



June 22, 2026
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	David Scholl, Mayor	NA
	7:05 p.m.	Public Comment	David Scholl, Mayor	NA
1.	7:15 p.m.	Agenda Approval	David Scholl, Mayor	Approve agenda as written
2.	7:17 p.m.	CZ26.02.02 A. Lawyers Road Commercial (1) Open Public Hearing (2) Information from Staff (3) Public Comment (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Brig Sheehy, GIS Planning Tech.	Approve/Deny conditional zoning
3.	7:30 p.m.	TX26.05.01 A. Minor Telecommunications Formatting Fix (1) Open Public Hearing (2) Information from Staff (3) Public Comment (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Katie King, Sr. Planning Technician	Approve/Deny text amendment
4.	7:40 p.m.	TX26.05.02 A. RV Occupancy (1) Open Public Hearing (2) Information from Staff (3) Public Comment (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Matt Dillard, Code Enforcement Officer	Approve/Deny text amendment

5.	7:50 p.m.	Opening Burning A. Ordinance Amendment (1) Open Public Hearing (2) Information from Staff (3) Public Comment (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Matt Dillard, Code Enforcement Officer	Approve/Deny ordinance Amendment
6.	8:00 p.m.	Evaluation of Notification Options <i>Council Requested</i>	Max Hsiang, Planning Director Mac McCarley, Planning Atty.	Approve/Deny process
7.	8:15 p.m.	Conditional Zoning Process Policy <i>Council Requested</i> (1) Open Public Hearing (2) Information from Staff (3) Public Comment (4) Close Public Hearing (5) Council Vote	Max Hsiang, Planning Director	Approve/Deny policy
8.	8:30 p.m.	Adjournment	David Scholl, Mayor	Adjournment

designation of Multi-Family Residential for this parcel, the applicant is seeking to establish a limited commercial use through the conditional zoning process.

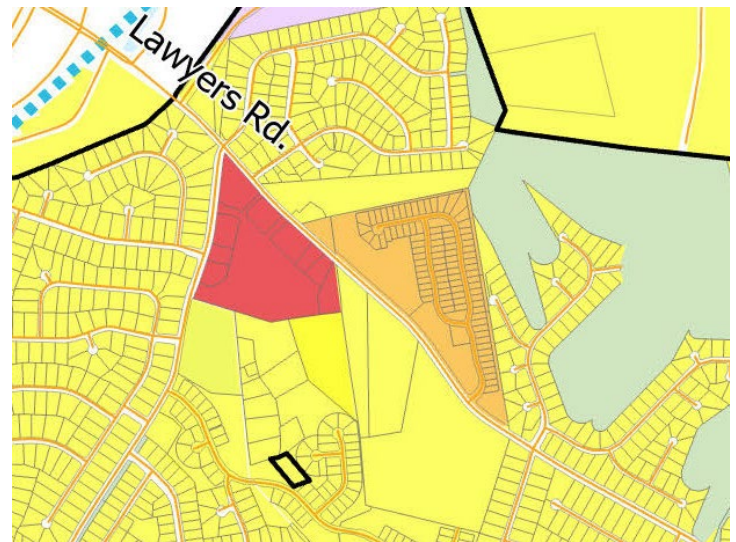
Through the conditional zoning process, the applicant proposes to limit the range of permitted uses and prohibit certain uses, including smoke shops, CBD stores, and similar establishments. The conditional zoning also provides additional predictability regarding the overall site layout, building placement, and buffering shown on the submitted rezoning plan.

Following the Planning Board's recommendation of denial, which was based in part on the requested buffering reductions and the absence of a sidewalk along Lawyers Road, the applicant has revised the proposal to include two additional conditions. The applicant has increased the buffer adjacent to The Courtyards at Emerald Lake development from the originally proposed 14-foot Type C buffer to a 28-foot Type B buffer with a 6-foot wooden fence. Additionally, the applicant has agreed to install a 5-foot-wide sidewalk along the Lawyers Road frontage of the property. These revisions were made in response to concerns raised during the Planning Board review process.

Consistency with Adopted Plans:

The Future Land Use Plan designates the site as Suburban Multi-Family Neighborhood. The designation is intended to accommodate higher-density residential development, including apartments, condominiums, and senior housing, typically organized as integrated residential communities with supporting amenities and open space. The proposed rezoning to CZ-MU-2 to allow office and coffee shop uses is not consistent with the intent of this designation, as the request would introduce non-residential development on a site planned for multifamily residential use.

There is no adopted Small Area Plan applicable to this parcel, and the Town's Greenway Master Plan does not identify any existing or proposed greenway trail along the property frontage.



Key Conditions:

Key conditions associated with the proposed conditional zoning include:

- Prohibition of smoke shops, vape shops, hookah lounge uses, or for the sale, distribution, or consumption of tobacco, CBD or similar type of products.
- A 28-foot Type B buffer with a 6-foot wooden fence adjacent to The Courtyards at Emerald Lake development and a 12-foot Type D buffer along the opposite side property line. This condition was revised following the Planning Board recommendation, increasing the originally proposed 14-foot Type C buffer.
- Inclusion of a 5-foot-wide sidewalk along the Lawyers Road frontage. This condition was added following the Planning Board recommendation.
- A request to have placement of the building toward the rear of the parcel, with surface parking located between Lawyers Road and the proposed building.
- Inclusion of a connection stub to the adjacent parcel located on the left side of the subject property to facilitate future inter-parcel connectivity.

Traffic Summary:

Vehicular access and circulation will be further evaluated during the site plan and permitting phases.

Staff Recommendation:

Staff recommends approval of CZ26.02.02. This recommendation represents a change from the previous staff recommendation of denial presented to the Planning Board. Following the Planning Board's recommendation of denial, the applicant revised the proposal to include a 5-foot-wide sidewalk along the Lawyers Road frontage and increased the buffer adjacent to The Courtyards at Emerald Lake to a 28-foot Type B buffer with a 6-foot wooden fence.

Staff finds that these revisions incorporate recommendations provided by both the Planning Board and staff, addressing concerns identified during the review process. Additionally, the proposed conditional zoning would introduce a limited mixed-use commercial development that is generally consistent with the existing development pattern along Lawyers Road. The proposal also supports the Town's 2030 Economic Development Plan by providing additional commercial opportunities and expanding services available to nearby residents. Based on these revisions and considerations, staff recommends approval of CZ26.02.02.



Conditional Rezoning Application
CZ26.02.02 – Lawyers Road
Commercial/Office

06.22.2026

Staff Report | Town Council



Conditional Rezoning Request

- Lawyers road Commercial/Office is a proposed non-residential commercial and office development on approximately 1.23 acres located at 14721 Lawyers Rd parcel ID #08324001. The request seeks to rezone the property from Single-Family Residential 1 (SFR-1) to Conditional Zoning Mixed-Use (CZ-MU-2).

**Neighborhood
Meeting:
03/31/2026**



**Planning
Board:
05/19/2026**



**Town Council
Hearing:
06/22/2026**

Site Plan Revisions

□ **Initial Proposal**

- Building located along the left side of the parcel
- No sidewalk proposed along the Lawyers Road frontage
- Reduced buffer adjacent to The Courtyards at Emerald Lake (14-foot Type C buffer)
- No connection stub provided to adjacent parcels

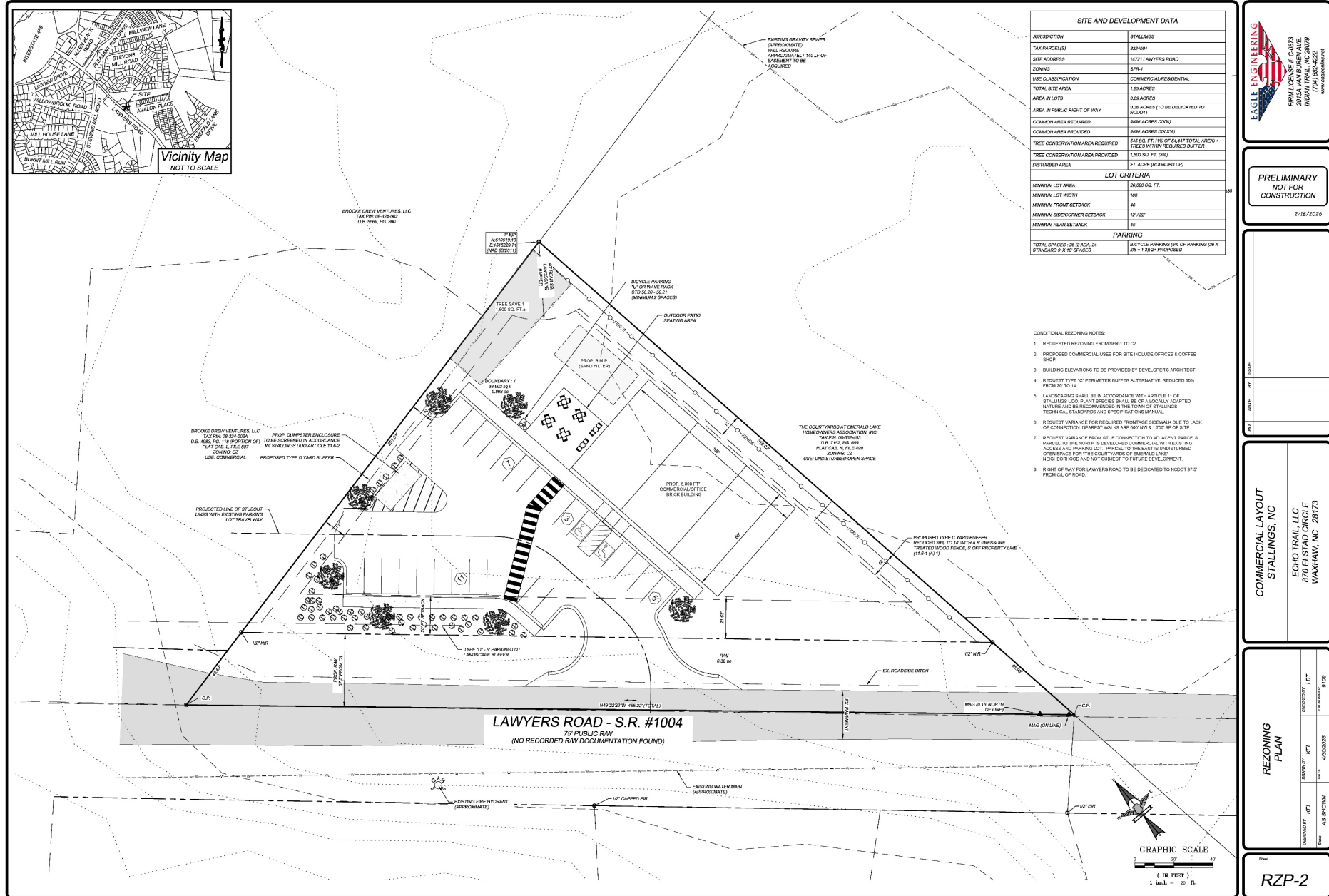
□ **Revised Proposal (Following Staff and Subcommittee Comments)**

