



September 15, 2026
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Planning Board Meeting Agenda

#	Time	Item	Presenter	Action Requested/Next Step
	6:00 pm	Invocation Call the Meeting to Order	Chair	N/A
1.		Agenda Approval	Chair	Approve/Amend Agenda Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____.
2.		Approval of Minutes A. March 17, 2026, Minutes B. May 19, 2026, Minutes C. July 21, 2026, Minutes	Chair	Approve/Amend Minutes Motion: I make the motion to: 1) Approve the Minutes as presented; or 2) Approve the Minutes with the following changes: _____.
3.		Rules of Procedure Time Change Amendment A. Staff is proposing an amendment to the Planning Board Rules of Procedure to reflect the current meeting start time.	Max Hsiang, Planning Director	Approve Motion: I make the motion to: 1) Approve the request as presented. 2) Approval of the request with changes _____. 3) Defer the request to _____. 4) Deny the request as submitted.

#	Time	Item	Presenter	Action Requested/Next Step
4.		Text Amendment TX26.09.02 – Zoning Compliance Inspections A. Staff is proposing an amendment to Article 7 to establish a formal zoning compliance review process for developments subject to Major and Minor Site Development Plan review. B. Statement of Consistency and Reasonableness	Katie King, Planner I	Recommendation Motion: <i>I make the motion to recommend:</i> 1) <i>Approval of the request as presented.</i> 2) <i>Approval of the request with recommendations _____.</i> 3) <i>Defer the request to _____.</i> 4) <i>Deny the request as submitted.</i>
5.		Text Amendment TX26.09.03 – Pool Ordinance Update A. Staff is proposing an amendment to Article 2 to clarify and expand the existing swimming pool standards. B. Statement of Consistency and Reasonableness	Brig Sheehy, GIS Planning Technician	Recommendation Motion: <i>I make the motion to recommend:</i> 1) <i>Approval of the request as presented.</i> 2) <i>Approval of the request with recommendations _____.</i> 3) <i>Defer the request to _____.</i> 4) <i>Deny the request as submitted.</i>
6.		Adjournment	Chair	Motion: <i>I make the motion to adjourn.</i>

MINUTES OF PLANNING BOARD MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on March 17, 2026, at 6:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28104.

Planning Board members present: Chairman Glen Watson, Vice Chair Tony Paren, Robert Koehler, Jacqueline Wilson, Ann Katherine Bowman, Scott Dover, and Heather Wright.

Planning Board members absent: None

Staff members present: Planning Director Max Hsiang, Senior Planning Technician Katie King, and GIS Planning Technician Brig Sheehy.

Chairman Glen Watson recognized a quorum.

Invocation and Call to Order

Chairman Watson called the meeting to order at 6:00pm.

1. Approval of Agenda

Board Member Koehler made a motion to approve the agenda. The motion was approved unanimously after a second from Board Member Dover.

2. PB Training

Senior Planning Technician Katie King provided a brief training and refresher for both new and returning Board Members regarding the roles and procedures of the Planning Board and the Board of Adjustments.

3. TX26.01.03

- A. Fence Ordinance Update
- B. Statement of Consistency and Reasonableness

GIS Planning Technician Brig Sheehy presented TX26.01.03, a proposed text amendment proposal to Article 2.13-2 of the Stallings Development Ordinance intended to improve the clarity, consistency, and enforceability of the Town's fence regulations. Ms. Sheehy explained that the amendment would reorganize and clarify existing fence standards, particularly those related to fence height and placement on corner lots and properties abutting streets or alleys, while also refining requirements for chain-link, welded wire, and similar fencing materials. The proposed amendment also includes updated language and illustrative diagrams to assist residents, contractors, and staff with consistent interpretation and application of the regulations.

Following questions and a brief discussion from the Board, Board Member Wilson made a motion to recommend approval of TX26.01.03. The motion was approved unanimously after a second from Board Member Koehler. Board Member Wilson made a motion to adopt a statement finding TX26.01.03 consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Vice-Chair Paren.

4. TX26.01.02

- A. Stallings Streetscape Addendum & Text Amendment
- B. Statement of Consistency and Reasonableness

GIS Planning Technician Brig Sheehy presented TX26.01.02, a proposed amendment to update the Town's Streetscape Design Standards and revise the fee-in-lieu structure for required streetscape and greenway improvements. Ms. Sheehy explained that the proposed changes would simplify the existing streetscape standards by reducing the number of design options, updating width and design requirements, and creating a more consistent streetscape character throughout the Town Center District. The amendment would also establish a revised fee-in-lieu process based on the estimated cost of constructing required improvements when installation by a developer is determined to be impractical or infeasible.

Following questions and a brief discussion from the Board, Vice-Chair Paren made a motion to recommend approval of TX26.01.02 with an adopted statement finding TX26.01.02 consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Koehler.

