



City of Graham Planning Board

Meeting Agenda

June 17th, 2025, at 6:30 PM
Council Chambers, Graham
City Hall

1. Meeting called to order.
2. Roll Call and confirmation of quorum.
3. Pledge of allegiance and moment of silence or invocation.
4. Overview of board and general meeting rules.
5. Approval of the May 20 2025, meeting minutes.
6. New Business
 - a. AM2502 - Tobacco, CBD, Vapor Shop
 - b. RZ2503 - Gant Road R-G
7. Public comment on non-agenda items.
8. Staff comment.
9. Adjournment.



PLANNING BOARD MINUTES

Tuesday, May 20, 2025

The Planning & Zoning Board held its regular meeting on Tuesday, May 20th, 2025. Members present were Tony Bailey, Vice Chair John Wooten, and Chair Dean Ward, James Stockert, Michael Benesch. Chad Huffine and Jim Young were absent. Staff members present were Planner Cameron West and Planning and Inspection Technician Debbie Jolly

1. Meeting called to order at 6:30 p.m. by Chair Dean Ward
2. Roll Call and confirmation of quorum.
3. Pledge of allegiance and moment of silence or invocation.
4. Overview of board and general meeting rules.
5. Approval of the meeting minutes for the April 29th, 2025 meeting of the Planning Board. Michael Benesch made a motion to approve the minutes. Tony Bailey seconded. All voted Aye.
6. New Business
 - a. CR2403 - Jim Minor Townhomes- Cameron gave the staff report. This is a request to rezone 24.18 acres of property from Un-Zoned to C-R (Conditional Residential) for the purpose of constructing a maximum of 143 town homes. The site plans to have public roadways and connect to water and sewer through the existing utilities surrounding the property. The property is fully inside of the Employment District future land use zone. The future land use plan mentions the employment district should be studied and planned in order to accommodate a range of employers and provide office space, industrial space, commercial space, institutional space, and residential housing. This should be planned to limit environmental impacts, preserve open space and open corridors, and develop high quality and adaptable buildings for a variety of companies. The development falls in around 5.9 dwelling units per acre which meets the appropriate density in the suburban residential land use zone of 3-6 dwelling units per acre. The applicant has requested a condition to reduce the width between buildings from 25 feet to 20 feet. Outside of that condition all aspects of the R-MF zoning district are being met. Since the development is over 5 acres in size the applicant was required to provide open space within the development and all areas can be found on the site plan. Scott Krusell 1104 Aspen Dr Cary NC present the project to the planning board. Shawn Cummings 716 S 5th Mebane, NC also answer question on the project. The follow neighbor spoke against the project. They spoke on traffic, widen the road, the turn line take property, buffers, and the height of the town homes.

Lisa Baker - 1413 N Jim Minor Rd



Angela Willis – 1408 N Jim Minor Rd

Chair Dean Ward made a motion to approve the rezoning request with the conditions that Lots 1-10 shall only be 2 story. Amenities are to include only a pickle ball court, dog park, and child play area with equipment. 3 foot tall berm and 8 foot tall evergreen plantings along entire frontage of Jim Minor, as well as other planting requirements. 3 foot tall berm and evergreen plantings along left side of the property until it meets the sewer easement as well as other planting requirements. John Wooten seconded the motion. Vote was 4-1. James Stockert was the only nay.

- b. SUP2501- E Harden UBD Heavy- This is a request for a Special Use Permit for a Unified Business Development Heavy (UBD) for property located at 1205 E Harden Street. The applicant has a set of approved plans for a proposed single use building currently. The applicant has requested to turn that building into a multi-tenant use type which requires the application for special use permit under the Unified Business Development Use. The parcel falls in the Corridor Future Land Use Zoning area and the Suburban Residential Corridor. Chad Huffine spoke on behalf of the development and noted that the proposed use was for multiple tenants to occupy a building that had already received an approval from the TRC. The board and staff discussed the difference between this request and the text amendment that was approved by council that same month. Staff noted since this was for commercial development it still had to receive special use permit approval from City Council. John Wooten made a motion to approve the request. Seconded by Dean Ward. All voted aye.
- c. AM2502 - Tobacco, CBD, Vapor Shop-The City Council has requested City Staff to address the lack of use types and regulation for tobaccos, CBD, and Vapor Shops inside of the Development Ordinance and update it. Prior to the update, the use was viewed as a retail sale with little to no regulation associated with it. This amendment will provide a definition, special use permit or conditional zoning requirement, and other regulations in order for a potential use to be approved. All the supporting documentation has been provided to you all in your agenda packets for discussion. The board noted that they would like input from the police department on the proposed language and suggested the item should be tabled to the next meeting. James Stockert made a motion to table the item. Seconded by Michael Benesch. All voted aye. The item was tabled to the next Planning Board meeting.