- Building relocated to the right portion of the parcel
- Added a Type D parking lot buffer along the Lawyers Road frontage
- Added an outdoor patio seating area
- Included a connection stub to the adjacent parcel
- Retained the reduced buffer and did not include a sidewalk

Site Plan

Revisions Following Planning Board Recommendation

- Applicant agreed to install a 5-foot sidewalk along the Lawyers Road frontage.
- Applicant increased buffering adjacent to The Courtyards at Emerald Lake to a 28-foot Type B buffer with a 6-foot wooden fence.
- These revisions are reflected in the proposed conditions but are not shown on the submitted site plan.



PRELIMINARY
NOT FOR
CONSTRUCTION

NO.	DATE	BY	DESCRIPTION

COMMERCIAL LAYOUT
STALLINGS, NC

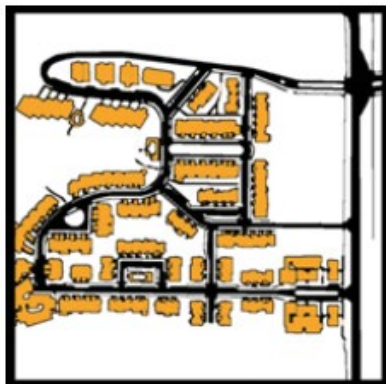
REZONING
PLAN

DESIGNED BY: KEEL
DRAWN BY: KEEL
CHECKED BY: KEEL
DATE: 02/20/2018

RZP-2



Future Land Use



Primary Land Uses

- Apartment
- Condominium
- Senior Housing

Secondary Land Uses

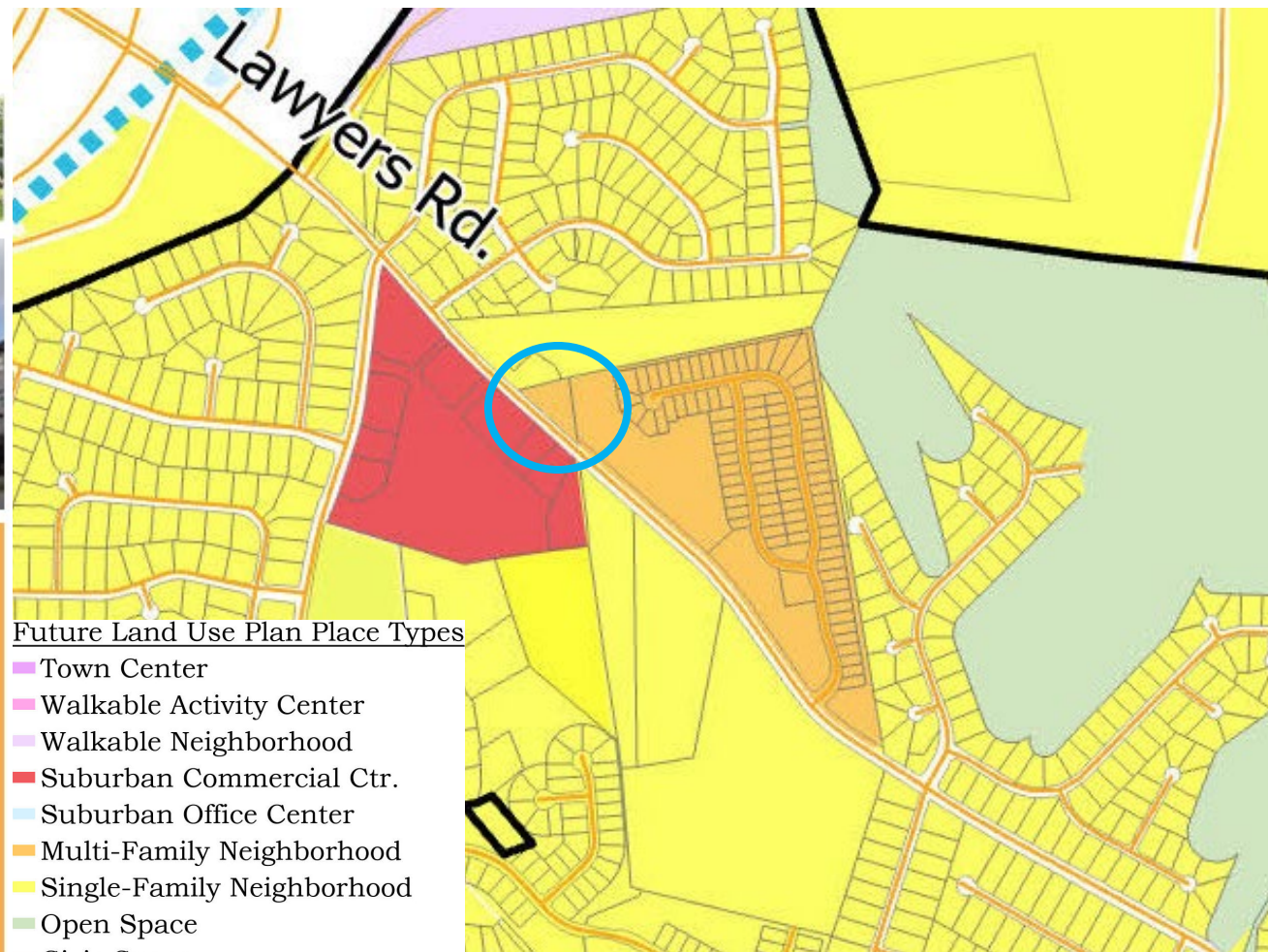
- Community Center
- Pool and Amenities
- Natural Areas

FORM & PARAMETERS

General Development Pattern	Separate Uses
Typical Lot Coverage	30 - 60%
Residential Density	6.0 - 16.0 DU/ac
Prevailing Building Height	1 - 4 Stories
Average Dwelling Unit Size	800 - 1,500 SF
Avg. Non-Resid. Building Size	N/A
Transportation Choices	Auto/Bus
Typical Block Length	600 - 1,200 LF
Open Space Elements	Greenway/Neighborhood Park
Street Pattern	Modified Grid
Street Connectivity	Medium
Parking Provisions	Surface Lot/On-Street Pkg.
Typical Street Cross Section	Suburban/Urban

Suburban Multifamily Neighborhood

Suburban multifamily residential neighborhoods are generally formed as complexes or communities, with a relatively uniform housing type and density throughout. They support the highest residential density in the suburban landscape, and may support condominiums or apartments. The neighborhoods are found in close proximity to suburban commercial, office and industrial centers, and help provide the consumers needed to support these centers. Buildings are often oriented interior to the site and typically buffered from surrounding development by transitional uses or landscaped areas. Large parking lots and low street connectivity are common in suburban multifamily neighborhoods



Board Recommendation

- Planning Board recommended denial of CZ26.02.02 on May 19, 2026, based on the following factors:
 - ▣ The proposal did not include a 5-foot sidewalk along the Lawyers Road frontage
 - ▣ The proposal did not provide sufficient buffering adjacent to The Courtyards at Emerald Lake.
 - ▣ The principal building was located toward the rear of the parcel, with parking situated between the building and Lawyers Road
 - ▣ The proposal is inconsistent with the Future Land Use Plan designation of Suburban Multifamily Neighborhood.



Staff Recommendation

- Staff recommends approval of CZ26.02.02 based on the following factors:
 - ▣ The applicant revised the proposal following the Planning Board recommendation to include a 5-foot sidewalk along the Lawyers Road frontage.
 - ▣ The applicant increased buffering adjacent to The Courtyards at Emerald Lake to a 28-foot Type B buffer with a 6-foot wooden fence.
 - ▣ The proposed mixed-use commercial development is generally consistent with the existing development pattern along Lawyers Road.
 - ▣ The proposal supports the Town's 2030 Economic Development Plan by providing additional commercial opportunities and services to nearby residents.

Vote and Statement of Consistency & Reasonableness



- **Step 1.**
 - Motion for [Approval/Denial](#) for CZ26.02.02.

- **Step 2.**
 - With a statement of consistency that the proposal is [Consistent/Inconsistent](#) and [Reasonable/Not Reasonable](#) with the Comprehensive Land Use Plan.

- **Step 3.**
 - Example reasoning:
 - The proposed use is generally consistent with the existing development pattern along Lawyers Road.
 - The proposed use supports the Town's 2030 Economic Development Plan by expanding the local commercial tax base.



