Board by reason of death, resignation, change of residence, or any other cause, it shall be filled by Board of Aldermen appointment for the duration of the unexpired term.
- 3-3 Each Board member shall be sworn by the Mayor or their designee before assuming any position on the Board in accordance with Section 4.2-3 of the GQDO.

PART IV
ELECTION OF OFFICERS

- 4.1 Annually, at the regular meeting of the Planning Board held in the month of January, a Chairman and Vice-Chairman shall be elected. These officers shall be elected for a term of one (1) year and may be re-elected for successive terms to the same office. Members shall be notified of the date, time and place of the election of officers, at least seven (7) days prior to the regular January meeting. Each officer shall serve until relieved of their duties as herein provided.
- 4-2 The Chairman or Vice-Chairman shall preside at all meetings and hearings of the Planning Board, appoint all standing and temporary committees, and have the duties normally conferred on such office. The Chairman or Vice-Chairman shall have the privilege of discussing all matters before the Planning Board.
- 4-3 In the event of the absence of both the Chairman and Vice-Chairman from a meeting of the Planning Board, the remaining members present may elect a temporary Chairman for that meeting and proceed with the order of business.
- 4-4 The Planning board may appoint from its membership or recommend that the Board of Aldermen appoint or hire a person(s) to serve as a secretary for the Planning Board. Said person (s) (hereinafter referred to as the "Secretary") shall keep minutes and records of the Planning Board, prepare with the Chairman the agenda for regular and special meetings, attend to correspondence of the Planning Board and perform such other duties normally carried out by a Secretary.

PART V
MEETINGS

- 5-1 Regular meetings of the Planning Board shall be held on the first Monday of each month at 6:00 p.m. in the Granite Quarry Town Hall. Each member shall be notified of each regular meeting by the Secretary to the Planning Board. The Secretary shall also notify each Planning Board member of all joint Board of Aldermen/Planning Board meetings. Said meetings shall be considered Board of Aldermen meetings for purposes of determining the rules of conduct and procedure.
- 5-2 Special meetings may be called only by the Chairman, provided that at least forty-eight (48) hours written or oral notice of time of such meeting shall be given each member by the Secretary.
- 5-3 Four (4) members of the Planning Board shall constitute a quorum. A quorum shall be present before any business is transacted.
- 5-4 The Chairman shall decide all points of procedure unless otherwise directed by a majority of the Planning Board in session at the time.
- 5-5 All regular and special meetings of the Planning Board shall be open to the public.

- 5-6 The Planning Board shall adjourn by 7:45 p.m. during any regular, continuation, or special meeting unless extended by majority vote of the members present for a specified period of time.

PART VI
ATTENDANCE

- 6-1 In order for the Planning Board to carry out its duties and responsibilities, it is necessary for all members to attend meetings. If any member is absent for three (3) consecutive regular meetings, the Chairman may direct the Secretary to notify such member in writing of their absences and if such member fails to attend the next regular meeting, the Planning Board, by a majority vote of the remaining members, may request that the position be vacated and that a replacement be made by the Board of Aldermen.

PARTVII
ORDER OF BUSINESS

- 7-1 The order of business shall be as follows:
- (a) Call to Order
 - (b) Determination of Quorum
 - (c) Pledge of Allegiance
 - (d) Changes to and Approval of Agenda
 - (e) Approval of Previous Meeting Minutes
 - (f) Old Business
 - (g) New Business
 - (h) Adjournment/Continuation
- 7-2 Items of business at the regular meeting shall appear on the agenda. Business which is not identified on the agenda may be considered only after approval by a majority of the Planning Board in session at the time.

PART VIII
CONFLICT OF INTEREST & CONDUCT

- 8-1 No member of the Planning Board shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the Board which may result in a private benefit to themselves, their immediate relatives or their business interest in accordance with Article 4, Section 4.2-6 of the GQDO. In applying this rule, the following procedure shall govern.

A Planning Board member who believes there may exist a conflict of interest shall declare their possible conflict, the nature of the conflict, and ask for a determination by the Board. A majority vote of the remaining Board members present shall determine whether or not a conflict of interest exists. If determined that a conflict of interest does exist said member shall be excused from voting on that matter, but may voice their opinion, as a local citizen, on the matter.

