



**The Town Of Clayton
Regular Town Council Meeting Agenda
Monday, April 4, 2016 @ 6:30 PM
Council Chambers**

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a. Draft Minutes - March 21, 2016
[Cover - Draft Minutes](#)
- b. Hazard Mitigation Plan Adoption and Resolution
[Cover - Hazard Mitigation Plan](#)
[Resolution - Hazard Mitigation](#)

POTENTIAL ACTION: Approval of Consent Agenda as Presented

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Government Finance Officers Association Award of Financial Reporting Achievement
Presenter: Mayor McLeod
[Cover - The Government Finance Officers Association Award 2016 Award](#)
- b. Junior Girl Scout Troop #1797 - Parks & Recreation "Garden Art" Project
Presenter: Stacy Beard, Public Information Officer

5. ADMINISTRATIVE ITEMS

- a. Master Site Plan - 2015-82-SP - Novo Nordisk
Presenter: Planning Department
[Cover - Master Site Plan - 2015-82-SP - Novo Nordisk](#)
[Application - Novo Nordisk Master Site Plan](#)
[Staff Report - Novo Nordisk Master Site Plan](#)
[Map - Novo Nordisk Master Site Plan](#)

[Neighborhood Meeting - Novo Nordisk Master Site Plan](#)
[Site Plan - Novo Nordisk Master Site Plan](#)
[PB Recommendation - Novo Nordisk Master Site Plan](#)

POTENTIAL ACTION: Approval of Master Plan

POTENTIAL ACTION: Authorize Staff to Review Individual Building/Site Plans

6. PUBLIC HEARINGS

- a. Special Use Permit - 2016-20-SUP - Novo Nordisk Building Height
Presenter: Planning Department
[Cover - Special Use Permit - 2016-20-SUP - Novo Nordisk Building Height](#)
[Application - Novo Nordisk Building Height](#)
[Site Plan - Novo Nordisk Building Height](#)
[Map - Novo Nordisk Building Height](#)
[Neighborhood Meeting - Novo Nordisk Building Height](#)
[Motion - Novo Nordisk Bright Building Height](#)
[Public Notice - Novo Nordisk Building Height](#)
[Approval - Novo Nordisk Building Height](#)

POTENTIAL ACTION: Approval/Disapproval of Special Use Permit

- b. Refinance of Two Existing Finance Agreements
Presenter: Robert McKie, Finance Director
[Cover - Refinance Opportunities](#)
[Public Notice - Refinance](#)
[Resolution - Refinance Opportunities](#)

POTENTIAL ACTION: Approval of Resolution 2016-12 Authorizing Collateralization of Clayton Community & Law Enforcement Centers

- c. Rezoning - 2015-84-RZ - Clayton Northside Substation
Presenter: Planning Department
[Cover - Rezoning - 2015-84-RZ - Clayton Northside Substation](#)
[Application - Clayton Northside Substation Rezoning](#)
[Staff Report - Clayton Substation Rezoning](#)
[Map - Clayton Northside Substation Rezoning](#)
[Neighborhood Meeting - Clayton Northside Substation Rezoning](#)
[PB Recommendation - Clayton Northside Substation Rezoning](#)
[ConsistencyAndReasonableStatement - Northside Substation](#)
[Public Notice - Rezoning; Cameron/ Powhatan/ Northside](#)
[Motion - Clayton Northside Substation Rezoning](#)
[Ordinance - Northside Substation Rezoning](#)

POTENTIAL ACTION: Approval/Disapproval Rezoning (Ord. 2016-04-01)

- d. Rezoning - 2016-13-RZ - 3900 Powhatan Road
Presenter: Planning Department
[Cover - Rezoning - 2016-13-RZ - 3900 Powhatan Road](#)
[Application - 3900 Powhatan Road Rezoning](#)
[Staff Report - 3900 Powhatan Road Rezoning](#)
[Map - 3900 Powhatan Road Rezoning](#)
[Email - Correspondence from Jim Lee - 3900 Powhatan Road Rezoning](#)
[Email - Correspondence from Johnston County Planning Director - 3900 Powhatan Road Rezoning](#)
[PB Recommendation - 3900 Powhatan Road Rezoning](#)
[ConsistencyAndReasonableStatement - 3900 Powhatan Road Rezoning](#)
[Public Notice - Rezoning; Cameron/ Powhatan/ Northside](#)
[Motion - 3900 Powhatan Rezoning](#)
[Ordinance - 3900 Powhatan Road Rezoning](#)

POTENTIAL ACTION: Approval/Disapproval Rezoning (Ord. 2016-04-02)

- e. Rezoning 2016-24-RZ - Cameron Way
Presenter: Planning Department
[Cover - Rezoning - 2016-24-RZ Cameron Way](#)
[Application - Cameron Way Rezoning](#)
[Staff Report - Cameron Way Rezoning](#)
[Map - Cameron Way Rezoning](#)
[Neighborhood Meeting - Cameron Way Rezoning](#)
[PB Recommendation - Cameron Way Rezoning](#)
[ConsistencyAndReasonableStatement - Cameron Way](#)
[Public Notice - Rezoning; Cameron/ Powhatan /Northside](#)
[Motion -Cameron Way Rezoning](#)
[Ordinance - Cameron Way Rezoning](#)

POTENTIAL ACTION: Approval/Disapproval of Rezoning (Ord. 2014-04-03)

- f. Text Amendments Unified Development Code
Presenter: Planning Department
[Cover - Text Amendments Unified Development Code](#)
[Staff Report - 2016-41-OA - to TC - Ordinance Amendment](#)
[Staff Report - Addendum - 2016-41-OA - on March 14, 2016](#)
[UDC Ordinance Amendment, 2016-41-OA - Articles 100-400, 600-800](#)
[PB Recommendation - Text Amendments](#)
[Public Notice - Text Amendments](#)

[Motion - Text Amendments](#)
[Ordinance - Text Amendments](#)

POTENTIAL ACTION:
2016-04-04)

Approval/Disapproval Text Amendments (Ord.

7. OLD BUSINESS

8. NEW BUSINESS

9. STAFF REPORTS

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
- d. Other Staff

10. OTHER BUSINESS

- a. Informal Discussion & Public Comment
- b. Council Comments

11. ADJOURNMENT



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Consent

Meeting Date:

April 4, 2016

ITEM TITLE:

Minutes

DESCRIPTION:

Draft minutes from the March 21, 2016 Town Council Work Session are presented for approval.

POTENTIAL ACTION:

DEPARTMENT:

Clerks

PRESENTER:

Kimberly Moffett, Town Clerk

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Consent

Meeting Date:

April 4, 2016

ITEM TITLE:

Hazard Mitigation Plan Adoption and Resolution

DESCRIPTION:

Johnston County Emergency Services along with NC Emergency Management received approval from FEMA to be part of the Cape Fear Regional Hazard Mitigation Plan to increase Emergency Management efforts by Adoption & Resolution.

POTENTIAL ACTION:

DEPARTMENT:

PRESENTER:

ITEM HISTORY:

Date:

March 21, 2016

Action Taken:

Placed on April 4, 2016 Consent Agenda

Information Provided:

Resolution - Report from JC Emergency Services

Date:

Action Taken:

Information Provided:

**RESOLUTION TO ADOPT THE
CAPE FEAR REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Town of Clayton is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Town of Clayton desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Clayton Town Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Clayton Town Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town of Clayton; and

WHEREAS, the Town of Clayton, in coordination with Johnston County, Chatham County, Harnett County, Lee County, Moore County and the participating municipalities within those counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Cape Fear Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Clayton Town Council hereby:

1. Adopts the Cape Fear Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Duly adopted this 4th day of April while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Introductions & Special Presentations

Meeting Date:

April 4, 2016

ITEM TITLE:

Finance Officers Association Award of Financial Reporting Achievement

DESCRIPTION:

Notification was received from The Government Finance Officers Association that the comprehensive annual financial report for the fiscal year ended June 30, 2015 qualifies for a Certificate of Achievement for Excellence in Financial Reporting. This is the highest form of recognition in governmental accounting and financial reporting. Award will be presented to Robert McKie, Finance Director.

POTENTIAL ACTION:

None – Informational Only

DEPARTMENT:

Administration

PRESENTER:

Mayor McLeod

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



**The Government Finance Officers Association
of the United States and Canada**

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Robert W. McKie, Jr.

Finance Director

Town of Clayton, North Carolina

The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Date March 8, 2016





**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Administrative Items

Meeting Date:

April 4, 2016

ITEM TITLE:

Master Site Plan - 2015-82 - Novo Nordisk

DESCRIPTION:

Request for major site plan (acting as a Master Plan) to develop a 900,000 square foot production facility as an expansion to the existing Novo Nordisk Pharmaceuticals, was approved by the Planning Board. Staff is requesting approval from Town Council that will allow Planning Staff to review individual site plans rather than Planning Board.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

David DeYoung, Planning Director &
Gary Lohr, Site Development Coordinator
- Novo Nordisk

ITEM HISTORY:

3/21/2016 - Item was presented at Town Council and this item was set for a Public Hearing, however, no Public Hearing is necessary. This is simply a request from Staff to allow individual site plans for this project to be reviewed by Planning Staff rather than Planning Board.

Date:

March 21, 2016

Action Taken:

Set Public Hearing for April 4, 2016

Information Provided:

Application/Staff Report/Recommendation

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

MAJOR SITE PLAN APPLICATION

Pursuant to Article 7, Section 155.707 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Planning Board to approve a Major Site Plan application. Please complete all fields in this application and submit to the Planning Department with all required materials.

Application fee: \$500.00 + \$5.00 per acre. *All fees are due when the application is submitted.*

SITE INFORMATION

☒ New Major Site Plan

☐ Major Modification to an approved site plan
Project Modified: _____

Name of Project: Bright Sky Project Acreage of Property: 296 Acres
County Tag #: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I05021A, NC PIN: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9545
Address/Location: Powhatan Road, 1988 Gordon Road, and 2304 Gordon Road, Clayton, NC

Existing Use: Agriculture Proposed Use: Industrial

Zoning District: I-1 - Light Industrial

Is project within a Planned Development? ☒ No
☐ Yes (list): _____

Is project within an Overlay District? ☐ No
☒ Yes (list): Watershed Protection Overlay

FOR OFFICE USE ONLY

Date Received: <u>DEC 3 8 2015</u>	Amount Paid: <u>\$1980.00</u>	File Number: <u>2015-82-SP</u>
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Town of Clayton Planning Department

PROPERTY OWNER INFORMATION

Name: Novo Nordisk Pharmaceutical Industries, Inc.
Mailing Address: 3612 Powhatan Road, Clayton, NC 27527
Phone Number: 919-457-7167 Fax: _____
Email Address: galo@novonordisk.com

APPLICANT INFORMATION

Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
Mailing Address: 3612 Powhatan Road, Clayton, NC 27527
Phone Number: 919-457-7167 Fax: _____
Contact Person: Gary Lohr
Email Address: galo@novonordisk.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Major Site Plan application.

To be completed by the applicant:			To be completed by staff:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>12/02/2015</u>	☒	☐			
2. I have referenced the <i>Plan Requirements Checklist</i> and used this as a guide	☒				
3. Site Plan Review Fee (\$500 + \$5/acre)	☒				
4. Completed application	☒				
5. Owner's Consent Form	☐	☒			
6. Plan sets meeting the requirements listed in the <i>Plan Requirements Checklist</i>	☒	☐			
7. Adjacent property owners list	☒	☐			
8. Wastewater allocation request OR verification of wastewater allocation	☐	☒			
9. Signed and sealed traffic impact analysis (2 copies) <i>(required for projects which generate at least 100 vehicle trips at peak hour. See §155.708 of the UDC)</i>	☒	☐			
10. Neighborhood meeting notice letter (1 copy)* <i>See sample letter and meeting requirements included in this packet</i> <i>*Not required for subdivisions that are part of an approved planned development</i>	☒	☐			
11. Neighborhood meeting summary form (1 copy) * <i>Included in this packet</i> <i>*Not required for subdivisions that are part of an approved planned development</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The project will consist of the construction of an approximately 900,000 square foot API production facility. In addition to access off of Powhatan Road, a new construction/truck access is proposed off of Gordon Road which will include a bridge over the Norfolk Southern railroad. The construction related facilities will consist of: warehouses for raw materials, finished product, and consumable/cold storage; fermentation buildings for raw product growth; recovery buildings for separation of yeast and byproducts from API; purification buildings for product refinement; waste water tank, fire water tank, and cooling towers; office space, gowning, and laboratory building; central utility building housing boilers for clean steam, processed air and water; electric substation, gate houses at facility entrances; waste water pre-treatment facility; parking facilities; and stormwater management basins.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Board of the Town of Clayton to approve the subject Major Site Plan. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Gary Lohr
Print Name

Mary Ann
Signature of Applicant

21 Dec 2015
Date

NEIGHBORHOOD MEETING INFORMATION

Purpose:

The purpose of the Neighborhood Meeting is to inform the surrounding property owners of the nature of the proposed land use and/or development features, answer questions, respond to concerns, and solicit comments.

Meeting Date:

The meeting must be held at least ten (10) calendar days prior to the Planning Board meeting.

Meeting Time & Location:

The meeting must be held no earlier than 6:00 pm Monday through Friday, and must be held in a location generally accessible to residents within close proximity of the request. The meeting space must be able to comfortably accommodate everyone that receives an invitation.

Meeting Notice Mailing requirements:

1. The applicant must contact all adjacent property owners via first class mailing (see sample letter).
2. The mailing must include all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the subject property. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property.
3. The notice must be mailed at least ten (10) calendar days but not more than twenty-five (25) days prior to the date of the Neighborhood Meeting.

Information provided at the Neighborhood Meeting:

At a minimum, the following materials must be present for inspection at a Neighborhood Meeting:

1. A copy of the project application.
2. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
3. A map, drawing, or other depiction of the proposed land use change or development proposal.

Information provided to Planning Department:

Alert the Planning Department once the date, location, and time of the Neighborhood Meeting are determined. Planning staff may attend the Neighborhood Meeting to answer process/code questions.

Deliver the following items to the Planning Department at least ten (10) calendar days prior to the Planning Board meeting in electronic or hard copy format:

- ☐ Adjacent Property Owner's List (aka "mailing list")
- ☐ Copy of the letter mailed
- ☐ Attendance Roster (aka "sign-in sheet")
- ☐ Neighborhood Meeting Summary Form with minutes (see below)

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167700-77-4939	New Bethel Church	1814 Gordon Road, Clayton, NC 27520
167700-77-7532	Betty L Mitchell	2367 Gordon Road, Clayton, NC 27520
167700-86-5850	Matthew E Spence	1685 Gordon Road, Clayton, NC 27520
167700-76-4994	Betty C Woodall	2175 Grabtown Road, Smithfield, NC 27577
167700-90-0621	Eugene D Woodall Betty Sue Woodall	484 Packing Plant Rd, Smithfield, NC 27577
167700-37-7058	Theodore James Cihos Betty Cihos	2017 Fox Den, Clayton, NC 27527
167700-37-7594	Walthom Group	442 1/2 East Main Street, Clayton, NC 27520
167700-37-7870	Winstead Building I A NC Partnership	P.O. DRAWER 1960, Smithfield, NC 27577
167700-37-9213	Theodore James Cihos Betty Cihos	2017 Fox Den, Clayton, NC 27527
167700-38-8091	Raymond M House Jr Angela C House	2020 Casey Road, Clayton, NC 27520
167700-48-1211	Walthom Group	442 1/2 East Main Street, Clayton, NC 27520
167700-48-5249	North Tech 120 LLC	120 North Tech Drive, Suite 102, Clayton, NC 27520
167700-48-9258	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097
167700-56-1770	Betty L Mitchell	2367 Gordon Road, Clayton, NC 27520
167700-56-9884	Claudia Gonzalez Santillan Jose Guadalupe Rocha Saucedo	103 Granton Court, Clayton, NC 27520
167700-58-2364	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097
167700-58-6227	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167700-59-3446	Young Mun Son Hae Sook Son	3733 Powhatan Rd, Clayton, NC 27520
167700-59-6259	Lamm Media Group LLC	P.O. BOX 90, Smithfield, NC 27577
167700-66-3895	David J Koehler Valerie L Koehler	102 Granton Court, Clayton, NC 27520
167700-66-5871	David W Wiley Lisa B Wiley	24 Slateford Drive, Clayton, NC 27520
167700-66-8841	Benny Harold Langdon Deborah P Langdon	19 Slateford Drive, Clayton, NC 27520
167700-68-0854	Johnston County Industrial Development Corporation	P.O. BOX 1179, Smithfield, NC 27577
167700-76-0890	Scot Schwichow Diane M Schwichow	147 Eddlestone Court, Clayton, NC 27520
167700-76-3757	Charles E Adkins Tara Kristin Adkins	148 Eddlestone Ct, Clayton, NC 27520
167700-76-5792	Joseph B Jones Dorothy Jones	P.O. Box 871, Clayton, NC 27520
167804-51-8252	Powhatan Free Will Baptist	3470 Powhatan Road, Clayton, NC 27527
167804-61-0681	Grifols Therapeutics Inc	P.O. BOX 110526, Durham, NC 27709
167804-61-5488	Teresa Smith Scott	3366 Powhatan Road, Clayton, NC 27527
167804-61-7520	Larry Smith Linda T Smith	3352 Powhatan Road, Clayton, NC 27527
167804-61-9916	Roger William Hill Ginger Smith Hill	3276 Powhatan Road, Clayton, NC 27527
167804-62-3275	Kan D Holding LLC	444 E Main Street, Clayton, NC 27520
167804-71-1317	Roger William Hill	3276 Powhatan Road, Clayton, NC 27527
167804-71-2399	Warren Douglas Smoot Sharon Bond Smoot	3248 Powhatan Road, Clayton, NC 27527

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167804-71-4452	Earl Wayne Poole Nancy E Poole	3226 Powhatan Road, Clayton, NC 27527
167804-71-6196	Powhatan Properties LLC	305 Deerfield Drive, Clayton, NC 27527
167804-81-3106	James Terry Ellis Sandra Stephenson Ellis	2007 Ridge Road, Clayton, NC 27520
167804-81-4402	Yazan Hassan Issa	23 Glen Laurel Road, Clayton, NC 27527
167804-91-0564	Powhatan Road Limited Partnership	P.O. BOX 327, Clayton, NC 27528
167804-91-5923	Charles B Gordon Powhatan Road Limited Partnership	P.O. BOX 327, Clayton, NC 27528
167804-41-9237	Novo Nordisk Pharmaceutical Industries Inc	3612 Powhatan Road, Clayton, NC 27527
167804-40-6294	Novo Nordisk Pharmaceutical Industries Inc	3612 Powhatan Road, Clayton, NC 27527
167700-47-9545	Young Family Irrevocable Trust Jenny Y Kelling Trustee	3739 National Dr, Ste 227, Raleigh, NC 27612

SAMPLE NEIGHBORHOOD MEETING LETTER

(PLACE ON AGENT'S OR OWNER'S LETTERHEAD)

<Date>

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: _____

Meeting Time: _____

Meeting Location: _____

Type of Application: _____

Project/proposal property address: _____

Description of project/proposal: _____

At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project application.
2. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
3. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at *<Insert phone number of applicant>*. You may also contact the Planning Department at 919-553-5002.

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Dept.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project _____

Application: _____

Location/Date: _____

	NAME	ADDRESS
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NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application:

Date of Mailing: _____

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: _____ Signature: _____

Date of Meeting: _____ Time of Meeting: _____

Location of Meeting: _____

Meeting Summary/Minutes: provide a summary of the discussion held at the meeting, including issues raised and any resolution discussed, and any changes made to the application as a result of the meeting.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Please write clearly (or submit a typed summary). Use additional sheets if necessary.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Planning Board
February 22, 2016

STAFF REPORT

Application Number: 2015-82-SP
Project Name: Novo Nordisk Bright Sky Major Site Plan
(acting as a Master Plan)

NC PIN: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9547
Tag #: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I0521C
Town Limits/ETJ: ETJ
Overlay: partly in the Watershed Protection Overlay
Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
Owner: Novo Nordisk Pharmaceutical Industries, Inc.
Location: The northern properties are located along Powhatan Road with the Norfolk Railroad directly south. The southern properties are located along the Norfolk Railroad, with Gordon Road located to the south.

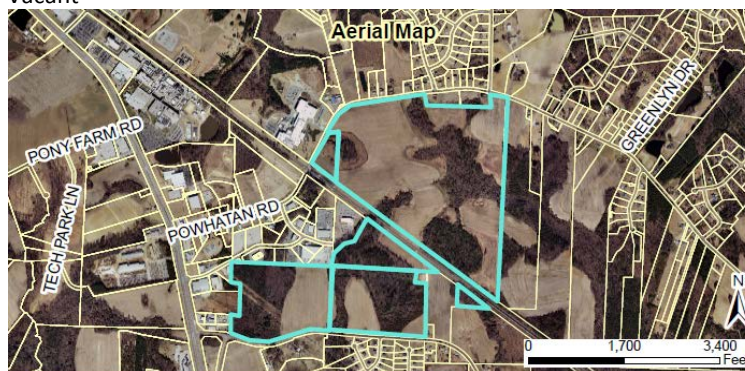
Public Noticing:

- Neighborhood meeting February 9, 2016
- Sign posted prior to February 12, 2016
- Newspaper ad published prior to March 24, 2016
- Letters mailed prior to March 24, 2016

REQUEST: The applicant is requesting major site plan approval (acting as a Master Plan) to develop a 900,000 square foot production facility as an expansion to the existing Novo Nordisk Pharmaceuticals.