**PLANNING
& ZONING**
TOWN of STALLINGS

Questions?

Date: June 22, 2026
RE: Town Council Meeting

COMMERCIAL AND OFFICE 6,000SFT BUILDING

“WHERE WARMTH MEETS CREATIVITY”



SITE AND DEVELOPMENT DATA	
JURISDICTION	STALLINGS
TAX PARCEL(S)	8324801
SITE ADDRESS	14721 LAWYERS ROAD
ZONING	SFR-1
USE CLASSIFICATION	COMMERCIAL/RESIDENTIAL
TOTAL SITE AREA	1.29 ACRES
AREA IN LOTS	0.89 ACRES
AREA IN PUBLIC RIGHT-OF-WAY	0.36 ACRES (TO BE DEDICATED TO NCDOT)
COMMON AREA REQUIRED	8999 ACRES (00%)
COMMON AREA PROVIDED	8999 ACRES (00.0%)
TREE CONSERVATION AREA REQUIRED	543 SQ. FT. (7% OF 54,447 TOTAL AREA) + TREES WITHIN REQUIRED BUFFER
TREE CONSERVATION AREA PROVIDED	7,800 SQ. FT. (0%)
DISTURBED AREA	+1 ACRE (ROUNDED UP)
LOT CRITERIA	
MINIMUM LOT AREA	20,000 SQ. FT.
MINIMUM LOT WIDTH	100
MINIMUM FRONT SETBACK	40
MINIMUM SIDE/CORNER SETBACK	12' / 22'
MINIMUM REAR SETBACK	40'
PARKING	
TOTAL SPACES: 26 (2 ADA, 24 STANDARD P X 18 SPACES)	BICYCLE PARKING (5% OF PARKING (26 X 06 = 1.3)) 2+ PROPOSED



**PRELIMINARY
NOT FOR
CONSTRUCTION**

2/18/2026

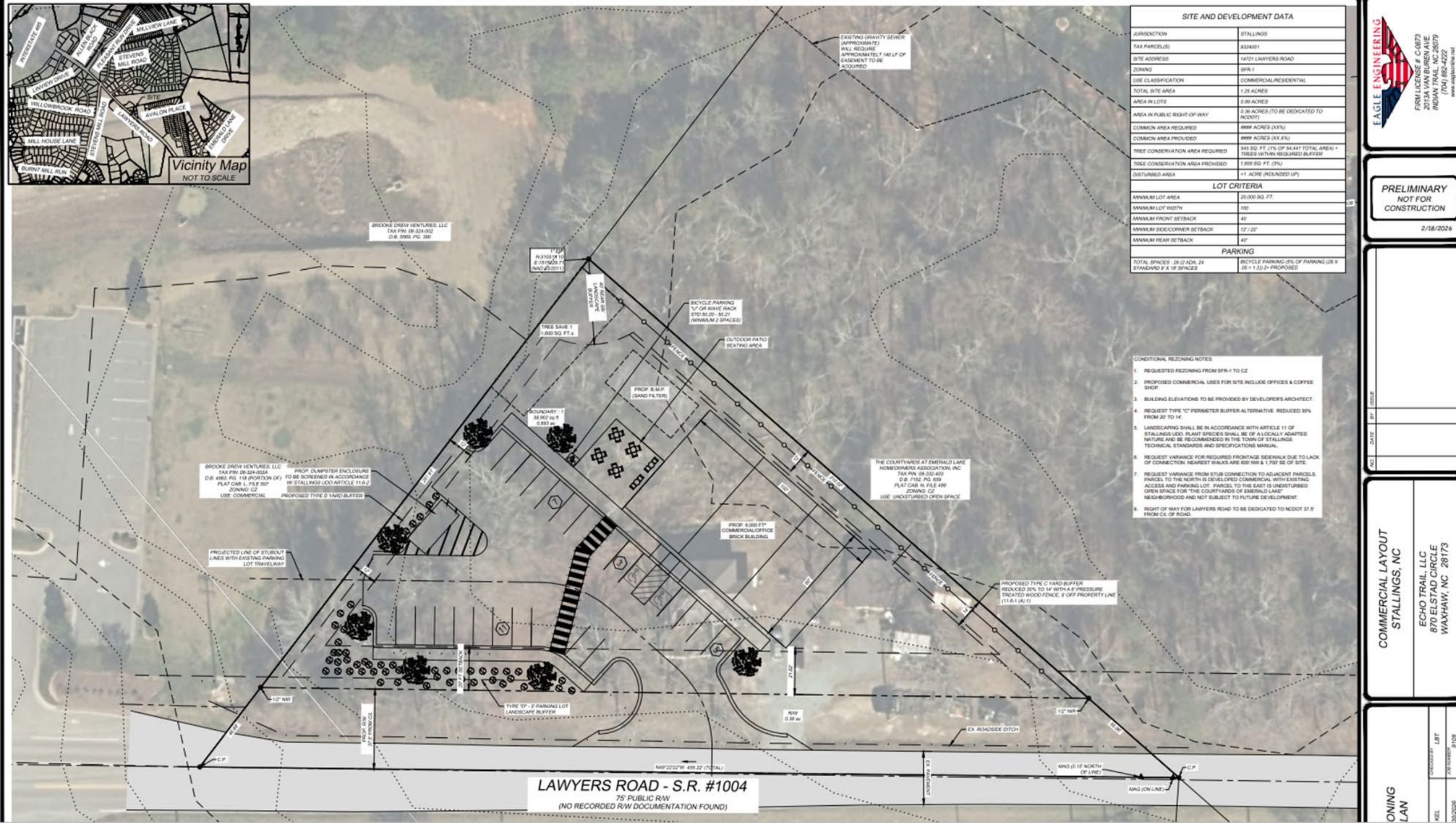
- CONDITIONAL REZONING NOTES:
1. REQUESTED REZONING FROM SFR-1 TO CZ
 2. PROPOSED COMMERCIAL USES FOR SITE INCLUDE OFFICES & COFFEE SHOP.
 3. BUILDING ELEVATIONS TO BE PROVIDED BY DEVELOPER'S ARCHITECT.
 4. REQUEST TYPE "C" PERIMETER BUFFER ALTERNATIVE: REDUCED 30% FROM 20' TO 14'
 5. LANDSCAPING SHALL BE IN ACCORDANCE WITH ARTICLE 11 OF STALLINGS UDD. PLANT SPECIES SHALL BE OF A LOCALLY ADAPTED NATURE AND BE RECOMMENDED IN THE TOWN OF STALLINGS TECHNICAL STANDARDS AND SPECIFICATIONS MANUAL.
 6. REQUEST VARIANCE FOR REQUIRED FRONTAGE SIDEWALK DUE TO LACK OF CONNECTION. NEAREST WALKS ARE 600' NW & 1,700' SE OF SITE.
 7. REQUEST VARIANCE FROM STUB CONNECTION TO ADJACENT PARCELS. PARCEL TO THE NORTH IS DEVELOPED COMMERCIAL WITH EXISTING ACCESS AND PARKING LOT. PARCEL TO THE EAST IS UNDISTURBED OPEN SPACE FOR THE COURTYARDS OF EMERALD LAKE NEIGHBORHOOD AND NOT SUBJECT TO FUTURE DEVELOPMENT.
 8. RIGHT OF WAY FOR LAWYERS ROAD TO BE DEDICATED TO NCDOT 37.5' FROM CL OF ROAD.

DATE	BY	REVISION

COMMERCIAL LAYOUT
STALLINGS, NC

ECHO TRAIL, LLC
870 ELSTAD CIRCLE
WAXHAW, NC 28173

DATE	BY	REVISION



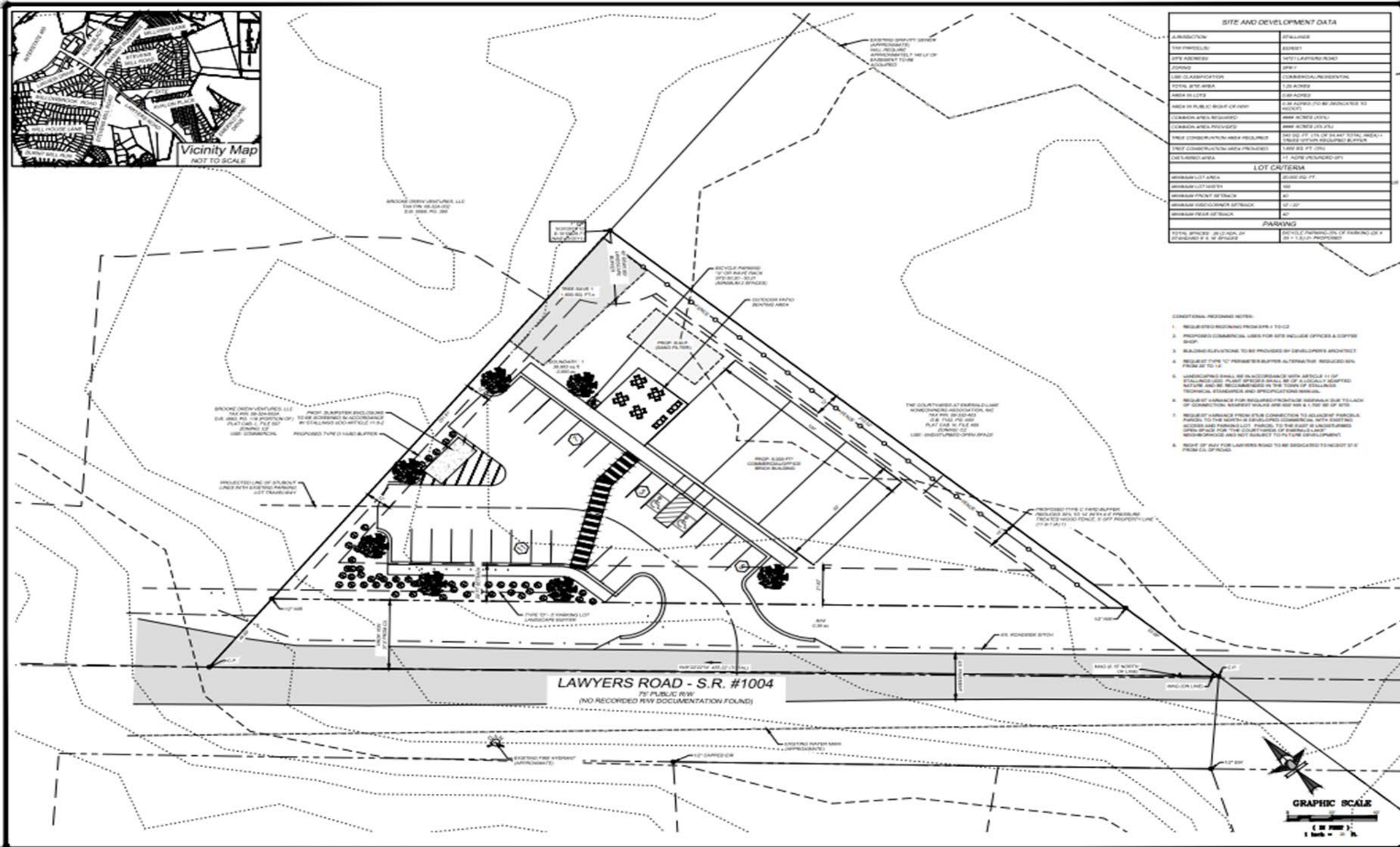
LAWYERS ROAD - S.R. #1004
75' PUBLIC R/W
(NO RECORDED R/W DOCUMENTATION FOUND)