7. Public comment on no agenda items- None.

8. Staff comments- None.

9. Adjournment- Chair Dean Ward made a motion to adjourn. Seconded by Vice Chair John Wooten. All vote aye.



Meeting Adjourned at 8:51 p.m.

Respectfully submitted this day 20th day of May, 2025
Debbie Jolly



STAFF REPORT

Prepared by Cameron West, Senior Planner

Text Amendment for:

Type of Request: Text Amendment for Tobacco, CBD, and Vapor Shop

Meeting Dates

Planning Board on May 20, 2025 & June 17, 2025
City Council on July 8, 2025

Contact Information

On Behalf of Planning Staff from Council Request

Summary

The City Council has requested City Staff to address the lack of use types and regulation for tobaccos, CBD, and Vapor Shops inside of the Development Ordinance and update it. Prior to the update, the use was viewed as a retail sale with little to no regulation associated with it. This amendment will provide a definition, special use permit or conditional zoning requirement, and other regulations in order for a potential use to be approved. All the supporting documentation has been provided to you all in your agenda packets for discussion. This item was tabled last month for Police Department review. In their review the Police department provided suggestions that: No tobacco shop shall be located within a one-half mile (2,640 foot) radius of a tobacco shop, Tobacco and hemp stores also cannot open within the same property, such as a strip mall with multiple storefronts, Limit the number of vape shops to one per 10,000 residents within the city limits, and mandates smoke shop/tobacco stores be at least 1,500 feet from one another and schools or daycare centers. Staff believes the distance from other tobacco stores and distance from schools, daycare centers, etc. are already addressed. The other suggestions can be added if deemed necessary.

Applicable Planning District Policies and Recommendations

- Not applicable; city-wide.

Conformity to The Graham 2035 Comprehensive Plan and Other Adopted Plans

Not applicable.

Staff Recommendation

Based on the comprehensive plan, staff **recommends approval** of the text amendment. The following supports this recommendation:

- The proposed amendment updates the language to provide a use type and regulation for Tobacco, CBD, and Vapor Shops

Project Name

Text Amendment for Tobacco, CBD, and Vapor Shop
(AM2502)

Location

city-wide

Current Zoning

not applicable

Proposed Zoning

not applicable

Overlay District

not applicable

Staff Recommendation

Approval

Planning District

All

Development Type

All

Furthermore, a street shall be considered a public right-of-way set aside for public travel if it:

- (1) Has been accepted for maintenance by the State of North Carolina or by the City of Graham; or
- (2) Has been established as a public street prior to the date of adoption of this article; or
- (3) Has been dedicated to the City of Graham or the State of North Carolina for public travel by the recording of a plat of a subdivision which has been approved by the Graham planning board or by City council.

Street Line - A dividing line between a lot and a street right-of-way.

Thoroughfare Plan - A plan adopted by the governing body for the development of existing and proposed major streets that will adequately serve the future travel needs of an area in an efficient and cost-effective manner.

Tobacco, CBD, and Vapor Shop - A commercial establishment, operated as a principal use, engaged in the retail sale of tobacco, nicotine, hemp-derived compounds, including CBD, for the purposes of human ingestion as authorized for sale by the State, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco, tobacco-related paraphernalia of any type, electronic cigarettes, any electronically-actuated device or inhaler meant to simulate cigarette smoking that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation

Tower, Communications: A structure designed to support antennae used for transmitting or receiving telephone communications and or telecommunications.

Tower, Microwave - A structure designed to support antennae used for transmitting or receiving microwave communications and/or signals.

Tower, Radio and Television Transmission - A structure of wires, poles, rods, reflecting disc or similar devices used for transmitting or receiving television, or radio signals, excluding satellite dish antennae.

Townhouse – One or more structures containing a total of two or more units intended for owner occupancy, where ownership of the land beneath each unit runs with that unit, where units and the individually owned lands on which they rest do not meet conventional lot requirements for street frontage and yard size, and where walls between units are constructed in accordance with North Carolina State Building Code requirements.

Townhouse Lot - A parcel of land intended as a unit for transfer of ownership and lying underneath, or underneath and around a townhouse, patio home, or unit in nonresidential group development.