SITE DATA:

Acreage: ±296.65 acres
Existing Use: Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Industrial-Light (I-1) & Residential-Estate (R-E)	Industrial, Single-Family Residential
South	Residential-Estate (R-E) & Agricultural and Residential (AR, County Zoning)	Single-Family Residential, Agriculture
East	Agricultural and Residential (AR, County Zoning)	Agriculture
West	Industrial-Light (I-1), Highway Business (B-3), & Residential-Estate (R-E)	Industrial, Vacant, Commercial

DEVELOPMENT DATA:

Proposed Uses: Industrial

Buildings: 17

Number of Stories: 1-5

Impervious Surface: 10.1%

Access/Streets: There will be two permanent entrances off of Powhatan Road. There will also be one entrance located off of Gordon Road.

Water/Sewer Provider: Town of Clayton

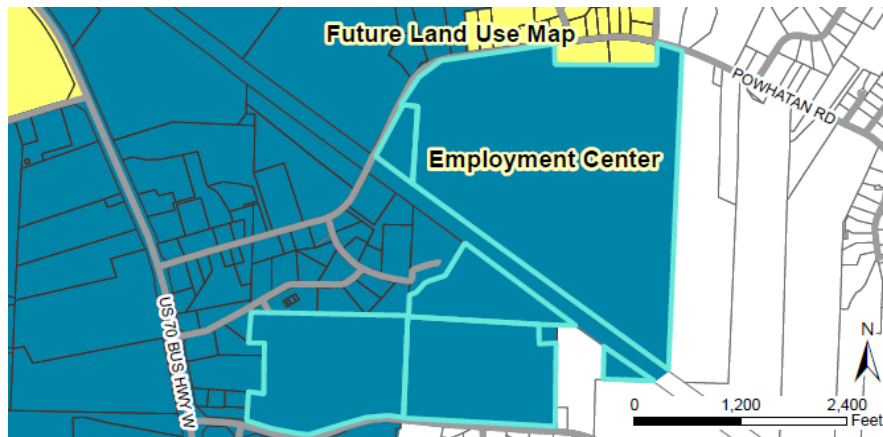
Electric Provider: Duke Energy

STAFF ANALYSIS:

Overview

The applicant is requesting major site plan approval (acting as a Master Plan) to develop a 900,000 square foot industrial production facility. This development will be an expansion of the existing Novo Nordisk Pharmaceutical development, and will consist of various industrial buildings including offices, warehouses, storage, fermentation, recovery buildings, purification buildings, and associated parking. The development will also include a fire water tank, cooling towers, office space, and on-site wastewater treatment. The majority of the buildings will be developed during Phase 1, with the rest being a part of Phase 2 development. Phase 1 is scheduled to start as soon as approval is granted, with Phase 2 construction as yet unscheduled. The construction for Phase 1 is anticipated to take ± 5 years. The overall development will also include a bridge over the Norfolk Southern Railroad connecting to Gordon Road, with this road to be used as an access road to the site.

The site plan is acting as a Master Plan for the development and will ultimately be decided upon at Town Council. All individual site plans that come in after this shall be considered "Minor Site Plans" and will be reviewed at staff level to ensure all landscaping and parking requirements are met, and to ensure that the buildings match the development standards set forth in the approved Master Plan.



Consistency with Adopted Plans:

- **2040 Comprehensive Plan**
The 2040 Comprehensive Plan designates the subject parcels as "Employment Center". Employment Centers consist of uses such as industrial, research and development, and warehouse. The proposed uses of the subject parcels are industrial and are consistent with the 2040 Comprehensive Plan.
- **Unified Development Code**
The proposed building height of the development exceeds what is permitted in the I-1 zoning district. However, the applicant has submitted a Special Use Permit application to run concurrently with this plan, to obtain approval from Town Council to allow a maximum building height of 90'.

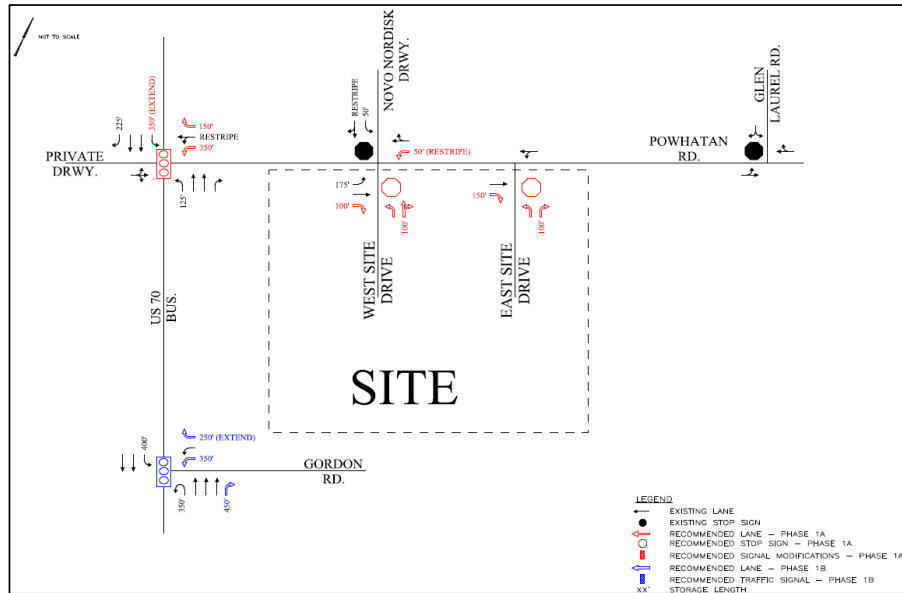
Landscaping and Buffering

The landscaping and buffering will be addressed as part of the individual site plans for each building. The overall project has Class C berms and landscaping on all public rights-of-way. This helps buffer the development from any adjacent residential uses. Following NCDOT road construction along Gordon Rd, the company has vowed to receive input from the nearby Edinburgh subdivision and either leave the Class C berm or return the land to a farmland/grassland condition. This desire to protect and work with neighbors was a major theme at the neighborhood meeting.

Traffic Impact Analysis

The recommended roadway improvements included in the TIA are to accommodate projected traffic that is associated with Phase 1 of the development. No additional improvements are recommended to be performed to accommodate the projected traffic included in Phase 2. As part of the recommendations, a traffic signal will be installed at the intersection of US 70 Business and Gordon Road.

The applicant is taking measures to contain all construction activity within the site, including fabrication of construction materials on site, which limits truck traffic on public roads.



Stormwater in the Watershed Protection Overlay

The possible necessity of a Special Intensity Allocation is currently being investigated by Johnston County Stormwater Management and Town staff.

Access/Streets

There are two permanent access points proposed to connect into the site off of Powhatan Road. There is also a third access located off of Powhatan, but this will only be used as a temporary access for construction purposes. Additionally, there is also a proposed access located off of Gordon Road, connecting to the main site via an access road that will be installed by NCDOT. After normal operations begin, the majority of traffic on Powhatan Rd will be daily employee traffic, and the majority of traffic on Gordon Rd will be truck and shipping traffic.

Environmental

The development plan shows a commitment to avoiding wetland and stream impacts, and avoids these impacts to the greatest extent possible. As a result, a large portion of the properties will remain undeveloped.

Compatibility with Surrounding Land Uses

The site was recently rezoned to accommodate this use, which is industrial. There are significant landscaping, buffers, and natural areas surrounding the proposed buildings, such that the operations are buffered from their neighbors. Even the inclusion of an ±85-foot tall building will not overly impact neighbors, as it is located nearly in the middle of the site, as far from adjacent properties as possible.

Signs

Due to the 5-year timeframe for construction, the applicant has opted to use Permanent Signs to designate construction entrances. Following construction, new sign permits will be required for normal, operational signage. The applicant is also working with NCDOT for directional signage that will be placed by NCDOT in their US 70 right-of-way.

Architecture/Design

The architecture is modern and similar to what is found on the current Novo site. It is modern, industrial, and will be suitable for the site and will uphold Clayton's requirement for quality architecture and materials.

Construction Activities

The construction of Phase 1 is expected to last ±5 years. This is a very large project and to capture the impact that it will have on the community, the applicant has included in the site plans a Temporary Construction Facilities Plan sheet detailing their maximum impact at peak construction activity. This involves contractor's trailers, a cantina, on-site fabrication facility, batching concrete plant, and other construction supportive uses. The company's stated ethic and plan attempts to minimize their impact on their neighbors though keeping as much construction activities on-site as possible.

Even the concrete used in the construction will be created on-site at the batching plant. This alone will keep hundreds of concrete trucks off of Powhatan Road. There is also a wash station planned for trucks before they leave the site, to keep construction dirt and debris off of the public road network.

Staff does still have some concern regarding the potential impact of the concrete batching plant location, which is very close to Powhatan Rd and neighboring residential properties. Staff has discussed the possibility of switching the location of the batching plant with nearby dirt storage piles as a way to move the plant closer to the interior of the site and to provide additional sound and visual buffering for the adjacent residential properties. The applicant's site engineers are currently considering the proposed location switch and its feasibility for construction operations.

Waivers/Deviations/Variances from Code Requirements

The proposed maximum building height for the development is 90 feet, which exceeds the height permitted by the UDC. In order to obtain a maximum height limit of 90 feet, the applicant has submitted a Special Use Permit, which is running concurrently with this request. Per UDC, Town Council may grant a Special Use Permit for structures exceeding the maximum height limits.

CONSIDERATIONS:

- This Master Plan approval is requested for Phases 1 and 2.
- Any subsequent Phase 2 approval will be contingent (among other things) upon an updated Traffic Impact Analysis and Stormwater Impact.
- Town Council approves Master Plans.
- This Site Plan is contingent upon concurrent approval of Special Use Permit 2016-20-SUP, which seeks to exceed the current maximum building height for the parcel.

FINDINGS:

The applicant has addressed the Master Plan Approval Criteria outlined in UDC Section 155.707. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

CONDITIONS:

If approved, staff recommends the following additional conditions be applied to the approval of the Major Site Plan (acting as a Master Plan):

1. Following Board approvals, three copies of the Master Plan, meeting the requirements of the Conditions of Approval, shall be submitted to the Planning Department for final approval.
2. The Master Plan shall record the Conditions of Approval on it, as well as any related Conditions of Approval from associated Special Use Permits or Temporary Use Permits.
3. The development of the site is limited to the uses approved by the Town Council. Modifications to the approved Master Plan shall require review and approval in accordance with Section 155.705 of the Unified Development Code.
4. The Master Plan establishes the bulk, area, and dimensional standards for the overall development, and all subsequent specific development approvals of the buildings or phases shall be reviewed by staff as Minor Site Plans, unless they are deemed “substantial deviations” (per §155.707). These Minor Site Plan reviews shall not require review and approval by the Planning Board so long as they meet the requirements of the Unified Development Code. If there is uncertainty, the Planning Director may choose to require Major Site Plan review by the Planning Board for any particular building or phase of construction.
5. The maximum building height of 90 feet is contingent upon and subject to the Conditions of Approval of Special Use Permit 2016-20-SUP.
6. All off-site roadway improvements recommended by the Traffic Study, NCDOT Congestion Management, and the Town shall be installed or bonded prior to the issuance of a Certificate of Occupancy for the for the portion of the development that generates the roadway improvement.
7. At such time as it may be desirable to pursue Phase 2 development, the applicant shall submit an updated Traffic Impact Analysis and accommodate roadway improvements at the time that those improvements are warranted by the updated TIA.
8. A Temporary Use Permit for the entirety of construction activities up to and including those shown on the Temporary Construction Facilities Plan sheet shall be obtained via separate approval from the Planning Director.
9. The concrete/asphalt batching plant shall only be used for on-site construction activities, and shall require a separate Temporary Use Permit, issued by the Planning Director.
10. Any off-premises signage shall be coordinated and implemented by NCDOT in their right-of-way.

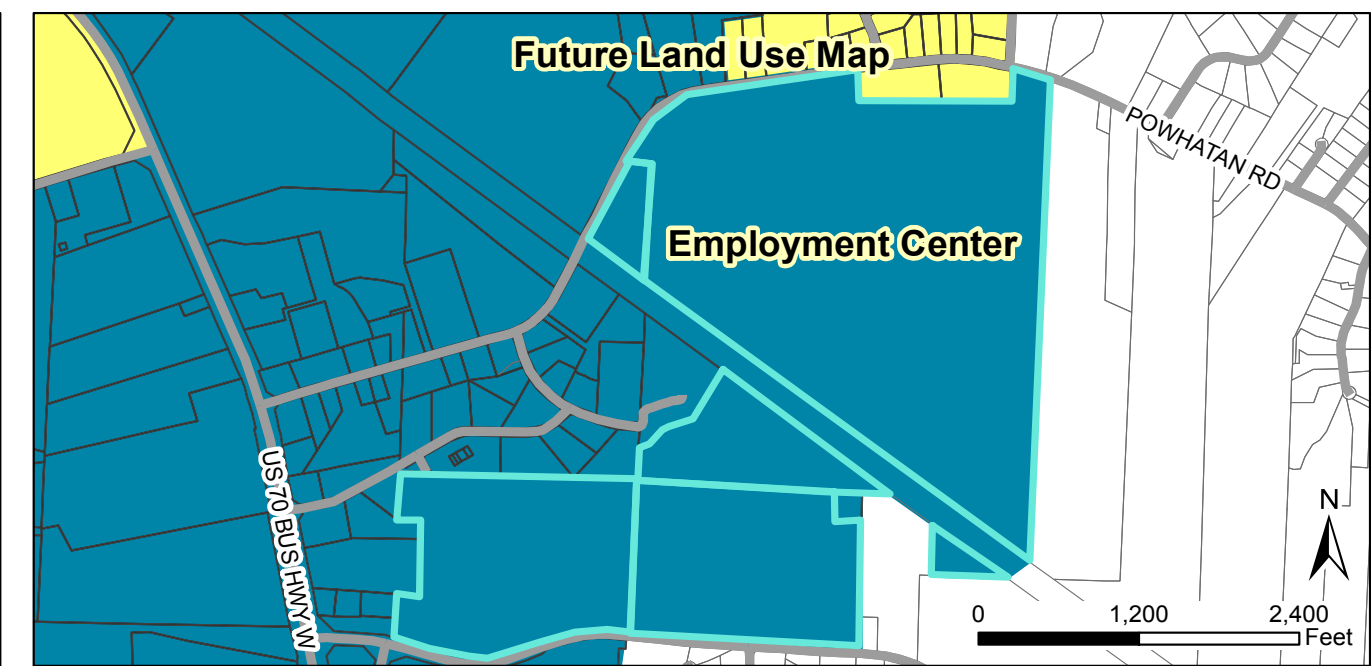
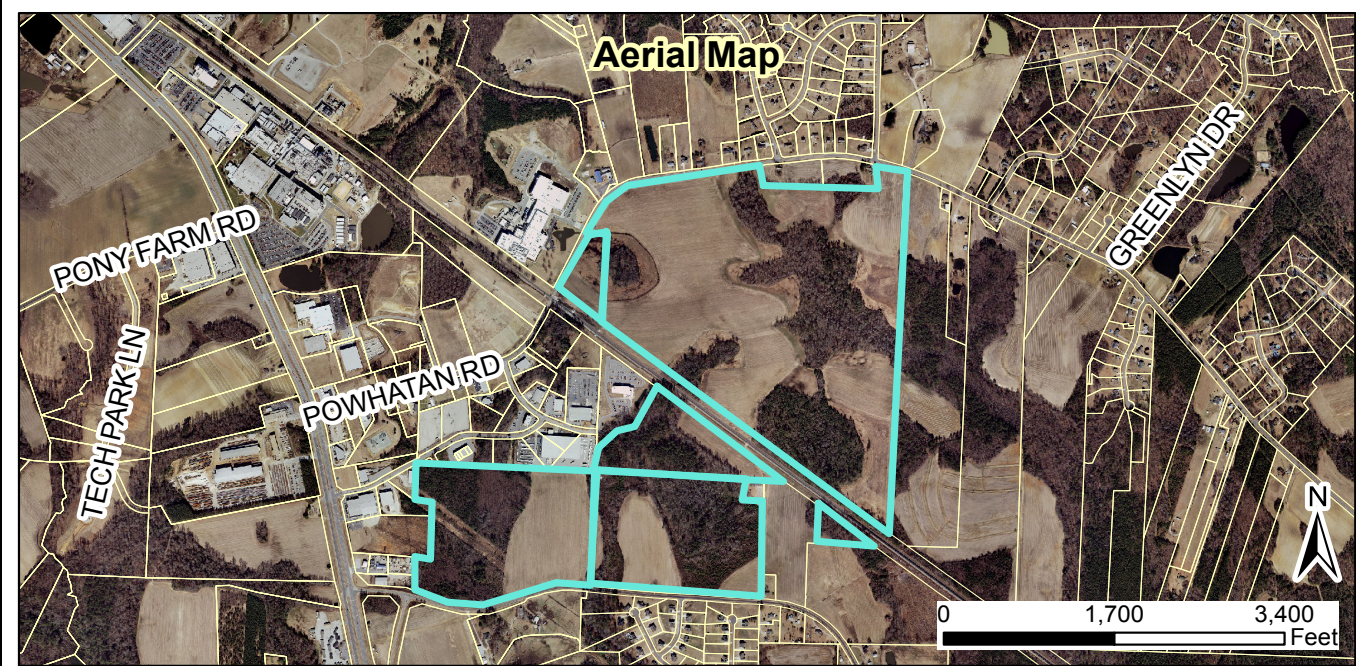
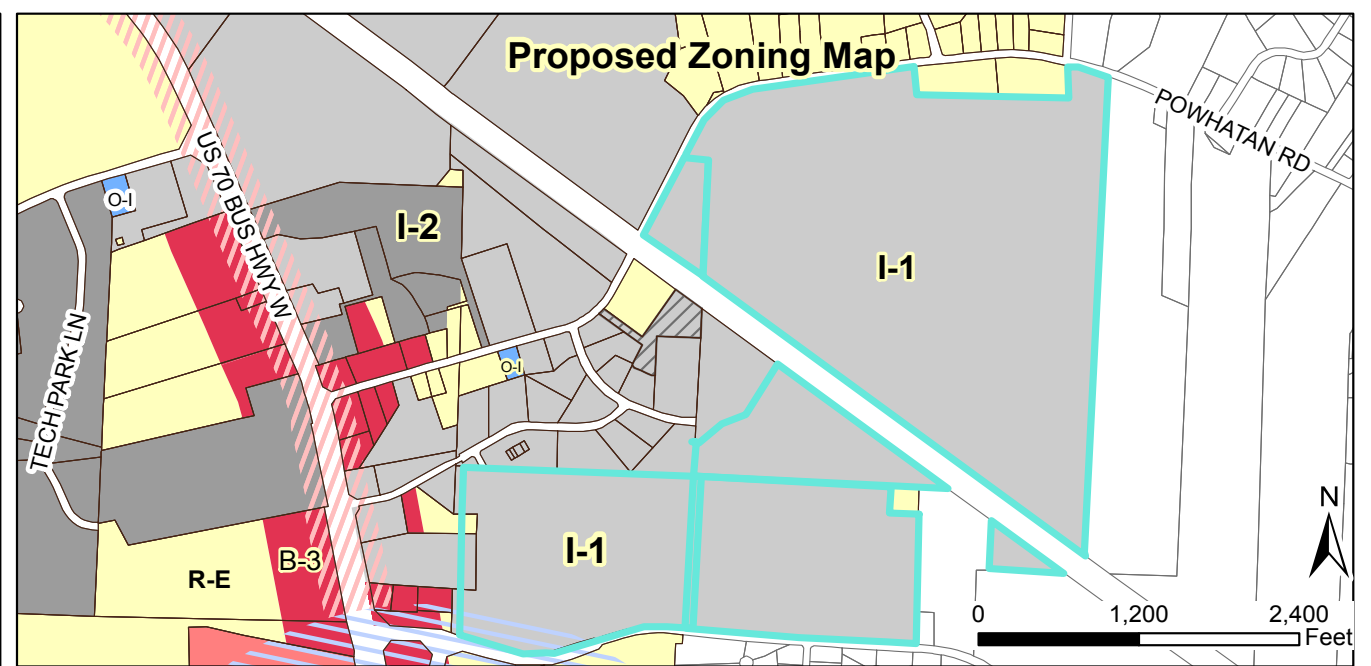
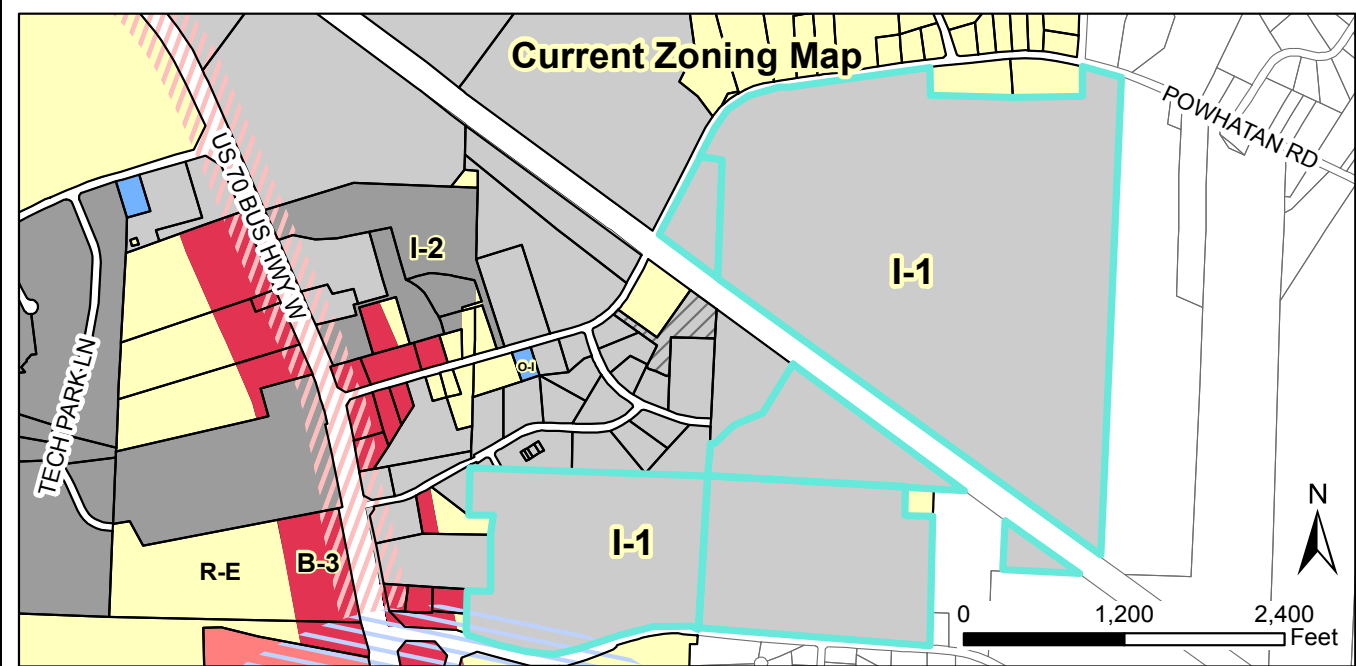
STAFF RECOMMENDATION:

Staff is recommending approval with conditions of the proposed Major Site Plan 2015-82-SP (acting as a Master Plan).