5. TX26.02.01

- A. Resubmittal Waiting Period
- B. Statement of Consistency and Reasonableness

Planning Director Max Hsiang presented TX26.02.01, a proposed text amendment to Article 5.3-4 of the Stallings Development Ordinance. Mr. Hsiang explained that recent amendments to Chapter 160D of the North Carolina General Statutes removed the authority for local governments to impose mandatory waiting periods following the denial or withdrawal of a zoning map amendment. The proposed amendment would therefore remove the Town's existing four-month waiting period and waiver provisions and require subsequent rezoning applications to be processed in accordance with state law and the procedures established in the Development Ordinance.

Following questions and a brief discussion from the Board, Board Member Wilson made a motion to recommend approval of TX26.02.01 with an adopted statement finding TX26.02.01 consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Koehler.

6. TX26.02.02

- A. Rezoning and Annexation Concurrency
- B. Statement of Consistency and Reasonableness

Planning Director Hsiang presented TX26.02.02, a proposed text amendment to clarify the process for Conditional Zoning applications involving property proposed for annexation. Mr. Hsiang explained that the amendment would allow Town Council to hold the public hearings for the annexation and associated zoning map amendment at the same meeting and take action on both matters concurrently, as permitted by N.C. Gen. Stat. § 160D-204. Any approval of the zoning map amendment would be contingent upon adoption of the annexation ordinance, with both actions having the same effective date.

Following questions and a brief discussion from the Board, Board Member Koehler made a motion to recommend approval of TX26.01.03. The motion was approved unanimously after a second from Board Member Bowman. Board Member Koehler made a motion to adopt a statement finding TX26.01.03 consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Wilson.

7. Adjournment

Board Member Koehler made a motion to adjourn the meeting. The motion was approved unanimously after a second by Board Member Wilson. The meeting was adjourned at 6:47pm.

Robert Koehler, Chairman

Brig Sheehy, GIS Planning Technician

MINUTES OF PLANNING BOARD MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on May 19, 2026, at 6:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28104.

Planning Board members present: Chairman Glen Watson, Vice Chair Tony Paren, Robert Koehler, Jacqueline Wilson, Ann Katherine Bowman, Scott Dover, Heather Wright, and First Alternate Kader Joseph.

Planning Board members absent: None

Staff members present: Planning Director Max Hsiang, Senior Planning Technician Katie King, GIS Planning Technician Brig Sheehy, Code Enforcement Officer Matt Dillard, and Deputy Town Clerk Mary McCall.

Chairman Glen Watson recognized a quorum.

Prior to the meeting being called to order, Deputy Clerk Mary McCall administered the Oath of Office to Kader Joseph, who was sworn in as the Planning Board's First Alternate Member.

Invocation and Call to Order

Chairman Watson called the meeting to order at 6:00pm.

1. Approval of Agenda

Vice-Chair Paren made a motion to approve the agenda. The motion was approved unanimously after a second from Board Member Wilson.

2. Approval of Minutes

A. February 17, 2026 Minutes

Board Member Dover made a motion to approve the minutes as presented. The motion was approved unanimously after a second from Vice-Chair Paren.

3. CZ26.02.02

- A. Lawyers Road Commercial/Office Conditional Zoning
- B. Statement of Consistency and Reasonableness

GIS Planning Technician Brig Sheehy presented CZ26.02.02, a conditional zoning request for approximately 1.23 acres located at 14721 Lawyers Road. Ms. Sheehy explained that the applicant is requesting to rezone the property from Single-Family Residential 1 (SFR-1) to Conditional Mixed-Use 2 (CZ-MU-2) to allow a small-scale office and café development consisting of approximately 6,000 square feet of office and commercial space, associated parking, an outdoor patio area, and a connection stub to the neighboring parcel. Ms. Sheehy reviewed the proposed site plan, requested buffering reductions, absence of the required sidewalk along Lawyers Road, building placement, and the proposal's consistency with adopted Town plans. Ms. Sheehy noted that the property is designated as Suburban Multi-Family Neighborhood on the Future Land Use Plan and that staff recommended denial based on inconsistency with the Future Land Use Plan and several deviations from Development Ordinance standards.

Public comment was heard from multiple residents of The Courtyards at Emerald Lake. Following public comment and discussion and questions from the Board, Vice-Chair Paren made a motion to recommend denial of CZ26.02.02 based on the recommendations of staff. The motion was passed unanimously after a second from Board Member Koehler. Board Member Wilson made a motion to approve a statement that CZ26.02.02 is inconsistent and unreasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Vice-Chair Paren.

4. TX26.05.01

- A. Minor Telecommunications Formatting Modification
- B. Statement of Consistency and Reasonableness

Senior Planning Technician Katie King presented TX26.05.01, a proposed text amendment to correct an administrative error in the Stallings Development Ordinance related to wireless

telecommunication facility standards. Ms. King explained that standards for co-located wireless telecommunication facilities, previously contained in Article 10.1-34, were unintentionally removed during the 2021 ordinance update and are required pursuant to North Carolina General Statutes. The amendment would restore the co-located wireless telecommunication facility standards to Article 10.1-34, relocate the existing Pawnshop or Used Merchandise Store standards to Article 10.1-38, and update the corresponding reference in the Article 8 Table of Uses. Staff recommended approval of the amendment to correct the administrative error, restore consistency with State Statutes, and reduce potential confusion regarding applicable development standards.