OWNING
LAW



SITE AND DEVELOPMENT DATA	
SUBSECTION	SP143000
TAX PARCEL(S)	483821
SITE ADDRESS	1401 LAWYERS ROAD
ZONING	SP-1
USE CLASSIFICATION	COMMERCIAL/RESIDENTIAL
TOTAL SITE AREA	1.04 ACRES
AREA IN LOTS	0.09 ACRES
TREE IN PUBLIC RIGHT-OF-WAY	0.00 ACRES (70' BY 100' TO BE REMOVED)
CURB CUT AREA REQUIRED	0.00 ACRES (0.00 FT ²)
CURB CUT AREA PROVIDED	0.00 ACRES (0.00 FT ²)
TREE CONSERVATION AREA REQUIRED	841 SQ. FT. (1% OF 84,447' TOTAL AREA) + OTHER VARIATIONS ENCOUNTERED IN AREA
TREE CONSERVATION AREA PROVIDED	1,000 SQ. FT. (0%)
LOT COVERED AREA	11 ACRES (COVERED BY)
LOT CRITERIA	
MINIMUM LOT AREA	20,000 SQ. FT.
MINIMUM LOT WIDTH	50'
MINIMUM FRONT SETBACK	40'
MINIMUM SIDE/REAR SETBACK	10'-10"
MINIMUM REAR SETBACK	40'
PARKING	
TOTAL SPACES REQUIRED FOR	100
PROPOSED	100
EXISTING	0
DEFICIT	0
ADDITIONAL SPACES REQUIRED	0
ADDITIONAL SPACES PROVIDED	0

- CONDITIONAL REZONING NOTES:
1. REQUESTED REZONING FROM SP-1 TO C-2
 2. PROPOSED COMMERCIAL USES FOR SITE INCLUDE OFFICES & COPY SHOP.
 3. BUILDING ELEVATIONS TO BE PROVIDED BY DEVELOPER'S ARCHITECT.
 4. REQUESTED "C" PERMITS SUPPLY ALTERNATIVE REDUCED SETBACK FROM 20' TO 14'.
 5. LANDSCAPING SHALL BE IN ACCORDANCE WITH ARTICLE 11 OF ZONING AND PLANT SPECIES SHALL BE OF A LOCALLY ADAPTED NATURE AND BE RECOMMENDED IN THE TOWN OF STALLINGS TECHNICAL STANDARDS AND SPECIFICATIONS MANUAL.
 6. REQUEST VARIANCE FOR REQUIRED PROTECTIVE BUFFER DUE TO LACK OF CONNECTION BETWEEN BUFFER AND SIDE WALK AS SHOWN ON PLAN.
 7. REQUEST VARIANCE FROM 25' BUFFER CONNECTION TO ADJACENT PARCELS PARALLEL TO THE NORTH-B DEVELOPED COMMERCIAL WITH EXISTING ACCESS AND PARKING LOT. PARCELS TO THE EAST IS UNDEVELOPED OPEN SPACE FOR THE COURTPARK OF EMERALD LAKE MEMORIAL AND NOT SUBJECT TO FUTURE DEVELOPMENT.
 8. NOTE OF ADV FOR LAWYERS ROAD TO BE DISCUSSED TO NEGOTIATE FROM USE OF ROAD.



PRELIMINARY
NOT FOR
CONSTRUCTION

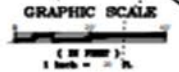
2/18/2024

COMMERCIAL LAYOUT
STALLINGS, NC

ECHO TRAIL, LLC
870 ELSTAD CIRCLE
WAYHAW, NC 28773

REZONING
PLAN

RZP-2



SITE BOUNDARY IN PHOTOS & VIDEO



RIGHT SIDE

RIGHT SIDE(BOUNDARY LINE)

LEFT SIDE

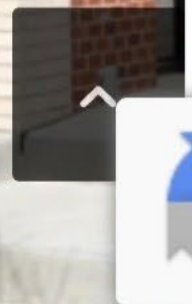


6K SF MODERN COMMERCIAL & OFFICE BLDG.





**6K SF CONVENTIONAL
COMMERCIAL & OFFICE BLDG.**





MODERN COFFEE SHOP INTERIOR DESIGN

The Coffee Shop Experience

Interior Design Elements and Community Vibes

✓ Interior Design Elements:

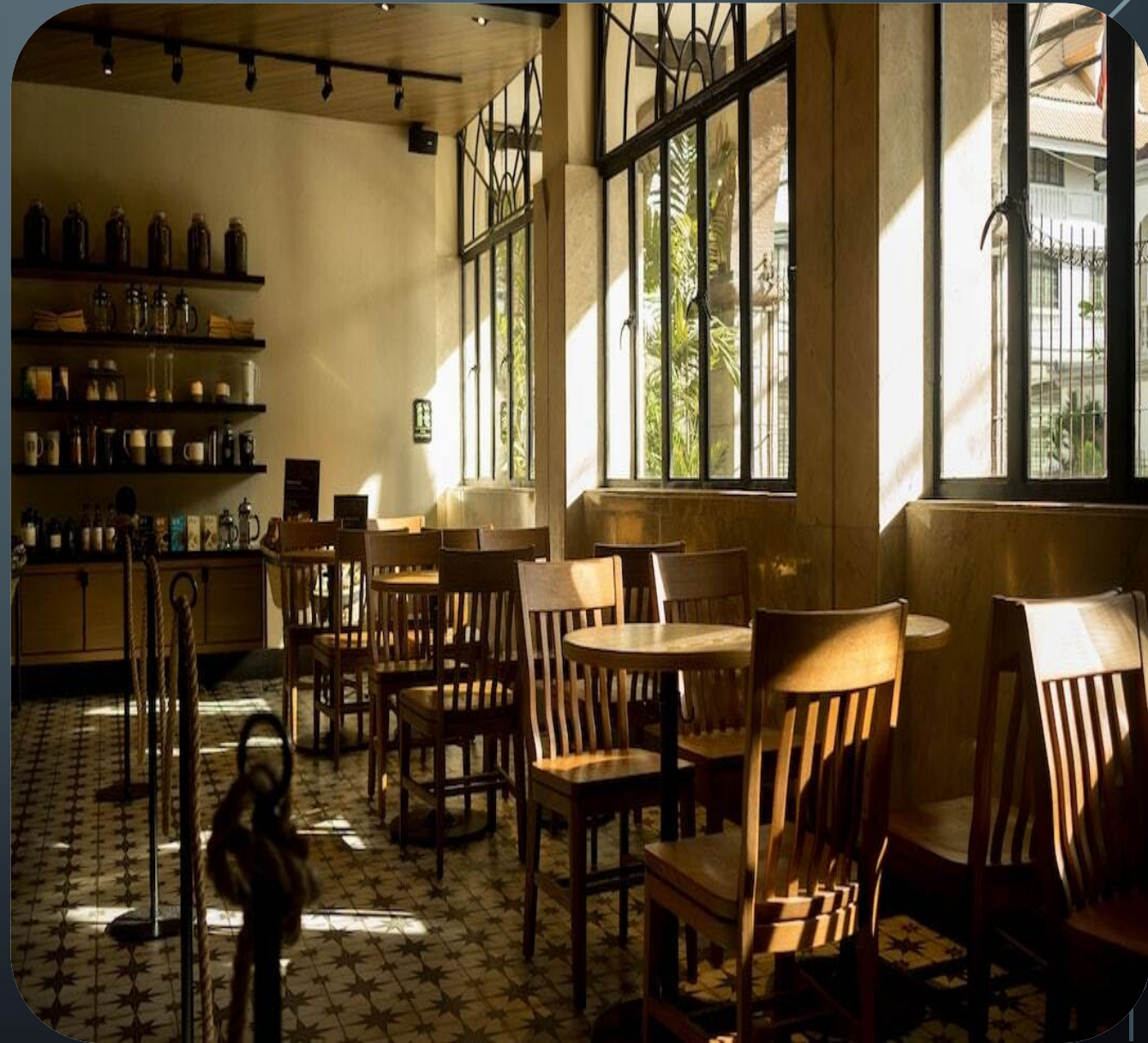
Our interior design incorporates natural materials and textures that create a warm and inviting atmosphere, enhancing the overall experience.

