



**Stanley Town Council Special Meeting
Official Minutes
Thursday, June 29, 2023**

The special meeting of the Stanley Town Council was held on Thursday, June 29, 2023 at the Town Hall. The following elected officials and staff were present:

Steven Denton, Mayor
Cathy Kirkland, Mayor Pro-Tem
Bud Pate, Council Member, absent
Chad Jones, Council Member
Leigh Anna Helms, Council Member

Heath Jenkins, Town Manager
Olga Grishin, Town Clerk
John Russell, Town Attorney
Sarah Penley, Planning Director
Kevin Haney, Finance Director

Council Member Helms joined the meeting via conference call.
Mayor Pro-Tem Kirkland and Council Member McMinn were absent.

Call to Order:

Mayor Denton called the meeting to order at 6:00 p.m.

Invocation:

Council Member Pate gave the invocation.

Pledge of Allegiance:

All citizens present recited the Pledge of Allegiance.

Approval of Agenda:

Budget Amendments 24-26 were added to the agenda under Item 5 New Business.

A minor change to the public hearing items was made: ZTA23-04 Zoning Text Amendments to Article IV Administration, Section 4.2. and ZTA23-03 Zoning Text Amendments to Article VI Appeals, Variance, Special Use, Temporary Use Process, Sections 6.1, 6.2 and 6.4.

Mayor Denton asked if there was a motion to approve the revised agenda. Council Member Jones made a motion to approve the agenda, and Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously.

Public Hearing:

ZTA23-03 Zoning Text Amendments to Article VI Appeals, Variance, Special Use, Temporary Use Process, Sections 6.1, 6.2 and 6.4.

Mayor Denton asked if there was a motion to open a public hearing. Council Member Jones made a motion, and Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously.

Director Penley gave the presentation on the case. The request is to propose text amendments to Sections 6.1, 6.2 and 6.4. Article VI Appeals, Variance, Special Use, Temporary Use Process to transfer power, duties, and responsibilities of special use permits from the Board of Adjustment, which currently holds those responsibilities, to the Town Council. The edits are included in those sections where it changes the wording of the Board of Adjustment to the Town Council. The Planning Board did meet twice regarding this matter. They had in-depth discussions at those meetings, and they could not come to a vote at their first regular scheduled meeting. The Board very much felt that the Board of Adjustment was thoroughly trained, experienced, and tenured with SUPs, thus, they thought that this power/procedure should remain with the Board. On May 23, 2023 at the scheduled planning board meeting, they voted unanimously to disapprove the application as submitted and found it to be consistent with the goals and objectives of the Comprehensive Land Use Plan. With statistical data from the NC School of Government showing that a major trend of elected bodies throughout the state is making decisions for Special Use Permits, staff supports the recommendation to approve this request.

Director Penley noted the staff received an email regarding the legal ad for clarification as to what the text amendments were.

Mayor Denton asked if there was a motion to close a public hearing. Council Member Jones made a motion, and Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously.

Mayor Denton asked if there was a motion to approve a public hearing ZTA23-03 Zoning Text Amendments to Article VI Appeals, Variance, Special Use, Temporary Use Process, Sections 6.1, 6.2 and 6.4 . This is consistent with the spirit and purpose of the zoning ordinance future land use plan and promotes the growth of the Town according to all adopted plans and in harmony with the existing development. Council Member Jones made a motion, and Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously.

ZTA23-04 Zoning Text Amendments to Article IV Administration, Section 4.2.

Mayor Denton asked if there was a motion to open a public hearing. Council Member Jones made a motion, and Council Member Helms seconded the motion. A vote was held, and the motion passed unanimously.

Director Penley addressed the Council explaining this was a slight change to section 4.2 Article IV Administration. At the recent Planning Board meeting, there was a discussion about the number of members currently on the Planning Board: five (5) members and two (2) alternatives. The Council appoints four (4) members, and the fifth is appointed by the County. It was felt that if the Planning Board increased the number, it would allow more flexibility and more input, and it would also be consistent with other agencies in our area. Most of the other municipalities have a seven (7) member board. This particular amendment would change the number of the Planning Board and Board of Adjustment members from five (5) to seven (7). The Council would appoint six (6) members, and the County would still appoint one (1) member for ETJ jurisdiction.

Director Penley noted the same email regarding the legal ad to clarify the text amendments.

Mayor Denton asked if there was a motion to close a public hearing. Council Member Jones made a motion, and Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously.

Mayor Denton asked if there was a motion to approve a public hearing ZTA23-04 Zoning Text Amendments to Article IV Appeals, Administration 4.2. This is consistent with the spirit and purpose of the zoning ordinance future land use plan and promotes the growth of the Town according to all adopted plans and in harmony with the existing development. Council Member Jones made a motion, and Council Member Helms seconded the motion. A vote was held, and the motion passed unanimously.

Old Business:

ZTA23-02 Request to Modify Resolution to Include the (RMF) Residential Multi-Family Zoning District

Director Penley spoke to the Council on the matter. At the last few meeting, the application was submitted for some zoning text amendments, specifically to remove zoning districts that were not applicable or did not exist in our Ordinance. In that process, the staff did insert a very common zoning district that almost all jurisdictions have, which is (RMF) residential multi-family zoning district. There was confusion at the last meeting based on the buildings allowed per acre. RMF district does not apply to single-family detached homes, it only applies to attached dwellings. An example would be the Mills; if the Town would have someone to come in and wanted to do a multi-family use for the property to convert it into apartment units. In that case, RFM zoning district would apply. Otherwise, the Town does not have a zoning district to address apartment complexes without them having to do a lot of variances or special use permits. RFM creates a district just for those types of developments and allows for staff and developers to regulate on their own as stand-alone district. When it was presented to the Planning Board, the Board

adopted the text amendments as a whole unanimously. When it was presented to the Council, the Council modified it and approved it with the exclusion of the residential multi-family zoning district. The Council requested some clarification and modifications so that part could be inserted back into the text amendments.

Mayor Denton asked if there was a motion to approve ZTA23-02 Request to Modify Resolution to Include the (RMF) Residential Multi-Family Zoning District. Council Member Jones made a motion, and Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously.

New Business:

Approve Budget Amendments 24-26

Mayor Denton asked if there was a motion to approve budget amendments 24-26. Council Member Jones made a motion, and Council Member Helms seconded the motion. A vote was held, and the motion passed unanimously.

Mayor Denton asked for a motion to go into a closed session meeting pursuant to NC G.S. 143-318.11 (a) (6) involving a public officer matter. Council Member Jones made a motion, Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously to adjourn.

Council came out of the closed session meeting around 7:10 PM.

Mayor Denton asked for a motion to adjourn. Council Member Helms made a motion, Council Member Pate seconded the motion. A vote was held, and the motion passed unanimously to adjourn.

Respectfully Submitted:

Steven Denton – Mayor

(OFFICIAL TOWN SEAL)

Heath Jenkins – Town Manager

Olga Grishin - Town Clerk