Following a brief discussion and clarifying questions from the Board, Board Member Wilson made a motion to recommend approval of TX26.05.01 with an adopted statement finding the amendment consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Bowman.

5. TX26.05.02

A. RV Occupancy

B. Statement of Consistency and Reasonableness

Code Enforcement Officer Matt Dillard presented TX26.05.02, a proposed text amendment to the Stallings Development Ordinance intended to improve clarity and consistency in the enforcement of recreational vehicle occupancy regulations. Mr. Dillard explained that the current ordinance creates enforcement challenges because it allows RV occupancy for up to 180 days per calendar year, with no more than 90 consecutive days, making intermittent occupancy difficult for staff to track. Two options were presented for consideration: Option 1 would prohibit occupancy of RVs while parked or stored on any property, while Option 2 would allow occupancy for up to 30 consecutive days once per calendar year. Staff recommended Option 1 because it would provide a clearer enforcement standard and is generally consistent with regulations adopted by surrounding municipalities.

Following questions and a brief discussion from the Board, Board Member Wilson made a motion to recommend approval of TX26.05.02 with an adopted statement finding the amendment consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Vice-Chair Paren.

6. Adjournment

Board Member Wilson made a motion to adjourn the meeting. The motion was approved unanimously after a second by Board Member Dover. The meeting was adjourned at 7:00pm.

Glen Watson, Chairman

Brig Sheehy, GIS Planning Technician

MINUTES OF PLANNING BOARD MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on July 21, 2026, at 6:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28104.

Planning Board members present: Chairman Glen Watson, Vice Chair Tony Paren, Robert Koehler, Jacqueline Wilson, Scott Dover, Heather Wright, and First Alternate Kader Joseph.

Planning Board members absent: Ann Katherine Bowman

Staff members present: Planning Director Max Hsiang and GIS Planning Technician Brig Sheehy.

Chairman Glen Watson recognized a quorum.

Invocation and Call to Order

Chairman Watson called the meeting to order at 6:11pm.

1. Approval of Agenda

Board Member Wright made a motion to approve the agenda. The motion was approved unanimously after a second from Board Member Khoeler.

2. TX26.07.01

- A. Recreational Facilities and Community Amenities
- B. Statement of Consistency and Reasonableness

Planning Director Max Hsiang presented TX26.07.01, a proposed text amendment initiated at the request of Town Council to establish consistent development standards for pickleball courts and other recreational facilities and community amenities. Mr. Hsiang explained that the

amendment would replace the existing “Swim and Tennis Club” classification with the broader “Recreational Facilities and Community Amenities” classification and establish supplemental standards addressing minimum site area, separation from residential properties, noise, hours of operation, lighting, buffering, permitting, and modifications to existing facilities. The proposed standards include additional separation requirements for outdoor pickleball courts due to their unique noise and operational characteristics and would prohibit illumination of pickleball courts. Staff recommended approval of the amendment to provide more consistent standards and clearer expectations for the design, placement, review, and enforcement of recreational facilities throughout the Town.

Public comment was heard from resident Glenda Ray. Following a brief discussion and questions from the Board, Board Member Dover made a motion to recommend approval of TX26.07.01 with a recommendation that the hours of operation not begin before 8:00 a.m. and that the minimum separation requirement be increased to 160 feet. The motion was approved unanimously after a second from Board Member Koehler. Board Member Wilson made a motion to adopt a statement finding TX26.07.01 consistent and reasonable in conjunction with the Town’s Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Joseph.

3. Adjournment

Board Member Joseph made a motion to adjourn the meeting. The motion was approved unanimously after a second by Board Member Koehler. The meeting was adjourned at 6:56pm.

Glen Watson, Chairman

Brig Sheehy, GIS Planning Technician



MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 09.15.2026
Re: Planning Board Rules of Procedure Time Change

Request:

At its December 2025 meeting, the Planning Board voted to change its regular meeting time from 7:00 p.m. to 6:00 p.m. To reflect the Board's action, the Rules of Procedure need to be amended to update the stated meeting time.

The proposed amendment makes no additional changes to the Rules of Procedure.

Staff recommends that the Planning Board approve the amendment changing the regular meeting time from 7:00 p.m. to 6:00 p.m in Article 5-1 below.

ARTICLE V MEETINGS

5-1 Regular meetings of the Planning Board shall be held on the third Tuesday of each month at **6:00 p.m.** in the Stallings Town Hall. Each member shall be notified of each regular meeting by the Secretary to the Planning Board. The Secretary shall also inform each Planning Board member of all joint Town Council/Planning Board public hearings. Said meetings shall be considered Town Council meetings to determine the rules of conduct and procedure.



**PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS
POLICY DOCUMENTS**

*Amended:
03-19-2024
09-15-2026*

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RULES OF PROCEDURE PLANNING BOARD TOWN OF STALLINGS, NORTH CAROLINA

ARTICLE I PLANNING BOARD

1-1 The official name of the Planning Board shall be the Stallings Planning and Zoning Board, hereafter referred to as the "Planning Board."

