



Town of Clayton
Town of Clayton Planning Board Agenda
Monday, January 24, 2022 @ 6:00 PM
Town Council Chambers

<https://www.youtube.com/TownofClaytonNC>

IN PERSON TOWN COUNCIL / ADVISORY BOARD MEETING PROCEDURES

- ALL persons attending must wear a mask.
- We will be following proper social distancing at all times.
- Hand sanitizer will be available, both in the lobby and council chambers.
- Podium/microphone will be sanitized after each speaker.

**Face Masks May Be Removed When Speaking.*

1. CALL TO ORDER

2. OATH OF OFFICE

- a. Oath of Office Administered to Board Members
Administered by: Kimberly A. Moffett, Town Clerk
- Ethan Bennett
 - Jodie Dupree
 - Kevin Lee
 - James Lipscomb
 - James Moore
 - Ronald Williams

3. ELECTION OF CHAIR & CO-CHAIR

- a. Nomination & Election of Chair
POTENTIAL ACTION: Approval of Chair
- b. Nomination & Election of Co-Chair
POTENTIAL ACTION: Approval of Co-Chair

4. ADJUSTMENT OF THE AGENDA

5. APPROVAL OF MINUTES

- a. Draft Minutes
- December 21, 2021
[December 21 2021 DRAFT Minutes](#)
- POTENTIAL ACTION:** Adoption of Minutes

6. PUBLIC HEARINGS

7. NEW BUSINESS

8. INFORMAL DISCUSSION AND PUBLIC COMMENT

9. ADJOURN



**Town of Clayton
Clayton Planning Board Minutes
Tuesday, December 21, 2021 @ 6:00 PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

George "Bucky" Coats
James Lipscomb
Stephen Powers
Jeffrey Spence
Kevin Lee
James Moore
Lisa Begley

STAFF PRESENT:

Ben Howell, Planning Director
Kimberly Moffett, Town Clerk
Andria Archer, Council Member
Joshua Baird, Town Engineer
Aaron Prichard, Planner II

MEMBERS ABSENT:

1 CALL TO ORDER

- a) Board Member Coats called the meeting to order at 6:00 p.m. It was noted that all members were in attendance. Mr. Coats offered his congratulations to Council Member Archer on her election.

2 ADJUSTMENT OF THE AGENDA

3 APPROVAL OF MINUTES

- a) October 25, 2021 DRAFT Minutes

ACTION: Adoption of Minutes as Presented

Motion: Board Member Powers
Second: Board Member Lipscomb
Vote: Unanimous

4 PUBLIC HEARINGS

5 NEW BUSINESS

- a) 2021-141-RZ - Cloudbreak Investments - Rezoning
Presenter: Aaron Pritchard, Planner II

Mr. Pritchard was present and provided details about the proposed rezoning request. The property is located on Everett Avenue. It is a total of 2 parcels with 2.62 acres. Request is to rezone from R-8 to R-6. Current use is vacant. It was stated another parcel owned by the applicant directly adjacent to the property is already zoned R-6. Staff

stated that was consistent with Future Land Use and Surrounding Land Use. Staff recommended approval. Board Member Powers asked if there was a need for Planning Board to see survey. It was stated the preliminary plat was not to be confused.

The applicant was not present.

Board Member Moore asked about what the best interest is for the Town of Clayton with regard to this request. Mr. Pritchard stated the applicant had shared minimal information about their plans for the properties. Board Member Lipscomb stated he felt it was consistent with the area and was supportive of the rezoning.

With there being nothing further, the item was turned over to the board for their deliberation and decision.

ACTION: Recommendation of Approval of Rezoning to Town Council

Motion: Board Member Lipscomb

Second: Board Member Powers

Vote: Unanimous

- b) 2021-126-OA - Steep Slopes Text Amendment - Reconsideration at Direction of Town Council

Presenter: Ben Howell, Planning Director

Mr. Howell was present and shared details about this item. He stated at the recommendation of town council this text amendment is being considered for revision. Shared were details regarding Resource Conversation Areas. Also shared were details regarding the 2045 Growth Plan. Mr. Howell shared additional details about Steep Slopes regarding environmental features. He shared advantages as well as disadvantages regarding the protection of Steep Slopes. Shared was a map providing an idea of ways to protect Steep Slopes based on various options. Also shared were slides providing a profile view of various options for protection of Steep Slopes. Also provided was a slide outlining other local jurisdictions and their requirements for protection of Steep Slopes.

Mr. Howell shared the language that was adopted at the November 15, 2021 council meeting. Also provided was the language in various options.

Board Member Moore asked why this item was being re-heard if it were just adopted in November. Mr. Howell provided details about previous council and several new council members now being seated and their desire to re-consider the text amendment.

Board Member Lipscomb asked for clarification regarding potential area that would be required to be protected. Board Member Lipscomb stated that in the last 15 years this was never enforced and questioned why it is being enforced now and wondered if it were related to any certain project. Board Lipscomb shared his concerns about this item to include not being informed enough about this subject, as well as calling some areas that could be mowed with a ride on lawn mower, a Steep Slope. He wondered if the board and the council member truly understood the full implications. He stated previously there was an option to go to Board of Adjustment for a Variance. He further stated that in good faith he couldn't provide a recommendation. Mr. Howell stated he could not state that this was not ever enforced, but certainly felt comfortable saying it was not enforced

regularly. Board Member Begley agreed she felt it was important to fully understand. She further stated that she felt it was important that moving forward the goal should be to get things in place as we grow. Board Member Lipscomb agreed, he stated his concern was the additional area of protection required for Steep Slopes. Board Member Moore stated he had done research and felt it was important to prevent sediment from flowing into our streams. Board Member Moore asked for clarification regarding purpose of a slope. Mr. Howell stated we were discussing natural steep slopes not created slopes. He provided additional details.

Mr. Howell provided slides regarding the language for each option presented, as well as providing additional slides regarding possible options for outcome of the meeting.

Board Member Powers stated he agreed with Board Member Lipscomb and felt that the board needed additional training about this item. Board Member Powers further stated he felt that we are not the same as we were 15 years ago, however, with the amount of development taking place we need to be aware and ensure that all developers are aware of guidelines.

Board Member Coats stated the board made a recommendation previously for Option #2. He further stated that the person who attended the council meeting last night was not officially representing NC State. He further stated he had not heard anything that changed his mind from recommending same option, which is Option #2. Mr. Stephen Smith a resident of 1814 N. O'Neil Street was present. He stated his property backs up to the Neuse River and stated his reason for attending the meeting is to ensure that every time a change like this is made it affects a property owner and places restrictions. He stated that Johnston County has issued a statement regarding this subject and they recommend 50'. He suggested everyone review the County's information.

With there being nothing further, the item was turned over to the board for their discussion and decision.

ACTION: Recommendation of Option # 2 for Text Amendment

Motion: Board Member Moore

Second: Board Member Begley

Vote: 5-2 (Opposed Board Members Lipscomb & Lee)

6 INFORMAL DISCUSSION AND PUBLIC COMMENT

- a) Council Member Archer offered her thanks and appreciation to Board Member Coats for his many years of service. She shared how important he has been in assisting her during her time on the Planning Board. Board Chair Bizzell offered his thanks and appreciation.

7 ADJOURN

- a) Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 7:01 p.m.

ACTION: Motion to Adjourn

Motion: Board Member Moore

Second: Board Member Lipscomb

Vote: Unanimous

Duly adopted this the 24th day of January, 2022 while in regular session.

Chair

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk
Clerk to the Board