Toxic Substance - Any substance or combination of substances (including disease causing agents), which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, whether directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their offspring or other adverse health effects.

Usable Open Space - A parcel or parcels of land or an area of water or a combination of both land and water designed for the recreational use and enjoyment of residents of the proposed development, not including streets or off-street parking areas. Not more than one-half of the required usable open space



Use Type	R-18	R-15	R-12	R-9	R-7	C-R	R-MF	R-G	O-I	C-O-I	B-3	B-2	B-1	C-B	I-1 (Note 19)	I-2 (Note 19)	C-I	C-MXR	C-MXC	LUC
School, commercial, vocational									S	C	S	X	X	C	X	X	C	C	C	1
School, music, art, martial arts, or dancing											X	X	X	C	X		C	C	C	1
Septic Tank Installation and Servicing Businesses															X	X	C			3
Sexually Oriented Business												S			S					5
Shooting Range, Indoor															X	X	C			3
Shooting Range, Outdoor																S				4
Short-Term Rental			X	X	X			X				X	X							
Solar Farm (See Note 24)						C				C				C	X	X	C	C	C	2
Stable, including riding facilities	S														S	S	C			1
Storage Yard, See Note 13															X	X	C			5
Tanning Salon									X	C		X	X	C				C	C	3
Tattoo Business												X			X	X				3
Taxidermist												X		C	X		C		C	3
Temporary Construction or Real Estate Office, Storage Facilities – use to be terminated upon completion of construction	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	n/a
Theater (indoor)												X	X	C	X		C	C	C	3
Tire Recapping and Retreading (principal use)															X	X	C			3
Tire Sales												X		C	X		C		C	3
Tobacco, CBD, and Vapor Shop												S		C						3
Towers, Radio, Television, Cellular and Digital Communication															S	S	C			5
Truck and Utility Trailer Rental and Leasing												X		C	X	X	C			4
Trucking or Freight Terminal, Storage, Repair, Wash, or Stop															S	S	C			4
Unattended facilities for public utilities, See Note 16	X	X	X	X	X	C	X	X	X	C	X	X	X	C	X	X	C	C	C	2
Utility building sales, sales of storage sheds and trailers												X			X	X	C			
Unified Business Development, Heavy									S	C		S	S	C	S		C	C	C	3



district or an historic landmark. "Historic" means a district or landmark, which has been nominated, to the National Register of Historic Places.

Outside Storage:

Outside storage is not permitted on the tower site.

Use: Tobacco, CBD, and Vapor Shops

Special Use Districts: B-2

1. Such uses shall secure and maintain all licenses and permits, including licenses to sell vapor products, required by the State prior to operation;
2. Such uses shall be separated from the following use types by at least 1,000 linear feet:
 - a. An adult business
 - b. A bar, cocktail lounge, or private club,
 - c. A child day care;
 - d. A community/youth/senior center;
 - e. A cultural facility, library, or museum;
 - f. An elementary, middle, or high school;
 - g. Fairgrounds;
 - h. A nightclub or dance hall;
 - i. A park (whether public or private);
 - j. A religious institution; or,
 - k. Another tobacco, CBD, or vapor shop.
3. All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed adult establishment is to be located to the nearest point of the lot line or boundary of the closest adult establishment, residence, residentially zoned district, public or private elementary or secondary school, child day care center or nursery school, public park, church, community college, bar, or night club
4. No smoking shall be permitted on the premises at any time; and
5. No outdoor storage, outdoor activity areas, or outdoor vending machine sales of tobacco, CBD, or vapor products may take place on the site.

Designation:

1. Except for a grocery store use of 10,000 square feet of floor area or more, these standards shall be applied to any retail use type engaged in the sale of tobacco, tobacco products, electronic cigarettes, and related products where the lesser of five percent or 500 square feet or more of the use's gross floor area is for the display, sale, distribution, delivery, offering, furnishing, or marketing of cigarettes, tobacco, electronic cigarettes, or any related product.
2. Grocery store uses of 10,000 square feet of floor area or more that meet the definition of a grocery store in this Ordinance shall not be considered a tobacco, CBD, or vapor shop despite the retail sale of cigarettes, tobacco, electronic cigarettes, or any related product.