ARTICLE 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 Stallings.

2-2 The purposes of the Planning Board are:

- a) To make studies of the Town;
- b) To determine objectives to be sought in the development of the areas under study;
- c) To prepare and adopt plans for 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 Town Council and the general public informed and advised as to these matters; and
- f) To perform any other related duties that the Town Council may direct.

ARTICLE III MEMBERSHIP

3-1 Members of the Planning Board shall be appointed by the Town Council for designated terms. The Planning Board shall consist of seven (7) regular members and two (2) alternate members.

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 Town Council appointment for the duration of the unexpired term.

ARTICLE IV ELECTION OF OFFICERS

4-1 Annually, at the regular meeting of the Planning Board held in the month of January, a Chair and Vice-Chair shall be elected by the Board's membership (including alternate members). The Chair and Vice-Chair for the Zoning Board of Adjustments shall be the same individuals as Planning Board. 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 Chair 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 Chair shall have the privilege of discussing all matters before the Planning Board.

4-3 In the event of the absence of both the Chair and Vice-Chair from a meeting of the Planning Board, the remaining members present may elect a temporary Chair for that meeting and proceed with the order of

business.

- 4-4 The Planning board may appoint from its membership or recommend that the Town Council 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 Chair the agenda for regular and special meetings, attend to the correspondence of the Planning Board, and perform such other duties normally carried out by a Secretary.

ARTICLE V MEETINGS

- 5-1 Regular meetings of the Planning Board shall be held on the third Tuesday of each month at 6:00 p.m. in the Stallings Town Hall. Each member shall be notified of each regular meeting by the Secretary to the Planning Board. The Secretary shall also inform each Planning Board member of all joint Town Council/Planning Board public hearings. Said meetings shall be considered Town Council meetings to determine the rules of conduct and procedure.
- 5-2 Special meetings may be called only by the Chair, provided that at least forty- eight (48) hours written or oral notice of the 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 Chair shall decide all points of the 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.

ARTICLE 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 two (2) consecutive regular meetings, the Chair may direct the Secretary to notify such members in writing of their absences. 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 the Town Council make a replacement.

ARTICLE VII ORDER OF BUSINESS

- 7-1 The order of business shall be as follows:
- a) Determination of Quorum
 - b) Approval of Previous Minutes
 - c) Old Business
 - d) New Business
 - e) Adjournment
- 7-2 Items of business at the regular meeting shall appear on the agenda. The 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.

ARTICLE VIII CONFLICT OF INTEREST

- 8-1** Members of the Planning Board shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to G.S. § 160D or the Stallings Development Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Planning Board member shall not vote on any zoning amendment if the landowner of the property is subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.
- 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 to allege an undeclared conflict of interest. Any challenge made to the Board shall be supported by competent evidence and submitted to a properly convened meeting of the Board. The Board shall hear all evidence and shall, by majority vote, make the final determination as to the existence of a conflict of interest.
- 8-3** Withdraw 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.

Article 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 Stallings Town Hall.

ARTICLE X ACTION BY THE 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 roll call or hand. The Chair shall vote only in case of a tie and instances where only three (3) other voting members are present.
- 10-3** Only members present when 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 vote on the matter if they did not attend the previous meeting at which item was discussed.
- 10-4** All members of the Planning Board have the right to vote on all matters except as specified in Sections 8-1 and 10-2.

ARTICLE XI
ADOPTION AND AMENDMENT

11-1 Within limits allowed by law, these rules may 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 ____ day of _____, 2026.

Chair

Planning Staff



RULES OF PROCEDURE ZONING BOARD OF ADJUSTMENTS TOWN OF STALLINGS, NORTH CAROLINA

ARTICLE I GENERAL RULES

1-1 The Zoning Board of Adjustment (referred to as the "Board") shall be governed by the terms of G.S. § 160D-302 of the General Statutes of North Carolina and by the Town of Stallings Zoning Ordinance. All members of the Board shall thoroughly familiarize themselves with these laws.

ARTICLE II MEMBERSHIP, OFFICERS, AND DUTIES

2-1 Elections

A Chair and a Vice-Chair for the Zoning Board of Adjustments shall be the same people elected by the Board's membership (including alternate members) annually at the Planning Board's regular meeting held in January. These officers shall be elected for terms of up to one (1) year in length 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 May meeting. Each officer shall serve until relieved of their duties as herein provided

2-2 Officers Duties

The Chair shall decide upon all points of order and procedure, subject to these rules unless directed otherwise by a majority of the Board in session at the time. The Vice-Chair shall serve as acting Chair in the absence of the Chair, and at such times he shall have the same powers and duties as the Chair.