ATTACHMENTS:

- 1) Staff report maps

- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Site Plan

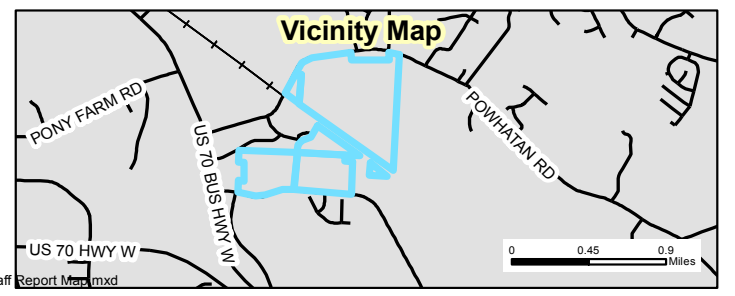


2015-82-SP- Novo Nordisk Bright Sky Major Site Plan (acting as a Master Plan)
Request: To develop a 900,000 square foot API production facility.
2015-20-SUP- Novo Nordisk Bright Sky Building Height Special Use Permit
Request: Special Use request to allow a maximum building height of 90'

Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
 Property Owners: Novo Nordisk Pharmaceutical Industries, Inc.
 Parcel IDs: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9547
 Tag #s: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I0521C



- Site
 - Parcels_03202015_All
 - Special Use District
 - Thorough Fare Overlay
 - Scenic Highway Overlay
- 2/3/16
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.





January 28, 2016

Dear Clayton Area Property Owner:

As a follow-up to the original Neighborhood Meeting notification letter dated January 21, 2016, this subsequent letter is to notify you that a Special Use Permit application has been filed with the Town of Clayton by Novo Nordisk Pharmaceutical Industries, Inc., in addition to the Master Site Plan application referenced in the initial letter. A Special Use Permit has been requested in order for several of the proposed buildings associated with the project to exceed the maximum building height of 50-feet. Per Town of Clayton regulations, a Neighborhood Meeting is required to provide information to area residents about the nature of the Special Use Permit request. As recommended by the Town, information regarding the Special Use proposal will be presented in conjunction with the Master Site Plan Neighborhood Meeting as originally proposed in the January 21, 2016 letter as detailed below. Representative with Novo Nordisk, the Town of Clayton, NC Department of Transportation, and environmental and engineering consultants Kimley-Horn and Associates, and Fluor Engineering will be present to explain the Master Site Plan and Special Use Permit applications, answer questions, and solicit comments.

Meeting Date: February 9, 2016

Meeting Time: 6:00 pm

Meeting Location: Johnston County Workforce Development Center – Discovery Room
135 Best Wood Drive, Clayton, NC 27520

Type of Application: Major Site Plan and Special Use Permit

Property Address: The approximately 269-acre project site is located off of Powhatan Road, east of the existing Novo Nordisk Pharmaceutical Industries facility located at 3612 Powhatan Road in Clayton.

Description of Project/Proposal: The project will consist of the construction of an approximately 900,000 square foot Active Pharmaceutical Ingredients (APIs) production facility. The facility will employ approximately 700 people when it begins operations scheduled for 2020. The construction-related facilities will consist of the following: warehouses for raw materials, finished products, and consumable/cold storage; fermentation buildings for raw product growth; recovery buildings for separation of yeast and byproducts from API; purification buildings for product refinement; waste water tank, fire water tank, and cooling towers; office space, gowning and laboratory building; central utility building housing boilers for clean steam, processed air and water; electrical substation; gate houses at facility entrances; waste water pre-treatment facility; parking facilities; and stormwater management basins. In addition to access off of Powhatan Road, a southern access is proposed off of Gordon Road which will include a bridge over the Norfolk Southern railroad.

Novo Nordisk Pharmaceutical
Industries, Inc.

3612 Powhatan Road
Clayton, NC 27527

T: 919-550-2200
F: 919-553-3670

www.novonordisk-clayton.com

The following will be available for your review at the Neighborhood Meeting:

1. A copy of the project application/plans
2. A map showing the location of the project in relation to neighboring properties and roads.
3. A map/plans showing the development proposal.
4. Architectural building elevations (associated with the Special Use Permit)

If you have any questions prior to or after this meeting, you may contact me at (919) 550-2200.
You may also contact the Planning Department at (919) 553-5002.

Sincerely,



Gary Lohr
Director, Site Support
Novo Nordisk Pharmaceutical Industries, Inc.

Cc: Town of Clayton Planning Department

Novo Nordisk Pharmaceutical
Industries, Inc.

3612 Powhatan Road
Clayton, NC 27527

T: 919-550-2200
F: 919-553-3670

www.novonordisk-clayton.com

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____

Date of Mailing: _____

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: _____

Signature: _____

Date of Meeting: 09 Feb 2016

Time of Meeting: 1800 or 6:00pm

Location of Meeting: JCWD: Discovery Room at 135 Best Wood Dr., Clayton, NC 27520

Meeting Summary/Minutes: provide a summary of the discussion held at the meeting, including issues raised and any resolution discussed, and any changes made to the application as a result of the meeting.

* See Attached Novo Nordisk Meeting Minutes *

Please write clearly (or submit a typed summary). Use additional sheets if necessary.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application: _____

Location/Date: _____

	NAME	ADDRESS
1	Allen Wellm	Smithfield, NC
2	Haley Hogg	Town of Clayton, Staff
3	JAY McLEOD	" " " "
4	Travis Dunn	305 Deerfield Dr.
5	Baby Furt	FLUOR CORP.
6	Beth Dean	Kimley-Horn
7	Benny + Debbie Fargis	19 Stratford Dr Clayton NC
8	Rick Hester	Po Box 1288 Smithfield
9	Bergie Gaddis	P.O. Box 1809, Smithfield, NC
10	Deborah Porto	ICC Clayton
11	Mike Wickey	3416 Kemphrick Ct Raleigh
12	Carol Wickey	3416 Kemphrick Ct Raleigh
13		
14		
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16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application: _____

Location/Date: _____

	NAME	ADDRESS
1	DAVID DZYOUNG	111 EAST 2 ND ST. CLAYTON 27520
2	Matt Kuntz	
3	Garry Lohr	
4	Gwen Lohr	
5	Norwood Thompson	442 1/2 E. Main St
6	JOE BIZELL	120 S. THIRD ST. SMITHFIELD
7		
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Minutes

Meeting: NNPII DAPI US Neighborhood Meeting

Date of meeting: 09Feb2016 at 1800

Participants: Town of Clayton, Fluor, Kimley-Horn, NNPII DAPI US, Johnston Co. Sheriff's Dept., Neighborhood residents (See attached Attendance Roster)

Excused: Justin Lamb, Chris Johnson, et al.

Meeting organiser: Gary Lohr

Note Taker: Beth Reed/Jessica Gadbois

Copy: Town of Clayton

Topic/Action	Responsible	Deadline
Meeting commenced at 18:14 with Gary Lohr - Introduced self & DAPI US Project - Introduced groups present: - Kimley-Horn - Town of Clayton - Johnston County - NC-DOT - Fluor - Jo Co Sheriff's Department - Neighbors of NNPII DAPI US Project	Gary Lohr	N/A
PowerPoint utilized by Gary Lohr to present & discuss DAPI US Expansion Project - Agenda included: - Welcome - Safety & Practicalities - Novo Nordisk overview - Origin of Novo Nordisk as a company - Product lines - Introduced GLP1-Oral Protein potential - Worldwide Pandemic of Diabetes - Supply vs Demand - Need for additional insulin production - See Q & A section: #1 - Novo Nordisk in Clayton - History/Development of existing facility - Expansions to meet continued supply & demand 2014 Expansion utilized remaining Novo Nordisk property W. of Powhatan Rd. - Novo's commitment to their Triple Bottom Line: - Financial, Social & Environmental responsibility: Focus on Social & Environmental **Continued on page 2**	Gary Lohr	N/A

Topic/Action	Responsible	Deadline
○ DAPI Expansion ▪ Novo's commitment to job site & community ▪ Social Responsibility: Giving back to the community • Job creation ▪ Environmental Aspirations • LEED • Minimize wetland impact • Waste strategies • Water usage • Heat Recovery • Minimize Waste ▪ Rational for Expansion: • Site Clayton: sq. Footage, acreage & project cost • Meet increased demands on insulin supply due to rapid increase in worldwide Diabetes patients • Diversify products & production locations ○ Project Execution ▪ Gary Lohr hands Execution portion of presentation over to Bailey Forrest, Site Manager – Fluor Engineering at 18:27		
○ Project Execution/Logistics ▪ Introduced self, excitement for project & Novo Nordisk as a client ▪ Fluor Philosophy: contain activity within site ▪ Site Layout ▪ Construction Schedule & duration • Phase 1 & Phase 2 ▪ Measures taken to minimize Wetland Impact ▪ Gordon Road • Reviewed Map of Gordon Rd. ○ Access location & needs ○ Note: This opened Q & A's #2. - 8	Bailey Forrest	N/A
• Closing: Gary Lohr closed meeting 18:46 ○ Provided contact information ○ Shared gratitude for attendance & project support ○ Proposed ideas for Social/Environmental responsibility ▪ Community Garden for educational purposes as well as potential donations to local food banks • Bailey Forrest closed with "Being a good neighbor, we are here to stay & be good neighbors"	Gary Lohr/Bailey Forrest	N/A
➤ Questions & Answers		
Question #1: Neighborhood resident: What is attributing to the rise in Diabetes worldwide? Answer: Gary Lohr: A number of attributing factors such as environmental, genetics, diet, obesity as well as early/accurate detection have influenced the increase in Diabetic patients globally.	Gary Lohr	N/A
Question #2: Multiple residents: Requested a closer look at Gordon Road via the map on the Presentation screen and what the impact/improvements will be on the Road. Answer: Tim Little with NCDOT responded on the street improvements: The intersection improvements at US 70/Gordon Road will be required including signalization and US 70/Powhatan Road intersection improvements will also be required based upon the results of the Traffic Study prepared by Kimley-Horn and Associates.	Tim Little	N/A

Topic/Action	Responsible	Deadline
Question #3: Neighborhood resident: Is the property line, beyond the track, anywhere near Entrance? Answer: Bailey Forrest: Spoke of the Security House, laydown/construction then proceeded to show the resident on the Presentation slide Map.	Bailey Forrest	N/A
Question #4: Neighborhood resident: How far does the road & bridge come up from US Hwy 70? Answer: Norwood Thompson responded the road would go through a southern field not across from Edenborough. Answer: Bailey Forrest zoomed in on the Presentation Map to show Bridge across the Rail Road. Answer: Gary Lohr spoke on the importance of taking traffic away from the neighborhood. Answer: Tim Little spoke on the traffic, Street/Road improvements on Edenborough, Gordon & Bus 70.	Bailey Forrest, Gary Lohr & Tim Little	N/A
Question #5: Neighborhood resident inquired about Gate C Answer: Bailey Forrest explained this was temporary for staging	Bailey Forrest	N/A
Question #6: Neighborhood resident: Are you widening Gordon Road? Answer: Tim Little: There will be minimal widening required from Gordon Road Access tie in to Gordon Road back to the Gordon Road/US 70 Intersection; 2 feet wide on shoulders for Trucks traffic.	Tim Little	N/A
Question #7: Allen Wellons: How many employed by Construction Craft? Answer: Bailey Forrest : 1600-1800 Construction Craft for 2018, they will have split access to the site. (Allen replied he liked the numbers of employment)	Bailey Forrest	N/A
Question #8: Neighborhood resident: Do you anticipate more land acquisition for future projects? Answer: Gary Lohr: No additional acquisitions are proposed and if future expansion occurs outside the Phase 1 and 2 plans, it would be located to avoid wetland areas and potentially in the upland area within the existing property adjacent to the Powhatan/Glen Laurel Road intersection.	Gary Lohr	N/A
➤ End of Meeting Minutes/Q&A		

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167700-77-4939	New Bethel Church	1814 Gordon Road, Clayton, NC 27520
167700-77-7532	Betty L Mitchell	2367 Gordon Road, Clayton, NC 27520
167700-86-5850	Matthew E Spence	1685 Gordon Road, Clayton, NC 27520
167700-76-4994	Betty C Woodall	2175 Grabtown Road, Smithfield, NC 27577
167700-90-0621	Eugene D Woodall Betty Sue Woodall	484 Packing Plant Rd, Smithfield, NC 27577
167700-37-7058	Theodore James Cihos Betty Cihos	2017 Fox Den, Clayton, NC 27527
167700-37-7594	Walthom Group	442 1/2 East Main Street, Clayton, NC 27520
167700-37-7870	Winstead Building I A NC Partnership	P.O. DRAWER 1960, Smithfield, NC 27577
167700-37-9213	Theodore James Cihos Betty Cihos	2017 Fox Den, Clayton, NC 27527
167700-38-8091	Raymond M House Jr Angela C House	2020 Casey Road, Clayton, NC 27520
167700-48-1211	Walthom Group	442 1/2 East Main Street, Clayton, NC 27520
167700-48-5249	North Tech 120 LLC	120 North Tech Drive, Suite 102, Clayton, NC 27520
167700-48-9258	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097
167700-56-1770	Betty L Mitchell	2367 Gordon Road, Clayton, NC 27520
167700-56-9884	Claudia Gonzalez Santillan Jose Guadalupe Rocha Saucedo	103 Granton Court, Clayton, NC 27520
167700-58-2364	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097
167700-58-6227	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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PARCEL NUMBER	NAME	ADDRESS
167700-59-3446	Young Mun Son Hae Sook Son	3733 Powhatan Rd, Clayton, NC 27520
167700-59-6259	Lamm Media Group LLC	P.O. BOX 90, Smithfield, NC 27577
167700-66-3895	David J Koehler Valerie L Koehler	102 Granton Court, Clayton, NC 27520
167700-66-5871	David W Wiley Lisa B Wiley	24 Slateford Drive, Clayton, NC 27520
167700-66-8841	Benny Harold Langdon Deborah P Langdon	19 Slateford Drive, Clayton, NC 27520
167700-68-0854	Johnston County Industrial Development Corporation	P.O. BOX 1179, Smithfield, NC 27577
167700-76-0890	Scot Schwichow Diane M Schwichow	147 Eddlestone Court, Clayton, NC 27520
167700-76-3757	Charles E Adkins Tara Kristin Adkins	148 Eddlestone Ct, Clayton, NC 27520
167700-76-5792	Joseph B Jones Dorothy Jones	P.O. Box 871, Clayton, NC 27520
167804-51-8252	Powhatan Free Will Baptist	3470 Powhatan Road, Clayton, NC 27527
167804-61-0681	Grifols Therapeutics Inc	P.O. BOX 110526, Durham, NC 27709
167804-61-5488	Teresa Smith Scott	3366 Powhatan Road, Clayton, NC 27527
167804-61-7520	Larry Smith Linda T Smith	3352 Powhatan Road, Clayton, NC 27527
167804-61-9916	Roger William Hill Ginger Smith Hill	3276 Powhatan Road, Clayton, NC 27527
167804-62-3275	Kan D Holding LLC	444 E Main Street, Clayton, NC 27520
167804-71-1317	Roger William Hill	3276 Powhatan Road, Clayton, NC 27527
167804-71-2399	Warren Douglas Smoot Sharon Bond Smoot	3248 Powhatan Road, Clayton, NC 27527

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

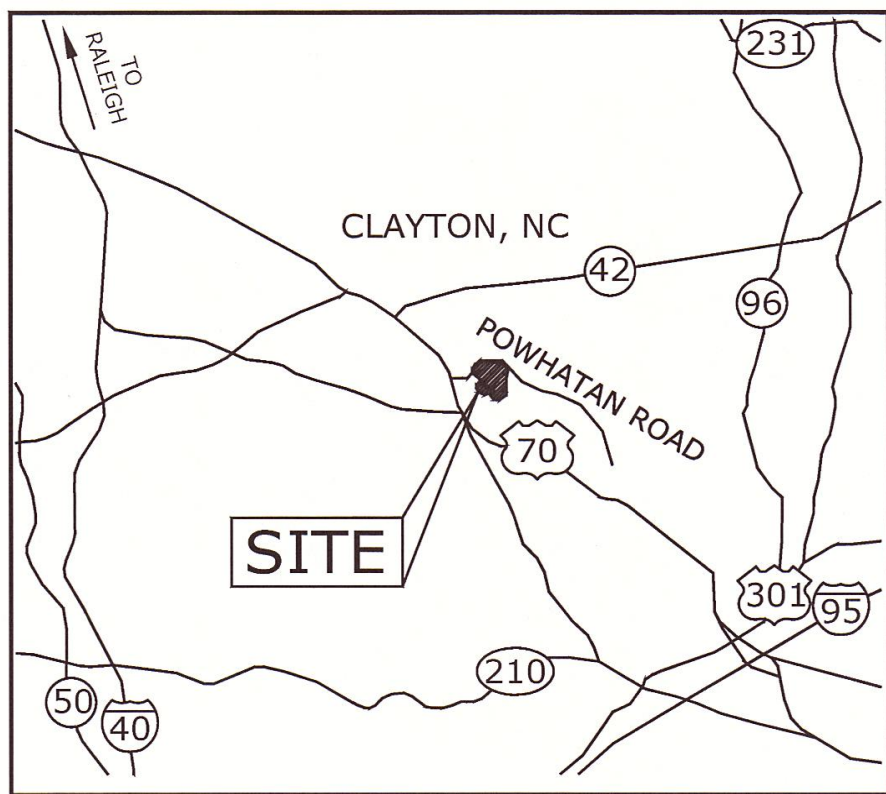
It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167804-71-4452	Earl Wayne Poole Nancy E Poole	3226 Powhatan Road, Clayton, NC 27527
167804-71-6196	Powhatan Properties LLC	305 Deerfield Drive, Clayton, NC 27527
167804-81-3106	James Terry Ellis Sandra Stephenson Ellis	2007 Ridge Road, Clayton, NC 27520
167804-81-4402	Yazan Hassan Issa	23 Glen Laurel Road, Clayton, NC 27527
167804-91-0564	Powhatan Road Limited Partnership	P.O. BOX 327, Clayton, NC 27528
167804-91-5923	Charles B Gordon Powhatan Road Limited Partnership	P.O. BOX 327, Clayton, NC 27528
167804-41-9237	Novo Nordisk Pharmaceutical Industries Inc	3612 Powhatan Road, Clayton, NC 27527
167804-40-6294	Novo Nordisk Pharmaceutical Industries Inc	3612 Powhatan Road, Clayton, NC 27527
167700-47-9545	Young Family Irrevocable Trust Jenny Y Kelling Trustee	3739 National Dr, Ste 227, Raleigh, NC 27612

Novo Nordisk Diabetes API-US

3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

SITE MASTER PLAN PACKAGE



LOCATION MAP

NTS

DEVELOPER

Novo Nordisk
3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

PARCEL OWNER

Novo Nordisk
3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

SURVEYOR

McKIM & CREED
Raleigh, North Carolina 27606
Phone: (919)233-8091, Fax: (919)233-8031
NC FIRM No. 1222

ENGINEER

EFDEE Engineering Professional Corporation
100 Fluor Daniel Drive, Greenville, SC 29607
License No. C-0742

ARCHITECT

ENCEE Architectural Services, P.C.
100 Fluor Daniel Drive, Greenville, SC 29607
License No. C-0742