- 8-2 A challenge of the existence of a conflict of interest or a challenge of an undisclosed conflict of interest may be filed by any interested party with the Board. Such a challenge may be an appeal for review of the finding of the Board or may be for the purpose of alleging an undeclared conflict of interest. Any challenge made to the Board shall be supported by competent evidence and shall be submitted to a properly convened meeting of the Board. If an objection is raised to a member's participation and that member does not recuse themselves, the remaining members shall by majority vote rule on the objection as required by G.S. 160D-109(e). The Board shall hear all evidence and shall, by majority vote, make the final determination as to the existence of any conflict of interest.
- 8-3 Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises. There shall be no attempt to exclude entire categories of considerations because of the business or profession with which a member is associated.
- 8-4 Any person who abstains from voting without having first been excused by the Board as herein prescribed shall be deemed to have voted on the matter in an affirmative manner.
- 8-5 Upon receipt by the Secretary of a written allegation of unethical conduct by a member, or the initiation by the Board of an inquiry into unethical conduct, the Board shall immediately notify the member of the allegation and inquiry, if any. In addition, the Board may decline to accept, refer, or conduct an inquiry into a complaint if it determines that any of the following apply: a. The complaint is frivolous or brought in bad faith. b. The member and conduct complained of have already been the subject of a prior complaint. c. The conduct complained of is primarily a matter more appropriately and adequately addressed and handled by other federal, State, or local agencies or authorities, including law enforcement authorities. If other agencies or authorities are conducting an investigation of the same actions or conduct involved in a complaint filed under this section, the Board may stay its inquiry.
- 8-6 After inquiry, the Board shall dispose of the matter in one or more of the following ways: (1) If the Board finds substantial evidence of an alleged violation of a criminal statute, the Board shall refer the matter to the Town Manager and Town Attorney for investigation and referral to the district attorney for possible prosecution. (2) If the Board finds that the alleged violation is not established by clear and convincing evidence, the Board shall dismiss the complaint. (3) If the Board finds that the alleged violation of this rule is established by clear and

convincing evidence, the Board shall do one or more of the following: a. Issue a private admonishment to the member, if applicable. Such notification shall be treated as part of the record of the member. b. Refer the matter for appropriate action to the Board of Aldermen and Town Attorney. In making recommendations under this subsection, if the Board determines, after proper review and investigation, that sanctions are appropriate, the Board may recommend any action it deems necessary to properly address and rectify any violation of these rules by a member, including removal of the member from the Board.

PART IX RECORDS

- 9-1 The Secretary shall keep a record of the Planning Board's recommendations, transactions, findings and determinations. Said records shall be public and filed in the office of the Town Clerk in Granite Quarry Town Hall.

PART X ACTION BY BOARD

- 10.1 All actions of the Planning Board shall have been put before the Planning Board members in the form of a motion, duly seconded, and voted upon by all unexcused members present for a quorum except as provided in Section 8-4.
- 10-2 Voting shall be done by voice or hand. Only members present at the time a vote is taken shall be eligible to vote. If an issue before the Planning Board is carried over from one meeting to another, a member may be able to vote on the issue if they did not attend the previous meeting at which item was discussed.
- 10-3 All members of the Planning Board have the right to vote on all matters except as specified in Section 8-1.
- 10-4 The Board shall refer to Rules of Procedure for Small Local Government Boards; Second edition; A. Fleming Bell. The Board shall refer to the current edition of Robert's Rules of Order Newly Revised, to answer procedural questions not resolved by the Rules of Procedure for Small Local Government Boards, so long as Robert's Rules of Order does not conflict with North Carolina law or with the spirit of these rules.

PART XI ADOPTION AND AMENDMENT

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of a majority of the voting members of the Board, provided that such

amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Adopted this 5th day of September, 2023.

Richard Luhrs, Chair

Ratified by Board of Aldermen:

ADOPTED on this the 9th day of October, 2023.

Brittany H. Barnhardt, Mayor

Aubrey Smith, Town Clerk

Office of the Mayor:



Proclamation

WHEREAS, while breast cancer touches the lives of Americans from every background in every community, while considerable progress has been made in the fight against breast cancer; and

WHEREAS, each year it is estimated that more than 220,000 women in the United States will be diagnosed; and

WHEREAS, October is Breast Cancer Awareness Month, an annual campaign to increase awareness about the disease; and

WHEREAS, during this month, we as a community support breast cancer research and to educate all citizens about detection, risk factors and treatment; and

WHEREAS, we as a community support those courageously fighting breast cancer and honor the lives lost to the disease; and

WHEREAS, this October, we recognize breast cancer survivors, those battling the disease, their families who are a source of love and encouragement; and applaud the efforts of our medical professionals working hard to find a cure.