STAFF REPORT

Prepared by Cameron West, Planner

Gant Road R-G (RZ2503)

Type of Request: Rezoning

Meeting Dates

Planning Board: June 17th, 2025

City Council on July 8th, 2025

Contact Information

Phylliss Davis
1448 Gant Road, Graham, 27253
336-380-0252
jchristiedavis2005@gmail.com

Summary

This is a request to rezone a 1.7-acre lot, 0 Gant Road from I-1 (Light Industrial) to R-G (General Residential) for the purpose of constructing a manufactured home on the lot for living purposes. The lot is currently vacant and is surrounded by other manufactured homes and an Industrial building across the street. Manufactured Homes are only permitted to be constructed in the R-G zoning district hence the request for this zoning type. The lot if rezoned would meet all the lot dimension requirements for the R-G zoning district. This property is listed on the Future Land Use Map as Suburban Residential. This land use area describes principle uses as Predominantly detached single family homes; new neighborhoods may include a range of duplexes, townhomes, and small scale multi-family dwellings of twelve units or less. This request would be consistent with the future land use plan and the surrounding areas if approved and developed.

Location

0 Gant Road

GPIN:

8873794403

Current Zoning

I-1 (Light Industrial)

Proposed Zoning

R-G (General Residential)

Overlay District

N/A

Surrounding Zoning

R-G and I-1

Surrounding Land Uses

Single Family, Warehouse,
Manufactured Home

Size

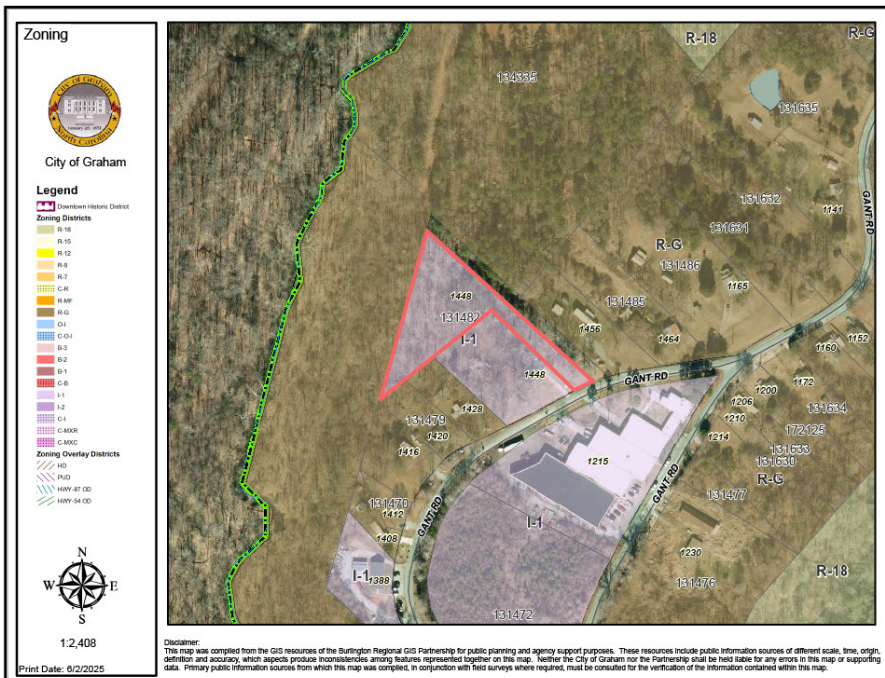
1.7 acres

Public Water & Sewer

Water is. Sewer is not

Floodplain

No



Zoning Map

Zoning



City of Graham

Legend

Downtown Historic District

Zoning Districts

- R-18
- R-15
- R-12
- R-9
- R-7
- C-R
- R-MF
- R-G
- O-I
- C-O-I
- B-3
- B-2
- B-1
- C-B
- I-1
- I-2
- C-I
- C-MXR
- C-MXC