LANDSCAPE ARCHITECT

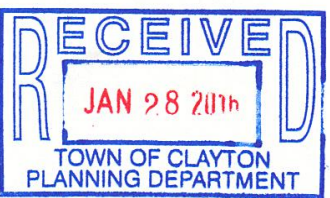
TBD



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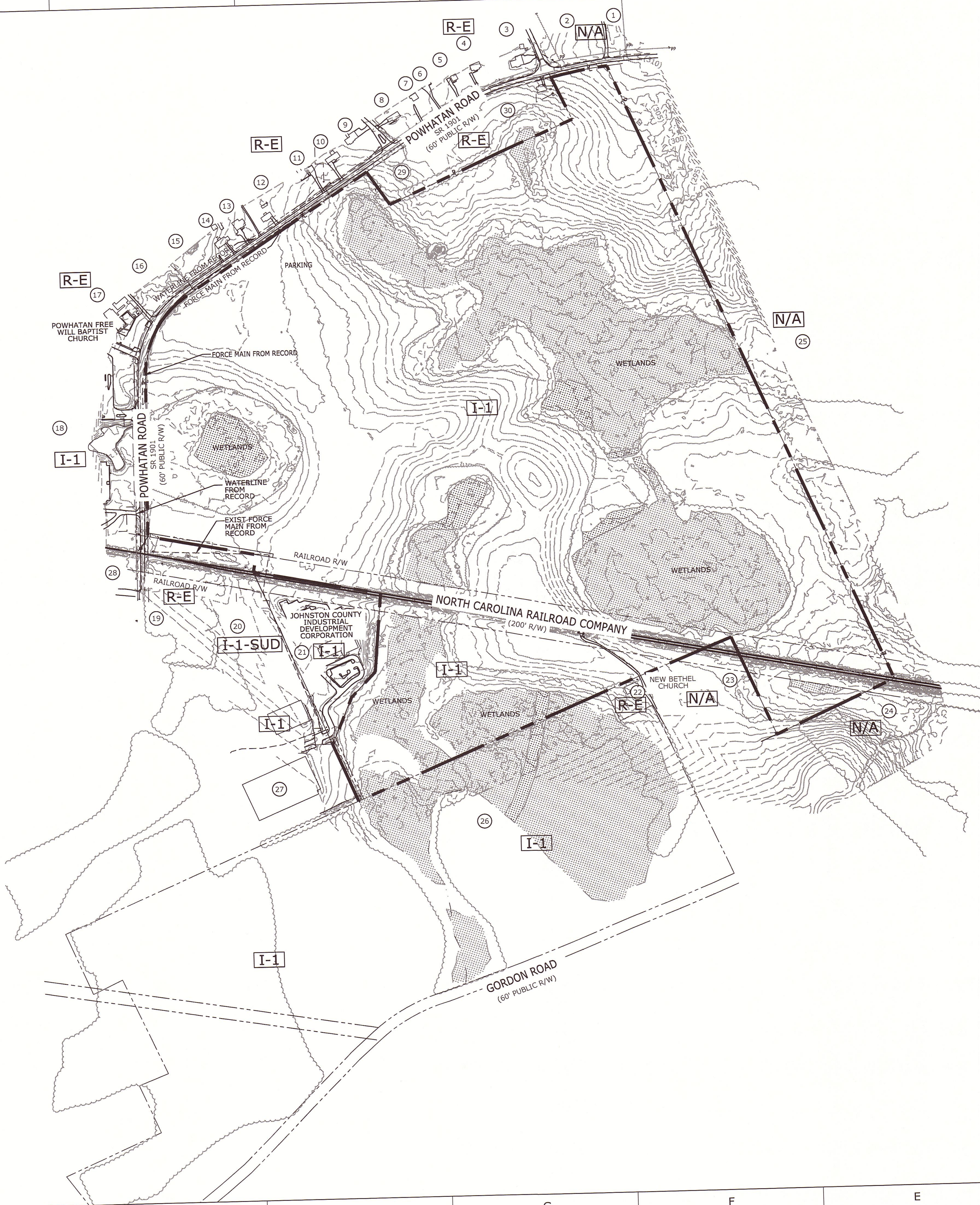
DRAWING LIST

DRAWING NUMBER	DRAWING DESCRIPTION
CIVIL DRAWINGS	
CL XX DAPI-US 3 15 00 010	CIVIL - SITE MASTER PLAN - COVER SHEET
CL XX DAPI-US 3 15 00 002	CIVIL - EXISTING SITE CONDITIONS PLAN
CL XX DAPI-US 3 15 00 004	CIVIL - SITE MASTER PLAN 1 OF 2
CL XX DAPI-US 3 15 00 005	CIVIL - SITE MASTER PLAN 2 OF 2
CL XX DAPI-US 3 15 00 007	CIVIL - TEMPORARY CONSTRUCTION FACILITIES PLAN
CL ZZ DAPI-US 3 15 00 004	CIVIL - SITE MASTER PLAN WITH AERIAL
ARCHITECTURAL DRAWINGS	
CL-XX-DAPI-US-2-10-01-001	ARCHITECTURAL - COVER SHEET
CL-XX-DAPI-US-2-10-01-002	ARCHITECTURAL - ELEVATIONS
CL-XX-DAPI-US-2-10-01-003	ARCHITECTURAL - ELEVATIONS
CL-XX-DAPI-US-2-10-01-004	ARCHITECTURAL - AERIAL VIEWS
SURVEY DRAWINGS	
R.1.3.0.0407	BOUNDARY SURVEY SHEET
R.1.3.0.0407	BOUNDARY SURVEY SHEET
R.1.3.0.0408	TOPOGRAPHIC SURVEY SHEET
R.1.3.0.0408	TOPOGRAPHIC SURVEY SHEET



D	27JAN16	CIT	REVISED PER REVIEW COMMENTS
C	06JAN16	AFV/CIT	ISSUED FOR PERMIT
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
A	18NOV15	AFZ/CIT	ISSUED FOR REVIEW
Rev.	Rev. date	Design init.	Revisions
O EFDEE Engineering Professional Corporation 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742			
Drawing checked:	Drawing approved:	Document classification	
Novo Nordisk Diabetes API-US		CIVIL COVER SHEET SITE MASTER PLAN PACKAGE	
Novo Nordisk A/S Powhatan Road Clayton, North Carolina USA		Creation date: 03NOV15 Revision date: 27JAN16 Drawn By: TRH Design By: AFZ Scale: 1"=400' Page no.:	
CL XX DAPI-US 3 15 00010			

PLOT DATE: P:\CADD\21\DWG\CL XX DAPI-US 3 15 00002.dwg 01:27:16 11-14-2016 Printed By: tary10284



NOTES:
1. FOR TOPOGRAPHIC AND BOUNDARY SURVEY DATA NOT SHOWN ON THIS DRAWING, REFER TO THE FOLLOWING DRAWINGS DEVELOPED BY MCKIM AND CREED, INC. RALIEGH, NC.

BOUNDARY SURVEY SHEET
1 OF 2 DWG. NO. R.1.3.0.0407
2 OF 2 DWG. NO. R.1.3.0.0407

TOPOGRAPHIC SURVEY SHEET
1 OF 2 DWG. NO. R.1.3.0.0408
2 OF 2 DWG. NO. R.1.3.0.0408

LEGEND:

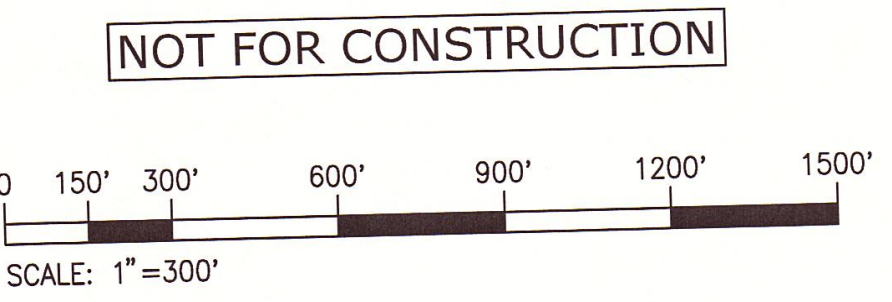
EXISTING

TREES
LOW BRUSH
FENCE
BUILDING
ROAD
PROPERTY LINE
CONTOUR
EP
PP
ROW
I-1

EXISTING EDGE OF PAVEMENT
POWER POLE
RIGHT OF WAY
PROPERTY ZONING

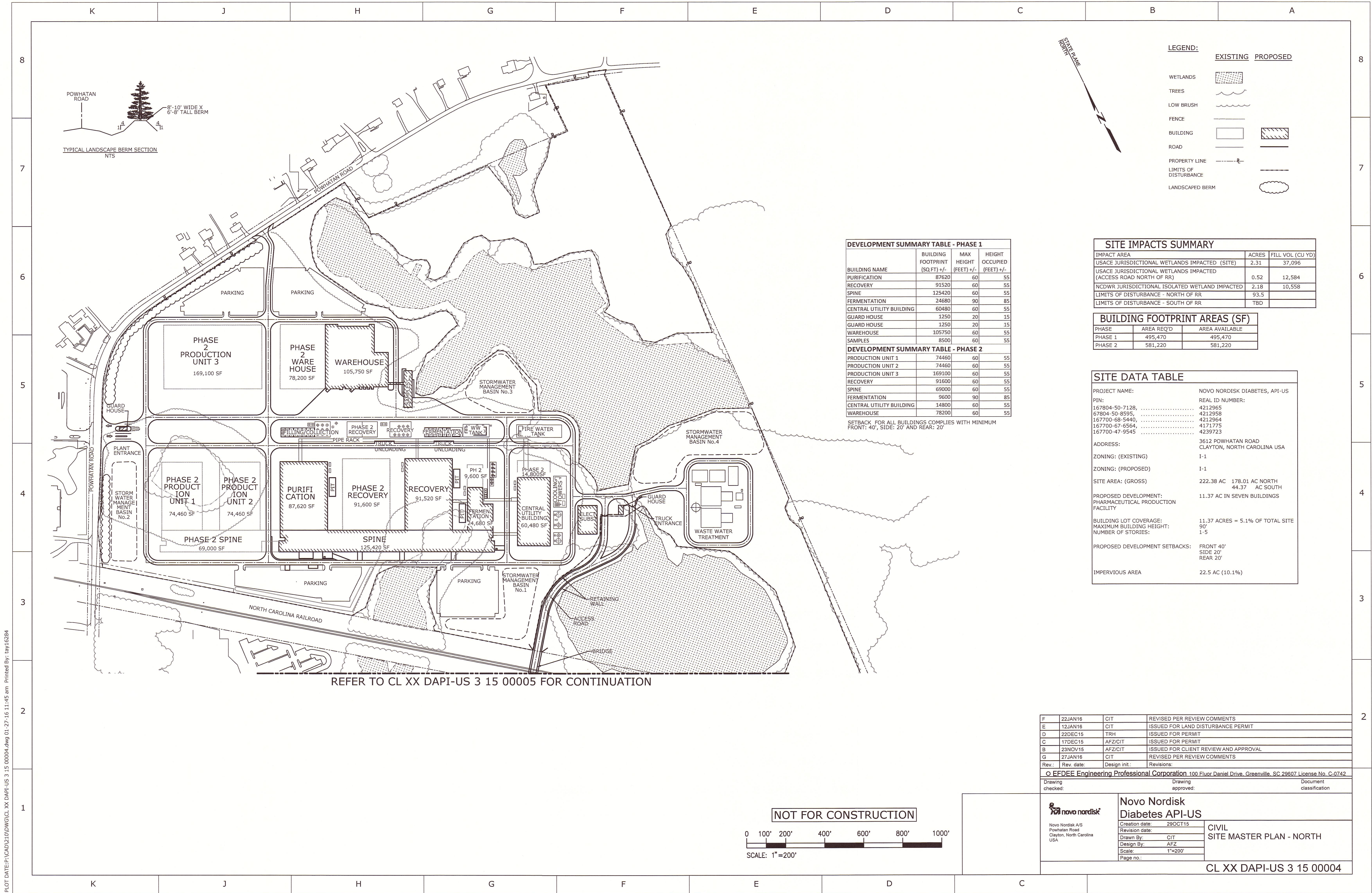
ADJACENT LAND OWNERS:

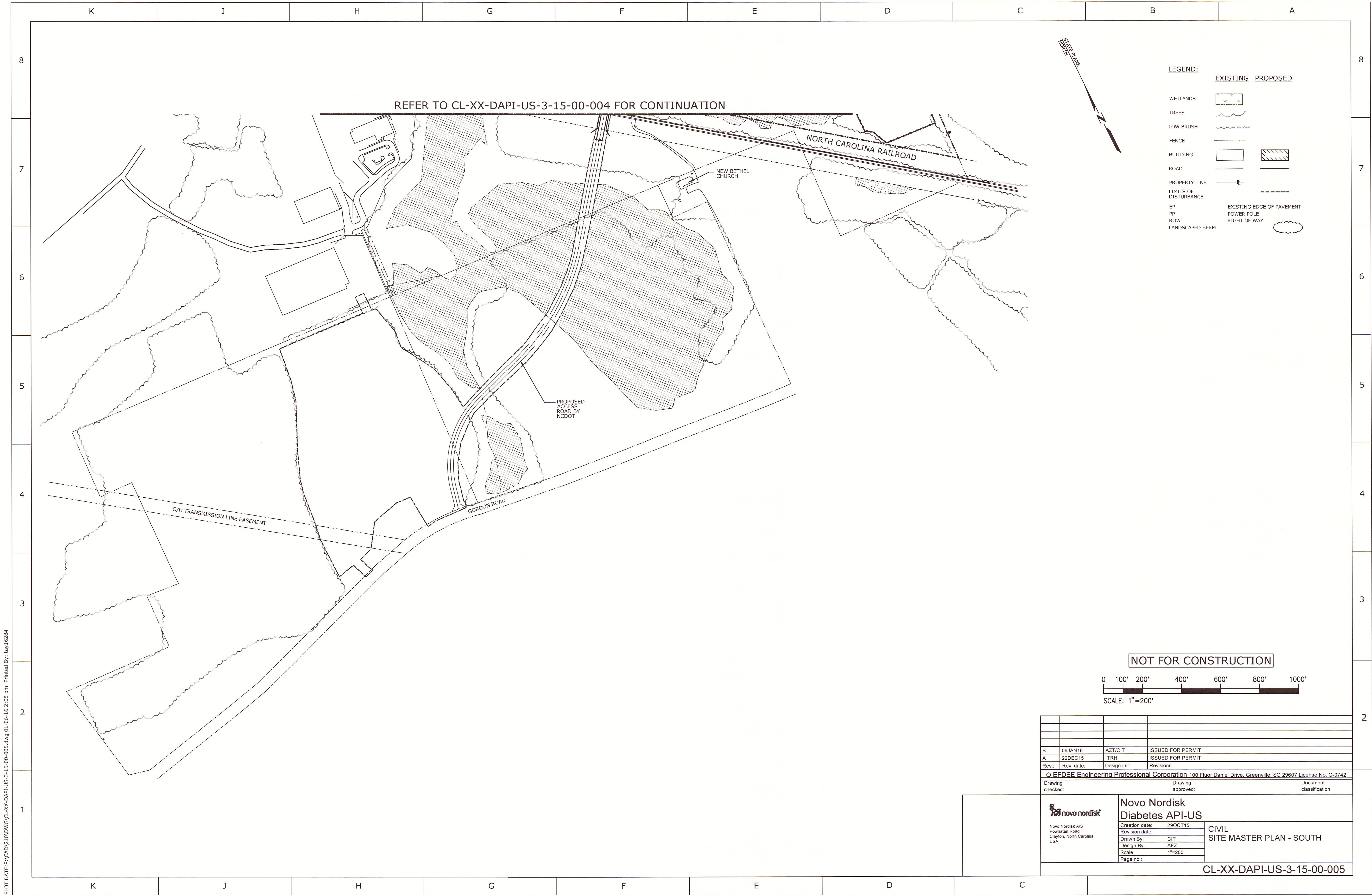
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1	05E990075	4305566	167804-91-0564	POWATHAN ROAD LIMITED PARTERSHIP	2990 POWATHAN ROAD	4270	489	4.09
2	05E990074	4352303	167804-91-5923	GORDAN, CHARLES B & POWATHAN ROAD LIMITED PARTERSHIP	23 GLEN LAUREL ROAD	3544	488	28.57
3	05I05006K	4320363	167804-81-4402	ISSA, YAZAN HASSAN	3094 POWATHAN ROAD	3852	652	0.92
4	05I05006L	4320329	167804-81-2521	HAMILTON, CONSTANCE	3116 POWATHAN ROAD	4472	761	0.94
5	05I05006M	4380942	167804-81-1501	JANCUSKA, THOMAS	3138 POWATHAN ROAD	3810	674	0.94
6	05I05006N	4320330	167804-71-9581	LOGAN, LAUREN MICHELLE	3160 POWATHAN ROAD	3831	925	0.94
7	05I05006O	4320359	167804-71-8550	MCZORN, DEBRA L	100 MOHICAN TRAIL	1539	435	0.92
8	05I05006P	4320360	167804-71-8550	MCZORN, DEBRA L	101 MOHICAN TRAIL	1564	537	0.92
9	05I05006Q	4320348	167804-71-4452	POOLE, EARL WAYNE & NANCY E	3248 POWATHAN ROAD	3774	515	0.92
10	05I05006R	4320324	167804-71-2399	SMOOT, WARREN DOUGLAS & SHARON BOND	3276 POWATHAN ROAD	1079	217	1.04
11	05I05005A	4375730	167804-71-1317	HILL, WILLIAM ROGER		1827	240	13.96
12	05I05005	4308756	167804-61-9916	HILL, WILLIAM ROGER & GINGER SMITH	3352 POWATHAN ROAD	3598	783	1.67
13	05I05004A	4304331	167804-61-7520	SMITH, LARRY & LINDA T	3366 POWATHAN ROAD			1.67
14	05I05004C	4362239	167804-61-5489	SCOTT, TERESA SMITH		4394	143	21.12
15	05I05004	4376261	167804-62-3775	KAN D HOLDINGS LLC		4016	306	7.25
16	05I05012	4361282	167804-61-0681	GRIFOLS THERAPEUTICS INC	3468 POWATHAN ROAD			2.86
17	05I05013	4277996	167804-51-8252	POWATHAN FREE WILL BAPTIST	3612 POWATHAN ROAD	3834	908	54.3
18	05E99010G	4424422	167804-41-9237	NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC	3733 POWATHAN ROAD	3049	156	4
19	05I05014A	4320370	167700-59-3446	SON, YOUNG MUM & SON HAE SOOK	3755 POWATHAN ROAD	3439	837	4.15
20	05I05019Q	4320374	167700-59-6259	LAM MEDIA GROUP LLC	135 BEST WOOD DRIVE	2612	865	8.01
21	05I05008K	4352508	167700-68-0854	JOHNSTON COUNTY INDUSTRIAL DEVELOPMENT CORPORATION	1814 GORDAN ROAD			14.68
22	05I05022C	4320400	167700-77-4839	NEW BETHEL CHURCH	2367 GORDAN ROAD			29.81
23	05I05023	4320375	167700-77-7532	MITCHELL, BETTY L	1650 GORDAN ROAD	4009	497	50.51
24	05I05024A	4359701	167700-86-5850	SPENCE, MATTHEW E		674	534	50
25	05I06001B	4357432	167804-90-0621	WOODALL, EUGENE D BETTY SUE	1988 GORDAN ROAD	4702	650	45.79
26	05I05022A	4425791	167700-67-6564	COUNTY OF JOHNSTON		1843	505	2.79
27	05I05019O	4348876	167700-58-6227	NEUSE RIVER LEASING INC		1389	114	8.27
28	05E99010H	4357872	167800-40-6294	NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC		3638	840	3.76
29	05I05010	4348873	167804-71-6196	POWATHAN PROPERTIES LLC	3059 POWATHAN ROAD	3626	755	3.37
30	05E99006M	4407917	167804-81-3105	ELLIS, JAMES TERRY & SANDRA STEPHENSON				