NOW, THEREFORE, I, Brittany H. Barnhardt, by virtue of the authority vested in me as Mayor of the Town of Granite Quarry, North Carolina, do hereby proclaim October 2023 as

“BREAST CANCER AWARENESS MONTH”

in the Town of Granite Quarry, North Carolina and encourage citizens to participate in activities that will increase awareness of what Americans can do to prevent breast cancer, and to wear pink ribbons in honor of those who have lost their lives to breast cancer and those who are now bravely fighting this disease.

Proclaimed this the 9th day of October 2023.

Brittany H. Barnhardt, Mayor

ATTEST:

Aubrey Smith, Town Clerk

Proclamation

FIRE PREVENTION WEEK
2023

WHEREAS, the Town of Granite Quarry, North Carolina is committed to ensuring the safety and security of all those living in and visiting Granite Quarry; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,800 people in the United States in 2021, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 338,000 home fires; and

WHEREAS, cooking is the leading cause of home fires in the United States and fire departments responded to more than 166,400 annually between 2016 and 2020; and

WHEREAS, two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking; and

WHEREAS, more than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves; and

WHEREAS, children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire; and

WHEREAS, Granite Quarry residents should turn pot handles toward the back of the stove; always keep a lid nearby when cooking; keep a three-foot kid-free zone around the stove, oven, and other things that could get hot; watch what they heat; and set a timer to remind them that they are cooking; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires almost in half; and

WHEREAS, Granite Quarry first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Granite Quarry residents who are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2023 Fire Prevention Week™ theme, “Cooking safety starts with YOU. Pay attention to fire prevention™,” effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

THEREFORE, I Brittany H. Barnhardt, Mayor of the Town of Granite Quarry, do hereby proclaim October 8-14, 2023, as Fire Prevention Week throughout Granite Quarry and I urge all the people of Granite Quarry to check their kitchens for fire hazards and use safe cooking practices during Fire Prevention Week 2023, and to support the many public safety activities and efforts of Granite Quarry’s fire and emergency services.

Attest

Brittany H. Barnhardt, Mayor

Aubrey Smith, Town Clerk

Office of the Mayor:



Proclamation

WHEREAS, the Town of Granite Quarry’s Board of Aldermen pays tribute on this day to the dedicated veterans who have served this great nation with such distinction, both in peace time and in war; and

WHEREAS, our community has a continuing sense of gratitude to those who have given so much in the defense of the freedoms which we all continue to enjoy; and

WHEREAS, Americans have an abiding faith in the ideals and strengths on which our great nation was founded, in our democratic process, and in the men and women of the armed forces who have served our country so well; and

WHEREAS, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of a people dedicated to the principles of freedom and democracy; and

WHEREAS, on this patriotic occasion, let us all commit ourselves to the great need of fostering a spirit of rededication to the ideals that have served as the foundation of this great country – “One nation, under God, indivisible, with liberty and justice for all.”

NOW, THEREFORE, I, Brittany H. Barnhardt, by virtue of the authority vested in me as Mayor of the Town of Granite Quarry, North Carolina, do hereby proclaim Saturday, November 11, 2023, as

“HONOR OUR VETERANS DAY”

in the Town of Granite Quarry, North Carolina, and encourage all our citizens to honor our veterans and rededicate themselves to the preservation of our liberties under the Constitution.

Proclaimed this the 9th day of October 2023.

Brittany H. Barnhardt, Mayor

ATTEST:

Aubrey Smith, Town Clerk

October 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
	Planning Board 6pm					Autumn Jubilee
8	9	10	11	12	13	14
	BoA Mtg. 6pm	Seasonal Leaf Pickup Begins	Events 5:30pm Centralina Board of Delegates 5pm		FD Auxiliary Port-a-Pit 11am-2pm	Fiddlers Convention
15	16	17	18	19	20	21
	ZBA 6pm	Revitalization 3:30pm		Power in Partnership Breakfast 7:30am		Granite Fest 1-9pm
22	23	24	25	26	27	28
			CRMPO TAC 5:30pm	CAC 5:30pm RMA 6-8pm		
29	30	31				
		GQFD Trunk-or-Treat 5-8pm				

November 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
	Planning Board 6pm	Election Day	Centralina Executive Board 5pm	CAC 5:30pm	Office Closed in Observance of Veterans Day	Veterans Day
12	13	14	15	16	17	18
	BoA Mtg. 6pm			Power in Partnership Breakfast 7:30am		
19	20	21	22	23	24	25
	ZBA 6pm	Revitalization 3:30pm	CRMPO TAC 5:30pm	Thanksgiving – Office Closed	Office Closed	
26	27	28	29	30		