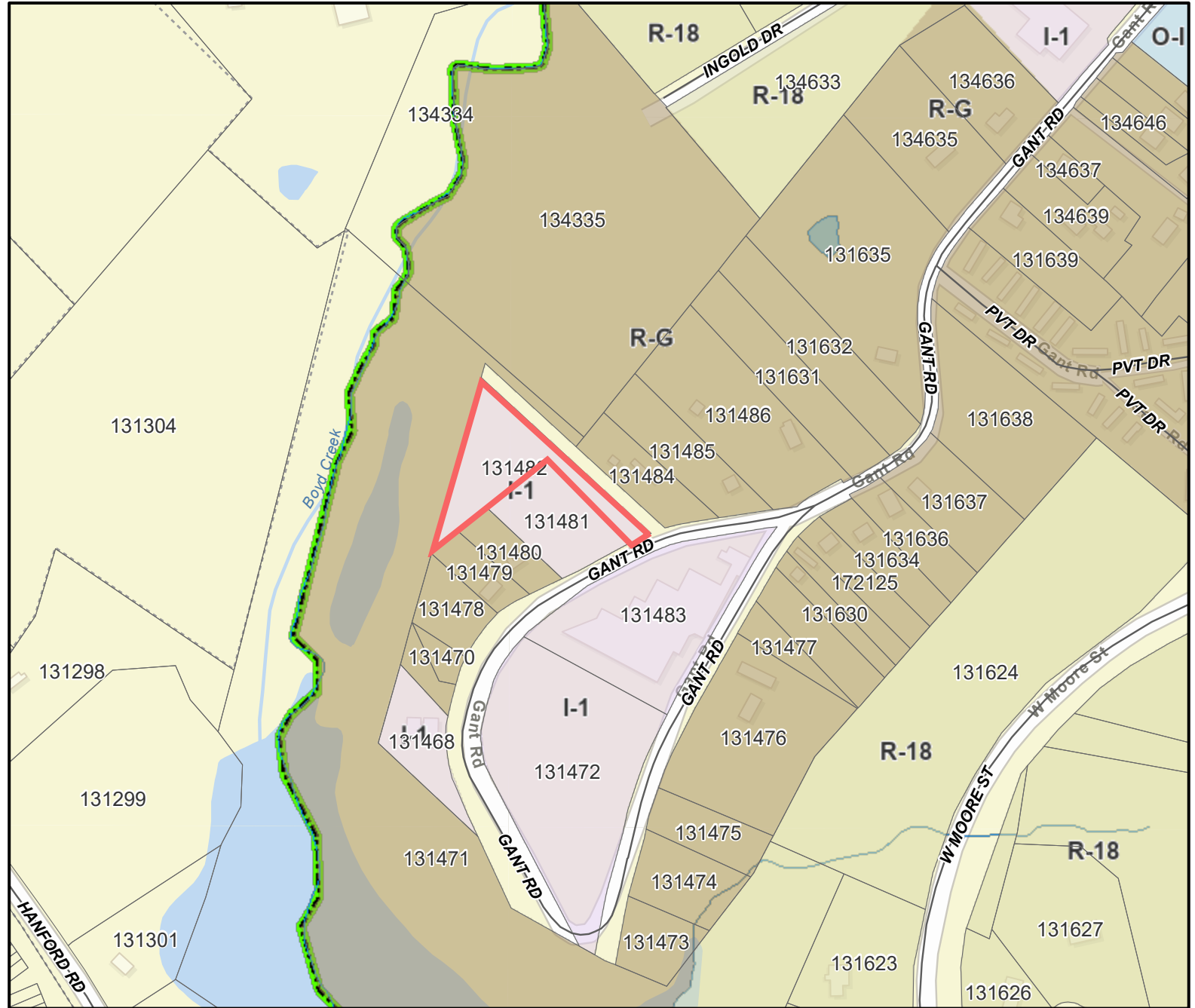
Zoning Overlay Districts

- HD
- PUD
- HWY-87 OD
- HWY-54 OD



1:3,952

Print Date: 6/10/2025



Disclaimer:

This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the City of Graham nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