2-3 Secretary And Town Clerk Duties

A Secretary shall be appointed by the Town Manager from the Town's Administrative Staff. The Secretary shall be responsible for taking minutes at all board meetings. These minutes shall show the record of all important facts of each meeting and hearing, every resolution acted upon by the Board, and all votes of members of the Board upon any resolution or upon the final determination of any question, indicating the names of members absent or failing to vote. The Secretary, subject to the direction of the Chair and the Board, shall conduct all correspondence of the Board, shall arrange for all public notices required to be given and shall notify members of pending meetings and their agenda, and shall generally supervise the clerical work of the Board. A copy of the minutes of all Board of Adjustments meetings shall be maintained in the office of the Secretary.

2-4 Membership

The members of the Planning Board shall serve in the capacity of the Board of Adjustments and shall be appointed for designated terms by the Stallings Town Council. The Board of Adjustments shall consist of nine (9) members consisting of seven (7) regular members and two (2) alternate members. The alternate members of the Board shall be requested to attend all regular and special meetings. They shall be able to cast a vote on an application for a variance, interpretation, or appeal when a

regular member of the Board is absent or if a Board member has a conflict of interest. The alternate members shall have full voting privileges on the adoption or amendment of these rules of procedure and other procedural aspects of the Board's business.

ARTICLE III MEETINGS & HEARINGS

3-1 Regular Meetings & Public Hearings

Regular Meetings and Public Hearings of the Board shall be held on the Third Tuesday of each month at 7:30 p.m., or after the Planning Board Meeting, in the Stallings Town Hall. Regular meetings and Public Hearings may be held at any other convenient place in the Stallings area if directed by the Chair in advance of the meeting. Each member shall be notified of each meeting by the Secretary to the Board.

3-2 Special Meetings

The Special meetings of the Board may be called at any time by the Chair. At least forty-eight (48) hours written notice of the time and place of special meetings shall be given by the Secretary to each member of the Board.

3-3 Cancellation of Regular Meetings and Public Hearings

Whenever there is no business for the Board, or whenever so many members notify the Secretary of their inability to attend that a quorum will not be available, the Chair may dispense with a regular meeting or Public Hearing by having written or oral notice given to all members not less than twenty-four (24) hours before the time set for the meeting.

3-4 Quorum

A quorum shall consist of four (4) members of the Board. The Board shall not vote upon an application for a variance when less than four-fifths (4/5th) voting members present.

3-5 Voting

All regular members may vote on any issue unless they have disqualified themselves for one or more reasons listed in Article VI. The required vote to decide appeals and applications shall be provided in Article 7-2 and shall not be reduced by any disqualification. In all other matters, the majority of the members present and voting shall decide issues before the Board.

ARTICLE IV ATTENDANCE

4-1 In order for the Board to carry out its duties and responsibilities, all members must attend the meetings. If any regular member is absent for two (2) consecutive regular meetings, the Chair may direct the Secretary to notify such member in writing of their absences. By a majority vote of the remaining members, the Board of Adjustment may request that the position be vacated and request a replacement be replaced made.

ARTICLE V ORDER OF BUSINESS

5-1 All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

- a) Determination of Quorum
- b) Approval of Previous Minutes
- c) Old Business
- d) New Business
- e) Adjournment

ARTICLE VI RULES OF CONDUCT AND CONFLICT OF INTEREST

6-1 The Zoning Board of Adjustment shall be governed by the terms of Chapter 160D-302 of the General Statutes of North Carolina and by the Town of Stallings Zoning Ordinance. All members of the Board shall thoroughly familiarize themselves with these laws.

6-2 Members of the Board of Adjustment shall not participate or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision-maker. Impermissible violations of the due process include, but are not limited to, a member having a fixed opinion before hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or financial interest in the outcome of the matter. (G.S. § 160D-109).

6-3 Withdraw 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.

6-4 If a public hearing is continued from one meeting date to another, no Board member shall vote on any matter deciding an applicant or appeal unless they shall have attended the entire public hearing on that application or appeal. An alternate member may replace a regular member only if the alternate member was in attendance at all previous public hearing sessions concerning that application. If a vote cannot occur, it will be necessary that the public hearing continue on another date or be started over and readvertised with new voting Board members.

6-5 Conduct of Hearing

Any party shall appear in person or by an agent or by an attorney at the hearing. The order of business for hearing shall be as follows:

- a) The Chair, or such person as they shall direct, shall give a preliminary statement of the case;
- b) The applicant shall present the argument in support of their application;
- c) Persons opposed to granting the application shall present the argument against the application;
- d) The Chair (or the Secretary at the Chair's direction) shall summarize the evidence which has been objectives or corrections. Board members may view the premises and ask clarifying questions before arriving at a decision. All witnesses giving evidence before the Board shall be placed under oath, and the opposing party may cross-examine them.
- e) Members of the Board will not express individual opinions on the proper judgment of any case with any parties before determining that case. Continued violation of this rule shall cause dismissal from the hearing or Board.