✓ Soft Lighting and Natural Textures:

The use of soft lighting and natural textures contributes to a calming environment, encouraging patrons to relax and enjoy their time.

✓ Encouraging Conversation and

Layout: The layout is intentionally designed to facilitate conversation and community engagement, making it a local hub for social interaction.



Area for betterment

Bringing Coffee & European Pastries to the Local

- The coffee and pastries market is experiencing significant growth, driven by increasing consumer demand for high-quality, specialty experiences.

- Consumers are increasingly seeking unique coffee/pastries experiences, creating opportunities for cafes that prioritize quality and

- Our menu evolves with the seasons, featuring specials that highlight local preferences and suggestions.

sustainability.





THANK YOU!



Statement of Consistency and Reasonableness

ZONING AMENDMENT: CZ26.02.02

REQUEST: Requesting a conditional rezoning from SFR-1 to CZ-MU-2 for the development of a 6,000 sqft non-residential, commercial and office center.

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 Town Council hereby votes that the proposed zoning amendment is **consistent/inconsistent** and **reasonable/unreasonable** with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land use regulations established through NCGS § 160D. The Town Council **Approves/Denies** the proposed amendment and stated that the Town Council finds and determines that the zoning amendment is **consistent/inconsistent** and **reasonable/unreasonable** with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) The proposed use is generally consistent with the existing development pattern along Lawyers Road.
- 2) The proposed use supports the Town's 2030 Economic Development Plan by expanding the local commercial tax base.

Adopted this the __ day of _____, 2026

Mayor

Attest:

Town Clerk



MEMO

To: Mayor and Town Council
From: Katie King, Senior Planning Technician
Date: 06/22/2026
Re: TX26.05.01 - Minor Telecommunications Formatting Modification

Request:

Staff proposes an amendment to Article 10 of the Stallings Development Ordinance to correct missing wireless telecommunication facility standards.

Prior to June 28, 2021, Article 10.1-34 contained the additional standards for a “Co-located Wireless Telecommunication Facility”. These standards are required to be included in the Stallings Development Ordinance pursuant to NC General Statute § 160D-930 through § 160D-938. Following the 2021 ordinance update, these standards are missing from our Ordinance. This removal was not an approved action by Town Council.

To correct this issue, staff proposes reinstating the “Co-located Wireless Telecommunication Facility” standards in their original location under Article 10.1-34.

Article 10.1-34 in the current ordinance is now titled “Pawnshop or Used Merchandise Store.” Staff therefore proposes relocating those standards to the end of the section and renumbering them as Article 10.1-38. This approach minimizes disruption to the existing ordinance structure while restoring compliance with State Statutes.

This will also require a corresponding update to the Table of Uses in Article 8 to reflect the new reference number for the Additional Standards associated with “Pawnshop or Used Merchandise Store.”

Amendments:

Article 10: Uses with Additional Standards and Conditional Uses

10.1-34 ~~Pawnshop or Used Merchandise Store.~~

Wireless Telecommunication Facility, Co-located.

(A.) Zoning districts where additional standards below apply: All zoning districts.

(B.) Development Standards:

- (1.) Application fees for a co-located wireless telecommunication facility shall be as established by the Town of Stallings.
- (2.) Wireless telecommunication facilities may be co-located on any structure which hosts one or more existing permitted and approved wireless telecommunication facilities provided, however, that the proposed co-located wireless facility must meet equipment enclosure and antenna size restrictions for the type of facility and zoning district in which the existing facility was approved (i.e., microcell and concealed wireless telecommunication facilities). The structure on which the wireless telecommunication facilities are to be located may be improved, rehabilitated, or altered structurally to accommodate the proposed co-location, provided that the height of a nonconforming

structure is not increased and provided further that the proposed co-location complies with all other requirements of this chapter and other applicable laws and regulations.

- (3.) Where co-location is proposed by use of a combiner (allowing two or more commercial wireless service providers to share a common antenna or antenna array), an equipment enclosure which houses only the combiner and amplifiers may exceed the maximum permitted dimensions for other types of equipment enclosures up to a maximum of 70 cubic feet.
- (4.) Antennas associated with a co-located wireless telecommunication facility may not be co-located on a tower or other support structure used by an amateur radio operator.
- (5.) Outdoor storage must be organized, well-maintained, and must not generate excessive noise or odors.
 - (a.) Use of dual-band/multi-band antennas (to allow sharing of antennas or antenna arrays by wireless providers using different frequency bands) or by using combiners (to allow antenna sharing by users of the same frequency band) is encouraged in order to minimize the height of support structures and the visual impact of multiple co-located antennas or antenna arrays.
 - (b.) Antennas associated with a co-located wireless telecommunication facility shall be mounted so as to present the smallest possible silhouette, profile, or cross-section. Preferred antenna mounting scenarios are, in order of descending preference:
 - (i.) Compact dual-polarized antennas in a cylindrical unicell arrangement extending less than two feet from the structure, and mounted atop the tower;
 - (ii.) Panel antennas flush-mounted against the tower; and
 - (iii.) Antennas mounted at the end of straight or curved davit arms or brackets extending from the sides of the tower.
 - (c.) No co-located wireless telecommunication facility located on a telecommunication tower shall have constructed thereon, or attached thereto in any way, any platform, catwalk, crow's nest, triangular framework, or like structures or equipment, except during periods of construction or repair. Curved or straight davit arms or brackets used for antenna mounting shall be connected to the tower at the base of the arms or brackets only and such arms or brackets (and any antennas or hardware mounted thereon) shall not be physically interconnected with any similar arm or bracket.
 - (d.) All equipment enclosures and other improvements accessory to a co-located wireless telecommunication facility shall be architecturally designed to blend in with the surrounding environment and shall be maintained in good appearance and repair. No equipment enclosure shall exceed 12 feet in height. Ground mounted equipment shall be screened from view with a row of evergreen trees and/or shrubs planted in a landscape strip with a minimum width of five feet, except where a design of non-vegetative screening better reflects and complements the architectural character of the surrounding neighborhood.

- (e.) Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.
- (f.) Equipment enclosures and other improvements shall be enclosed within a security fence consisting of chain link fencing at least eight feet in height. The fence may be topped with barbed wire. The Development Administrator may require as a condition of approval that the fencing be screened by appropriate landscaping or other means, or may waive or modify the fencing requirement if he/she determines that doing so will enhance the overall appearance of the facility without any compromise in safety or security.
- (g.) Signage at any ground-based portion of a co-located wireless telecommunication facility site shall conform to the following provisions:
 - (i.) A sign listing the name of the wireless telecommunication service provider operating the site, the site name or number and an emergency telephone number shall be posted at or near the entrance to the site so as to be readily visible to persons outside the site's security fencing.
 - (ii.) Equipment hazard warning and informational signs are permitted.
 - (iii.) The posting of any other signs or advertising is prohibited at any wireless telecommunication facility or upon any telecommunication tower.
- (6.) Any person found to be in violation of this Ordinance shall be subject to civil penalties of five hundred dollars (\$500) for each violation, with penalties accumulating for each successive violation.
- (7.) As part of its application, each applicant for a co-located wireless telecommunication facility shall be required to execute a standard maintenance/removal agreement binding the applicant and its successors and assigns to maintain properly the exterior appearance of and ultimately remove the co-located facility within 180 days of the abandonment or cessation of operations of the co-located facility. Such agreement shall require the applicant to pay all costs for monitoring compliance with, and enforcement of, the agreement and to reimburse the Town of Stallings for all costs it incurs to perform any work required of the applicant by the agreement that it fails to perform. A \$5,000.00 cash bond, or other security acceptable to the Town, shall be required in conjunction with the maintenance/removal agreement when a separate equipment shelter is constructed to house the equipment for the co-located wireless telecommunication facility. A \$3,000.00 cash bond, or other security acceptable to the Town, shall be required in conjunction with the maintenance/removal agreement when the equipment for the co-located telecommunications facility is housed in an existing equipment shelter. The applicant and its successors and assigns shall be required to continue such bond or other security until such time as the co-located facility has been removed and all other requirements of the maintenance/removal agreement have been satisfied. Private business users operating a single wireless telecommunication facility at their principal place of business and governmental users are exempt from the bond requirement.

- (8.) Abandoned or unused wireless telecommunication facilities shall be removed within 180 days of abandonment or cessation of operations. If not removed within that period, such facilities may be removed as provided in the permittee's maintenance/removal agreement and the costs of removal recovered from the permittee's bond or other security. Prior to removing a wireless telecommunication facility pursuant to this provision, the Town shall give 30 days' written notice of its intention to do so to the permittee at its last known address.
- (9.) Co-located wireless telecommunication facilities shall not be constructed unless the facility owner has general liability coverage of at least \$1,000,000.00. The owner of a co-located wireless telecommunication facility shall provide the Town with a certificate of insurance showing evidence of its coverage and the certificate shall contain a requirement that the insurance company notify the Town 30 days prior to the cancellation, modification or failure to renew the insurance coverage required.
- (10.) Modifications shall be permitted upon existing telecommunications tower facilities as of October 1, 2013 provided they do not exceed any of the following criteria:
- (a.) Increase in vertical height of the greater of either: 1) ten percent (10%), or 2) the height of one additional antennae array with separation from the nearest existing array of not more than twenty (20) vertical feet; provided the maximum height of 200 vertical feet is not exceeded.
 - (b.) Addition of an appurtenance protruding the greater of either: 1) more than twenty (20) feet, or 2) more than the width of the wireless support structure at the elevation of the appurtenance, unless:
 - (i.) necessary to shelter an antenna, and/or
 - (ii.) necessary to connect the antenna to the tower via cable
 - (c.) Increasing the square footage of the existing equipment compound by more than 2,500 square feet; provided all applicable minimum yard area, buffering and screening provisions are maintained.