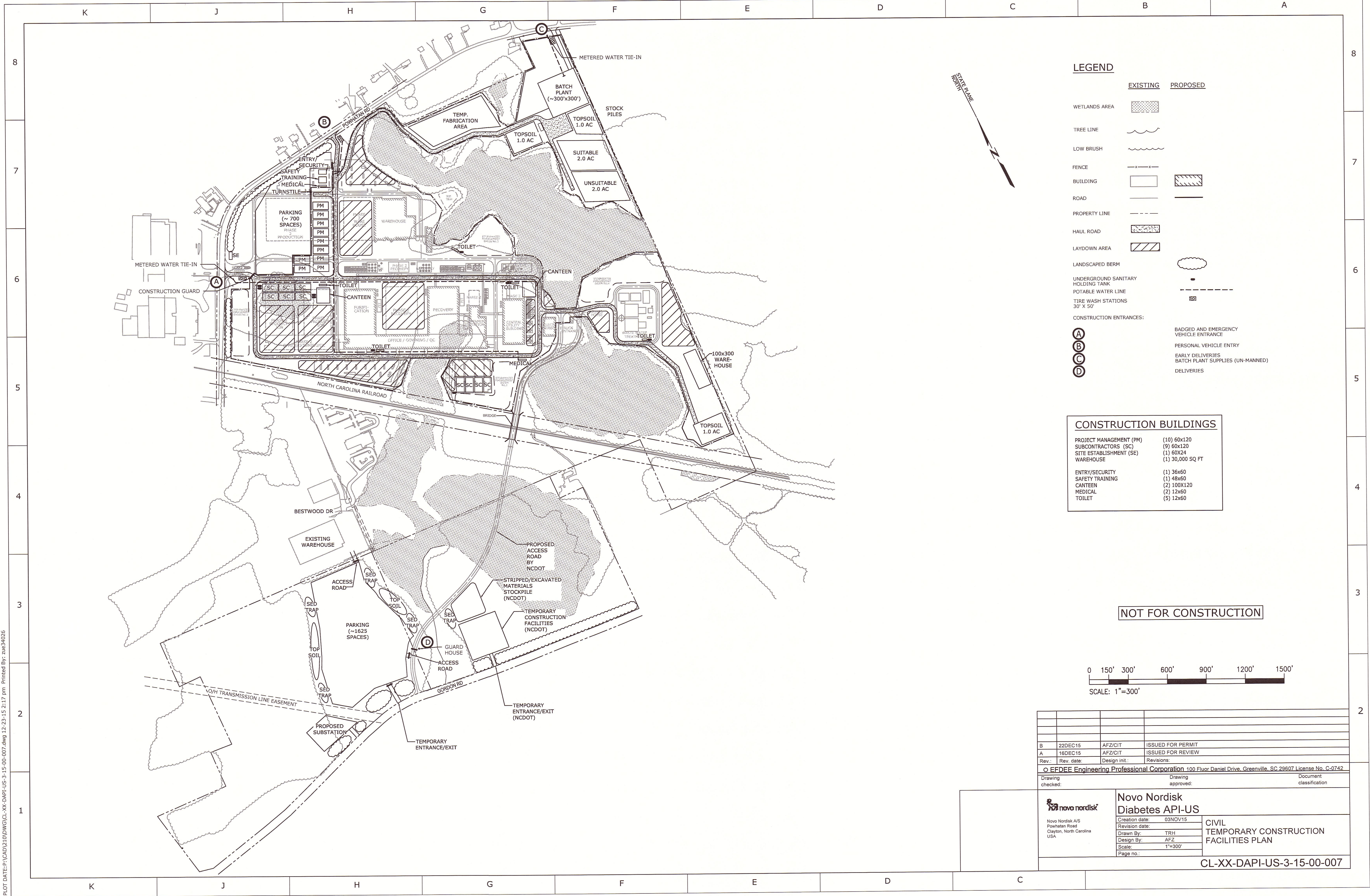
E	27JAN16	CIT	REVISED PER REVIEW COMMENTS
D	12JAN16	CIT	ISSUED FOR LAND DISTURBANCE PERMIT
C	06JAN16	AZT/CIT	ISSUED FOR PERMIT
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
A	16DEC15	AFZ/CIT	ISSUED FOR REVIEW
Rev.:	Rev. date	Design int.	Revisions:
O EFDEE Engineering Professional Corporation 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742			
Drawing checked:	Drawing approved:		Document classification
 Novo Nordisk A/S Powhatan Road Clayton, North Carolina USA		Novo Nordisk Diabetes API-US	
Creation date: 29OCT15		CIVIL EXISTING SITE CONDITIONS PLAN	
Revision date: 27JAN16			
Drawn By: CIT			
Design By: AFZ			
Scale: 1"=200'			
Page no.:		CL XX DAPI-US 3 15 00002	

PLOT DATE: P:\CAD\210\DWG\CL XX DAPI-US 3 15 00004.dwg 01-27-16 11:45 am Printed By: bny16284





PLOT DATE: P:\CADD\210\DWG\CL-XX-DAPI-US-3-15-00-005.dwg 01-06-16 2:08 pm Printed By: ray.l2284





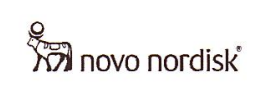
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BRIGHT SKY
CONCEPTUAL

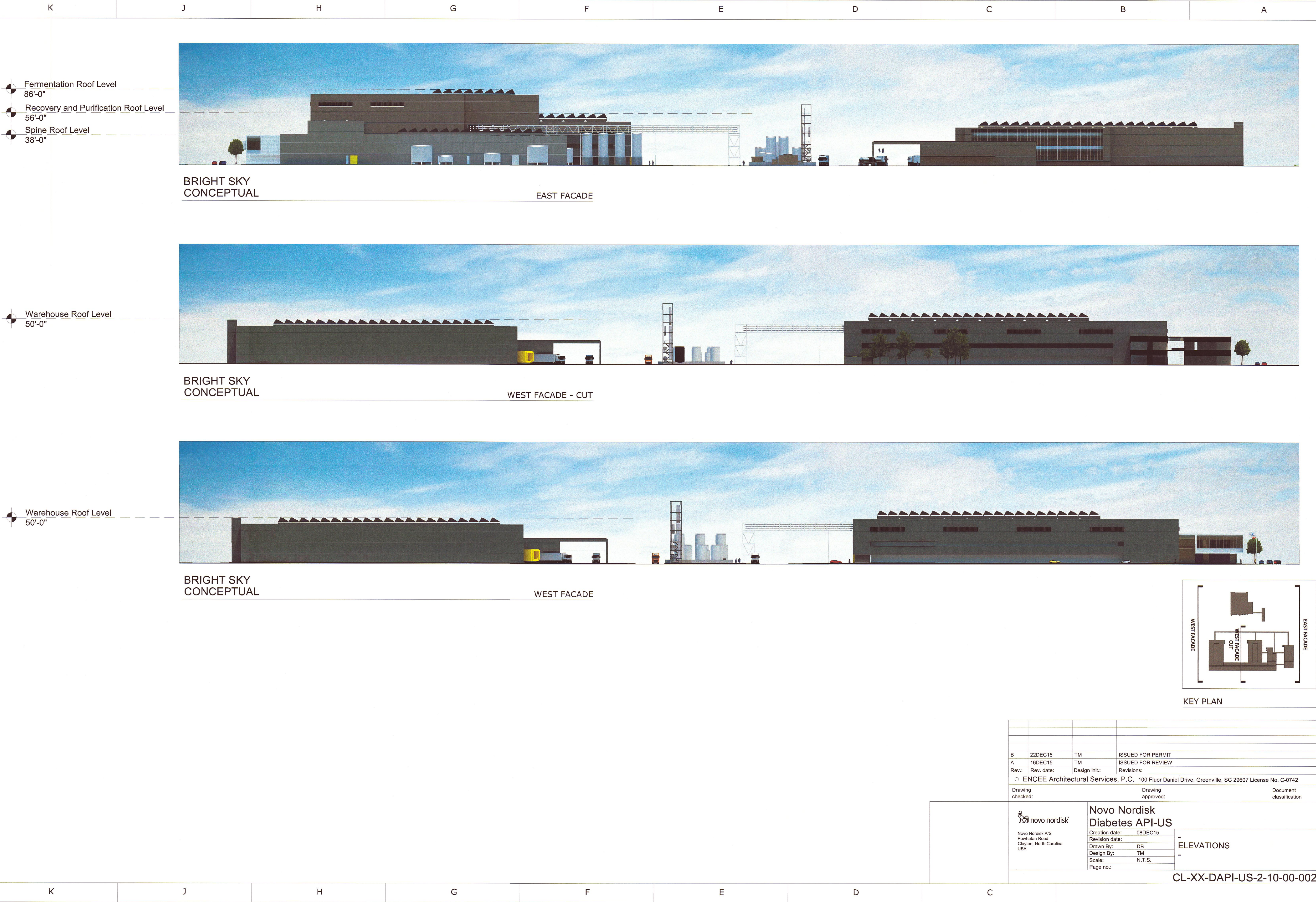
MAIN ENTRY

BRIGHT SKY
SITE CONCEPTUAL PLAN

KEY PLAN

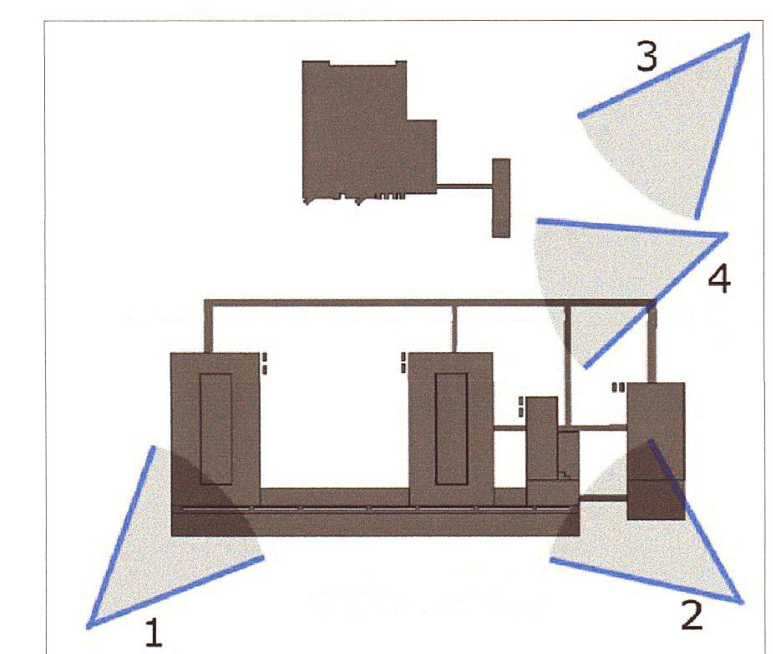
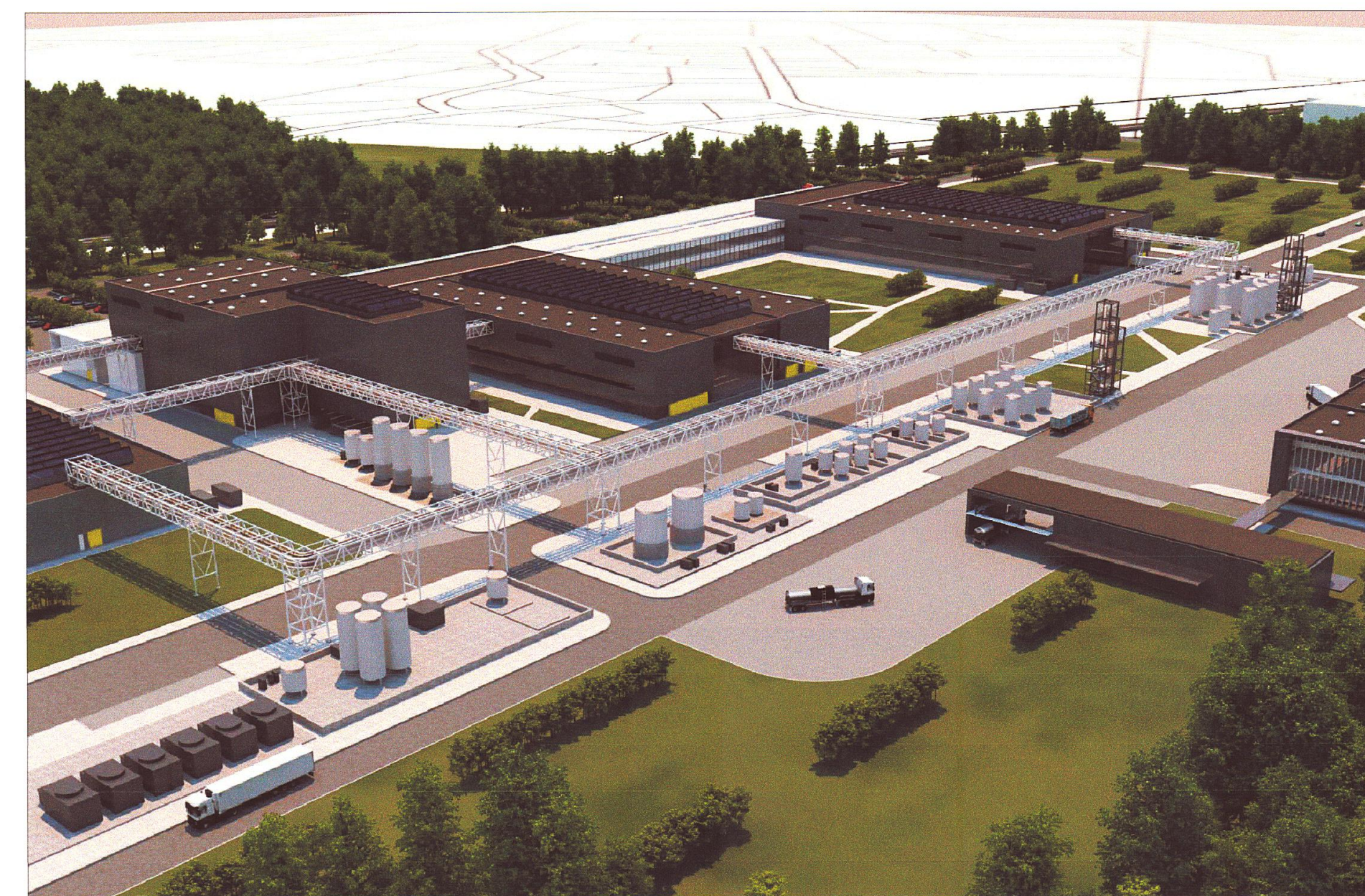
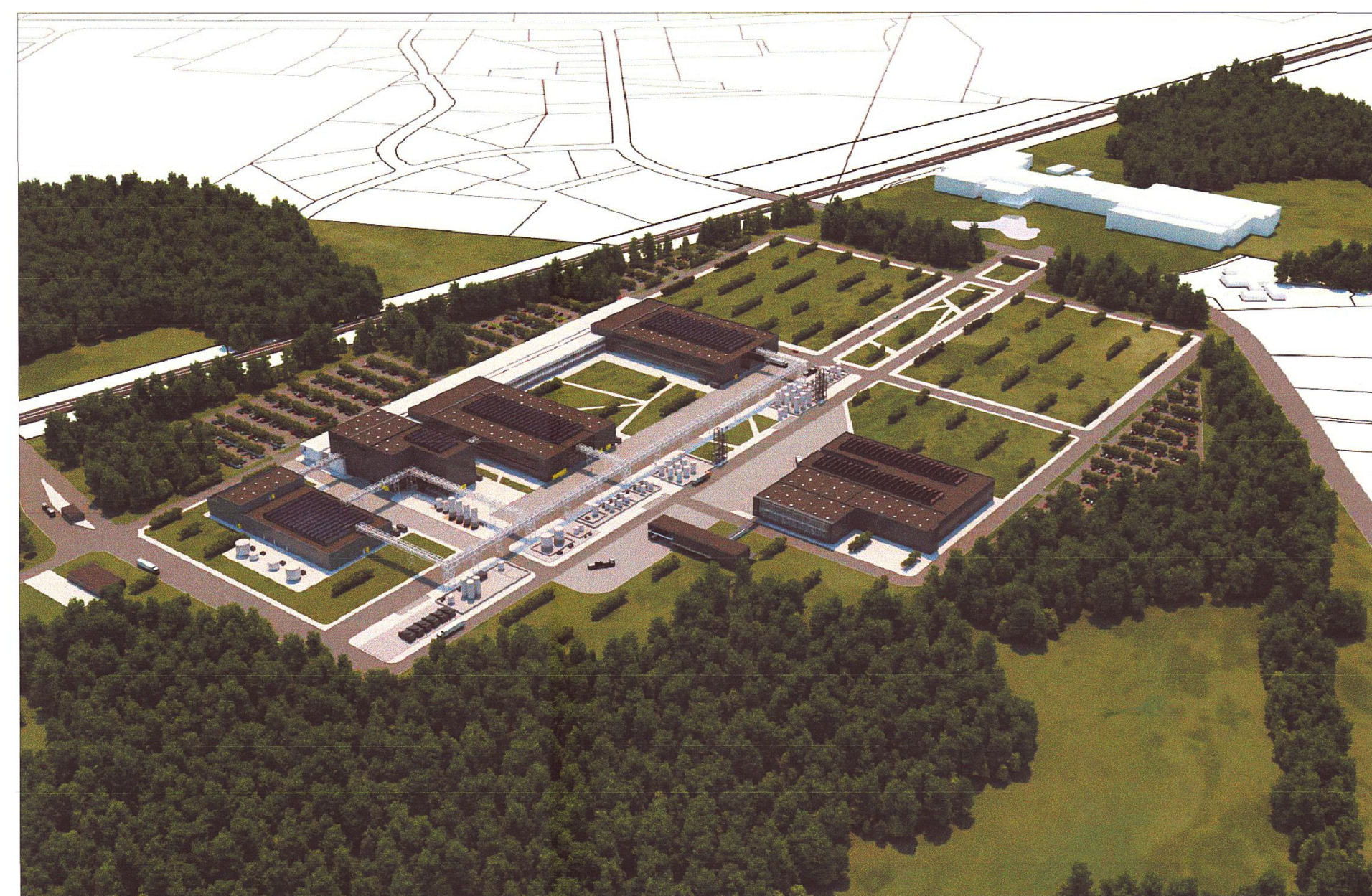
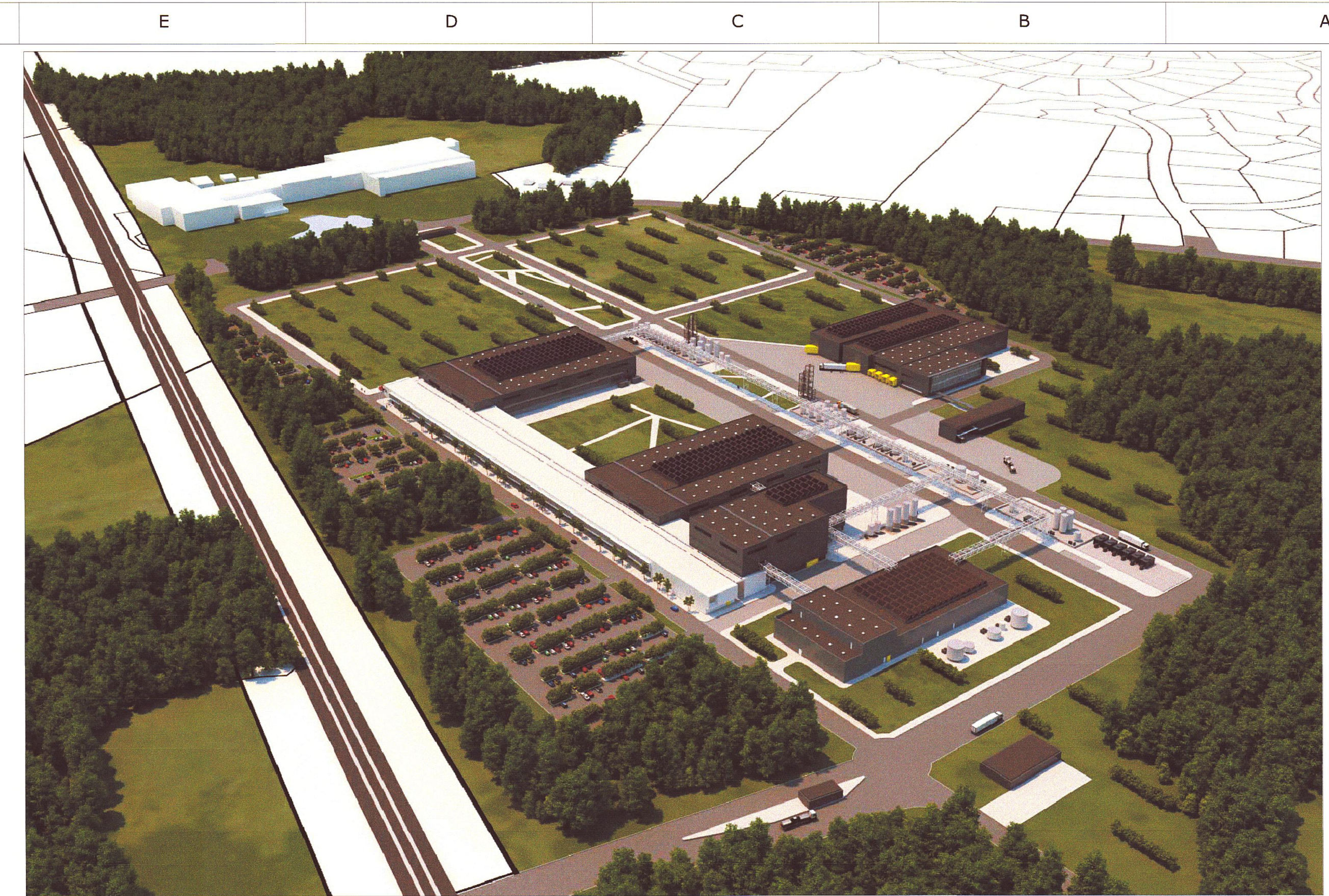
B		22DEC15	TM	ISSUED FOR PERMIT
A		16DEC15	TM	ISSUED FOR REVIEW
Rev:	Rev. date:	Design Init.:	Revisions:	
ENCEE Architectural Services, P.C. 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742				
Drawing checked:		Drawing approved:		Document classification
 Novo Nordisk A/S Povungtun Road Clayton, North Carolina USA Novo Nordisk Diabetes API-US Creation date: 08DEC15 Revision date: Drawn By: DB Design By: TM Scale: N.T.S. Page no.: COVER SHEET				
CL-XX-DAPI-US-2-10-00-001				

PLOT DATE: P:\CAD\220\VD\For Submittal\120815\SHEET2.dwg 12-22-15 12:06 pm Printed By: bom21583



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B	22DEC15	TM	ISSUED FOR PERMIT
A	16DEC15	TM	ISSUED FOR REVIEW
Rev.:	Rev. date:	Design Init.:	Revisions:
☐ ENCEE Architectural Services, P.C. 100 Flor Daniel Drive, Greenville, SC 29607 License No. C-0742			
Drawing checked:		Drawing approved:	
		Document classification	
 Novo Nordisk A/S Poowarden Road Clayton, North Carolina USA		Novo Nordisk Diabetes API-US	
Creation date: 08DEC15 Revision date: Drawn By: DB Design By: TM Scale: N.T.S. Page no.:		- - AERIAL VIEWS	
CL-XX-DABI-US-2-10-00-004			

PLOT DATE: P:\CADD\210\DWG\CL ZZ DAPI-US 3 15 00004.dwg 01-27-16 11:50 am Printed By: tsy16284

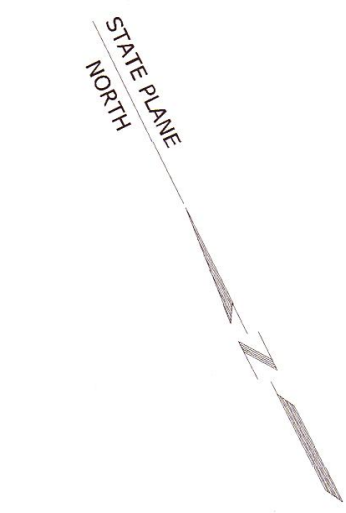


NOT FOR CONSTRUCTION



NOTES:
1. REFER TO DRAWING CL-XX-DAPI-US-3-15-00-001 FOR GENERAL NOTES, LIST OF DRAWINGS AND SPECIFICATIONS.