ARTICLE VII APPEALS, APPLICATIONS, AND PUBLIC HEARINGS

7-1 Types of Appeals

The Board shall hear and decide all appeals from and review any order, requirement, decision, or determination the Development Administrator makes. In deciding appeals, it may hear both those based upon an allegedly improper or erroneous interpretation of the Ordinance and those based upon alleged hardship resulting from the strict interpretation of the Ordinance

7-2 Procedure For Filing Appeals

The Board shall hear no appeal unless notice thereof is filed with the Town Clerk within fifteen (15) days after the interested party or parties receive notice of the order, requirement, decision, or determination by the Development Administrator. All applications shall be made upon the form furnished for that purpose by the Town, and all information required shall be provided before an appeal shall be considered as having been filed.

7-3 Procedure For Filing Application For Variances

A complete application for a variance shall be submitted to the Development Administrator at least fifteen (15) days before the Board of Adjustment hearing at which the case is to be heard. All applications shall be made upon the form furnished for that purpose by the Town, and all information required shall be provided before the application can be considered for the Board of Adjustment to hear.

7-4 Public Hearing Notice

After a completed application is submitted to the Development Administrator, a public hearing shall be scheduled at the next regularly scheduled meeting of the Board or at a special meeting called for at an earlier date by the Chair; all such meetings being scheduled at least fifteen (15) days after the application has been accepted and deemed complete by the Development Administrator. Notice of evidentiary hearings shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and the Town shall also send by first class mail notice of the public hearing to the applicant and owners within 500 ft of the subject property. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, before the date of the hearing. Within that same time period, the local government shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The Board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given date and a quorum of the Board is not then present, the hearing shall be continued until the next regular board meeting without further advertisement (G.S. § 160D-406).

7-6 Rehearings

An application for rehearing may be made in the same manner as provided for an original hearing. Evidence supporting the application shall initially be limited to necessary to enable the Board to determine whether there has been a substantial change in the case's facts, evidence, or conditions. The application for rehearing shall be denied by the Board if, from the record, it finds that there has been no substantial change in facts, evidence, or conditions. If the Board finds that there has been a

change, it shall treat the request in the same manner as any other application. A public hearing shall not be required to be held by the Board of Adjustment to determine whether rehearing is to be held. Those Board members who voted on the application at the prior public hearing need not all be voting to determine if a rehearing is held. The concurring vote of at least four-fifths (4/5ths) voting members shall be required to conduct a rehearing.

7-7 Decision

1. Time:

Decisions by the Board shall be made no later than thirty-one (31) days from when the hearing was closed.

2. Form:

The Board's final decision shall be shown in the record of the case as entered in the minutes of the Board and signed by the Secretary and the Chair upon approval of the minutes by the Board. Such a record shall show the reasons for the determination, with a summary of the evidence introduced and the findings of fact made by the Board. Where a variance is granted, the record shall detail any exceptional difficulty of unnecessary hardship upon which the appeal was based and which the Board finds to exist. The record shall describe the decision to reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from.

The record shall detail what conditions and safeguards in connection with granting a variance if the Board imposes any.

3. Expiration Permits:

Unless otherwise specified, any order or decision of the Board granting a variance shall expire if a building permit or certificate of occupancy for such use is not obtained within twelve (12) months from the decision date.

4. Voting at Hearings:

In no case shall more than seven Board of Adjustment members be allowed to vote on any case involving a variance application, interpretation of the Zoning Ordinance text, or appeal of a Development Administrator's decision.

The concurring vote of at least four voting members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Development Administrator. A vote of at least four-fifths (4/5ths) voting members shall be required for a variance. Voting on any issue shall be done by a show of hands or roll call.

5. Public Record of Decision:

As filed in its minutes, the decisions of the Board shall be of public record, available for inspection at the Town Clerk's office during regular business hours.

ARTICLE VIII
ADOPTION AND AMENDMENT

8-1 These rules may, within limits allowed by law, be amended at any time by an affirmative vote of not less than four (4) regular or alternate 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 ____ day of _____, 2026.

Chair

Planning Staff



MEMO

To: Planning Board
From: Katie King, Planner I
Date: 09/15/2026
Re: TX26.09.02 – Zoning Compliance Inspections

Request:

Staff proposes an amendment to Article 7 of the Stallings Development Ordinance to establish a formal zoning compliance review process for developments subject to Major and Minor Site Development Plan review.

The Town already performs zoning compliance inspections as part of the development process, and applicants are provided with inspection checklists outlining the items that will be reviewed. However, the Development Ordinance does not currently establish this process or provide clear authority for addressing site development plan review inspections and deficiencies identified during the final inspection. This amendment formalizes the Town's existing practice by authorizing the Development Administrator or designee to verify compliance with approved Site Development Plans, applicable permits, and the requirements of the Development Ordinance before a project is considered complete.

Amendment:

Article 7 – Permits and Procedures

(new) Section 7.5-5: Zoning Compliance Inspection

7.5-5 Zoning Compliance Inspection.