(11.) (Reserved)

10.1-35 Manufactured Dwelling/Home (replacement of existing unit on individual lot (See Article 8)).

10.1-36 Outdoor Storage.

10.1-37 Hospital Campuses.

10.1-38 Pawnshop or Used Merchandise Store.

(A.) The additional standards below apply to any Zoning District listed with these additional standards in Article 8 - Table of Uses. (Amended July 28, 2025)

(B.) Development Standards.

(1.) The owner shall comply with all applicable portions of G.S. Chapter 66, Article 45, Part 1: Pawnbrokers and Cash Converters.

(2.) Hours of operation: 8:00 a.m. until 8:00 p.m.

- (3.) No outdoor storage or display of merchandise or goods.
- (4.) No “unsightly window display” of appliances, tools, or housewares.
- (5.) No window tinting.
- (6.) Five hundred (500’) feet of separation between pawnshops measured in a straight line between front door entrances, inclusive of rights of way.
- (7.) No pornographic or sexually explicit material sales on site.

Article 8: Zoning Districts – Table of Uses

#	L = listed use CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	US 74 Commercial (C 74)
150	Office Uses Not Otherwise Classified	L
151	Real Estate Office	L
152	Service Contractors Offices w/Fenced Outside Storage	
153	Service Contractors Offices without Outside Storage	L
154	Stock, Security or Commodity Broker	L
155	Temporary Real Estate Office (see Article 15)	
156	Travel Agency	L
157	Optical Goods Sales	L
158	Paint and Wallpaper Sales	S (10.1-36)
159	Parks and Recreation Facilities, Public	S (10.1-26)
160	Parking Lots/Structures (Paid/Non-Paid)	L
161	Pawnshop or Used Merchandise Store	S (10.1-34) → S (10.1-38)

Planning Board Recommendation:

At their meeting on May 19th, Planning Board unanimously recommended to approve the proposed text amendment.

Staff Recommendation:

Staff recommends approval of TX26.05.01. The proposed amendment corrects an error in the Development Ordinance, restores consistency with State Statutes, and reduces potential confusion regarding applicable development standards.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.05.01

REQUEST: Staff proposes an amendment to Article 10 and Article 8: Table of Uses of the Stallings Development Ordinance to correct missing wireless telecommunication facility standards.

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 Development Ordinance to comply with state law found in NCGS § 160D;

THEREFORE, The Town Council approves the text amendment, finding it consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, as it supports the goals of promoting quality development and ensuring compliance with state land-use regulations under NCGS § 160D. The Council concludes that the amendment aligns with the key principles, objectives, and goals outlined in the plan, for the following reasons

- 1) Corrects an error in the Stallings Development Ordinance and restores consistency with NCGS §160D.
- 2) Reduces potential confusion regarding applicable development standards.

Approved this the __ day of _____, 2026.

Mayor

Attest:

Clerk



MEMO

To: **Mayor and Town Council**
From: Matt Dillard, Code Enforcement Officer
Date: June 22nd, 2026
Re: **TX26.05.02** Text Amendment - RV Occupancy

Request:

Staff propose an update to RV occupancy regulations in the Stallings Development Ordinance to address enforcement concerns. The overall goal of these changes is to provide greater consistency and clarity in RV occupancy enforcement. Additionally, the proposed changes are intended to support the general appearance, health, and safety of residential properties throughout the Town.

The current RV occupancy ordinance creates enforcement challenges when an individual resides in an RV on residential property but periodically leaves and returns, as the ordinance allows occupancy for up to 180 days per calendar year with no more than 90 consecutive days. This intermittent occupancy makes it difficult for staff to accurately track habitation periods, often requiring repeated site observations and complaint-based monitoring, which can lead to inconsistent enforcement.

Summary of Proposed Text Amendment

The proposed text amendment will:

1. Prohibit the occupancy of recreational vehicles (RVs) on all properties within the Town.
2. Establish clear and definitive enforcement standards to ensure consistent application and administration of the ordinance.
3. Promote the health, safety, and general welfare of the community while preserving the character and aesthetic appeal of residential neighborhoods.

Current Ordinance

12.10 Parking of Over Size Vehicles in Residential Districts

In order to maintain both safety and the visual appeal of residential areas, over size vehicles such as recreational vehicles (RV's), water craft and accessories, towing trailers, and commercial vehicles, as per Section 12.3-9, shall not be parked or stored on the street in residential districts. RV's shall be licensed motor vehicles in order to be occupied and remain on a lot for up to ninety (90) days, but not more than two (2) times per year and shall not be occupied while parked or stored on any residential property.

Two (2) options were presented to Planning Board on May 16, 2026, and the recommended option is as follows:

Proposed Text Amendment

Changes are in **red** below:

*In order to maintain both safety and the visual appeal of residential areas, over size vehicles such as recreational vehicles (RV's), water craft and accessories, towing trailers, and commercial vehicles, as per Section 12.3-9, shall not be parked or stored on the street in residential districts. RV's shall be licensed motor vehicles **and shall not be occupied while parked or stored on any property.***

Staff Recommendation:

Staff recommends the approval of the proposed text amendment to Article 12.10, Parking of Oversized Vehicles in Residential Districts, as presented. The amendment provides definitive enforcement standards and is generally consistent with regulations adopted by surrounding municipalities. The proposed changes are expected to promote improved health and safety conditions for property owners and adjacent properties, while also supporting neighborhood compatibility and residential property maintenance standards.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.05.02

REQUEST: Staff propose an update to RV occupancy regulations in the Stallings Development Ordinance to address enforcement concerns. The overall goal of these changes is to provide greater consistency and clarity in RV occupancy enforcement. Additionally, the proposed changes are intended to support the general appearance, health, and safety of residential properties throughout the Town.

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 Development Ordinance to comply with state law found in NCGS § 160D;

THEREFORE, The Town Council approves the text amendment, finding it consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, as it supports the goals of promoting quality development and ensuring compliance with state land-use regulations under NCGS § 160D. The Council concludes that the amendment aligns with the key principles, objectives, and goals outlined in the plan, for the following reasons:

- 1) This text amendment supports the health, safety, and welfare of the community.

Approved this the ___ day of _____, 2026.

Mayor

Attest:

Clerk



MEMO

To: **Mayor and Town Council**
From: Matt Dillard, Code Enforcement Officer
Date: June 22, 2026
Re: **Text Amendment - Open Burning**

Overview:

The purpose of this proposed amendment is to improve clarity, consistency, and enforceability of the Town's open burning regulations. The revisions establish clearer standards regarding prohibited burning activities, define permissible exceptions where applicable, and clarify enforcement provisions to support public safety, air quality, and the general welfare of the community.

Background:

The Town has experienced enforcement issues related to open burning on residential and undeveloped properties, including the burning of household debris, yard waste, construction materials, developer land clearing and other unauthorized items.

During enforcement efforts, Code Enforcement has identified challenges in applying the current ordinance due to limited language and gaps in how open burning is defined and regulated. The existing provisions specifically identify yard waste as a prohibited material but do not clearly address other forms of outdoor burning. As a result, individuals have disputed enforcement actions by asserting that certain burning activities are not expressly prohibited under the current ordinance due to the absence of broader definitions and clearly stated restrictions. These limitations have created enforcement inconsistencies and, in some cases, delayed corrective action.

Additionally, the ordinance does not grant enforcement authority to the Stallings Police Department. This has created challenges to effectively resolve issues during after-hour complaints.

To address these issues, staff is proposing revisions to the ordinance that establish clearer definitions, update permissible exceptions, and create a more enforceable standard for open burning. These changes are intended to improve consistency in enforcement while supporting public health, fire safety, and the overall quality of life within the Town.

Summary of Proposed Text Amendment:

The proposed text amendment will:

1. Improve ordinance clarity by establishing more concise language, restrictions, and permissible activities related to open burning.
2. Remove land clearing as a permissible open burning activity.

3. Add a new subsection authorizing the Stallings Police Department to enforce open burning violations.
4. Revise the 95.99 penalty subsection to reflect authorized enforcement officials and applicable civil penalties.
5. Removal of a warning citation for the first offense and granting the enforcement official authority to issue a civil penalty at their discretion.

Proposed Text Amendment

Changes are in **red** below:

CHAPTER 95: OPEN BURNING OF YARD WASTE PROHIBITED

95.01 DEFINITIONS.

The following words when used in this chapter shall have the meanings ascribed to them in this section:

OPEN BURNING. The burning of ~~yard waste~~ **any matter** in such a manner that the products of combustion resulting from the burning are emitted directly to the atmosphere without passing through a chimney or a permitted air pollution control device.

YARD WASTE. Any grass, weeds, leaves, tree trimmings, plants, shrubbery pruning, and such other similar materials which are generated in the maintenance of yards and gardens.

95.02 OPEN BURNING OF YARD WASTE PROHIBITED.

(A) Open burning of any material, in any form or manner, is hereby prohibited within the Town limits unless specified below.

~~(A)~~ **(B)** Open burning of yard waste prohibited. In compliance with North Carolina Administrative Code Section 15A NCAC 02D .1903, all open burning of leaves, logs, stumps, tree branches or yard trimmings is prohibited where a public pickup of yard debris service is provided.

~~(B)~~ **(C)** Permissible open burning.