LEGEND:	
EXISTING	PROPOSED
PROPERTY LINE	
TREES	
FENCE	
BUILDING	
ROAD	
STORMWATER MANAGEMENT BASIN No. 3	
DISTURBED WETLANDS	
UNDISTURBED WETLANDS	



A	27JAN16	CIT	ISSUED FOR REVIEW
Rev.:	Rev. date:	Design Init.:	Revisions:
EFDEE Engineering Professional Corporation 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742			
Drawing checked:	Drawing approved:		Document classification
 Novo Nordisk A/S Powhatan Road Clayton, North Carolina USA Novo Nordisk Diabetes API-US Creation date: 29OCT15 Revision date: Drawn By: TRH Design By: AFZ Scale: 1"=200' Page no.: CIVIL SITE MASTER PLAN WITH AERIAL			
CL ZZ DAPI-US 3 15 00004			

— LEGEND —

R/W RIGHT-OF-WAY
IPF IRON PIPE FOUND
PKS P.K. NAIL SET
IRS IRON ROD SET
RIF IRON ROD FOUND
RRSF RAILROAD SPIKE FOUND
ISF IRON STAKE FOUND
PMS PARKER-MAYLON NAIL FOUND
R/W MON RIGHT-OF-WAY MONUMENT
CSF COTTON SPRINKLE FOUND
CP COMPUTED POINT
BM BOOK OF MAPS
CP COMPUTED POINT (NOT SET)
PB PLAT BOOK
N/F NOW OR FORMERLY
DB DEED BOOK
PG PAGE

I, RANDY S. RAMBEAU, SR., PLS. L-2520,
CERTIFY THAT THIS PLAT WAS DRAWN UNDER
MY SUPERVISION FROM AN ACTUAL SURVEY
MADE UNDER MY SUPERVISION FROM INFORMATION
SHOWN IN DEED BOOKS REFERENCED ON MAP AND
MAP BOOKS REFERENCED ON MAP THAT ANY LINES NOT
ACTUALLY SURVEYED APPEAR AS BROKEN LINES AND
THE PLAT THAT THE RATIO OF PRECISION AS ON
CALCULATED FROM THE INFORMATION AS NOTED ON
THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S.
47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE,
REGISTRATION NUMBER AND SEAL THIS THE 12TH
DAY OF DECEMBER, A.D. 2015.

Randy S. Rambeau, Sr.

RANDY S. RAMBEAU, SR. L-2520
PROFESSIONAL LAND SURVEYOR

I, RANDY S. RAMBEAU, SR., PLS. L-2520,
CERTIFY THAT THE SURVEY IS OF ANOTHER
CATEGORY, SUCH AS THE RECOMBINATION OF
EXISTING PARCELS, A COURT-ORDERED SURVEY,
OR OTHER EXCEPTION TO THE DEFINITION OF
SURVEYING.

Randy S. Rambeau, Sr. DATE 12/18/15

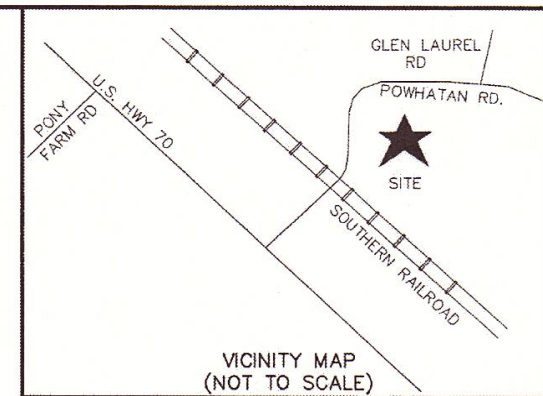


STATE OF NORTH CAROLINA
COUNTY OF _____

I, REVIEW OFFICER OF _____ COUNTY,
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

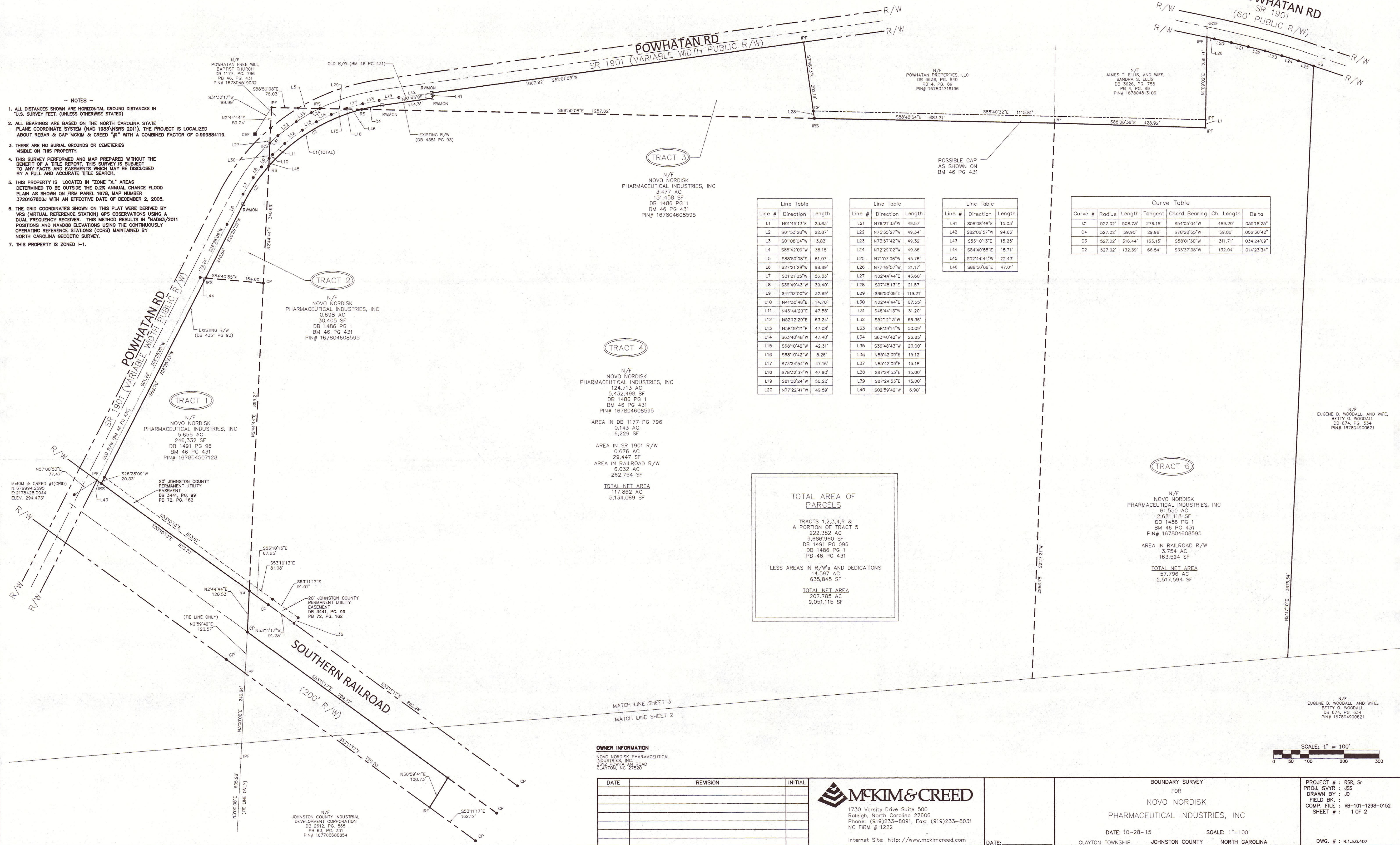
REVIEW OFFICER _____

N
N.C. GRID (NAD83/11)



POWHATAN RD
SR 1901
(60' PUBLIC R/W)

- NOTES —
- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES IN "U.S. SURVEY FEET. (UNLESS OTHERWISE STATED)
 - ALL BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 1983) VERS 2011. THE PROJECT IS LOCALIZED ABOUT REBAR & CAP MCKIM & CREED "P1" WITH A COMBINED FACTOR OF 0.999884119.
 - THERE ARE NO BURIAL GROUNDS OR CEMETERIES VISIBLE ON THIS PROPERTY.
 - THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY IS SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
 - THIS PROPERTY IS LOCATED IN "ZONE 7A," AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SHOWN ON FIRM PANEL 1678, MAP NUMBER 3720167803J WITH AN EFFECTIVE DATE OF DECEMBER 2, 2005.
 - THE GRID COORDINATES SHOWN ON THIS PLAT WERE DERIVED BY VRS (VIRTUAL REFERENCE STATION) GPS OBSERVATIONS USING A DUAL FREQUENCY RECEIVER. THIS METHOD RESULTS IN "NAD83/2011 POSITIONS AND HORIZONTAL ELEVATIONS USING THE CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) MAINTAINED BY NORTH CAROLINA GEODETIC SURVEY.
 - THIS PROPERTY IS ZONED 1-1.



Line Table		
Line #	Direction	Length
L1	N01°45'13"E	23.63'
L2	S01°53'28"W	22.87'
L3	S01°08'04"W	3.83'
L4	S80°42'09"W	36.18'
L5	S88°30'08"E	61.07'
L6	S27°21'29"W	98.89'
L7	S31°01'05"W	56.33'
L8	S30°49'43"W	38.40'
L9	S41°32'00"W	32.99'
L10	N44°30'48"E	14.70'
L11	N46°44'20"E	47.58'
L12	N52°12'20"E	63.24'
L13	N08°39'21"E	47.08'
L14	S63°40'48"W	47.40'
L15	S68°10'42"W	42.31'
L16	S68°10'42"W	5.26'
L17	S73°24'54"W	47.16'
L18	S78°32'37"W	47.90'
L19	S81°08'24"W	56.22'
L20	N77°22'41"W	49.59'

Line Table		
Line #	Direction	Length
L21	N76°21'33"W	49.57'
L22	N75°35'23"W	49.34'
L23	N73°57'42"W	49.32'
L24	N72°29'02"W	49.36'
L25	N71°07'06"W	45.76'
L26	N77°49'57"W	21.17'
L27	N02°44'44"E	43.68'
L28	S07°48'13"E	31.57'
L29	S88°50'09"E	119.31'
L30	N02°44'44"E	67.55'
L31	S48°44'13"W	31.20'
L32	S52°12'13"W	66.36'
L33	S38°39'14"W	50.09'
L34	S63°40'42"W	28.85'
L35	S36°48'43"W	20.00'
L36	N85°42'09"E	15.12'
L37	N85°42'09"E	15.18'
L38	S87°24'55"E	15.00'
L39	S87°24'55"E	15.00'
L40	S02°59'42"W	6.90'

Line Table		
Line #	Direction	Length
L41	S08°08'48"E	15.03'
L42	S82°06'57"W	94.66'
L43	S53°10'13"E	15.26'
L44	S84°40'50"E	15.71'
L45	S02°44'44"W	22.43'
L46	S88°50'08"E	47.01'

Curve Table						
Curve #	Radius	Length	Tangent	Chord Bearing	Ch. Length	Delta
C1	527.02'	508.73'	276.15'	S54°00'04"W	489.20'	055°18'25"
C4	527.02'	59.90'	29.98'	S78°28'55"W	59.88'	006°30'42"
C3	527.02'	316.44'	163.15'	S58°01'30"W	311.71'	034°24'09"
C2	527.02'	132.39'	66.54'	S33°37'38"W	132.04'	014°23'34"

TOTAL AREA OF
PARCELS

TRACTS 1,2,3,4,6 &
A PORTION OF TRACT 5

222,582 AC
9,686,960 SF

DB 1486 PG 1
DB 1486 PG 1
PB 46 PG 431

LESS AREAS IN R/W'S AND DEDICATIONS

14,587 AC
635,845 SF

TOTAL NET AREA
207,785 AC
9,051,115 SF

TRACT 6

N/F
NOVO NORDISK
PHARMACEUTICAL INDUSTRIES, INC
61,550 AC
2,681,118 SF
DB 1486 PG 1
BM 46 PG 431
PIN# 167804608595

AREA IN RAILROAD R/W
3,754 AC
163,524 SF

TOTAL NET AREA
57,795 AC
2,517,594 SF

N/F
EUGENE D. WOODALL AND WIFE,
BETTY D. WOODALL
DB 674 PG 534
PIN# 167804900821

OWNER INFORMATION
NOVO NORDISK PHARMACEUTICAL
INDUSTRIES, INC
1730 Varsity Drive Suite 500
Raleigh, NC 27606
Phone: (919)233-8091, Fax: (919)233-8031
NC FIRM # 1222

DATE	REVISION	INITIAL



Internet Site: <http://www.mckimcreed.com>

DATE: _____

BOUNDARY SURVEY
FOR
NOVO NORDISK
PHARMACEUTICAL INDUSTRIES, INC

DATE: 10-28-15

CLAYTON TOWNSHIP JOHNSTON COUNTY NORTH CAROLINA

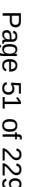
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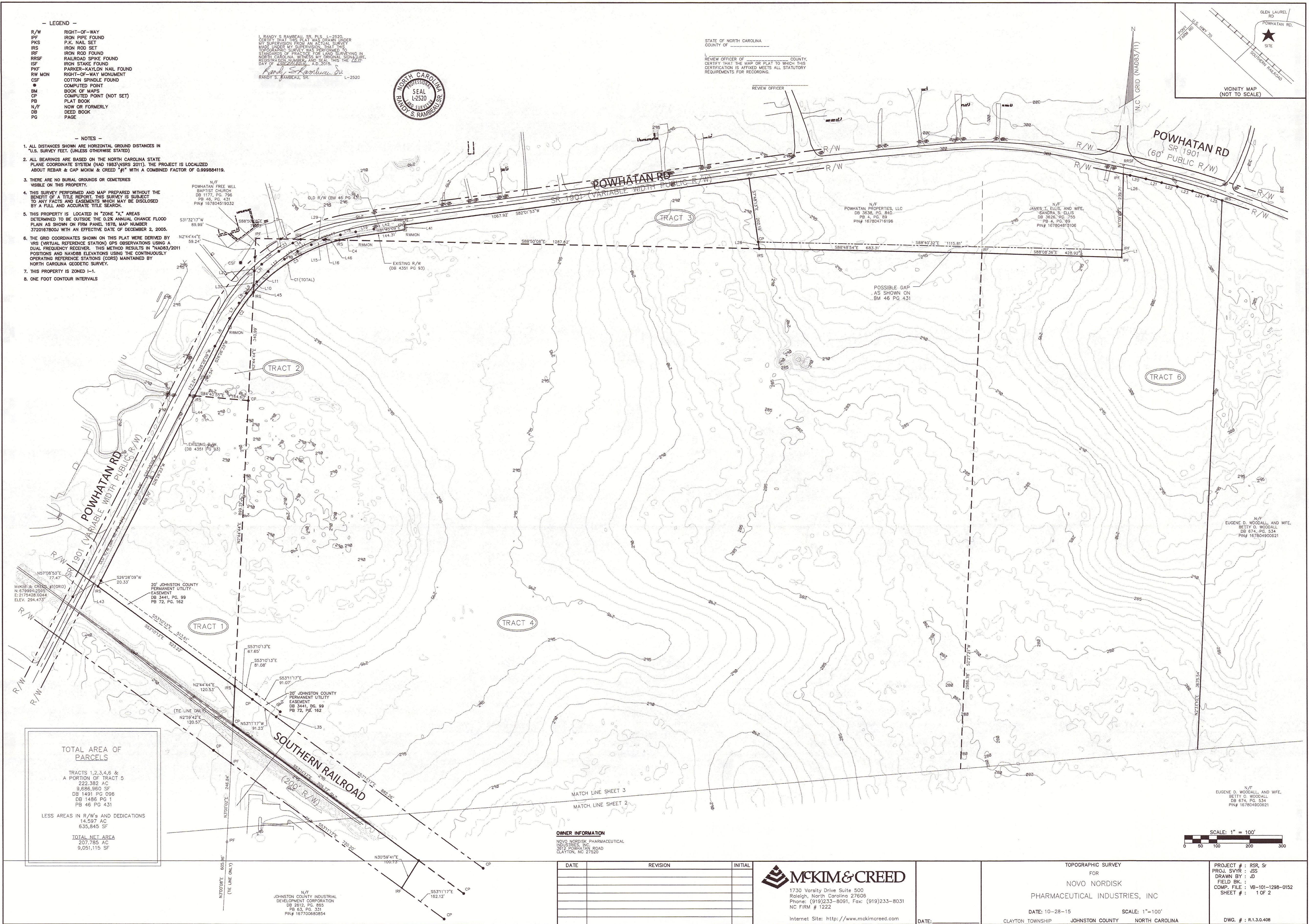
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PROJ. SVR : JSS
DRAWN BY : JD
FIELD BY :
COMP. FILE : VB-101-1298-0152
SHEET # : 1 OF 2

DWG. # : R1.3.0.407

SCALE: 1" = 100'
0 50 100 200 300

N/F
EUGENE D. WOODALL AND WIFE,
BETTY D. WOODALL
DB 674 PG 534
PIN# 167804900821





**TOWN OF CLAYTON, NC
PLANNING BOARD WRITTEN RECOMMENDATION
Major Site Plan:**

**Novo Nordisk Bright Sky Expansion
Major Site Plan acting as a Master Plan
2015-82-SP**

On **February 22nd, 2016** the Planning Board heard the above-referenced request and made the following vote:

☒ Recommend approval of the request to Town Council with the conditions as presented by staff at the meeting.

☐ Recommend approval of the request to Town Council with the following amendments to the conditions presented by staff at the meeting:

☐ Recommend denial of the request to Town Council.

Decision made this **22nd day of February, 2016** while in regular session.

Signed:



Frank Price, Planning Board Chair



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearings

Meeting Date:

April 4, 2016

ITEM TITLE:

Novo Nordisk Building Height - 2016-20-SUP

DESCRIPTION:

Requesting a Special Use Permit to allow a maximum building height of 90 feet for the associated Master Plan. This height request exceeds the maximum within the UDO.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

March 21, 2016

Action Taken:

Set Public Hearing for April 4, 2016

Information Provided:

Application/Staff Report/Recommendations

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

SPECIAL USE APPLICATION

Pursuant to Article 7, Section 155.711 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but have the potential to create incompatibilities with adjacent uses.

Fee: The application fee is \$400.00. All fees are due when the application is submitted.

Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Special Use Permit applications.

APPLICATION TYPE

☒ New Special Use Permit

☐ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: Bright Sky Project Acreage of Property: 296 Acres
Parcel ID Number: 05I05008A, 05E99010N Tax ID: 4418463, 4418458
Deed Book: 01486, 01491 Deed Page(s): 0001
Address/Location: 3612 Powhatan Rd. Clayton, NC 27527

Existing Use: Agriculture Proposed Use: Industrial

Is project within a Planned Development? ☒ No ☐ Yes

Planned Development District (if applicable): _____

Is project within an Overlay District: ☒ No ☐ Yes

Overlay District (if applicable): _____

OFFICE USE ONLY

RECEIVED TOWN OF CLAYTON PLANNING DEPARTMENT	Date Received: <u>JAN 28 2016</u>	Amount Paid: <u>\$400.00</u>	Permit Number: <u>2016-20-SUP</u>

PROPERTY OWNER INFORMATION

Name: Novo Nordisk Pharmaceutical Industries, Inc.

Mailing Address: 3612 Powhatan Road, Clayton, NC 27527

Phone Number: 919-457-7167 **Fax:** _____

Email Address: galo@novonordisk.com

APPLICANT INFORMATION

Applicant: Novo Nordisk Pharmaceutical Industries, Inc.

Mailing Address: 3612 Powhatan Road, Clayton, NC 27527

Phone Number: 919-457-7167 **Fax:** _____

Contact Person: Gary Lohr

Email Address: galo@novonordisk.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Conditional Use Permit (CUP) application.