- (A.) Prior to the issuance of a Certificate of Zoning Compliance for any development subject to the Major Site Development Plan review process (Section 7.7-1) or Minor Site Development Plan review process (Section 7.7-2), the Development Administrator or designee shall conduct a Zoning Compliance Inspection to verify that the development has been completed in substantial conformance with the approved Site Development Plan, applicable permits, and the requirements of this Ordinance.
- (B.) The Zoning Compliance Inspection shall include all applicable items necessary to determine compliance with the approved Site Development Plan, this Ordinance, and the Town's administrative inspection procedures.
- (C.) If deficiencies are identified during the Zoning Compliance Inspection, the Development Administrator or designee may require correction of such deficiencies within a reasonable period based on the nature and extent of the required work.
- (D.) Upon verification that the development is in substantial conformance with the approved Site Development Plan, applicable permits, and the requirements of this Ordinance, the Development Administrator or designee shall issue a Certificate of Zoning Compliance.
- (E.) A Certificate of Zoning Compliance shall be required prior to the issuance of a Certificate of Occupancy by Union County.

(F.) Failure to correct identified zoning deficiencies within the prescribed time period shall constitute a violation of this Ordinance and shall be subject to the enforcement provisions of Article 23.

Staff Recommendation:

Staff recommends approval of TX26.09.02. This amendment does not create new development standards or inspection requirements. Instead, it formalizes the Town's existing zoning compliance process, provides greater clarity for applicants, and establishes a consistent procedure for verifying that approved site improvements have been completed before a project is finalized.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.09.02

REQUEST: Staff proposes an amendment to Article 7 to establish a formal zoning compliance review process for developments subject to Major and Minor Site Development Plan review.

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board’s recommendations.

THEREFORE, The Planning Board recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

- 1) Formalizes the Town's existing zoning compliance process.
- 2) Clarifies the requirements for applicants.
- 3) Establishes a consistent procedure for verifying that approved site improvements have been completed before a project is finalized.

Recommended this the __ day of _____, 2026.

Planning Board Chair

Attest:

Planning Staff



MEMO

To: **Planning Board**
From: Brig Sheehy, GIS Planning Technician
Date: September 15, 2026
Re: **TX26.09.03 – Pool Ordinance Update**

Overview:

The purpose of this proposed amendment is to improve clarity, consistency, and enforceability of the Town's swimming pool regulations. The revisions add definitions for swimming pools, hot tubs and spas, and pool coping. The amendment also clarifies how required setbacks are measured and establishes standards for associated improvements such as decking, concrete, skirts, and other surfaces surrounding a pool. Separate setback and placement standards are also proposed for hot tubs, spas, and similar recreational water features to better distinguish these structures from swimming pools and other accessory structures.

Background:

During the review of Accessory Structure Permit applications for swimming pools, staff has identified areas within Article 2.13-7 that can be difficult for residents and applicants to interpret and that may create confusion during the permit review process. In particular, the existing language does not clearly distinguish between in-ground and above-ground pools or specify the point from which required setbacks should be measured.

Staff has also received an increasing number of permit applications for hot tubs, spas, and similar recreational water features. The current Development Ordinance does not provide specific standards that directly address these uses, resulting in uncertainty regarding how they should be classified and what setback or placement requirements should apply.

To improve consistency and provide clearer guidance for applicants and staff, the proposed amendment adds definitions for swimming pools, hot tubs and spas, and pool coping. These definitions are intended to clarify that swimming pool regulations apply to both in-ground and above-ground pools and to establish a clear reference point for measuring required setbacks. The amendment also proposes specific standards for hot tubs, spas, and similar features, along with additional clarification regarding decking, concrete, skirts, and other improvements associated with swimming pools.

Summary of Proposed Text Amendment:

TX26.09.03 amendment will:

1. Add definitions for swimming pools, hot tubs and spas, and pool coping to Article 3 to provide clearer terminology and improve interpretation of applicable standards.
2. Clarify swimming pool placement and setback requirements within Article 2.13-7, including required setbacks from property lines and other structures and establishing the outer edge of the pool coping as the point from which setbacks are measured.
3. Establish setback requirements for pool-related improvements, including decking, concrete, aprons, skirts, and other permanent improvements constructed or installed around a swimming pool.
4. Add specific standards for hot tubs, spas, and similar recreational water features, including side and rear yard placement requirements, setbacks from property lines and other accessory structures, and an allowance for these features to be located adjacent to or attached to the principal structure.

Proposed Text Amendments:

Article 3 – Definitions

SWIMMING POOL. An in-ground, above-ground, or on-ground structure designed or intended for swimming, wading, or recreational bathing. For purposes of this Ordinance, the term includes both in-ground and above-ground swimming pools but does not include hot tubs, spas, or similar recreational water features regulated separately by this Ordinance.

HOT TUB OR SPA. A structure or recreational water feature designed for soaking, bathing, or hydrotherapy that typically contains heated water and may include water-circulating, air-injection, or hydrotherapy equipment. A hot tub or spa shall not be considered a swimming pool for purposes of this Ordinance.

POOL COPING. The finished material installed along the upper perimeter edge of a swimming pool that caps or borders the pool structure and separates the pool from the surrounding deck, concrete, or other surface.