~~(1) Open burning for land clearing or right-of-way maintenance, if in accordance with all conditions listed within NCAC 92D .1903(b)(2).~~

~~(2)~~ **(1)** Campfires and fires used solely for outdoor cooking and other recreational purposes or for ceremonial occasions, or for human warmth and comfort and which do not create a nuisance and do not use synthetic materials or refuse or salvageable materials for fuel.

95.03 ENFORCEMENT.

The code enforcement officer or police department may enforce the provisions of this chapter.

95.99 Penalty

(A) Civil penalties. The Code Enforcement Officer or Police Department may issue a ~~warning~~ civil citation with a civil penalty of \$100 for a the first offense of this chapter. The Code Enforcement Officer or Police Department may issue a civil citation for any subsequent violations of this chapter, subjecting the violator to a civil penalty of \$200 for a second offense and \$500 for the third offense and subsequent offenses.

(B) If a person fails to pay the citation within ten days of issuance, the town may seek to enforce this ordinance through any appropriate equitable action.

(C) Each day the violation continues after the offender has been notified of the violation shall constitute a separate offense.

(D) The town may seek to enforce this chapter by using any one or a combination of the foregoing remedies.

Staff Recommendation:

Staff recommends approval of the proposed text amendment to Chapter 95, Open Burning Prohibited, as presented. The amendment provides clearer ordinance language, closes existing enforcement gaps, and establishes a more practical enforcement framework for both Code Enforcement and the Stallings Police Department.

Staff finds the proposed amendment to be in the interest of public health, safety, and welfare, and consistent with the Town's efforts to maintain residential quality of life, reduce nuisance conditions, and promote clear ordinance administration.



**AN ORDINANCE TO UPDATE the Town of Stallings
CHAPTER 95: OPEN BURNING OF YARD WASTE of the
Code of Ordinances.**

WHEREAS, open burning of yard waste has the potential to create fire hazards, reduce air quality, and negatively impact neighboring properties when not properly regulated; and

WHEREAS, the accuracy and clarity of the ordinance code is essential for its effective implementation and enforcement; and

WHEREAS, the Town Council desires to establish clear and consistent standards regarding open burning within the Town limits; and

WHEREAS, the Town Council finds that updating Chapter 95 will improve the administration and enforcement of the Town's regulations concerning open burning activities; and

WHEREAS, the Town Council finds it necessary and desirable to amend Chapter 95: Open Burning of Yard Waste of the Town of Stallings Code of Ordinances to promote the health, safety, and welfare of the public; and

WHEREAS, the Town Council has determined that the proposed amendments are in the best interest of the citizens of the Town of Stallings;

NOW THEREFORE, the Town Council of the Town of Stallings hereby amends the Town Code of Ordinances as follows:

Chapter 95: Open Burning of Yard Waste is rewritten as follows:

CHAPTER 95: OPEN BURNING PROHIBITED

95.01 DEFINITIONS.

The following words when used in this chapter shall have the meanings ascribed to them in this section:

OPEN BURNING. The burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly to the atmosphere without passing through a chimney or a permitted air pollution control device.

YARD WASTE. Any grass, weeds, leaves, tree trimmings, plants, shrubbery pruning, and such other similar materials which are generated in the maintenance of yards and gardens.

95.02 OPEN BURNING PROHIBITED.

(A) Open burning of any material, in any form or manner, is hereby prohibited within the Town limits unless specified below.

(B) Open burning of yard waste prohibited. In compliance with North Carolina Administrative Code Section 15A NCAC 02D .1903, all open burning of leaves, logs, stumps, tree branches or yard trimmings is prohibited where a public pickup of yard debris service is provided.

(C) Permissible open burning.

(1) Campfires and fires used solely for outdoor cooking and other recreational purposes or for ceremonial occasions, or for human warmth and comfort and which do not create a nuisance and do not use synthetic materials or refuse or salvageable materials for fuel.

95.03 ENFORCEMENT.

The code enforcement officer or police department may enforce the provisions of this chapter.

95.99 PENALTY.

(A) Civil penalties. The Code Enforcement Officer or Police Department may issue a civil citation with a civil penalty of \$100 for the first offense of this chapter. The Code Enforcement Officer or Police Department may issue a civil citation for any subsequent violations of this chapter, subjecting the violator to a civil penalty of \$200 for a second offense and \$500 for the third offense and subsequent offenses.

(B) If a person fails to pay the citation within ten days of issuance, the town may seek to enforce this ordinance through any appropriate equitable action.

(C) Each day the violation continues after the offender has been notified of the violation shall constitute a separate offense.

(D) The town may seek to enforce this chapter by using any one or a combination of the foregoing remedies.

ADOPTED this the ___ day of _____, 2026.

David Scholl, Mayor

Attest:

Erinn Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: 06/22/2026
Re: Evaluation of Mailed Notification Radius

Purpose

This memo responds to Council discussion following the 2026 Council Annual Retreat priority to "Enhance the Identity of Our Town," including consideration of expanded communication and outreach related to planning activities.

Council has expressed interest in expanding the mailed notification radius from 500 feet to 1,000 feet. While the goal of increasing public awareness aligns with broader communication objectives, such a change would significantly increase both staff workload and associated costs.

The Town's current 500-foot notification radius already exceeds North Carolina statutory requirements and provides an enhanced level of public outreach. Additionally, Stallings' notification practices are consistent with, or exceed, those of many peer communities.

As a result, the question is not whether the Town is providing sufficient notice, but whether expanding all mailed notifications to 1,000 feet is the most effective and efficient method of achieving increased public awareness and engagement. Recent experience suggests that the current approach is already reaching the community effectively. Neighborhood meetings and public hearings have seen strong attendance, with Town facilities frequently reaching or exceeding capacity. This level of participation indicates that the existing notification radius, combined with neighborhood communication networks and organic information sharing, is successfully generating broad public awareness.

Consistency with State Requirements

North Carolina General Statute 160D-602(a) requires mailed notice for rezonings (zoning map amendments) to all abutting property owners and applies specifically to public hearings. The Town's current ordinance goes beyond this requirement by providing mailed notice to property owners within 500 feet for both neighborhood meetings and public hearings.

For quasi-judicial hearings, state statute 160D-406 requires mailed notice to the subject property owner at a minimum; however, the Town's ordinance again exceeds this standard by applying the 500-foot notification boundary.

If the notification radius were expanded to 1,000 feet, the Town would still be required to meet the same statutory noticing requirements, including posting a zoning sign on the property, mailing notices within 10–25 days prior to the hearing, and publishing a newspaper advertisement for two consecutive weeks before the public hearing. Expanding the radius would not change these requirements but would increase the number of recipients and associated administrative effort.

Current Process

Staff currently prepares mailed notices for all applicable cases within a 500-foot radius. This process includes identifying properties, generating mailing lists, preparing materials, and coordinating distribution. Even at this level, the process requires a substantial investment of staff time and resources.

Recent experience indicates that the current approach is effectively reaching the community. Adjacent property owners and nearby residents are consistently engaging with staff through phone calls, emails, and in-person inquiries. Social media activity around rezonings has also increased, further extending awareness beyond the required notice area.

In several recent cases, neighborhood meetings and public hearings have seen strong attendance, with Town facilities reaching or exceeding capacity. This suggests that the existing notification radius, combined with organic (word-of-mouth and social media) information sharing, is successfully generating public awareness and participation.

Project Examples

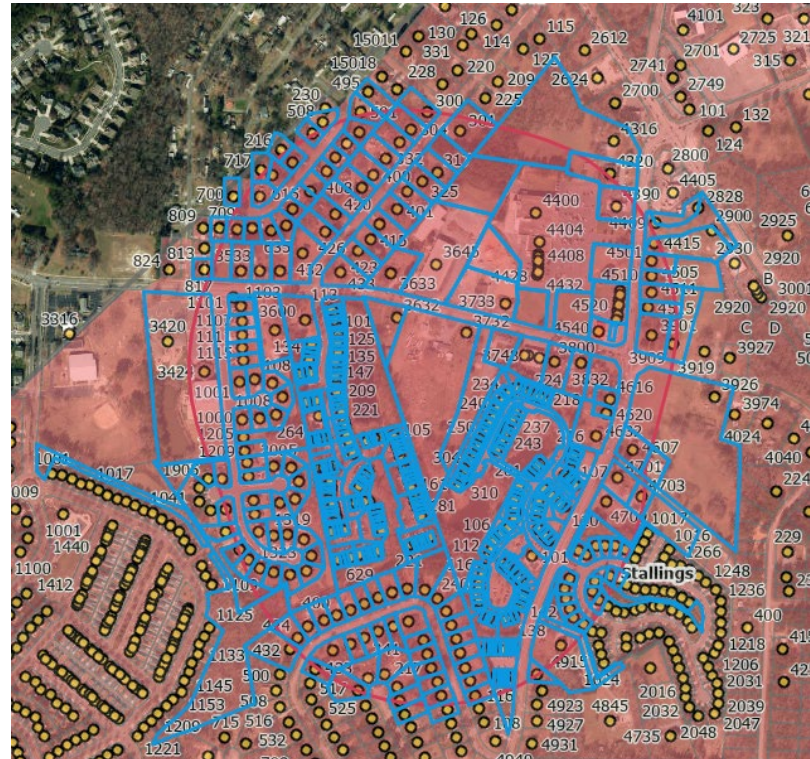
Below are two recent project examples and pictures of 500 ft vs 1000 ft. Property addresses are identified using Union County Atlas, and Mecklenburg County parcel addresses are obtained from Mecklenburg County GIS data. Quasi-judicial mail notices are not included in the examples below.

Pleasant Plains Town Center 2 CZ25.04.01

- Number of mailed notices (neighborhood meeting and public hearing): 256 properties each
- Staff time for preparation and mailing: approximately 6 hours
- 1000 ft notices would reach 472 properties.