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>12/02/2015</u>	☒	☐			
2. Review Fee (\$400)	☒	☐			
3. Completed application (9 copies)	☐	☒			
4. Owner's Consent Form (9 copies)	☐	☒			
5. Adjacent property owners list (9 copies)	☐	☒			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☐	☒			
7. Signed and sealed traffic impact analysis (2 copies)	☐	☒			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☐	☒			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

Note: More information may be requested by the Planning Department depending on the project

REQUIRED FINDINGS OF FACT

Section 155.711(I) of the Unified Land Development Code requires applications for a Special Use to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

The applicant is committed to not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

The applicant is committed to meet all required specifications and to conform to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The applicant is committed to developing the project in complete cooperation with the Town of Clayton and the surrounding community so as to not substantially injure the value of adjoining or abutting property or be detrimental to the use of adjacent properties or other neighborhood uses.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

The applicant is committed to fully comply with the adopted plans and policies of the Town and will not violate the character of existing standards for development of the adjacent properties.

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

As requested by the Town of Clayton's Planning Department Technical Review Committee First Review Comments dated January 15, 2016, a special use permit is required in order for the maximum building height to exceed 50 feet. The Architectural Building Elevations submitted with the Major Site plan (Acting as a Master Plan) 2015-82-SP, indicate a building height of 86 feet, which is necessary to accommodate the process equipment. As the design progresses, there may be a few locations where the building height might need to increase another 10 feet to accommodate vessel loading requirements.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Gary Lohr
Print Name

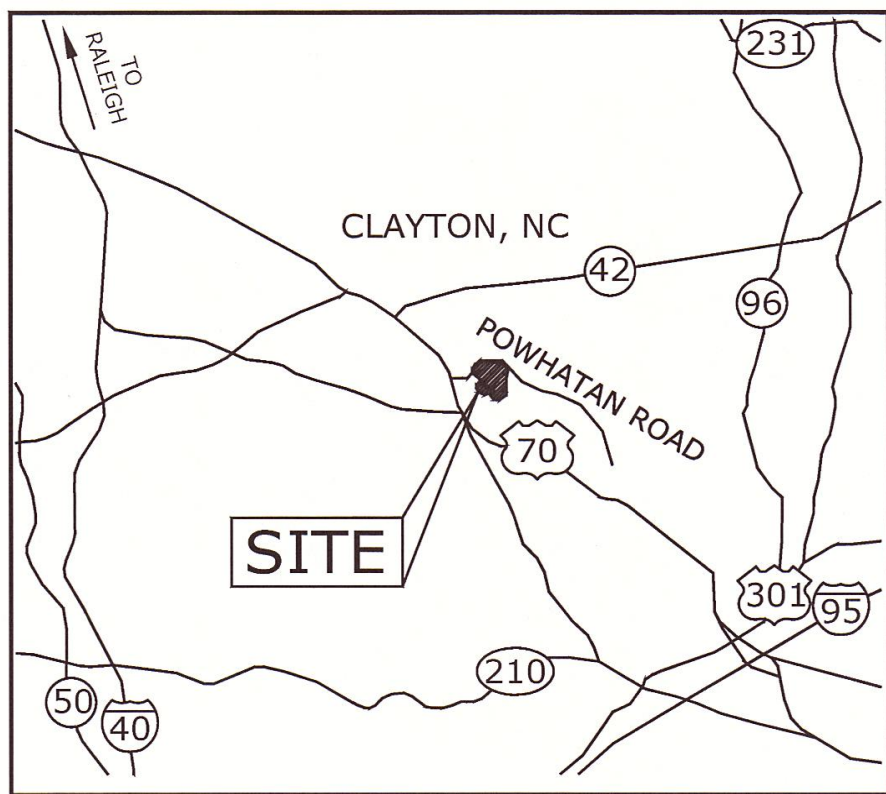

Signature of Applicant

26 Jun 2016
Date

Novo Nordisk Diabetes API-US

3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

SITE MASTER PLAN PACKAGE



LOCATION MAP

NTS

DEVELOPER

Novo Nordisk
3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

PARCEL OWNER

Novo Nordisk
3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

SURVEYOR

McKIM & CREED
Raleigh, North Carolina 27606
Phone: (919)233-8091, Fax: (919)233-8031
NC FIRM No. 1222

ENGINEER

EFDEE Engineering Professional Corporation
100 Fluor Daniel Drive, Greenville, SC 29607
License No. C-0742

ARCHITECT

ENCEE Architectural Services, P.C.
100 Fluor Daniel Drive, Greenville, SC 29607
License No. C-0742

LANDSCAPE ARCHITECT

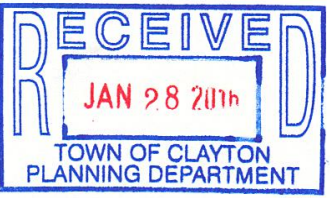
TBD



SCALE 1"=400'

DRAWING LIST

DRAWING NUMBER	DRAWING DESCRIPTION
CIVIL DRAWINGS	
CL XX DAPI-US 3 15 00 010	CIVIL - SITE MASTER PLAN - COVER SHEET
CL XX DAPI-US 3 15 00 002	CIVIL - EXISTING SITE CONDITIONS PLAN
CL XX DAPI-US 3 15 00 004	CIVIL - SITE MASTER PLAN 1 OF 2
CL XX DAPI-US 3 15 00 005	CIVIL - SITE MASTER PLAN 2 OF 2
CL XX DAPI-US 3 15 00 007	CIVIL - TEMPORARY CONSTRUCTION FACILITIES PLAN
CL ZZ DAPI-US 3 15 00 004	CIVIL - SITE MASTER PLAN WITH AERIAL
ARCHITECTURAL DRAWINGS	
CL-XX-DAPI-US-2-10-01-001	ARCHITECTURAL - COVER SHEET
CL-XX-DAPI-US-2-10-01-002	ARCHITECTURAL - ELEVATIONS
CL-XX-DAPI-US-2-10-01-003	ARCHITECTURAL - ELEVATIONS
CL-XX-DAPI-US-2-10-01-004	ARCHITECTURAL - AERIAL VIEWS
SURVEY DRAWINGS	
R.1.3.0.0407	BOUNDARY SURVEY SHEET
R.1.3.0.0407	BOUNDARY SURVEY SHEET
R.1.3.0.0408	TOPOGRAPHIC SURVEY SHEET
R.1.3.0.0408	TOPOGRAPHIC SURVEY SHEET



D	27JAN16	CIT	REVISED PER REVIEW COMMENTS
C	06JAN16	AFV/CIT	ISSUED FOR PERMIT
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
A	18NOV15	AFZ/CIT	ISSUED FOR REVIEW
Rev.	Rev. date	Design init.	Revisions
O EFDEE Engineering Professional Corporation 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742			
Drawing checked:	Drawing approved:	Document classification	
Novo Nordisk Diabetes API-US		CIVIL COVER SHEET SITE MASTER PLAN PACKAGE	
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NOTES:
1. FOR TOPOGRAPHIC AND BOUNDARY SURVEY DATA NOT SHOWN ON THIS DRAWING, REFER TO THE FOLLOWING DRAWINGS DEVELOPED BY MCKIM AND CREED, INC., RALIEGH, NC.
BOUNDARY SURVEY SHEET 1 OF 2 DWG. NO. R.1.3.0.0407
2 OF 2 DWG. NO. R.1.3.0.0407
TOPOGRAPHIC SURVEY SHEET 1 OF 2 DWG. NO. R.1.3.0.0408
2 OF 2 DWG. NO. R.1.3.0.0408

LEGEND:
EXISTING
TREES
LOW BRUSH
FENCE
BUILDING
ROAD
PROPERTY LINE
CONTOUR
EP
PP
ROW
I-1
EXISTING EDGE OF PAVEMENT
POWER POLE
RIGHT OF WAY
PROPERTY ZONING

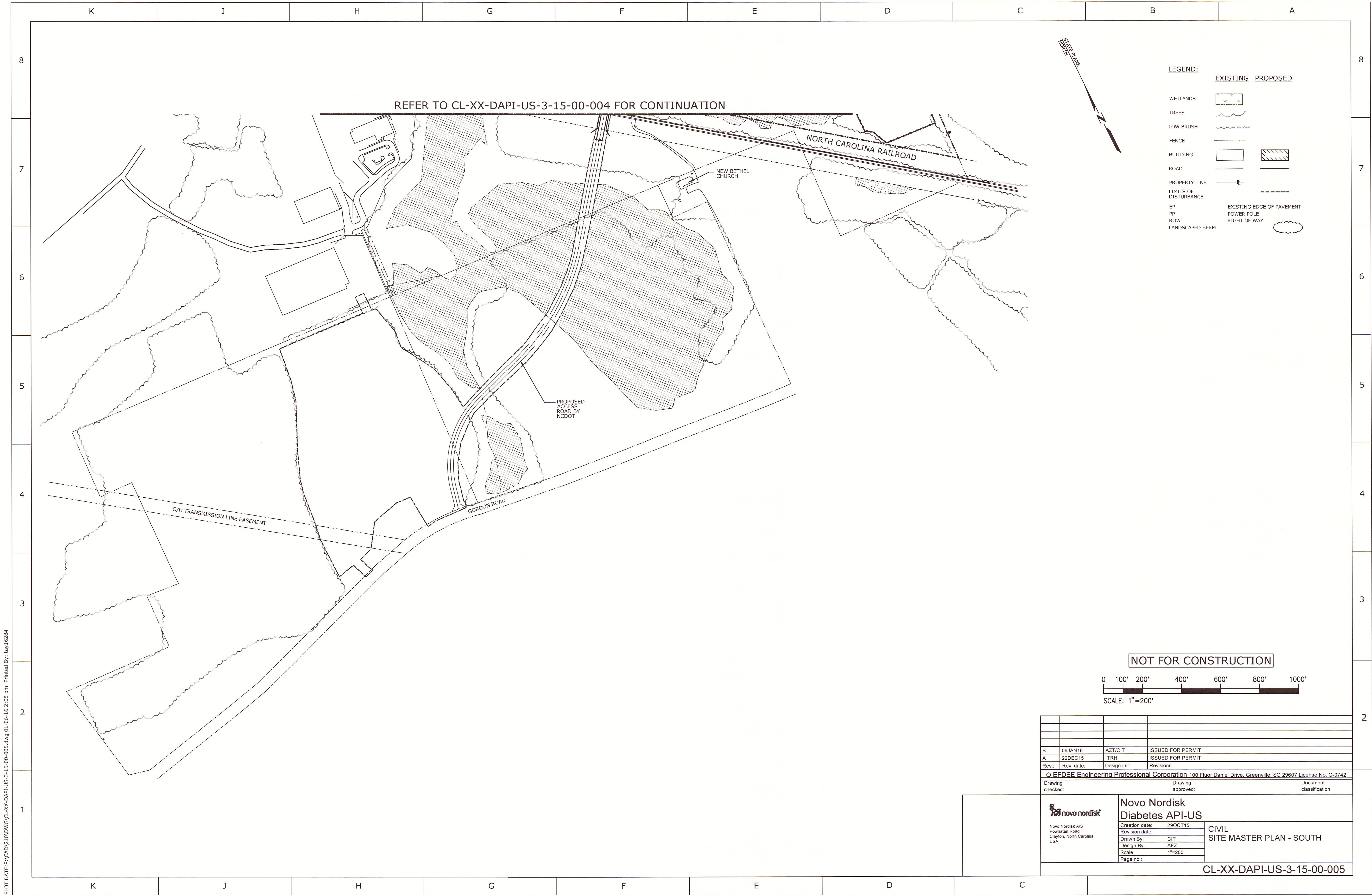
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1	05E990075	4305566	167804-91-0564	POWHATAN ROAD LIMITED PARTERSHIP	2990 POWHATAN ROAD	4270	489	4.09	
2	05E99007H	4352303	167804-91-5923	GORDAN, CHARLES B & POWHATAN ROAD LIMITED PARTERSHIP	23 GLEN LAUREL ROAD	3544	488	28.57	
3	05I05006K	4320363	167804-81-4402	ISSA, YAZAN HASSAN	3094 POWHATAN ROAD	3852	652	0.92	
4	05I05006L	4320329	167804-81-2521	HAMILTON, CONSTANCE	3116 POWHATAN ROAD	4472	761	0.94	
5	05I05006M	4380942	167804-81-1501	JANCUSKA, THOMAS	3138 POWHATAN ROAD	3810	674	0.94	
6	05I05006N	4320330	167804-71-9581	LOGAN, LAUREN MICHELLE	3160 POWHATAN ROAD	3831	925	0.94	
7	05I05006O	4320359	167804-71-8550	MCZORN, DEBRA L	100 MOHICAN TRAIL	1539	435	0.92	
8	05I05006P	4320360	167804-71-8550	MCZORN, DEBRA L	101 MOHICAN TRAIL	1564	537	0.92	
9	05I05006Q	4320348	167804-71-4452	POOLE, EARL WAYNE & NANCY E	3248 POWHATAN ROAD	3774	515	0.92	
10	05I05006R	4320324	167804-71-2399	SMOOT, WARREN DOUGLAS & SHARON BOND	3276 POWHATAN ROAD	1079	217	1.04	
11	05I05005A	4375730	167804-71-1317	HILL, WILLIAM ROGER		1827	240	13.96	
12	05I05005	4308756	167804-61-9916	HILL, WILLIAM ROGER & GINGER SMITH	3352 POWHATAN ROAD	3598	783	1.67	
13	05I05004A	4304331	167804-61-7520	SMITH, LARRY & LINDA T	3366 POWHATAN ROAD			1.67	
14	05I05004C	4362239	167804-61-5489	SCOTT, TERESA SMITH		4394	143	21.12	
15	05I05004	4376261	167804-62-3775	KAN D HOLDINGS LLC		4016	306	7.25	
16	05I05012	4361282	167804-61-0681	GRIFOLS THERAPEUTICS INC	3468 POWHATAN ROAD			2.86	
17	05I05013	4277996	167804-51-8252	POWHATAN FREE WILL BAPTIST	3612 POWHATAN ROAD	3834	908	54.3	
18	05E99010G	4424422	167804-41-9237	NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC	3733 POWHATAN ROAD	3049	156	4	
19	05I05014A	4320370	167700-59-3446	SON, YOUNG MUM & SON HAE SOOK	3755 POWHATAN ROAD	3439	837	4.15	
20	05I05019Q	4320374	167700-59-6259	LAM MEDIA GROUP LLC	135 BEST WOOD DRIVE	2612	865	8.01	
21	05I05008K	4352508	167700-68-0854	JOHNSON COUNTY INDUSTRIAL DEVELOPMENT CORPORATION	1814 GORDAN ROAD			14.68	
22	05I05022C	4320400	167700-77-4839	NEW BETHEL CHURCH	2367 GORDAN ROAD			29.81	
23	05I05023	4320375	167700-77-7532	MITCHELL, BETTY L	1650 GORDAN ROAD	4009	497	50.51	
24	05I05024A	4359701	167700-86-5850	SPENCE, MATTHEW E		674	534	50	
25	05I06001B	4357432	167804-90-0621	WOODALL, EUGENE D BETTY SUE	1988 GORDAN ROAD	4702	650	45.79	
26	05I05022A	4425791	167700-67-6564	COUNTY OF JOHNSON		1843	505	2.79	
27	05I05019O	4348876	167700-58-6227	NEUSE RIVER LEASING INC		1389	114	8.27	
28	05E99010H	4357872	167800-40-6294	NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC		3638	840	3.76	
29	05I05010	4348873	167804-71-6196	POWHATAN PROPERTIES LLC	3059 POWHATAN ROAD	3626	755	3.37	
30	05E99006M	4407917	167804-81-3105	ELLIS, JAMES TERRY & SANDRA STEPHENSON					

NOT FOR CONSTRUCTION

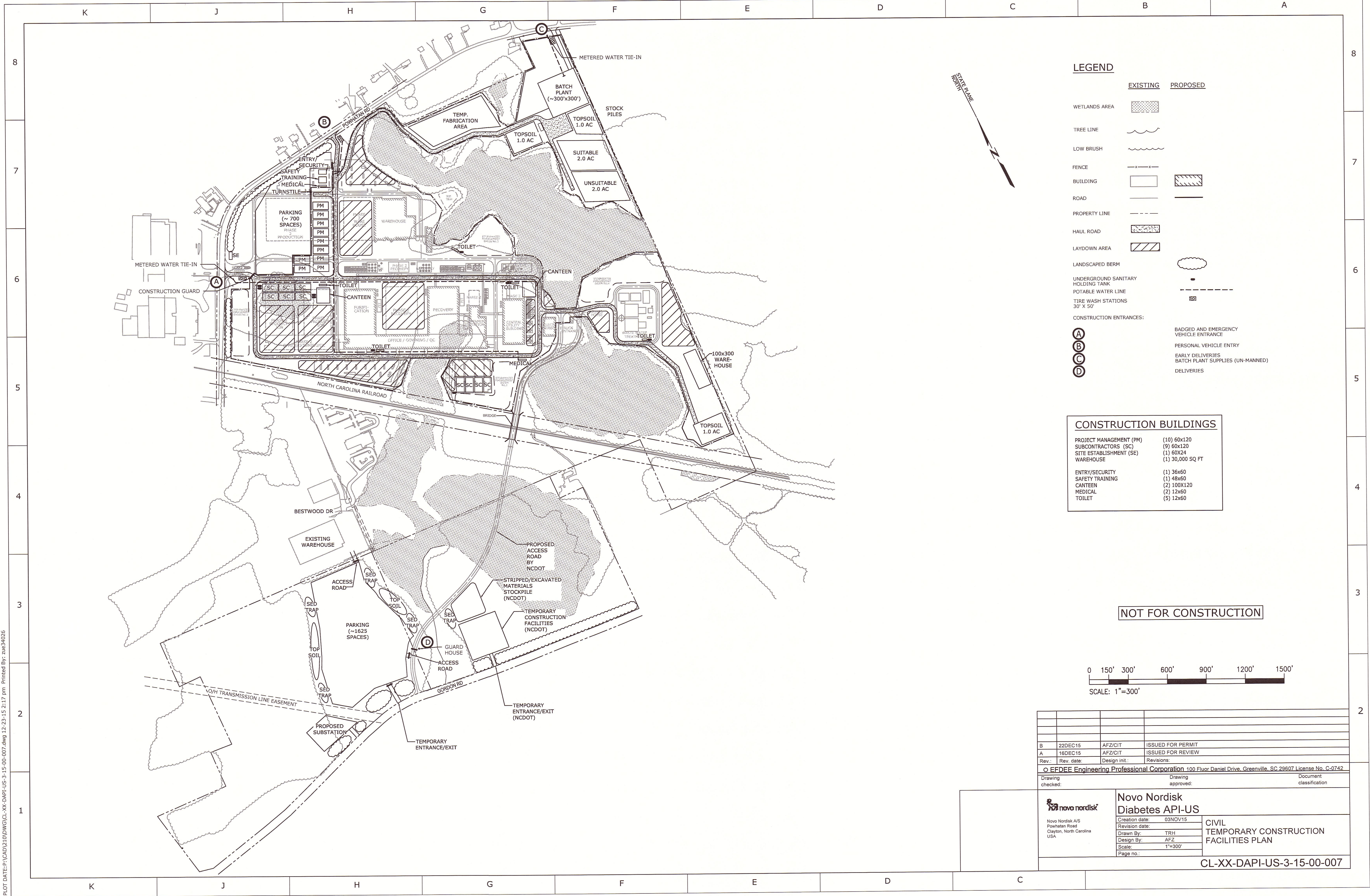
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C	06JAN16	AZT/CIT	ISSUED FOR PERMIT
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
A	16DEC15	AFZ/CIT	ISSUED FOR REVIEW
Revisions:			
Rev.	Rev. date	Design int.	Revisions:
O EFDEE Engineering Professional Corporation 100 Fluor Daniel Drive, Greenville, SC 29697 License No. C-0742			
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		Revision date: 27JAN16	
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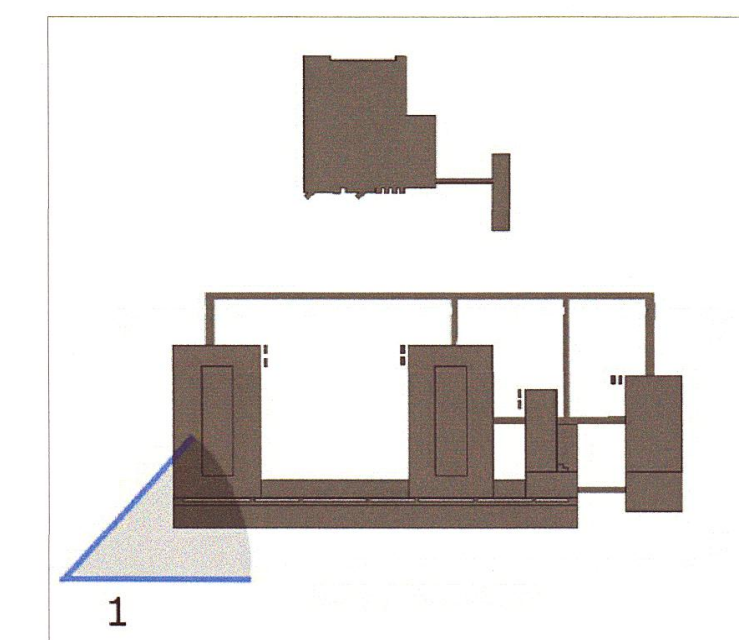
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BRIGHT SKY
CONCEPTUAL