Article 2

2.13-7 Swimming Pools, Hot Tubs, and Spas. Swimming pools, hot tubs, spas, and similar recreational water features located on any site, including single-family residential sites, shall ~~be~~ **comply with the following standards:**

- ~~(A.)—Located in a side or rear yard only;~~
- ~~(B.)—Located a minimum of fifteen (15') feet from any property line;~~
- ~~(C.)—Completely enclosed by a fence or wall no less than four (4') feet but no more than eight (8') feet, except when a wall is component to the dwelling or accessory structure, in accordance with the provisions of sub-section 2.13-2 Fences and Walls herein. Height shall be measured above grade on the side of the fence or wall which faces away from the swimming pool. This fence or wall shall fully enclose the pool itself and is permitted to extend around the entire yard or other portions of the lot, provided the pool remains entirely within the enclosed area. Fence design shall not be climbable or of a ladder pattern. Fences shall not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing. The fence shall not have any gaps, opening, indentations, protrusions, or structural components that allow a young child aged six (6) years or less to crawl under, squeeze through, or climb over the fence or adjacent barrier. All fence or wall openings into the pool area shall be equipped with a gate that opens outward away from the pool and shall be self-closing and have a self-latching device located on the poolside of the gate and be placed so that a young child aged six (6) years or less cannot reach over the top or through any opening or gap and operate the latch. (Amended July 28, 2025)~~

(A.) Swimming Pools. Swimming pools shall meet the following requirements:

- a. Located in a side or rear yard only;**
- b. Located in a side or rear yard only and at least five (5') feet behind a line drawn parallel to the rear of the principal structure on the lot, as measured from the outer edge of the pool coping, in accordance with the applicable accessory structure placement standards of Article 9;**

- c. Located a minimum of fifteen (15') feet from any property line and any other structure located on the lot, as measured from the outer edge of the pool coping;
- d. Any decking, concrete, apron, skirt, or other permanent improvement constructed or installed around a swimming pool shall be located a minimum of five (5') feet from any property line and a minimum of five (5') feet from any other structure located on the lot;
- e. Completely enclosed by a fence or wall no less than four (4') feet but no more than eight (8') feet, except when a wall is component to the dwelling or accessory structure, in accordance with the provisions of sub-section 2.13-2 Fences and Walls herein. Height shall be measured above grade on the side of the fence or wall which faces away from the swimming pool. This fence or wall shall fully enclose the pool itself and is permitted to extend around the entire yard or other portions of the lot, provided the pool remains entirely within the enclosed area. Fence design shall not be climbable or of a ladder pattern. Fences shall not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing. The fence shall not have any gaps, opening, indentations, protrusions, or structural components that allow a young child aged six (6) years or less to crawl under, squeeze through, or climb over the fence or adjacent barrier. All fence or wall openings into the pool area shall be equipped with a gate that opens outward away from the pool and shall be self-closing and have a self-latching device located on the poolside of the gate and be placed so that a young child aged six (6) years or less cannot reach over the top or through any opening or gap and operate the latch.
(Amended July 28, 2025)

(B.) Hot Tubs and Spas. Hot tubs, spas, and similar recreational water features shall meet the following requirements:

- a. Located in a side or rear yard only. When located in a side yard, the hot tub, spa, or similar recreational water feature shall be located at least five (5') feet behind a line drawn parallel to the rear of the principal structure on the lot, as measured from the outer edge of the pool coping;
- b. Located a minimum of fifteen (15') feet from any property line as measured from the outermost edge of the hot tub, spa, or recreational water feature;
- c. Located a minimum of five (5') feet from any other structure located on the lot, excluding the principal structure. A hot tub, spa, or similar recreational water feature may be located immediately adjacent to or attached to the principal structure or platform attached to the principal structure upon which the hot tub, spa, or similar recreational water feature is located.

Staff Recommendation:

Staff recommends approval of TX26.09.03. The proposed amendment clarifies and expands the existing swimming pool standards within Article 2.13-7 of the Stallings Development Ordinance, establishes clear definitions and setback measurement standards, and adds specific regulations for hot tubs, spas, and similar recreational water features. These revisions will improve consistency in interpretation and application during permit review and provide clearer guidance for residents, contractors, and staff. The amendment is consistent with the intent of the Development Ordinance and supports more uniform administration of accessory structure requirements throughout the Town.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.09.03

REQUEST: Staff requests a text amendment to improve clarity, consistency, and enforceability of Article 2.13-7. The proposed revisions add definitions to Article 3 for swimming pools, hot tubs and spas, and pool coping; clarify setback and measurement requirements for swimming pools and associated improvements; and establish separate placement and setback standards for hot tubs, spas, and similar recreational water features.

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the "Town Council", adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board's recommendations.

THEREFORE, The Planning Board recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

- 1) Adding definitions and clarifying setback measurement standards will make swimming pool regulations easier to understand and apply for residents, applicants, contractors, and staff.
- 2) Establishing specific placement and setback requirements for swimming pools, associated improvements, hot tubs, spas, and similar recreational water features will improve consistency and enforceability during permit review.

Recommended this the ___ day of _____, 2026.

Planning Board Chair

Attest:

Planning Staff