500 ft Boundary



1000 ft Boundary

Stevens Village CZ25.08.01

- Facilities reached capacity for public meetings
- Staff time for preparation and mailing for 500 ft: approximately 6 hours
- Number of mailed notices (neighborhood and public hearings): 99 properties each
- 1000 ft notices would reach 178 properties



Other Municipal Notification Practices

A mid-sized North Carolina municipality such as Town of Huntersville reports that rezoning cases at a 500-foot radius typically generate 150 to 300 mailed notices per case.

Nearby jurisdictions:

- **Indian Trail:** 500-foot mailed notice for neighborhood meetings and public hearings
- **Matthews:** 100-foot mailed notice boundary for neighborhood meetings and public hearings
- **Waxhaw:** 600-foot notice for neighborhood meetings (applicant-led) and 300-foot notice for public hearings

Projected Impact of 1,000-Foot Radius

Expanding the notification boundary to 1,000 feet would significantly increase the number of affected properties. Based on typical parcel patterns, this change could more than double the number of notices required per case, resulting in increased postage, materials, and staff time.

Internal estimates have shown that doubling the radius can increase notification counts and costs by two to three times depending on location.

Recommendations

Staff recommends maintaining the existing 500-foot notification radius and not moving to a universal 1,000-foot standard. This approach continues to exceed state notification requirements while balancing public outreach with available staff resources.

If Council wishes to pursue additional notification measures, staff recommends selecting one of the following options due to staffing capacity, administrative workload, and resource constraints. Of the options presented, Option 1 is the most practical and efficient approach to enhance communication while minimizing additional staff time and costs.

1. HOA Notification (Staff Recommended)

- Maintain the 500-foot mailing radius while also providing notice to homeowners' associations within a broader area (e.g., adjacent to the 500-foot radius).
- This approach expands awareness through existing neighborhood communication networks while requiring the least resources.

2. Expanded Digital Outreach for Higher-Impact Projects

- Rather than expanding mailed notification requirements, supplement public outreach for higher-impact projects through targeted digital communication tools. These may include project-specific website updates, email subscription notifications, social media announcements, and other online engagement methods.
- Similar to a tiered notification approach, enhanced digital outreach would be reserved for projects meeting established impact thresholds rather than applied to all development applications (e.g., apartments, projects over 100 units, or non-residential developments over

40,000 square feet). Implementation would require clear criteria, defined communication methods, and ongoing staff resources.



MEMO

To: Town Council
From: Max Hsiang, Planning and Zoning Director
Date: June 22, 2026
RE: **Summary of Major Revisions to Conditional Zoning Subcommittee Policy**

At the 2026 Council Retreat, Town Council identified the following priority under the “Enhance the Identity for Our Town” initiative:

“Ensure greater Town Council member understanding of projects prior to resident meetings with developers by changing the process to move Council Member subcommittee meetings ahead of neighborhood meetings.”

Following Council’s February 23, 2026 discussion regarding potential revisions to the Conditional Zoning Council Subcommittee Meeting Policy, Council did not reach consensus on the purpose and future role of subcommittee meetings or whether moving those meetings earlier in the process would achieve the intended goals of transparency, public engagement, and informed decision-making.

In response to that discussion, staff has developed a proposed Conditional Zoning Review and Decision Process Policy. Rather than modifying the existing subcommittee structure, the proposed policy establishes a formal review process conducted through publicly noticed Town Council meetings. Staff believes this approach provides greater clarity, transparency, and consistency while allowing Council additional time to evaluate applications following public input received through the public hearing process.

The proposed policy is intended to:

- Ensure fair and transparent public hearings
- Provide adequate time for Council consideration of Conditional Zoning applications
- Promote consistency in scheduling, deliberation, and decision-making
- Conduct Council discussion and decision-making within the public meeting process
- Eliminate the need for pre-hearing advisory meetings while maintaining flexibility when unique circumstances arise

Under the proposed process, Conditional Zoning applications would be presented at a public hearing where Council may ask questions, discuss the proposal, and identify issues requiring additional consideration. Applications would be expected to be deferred following the public hearing to a subsequent Council meeting for deliberation and final action. This approach provides Council time to review information, evaluate public input, consider potential conditions, and assess applicant responses before making a decision.

Key provisions of the proposed policy include:

- Establishing a formal Conditional Zoning review process conducted through publicly noticed Town Council meetings rather than pre-hearing advisory or subcommittee meetings.

- Requiring all Conditional Zoning applications to proceed through a public hearing where Council may ask questions, discuss the proposal, and identify issues requiring further consideration.
- Encouraging deferral of applications following the public hearing to allow additional time for Council review, deliberation, and decision-making.
- Providing a dedicated decision meeting for Council deliberation, consideration of proposed conditions, and final action on the application.
- Clarifying that the public hearing is for public comment and additional public comment is not part of the decision meeting unless the public hearing is formally reopened. If substantive changes to an application require additional notice or a new public hearing, the hearing would be advertised accordingly and the public would have an opportunity to comment.
- Establishing scheduling guidelines to promote consistency, ensure adequate staff review, and provide newly elected Council members sufficient opportunity to become familiar with applications before deliberation.
- Confirming that final decisions occur only during public meetings while recognizing that Council members may communicate with applicants, staff, and residents outside meetings as permitted by law.
- Allowing flexibility for Town Council to modify the timing or sequence of application review when necessary, provided all statutory and ordinance requirements are met.

If adopted, the proposed policy would repeal and replace the existing Conditional Zoning Council Subcommittee Meeting Policy and establish a consistent framework for public hearings, Council deliberation, and final decision-making on all Conditional Zoning applications.

Staff recommends adoption of the proposed policy for three primary reasons:

1. It eliminates the subcommittee process, which has created uncertainty regarding its purpose, expectations, transparency, and role in the overall review of applications. Removing this step provides a clearer and more predictable framework for applicants, residents, staff, and Council.
2. It ensures Council deliberation and decision-making occur during publicly noticed meetings, enhancing transparency, strengthening public trust, and supporting a more defensible decision-making process.
3. It provides Council additional time between the public hearing and final action to evaluate public input, review staff analysis, consider applicant responses, and assess potential conditions before reaching a decision.

Overall, the proposed Conditional Zoning Review and Decision Process Policy advances Council's goal of improving understanding of development proposals while preserving meaningful public participation, enhancing transparency, and establishing a consistent process for reviewing and deciding Conditional Zoning applications.



Conditional Zoning Public Hearing and Decision Policy

1) Purpose and Authority

- a. This policy is adopted by the Town Council to establish a consistent procedure for the consideration of Conditional Zoning (CZ) applications.
- b. This policy is an internal procedural guideline and does not modify or replace any requirement of the Stallings Development Ordinance or North Carolina General Statutes Chapter 160D. All decisions shall occur through the officially authorized processes of the ordinance.
- c. The purpose of this policy is to:
 1. Ensure fair and transparent public hearings
 2. Provide adequate time for Council consideration
 3. Promote consistency in scheduling and decision-making

2) Public Hearing Procedure

- a. All Conditional Zoning applications shall be scheduled for a duly noticed public hearing before the Town Council in accordance with applicable law and ordinance procedures.
- b. Conditional zoning decisions are legislative decisions. Council members may consider information presented at the public hearing, information provided by staff, communications from applicants and members of the public, and other information they deem relevant, consistent with applicable law.
- c. During the public hearing, Council members may:
 1. Ask questions of staff, the applicant, or speakers
 2. Discuss the application and proposed conditions
 3. Express preliminary views or concerns regarding the request
- d. Council members are not required to reach a decision at the public hearing. Deferral of action to a subsequent meeting is the preferred practice under this policy.
- e. Following the close of the public hearing, the Town Council may discuss the application, including key issues, proposed conditions, and areas requiring further consideration, and may then:
 1. Defer the application to a subsequent meeting for final deliberation and decision.
 - o Deferred applications should be scheduled for the next available second regular meeting of the Town Council (typically the Planning agenda meeting), unless such a meeting is not scheduled or is impractical;
or
 2. Proceed with deliberation and take action at the same meeting.

3) Decision Meeting Procedure

- a. At the subsequent meeting, the Town Council shall:

1. Deliberate on the application
 2. Consider proposed conditions
 3. Take final action to approve, approve with conditions, deny, or defer the application in accordance with applicable law
- b. No additional public comment is required at the decision meeting unless the public hearing is reopened.
- c. At the decision meeting, the Town Council may ask limited questions of staff and the applicant to better understand any changes made to the application.

4) Scheduling Considerations

- a. Conditional Zoning applications should generally not be scheduled for public hearing during the month of December due to holiday scheduling constraints and limited meeting availability.
- b. When a newly elected Council member has not participated in prior review of a Conditional Zoning application, staff should consider scheduling and meeting timing that allows sufficient opportunity for the member to become familiar with the application before final deliberation. Deferral of the decision is encouraged in such circumstances.
- c. The Development Administrator may coordinate scheduling to ensure:
1. Adequate staff review time
 2. Logical sequencing of public hearing and decision meetings
 3. Consistency with the Town Council meeting calendar

5) Conduct and Limitations

- a. Town Council members may communicate with applicants, staff, and the public outside of public meetings; however, final action shall occur only during public meetings. Such communications shall not substitute for the public hearing process.
- b. This policy is intended to reduce the need for pre-hearing advisory meetings and to ensure that substantive deliberation and decision-making occur within the public meeting process.

6) Applicability and Flexibility

- a. This policy applies to all Conditional Zoning applications unless otherwise directed by the Town Council.
- b. The Town Council may modify the timing or sequence of consideration for any application when necessary, provided that all statutory and ordinance requirements are met.