Future Land Use Map

Zoning



City of Graham

Legend

Downtown Historic District

Zoning Districts

R-18

R-15

R-12

R-9

R-7

C-R

R-MF

R-G

O-I

C-O-I

B-3

B-2

B-1

C-B

I-1

I-2

C-I

C-MXR

C-MXC

Zoning Overlay Districts

HD

PUD

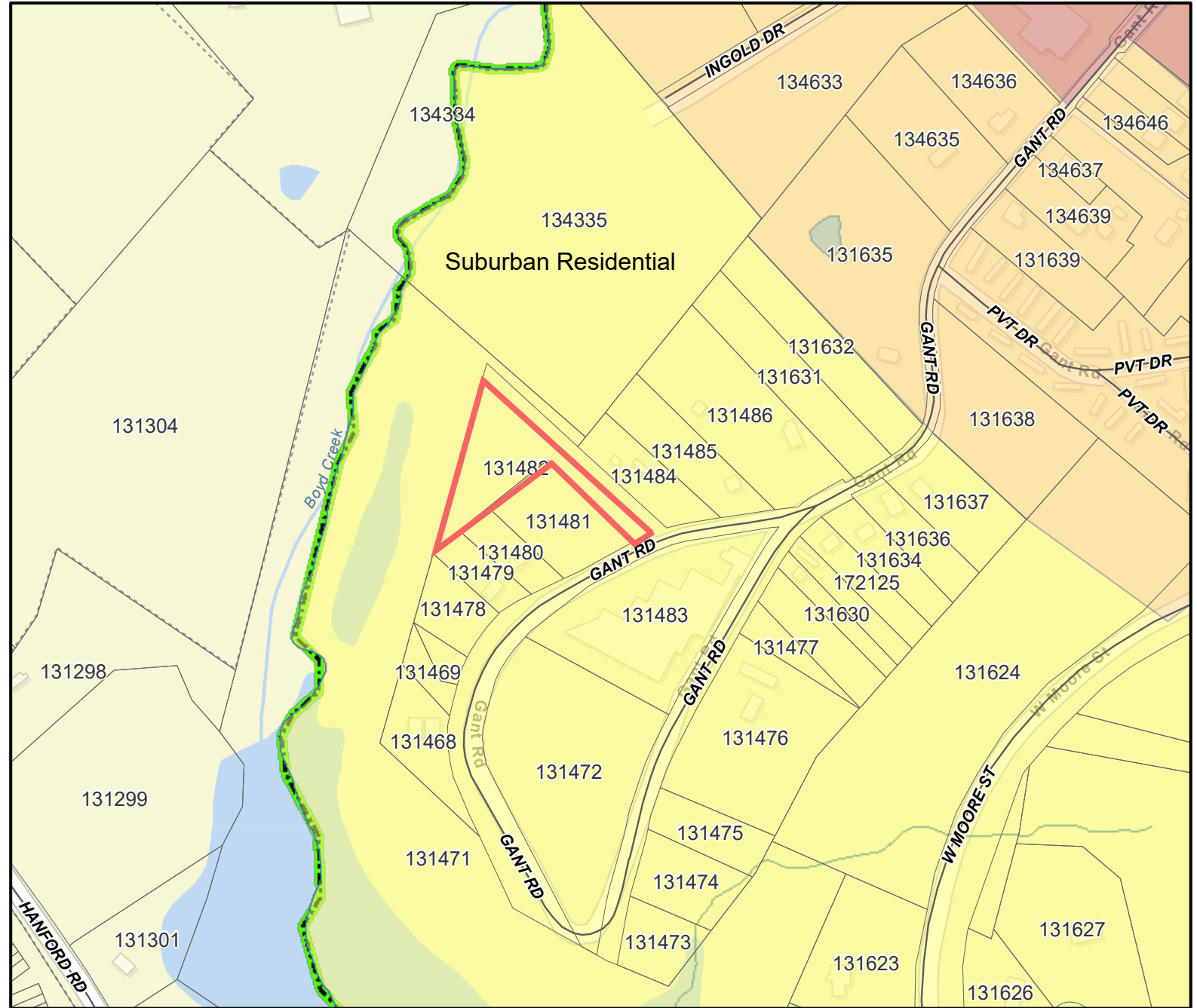
HWY-87 OD

HWY-54 OD



1:3,952

Print Date: 6/10/2025



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Conformity to the *Graham 2035 Comprehensive Plan (GCP)* and Other Adopted Plans

Applicable Policies:

- The Future Land Use Map provides direction for land use changes in Graham over time. **Future land use designations provide information on where and how to grow in an efficient, sustainable, and orderly manner.** Physical form is a critical component of future growth and this section addresses development patterns in Graham. The Future Land Use Map follows several growth principles, and will guide the City's land use decisions.
- 3.3.2: **Focused development.** In order to maintain Graham's affordability and promote growth, the City will facilitate smart growth development by promoting infill development and focused, walkable, and mixed use, built environments.
- 4.3.1 **Land Use Patterns.** Promote development of efficient land use patterns to allow continued quality and efficiency of water systems. Discourage the extension of water service into areas that are not most suitable for development

Staff Recommendation

Based on the *Graham 2035 Comprehensive Plan* and the *City of Graham Development Ordinance*, staff recommends **Approval** of the rezoning. The following supports this recommendation:

- The proposed use of a zoning is consistent with the current land zoning and land use plan for the overall goal of building a structure on the lot.
- Rezoning the property would be consistent with the Suburban Residential type and furthers policy 3.3.2, and strategy 4.3.1, as put forth by the Graham 2035 Comprehensive Plan.