MAIN ENTRY

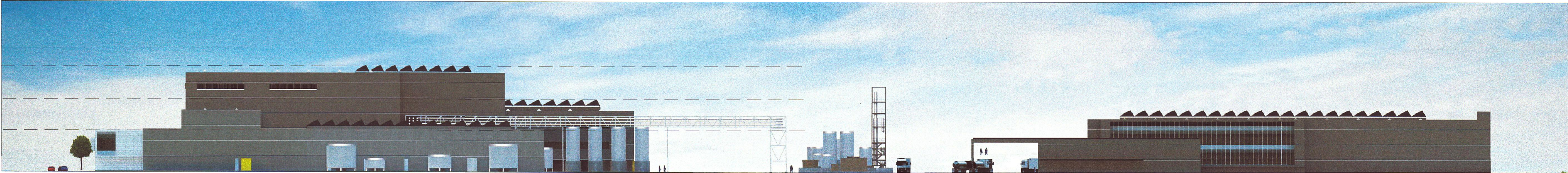
BRIGHT SKY
SITE CONCEPTUAL PLAN

KEY PLAN

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☐ ENCEE Architectural Services, P.C. 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742				
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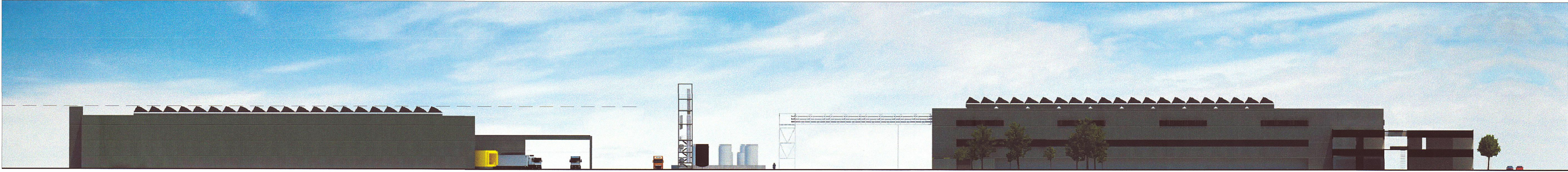
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- Fermentation Roof Level
86'-0"
- Recovery and Purification Roof Level
56'-0"
- Spine Roof Level
38'-0"



BRIGHT SKY
CONCEPTUAL EAST FACADE

- Warehouse Roof Level
50'-0"

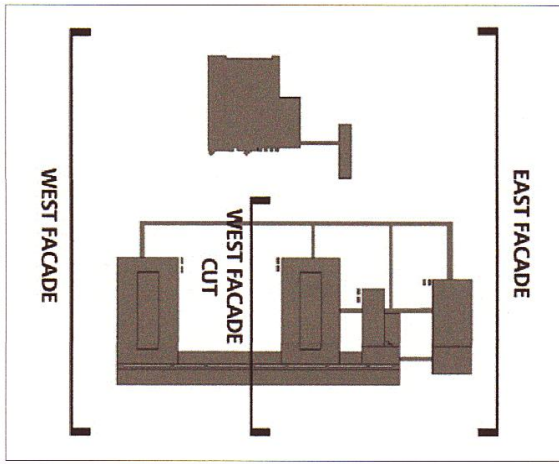


BRIGHT SKY
CONCEPTUAL WEST FACADE - CUT

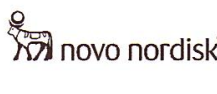
- Warehouse Roof Level
50'-0"



BRIGHT SKY
CONCEPTUAL WEST FACADE



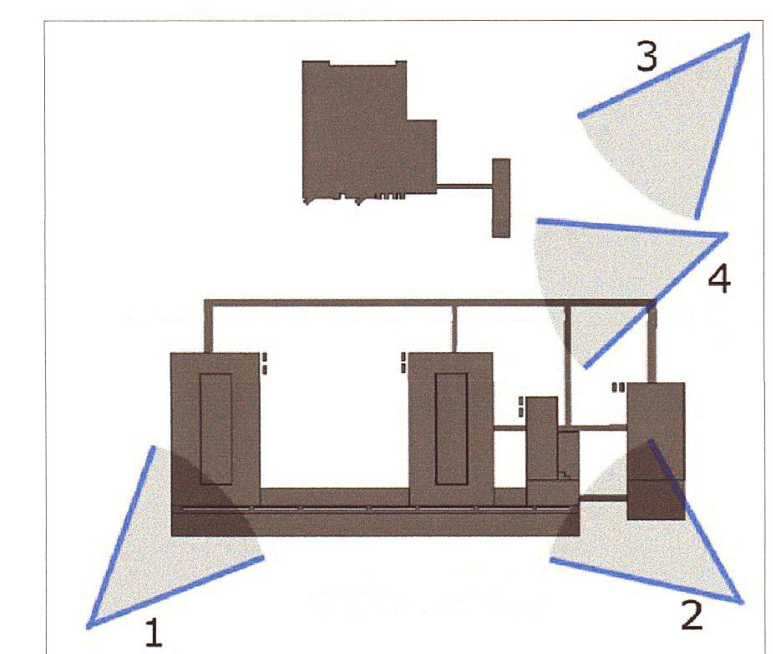
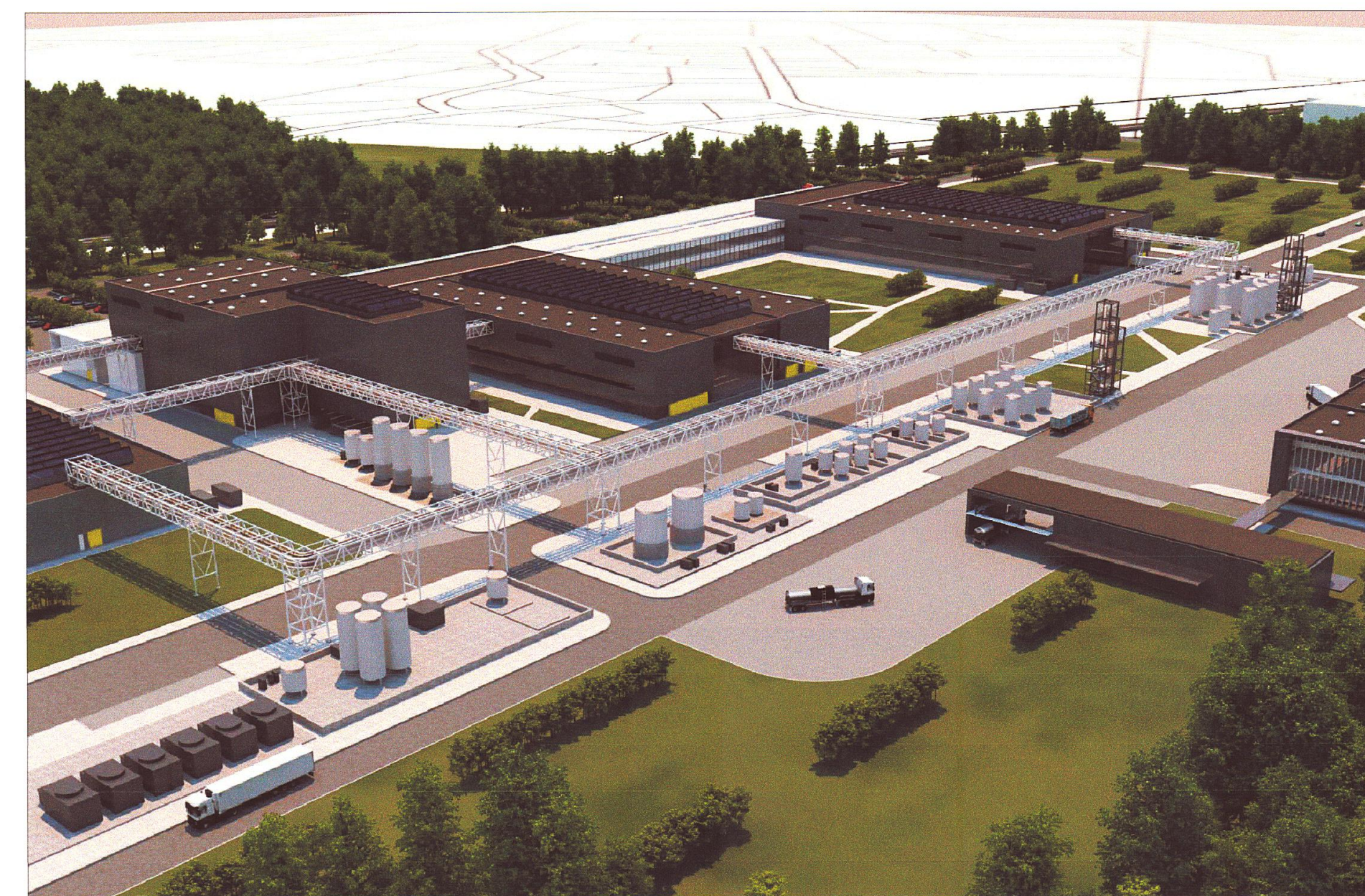
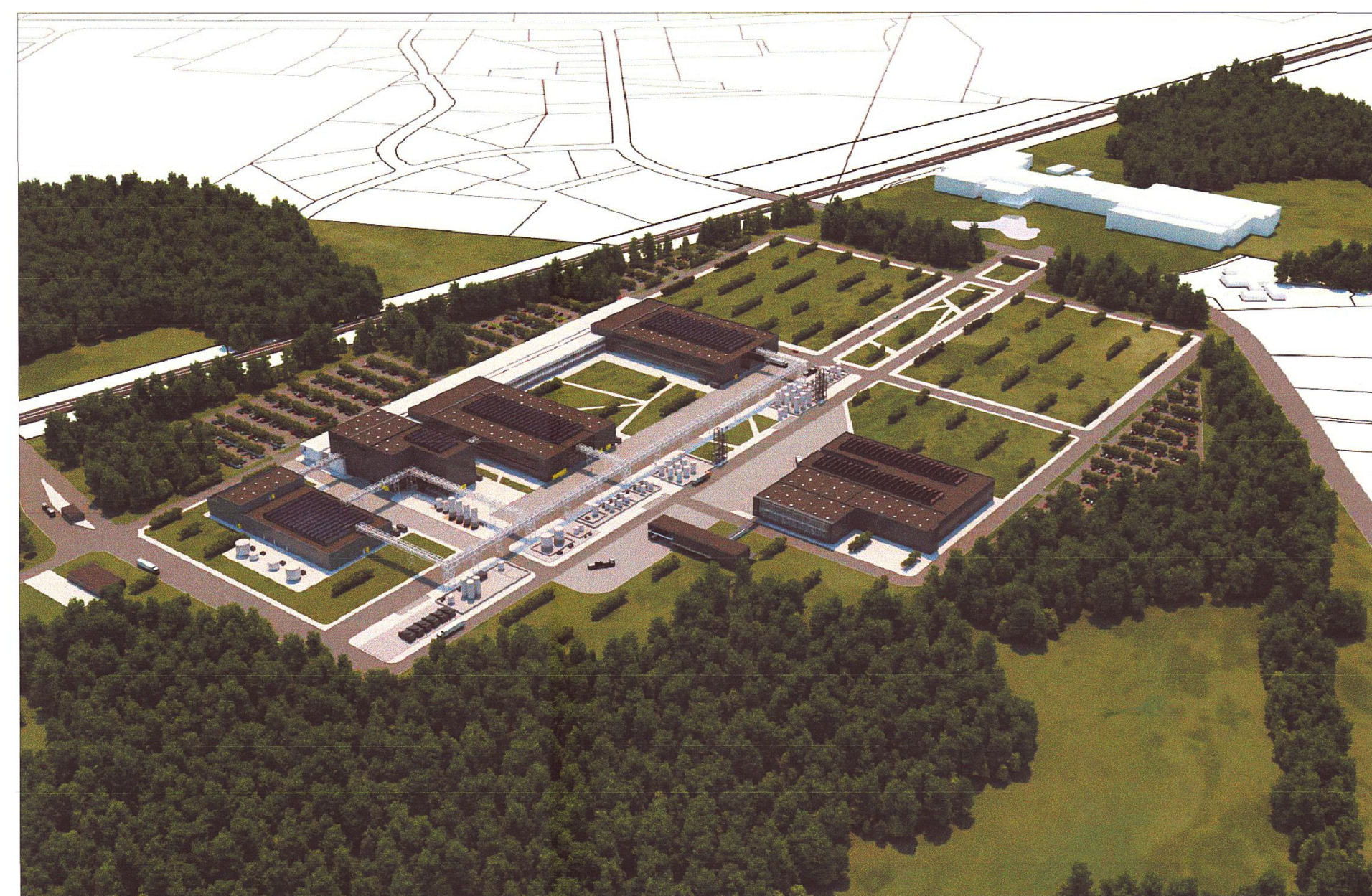
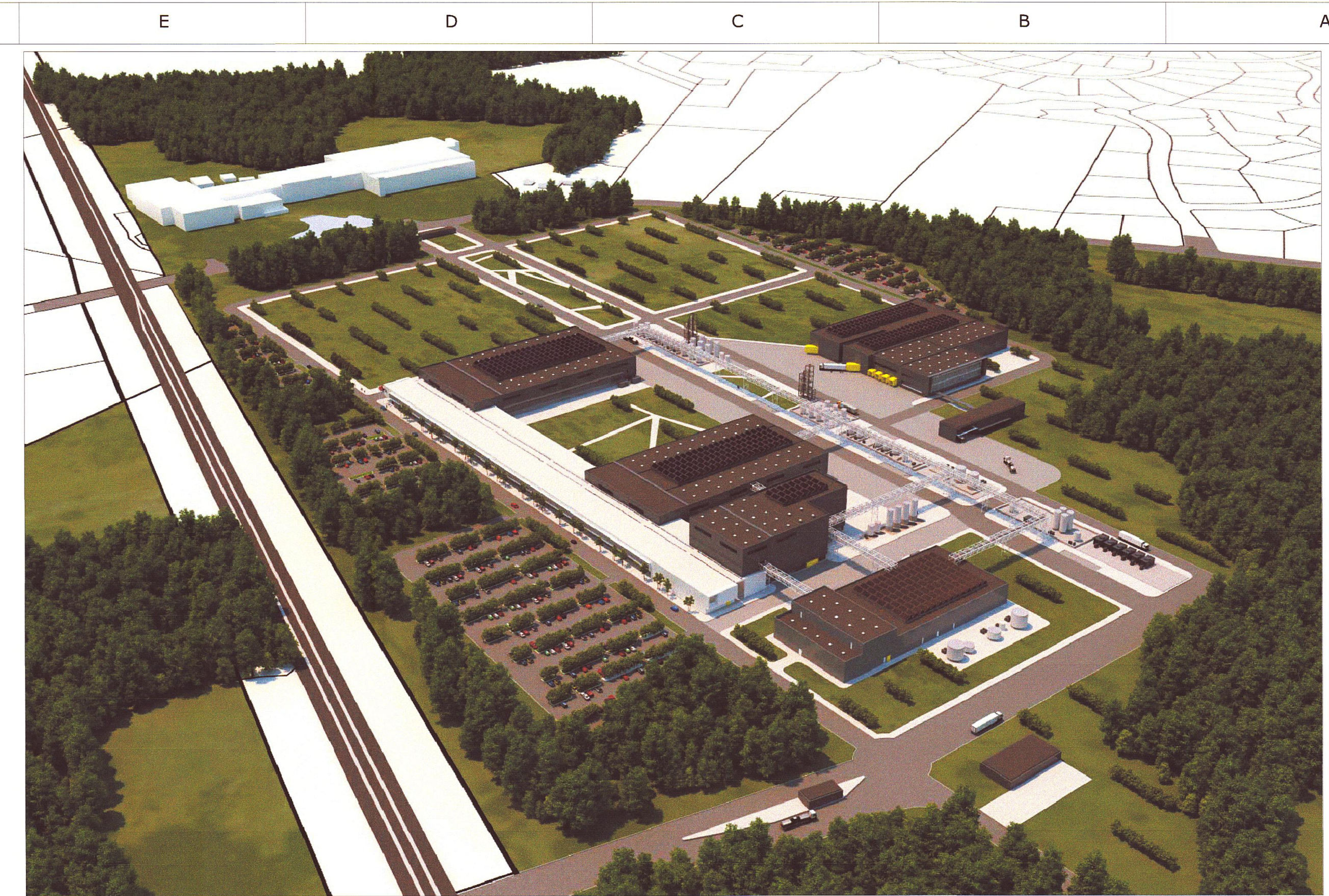
KEY PLAN

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A	16DEC15	TM	ISSUED FOR REVIEW
Rev.:	Rev. date:	Design Init.:	Revisions:
○ ENCEE Architectural Services, P.C., 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742			
Drawing checked:		Drawing approved:	
		Document classification	
 Novo Nordisk A/S Powhatan Road Clayton, North Carolina USA		Novo Nordisk Diabetes API-US	
		Creation date: 08DEC15	
		Revision date:	
		Drawn By: DB	
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		Scale: N.T.S.	
		Page no.:	

ELEVATIONS
CL-XX-DAPI-US-2-10-00-002

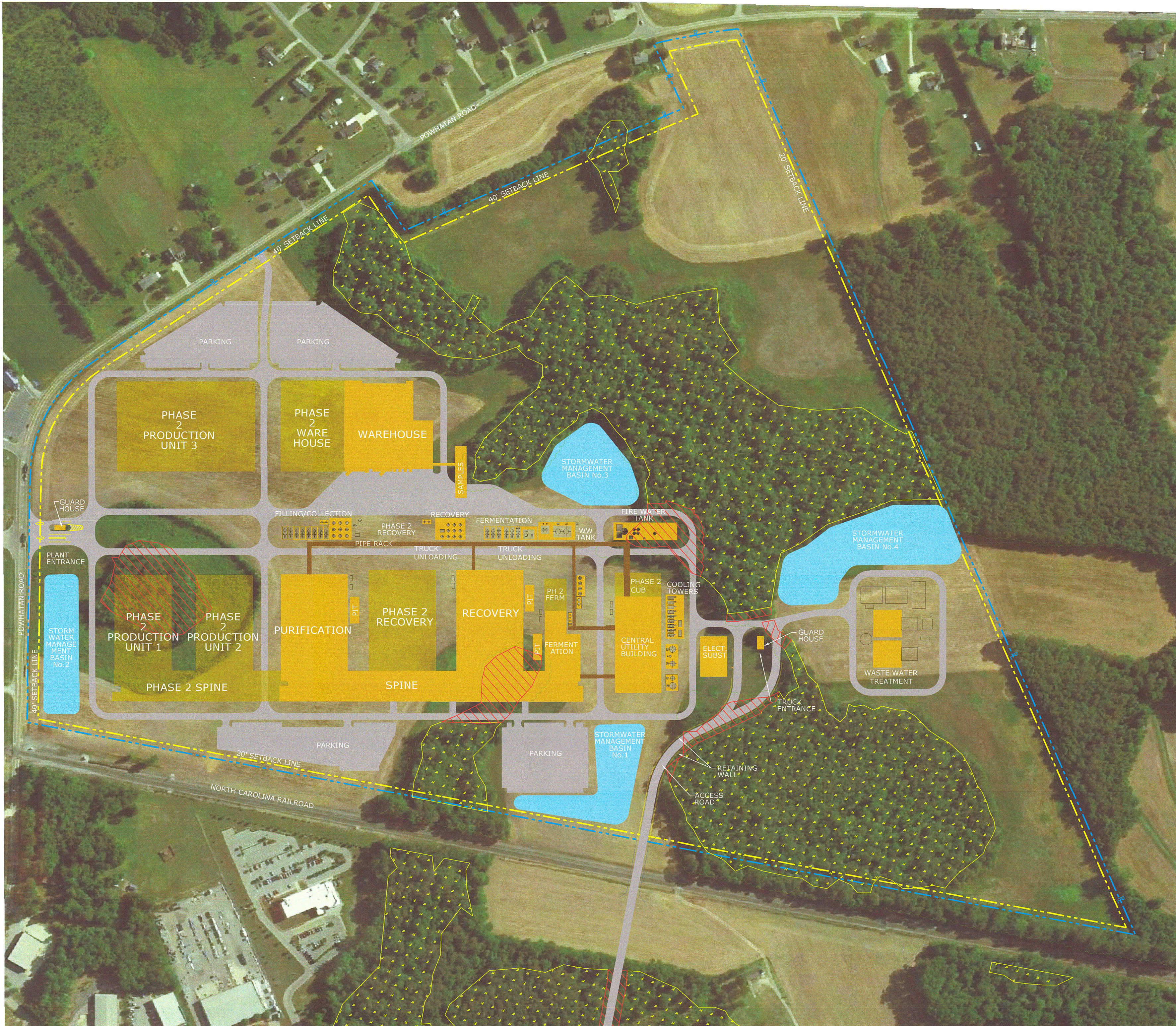
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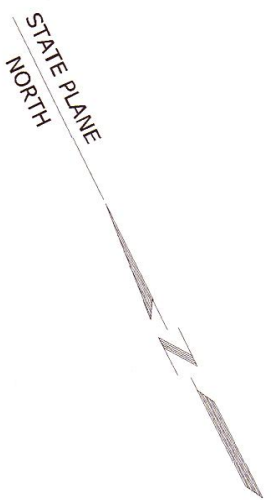


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 Novo Nordisk A/S Poowarden Road Clayton, North Carolina USA		Novo Nordisk Diabetes API-US	
Creation date: 08DEC15 Revision date: Drawn By: DB Design By: TM Scale: N.T.S. Page no.:		- - AERIAL VIEWS	
CL-XX-DAPI-US-2-10-00-004			

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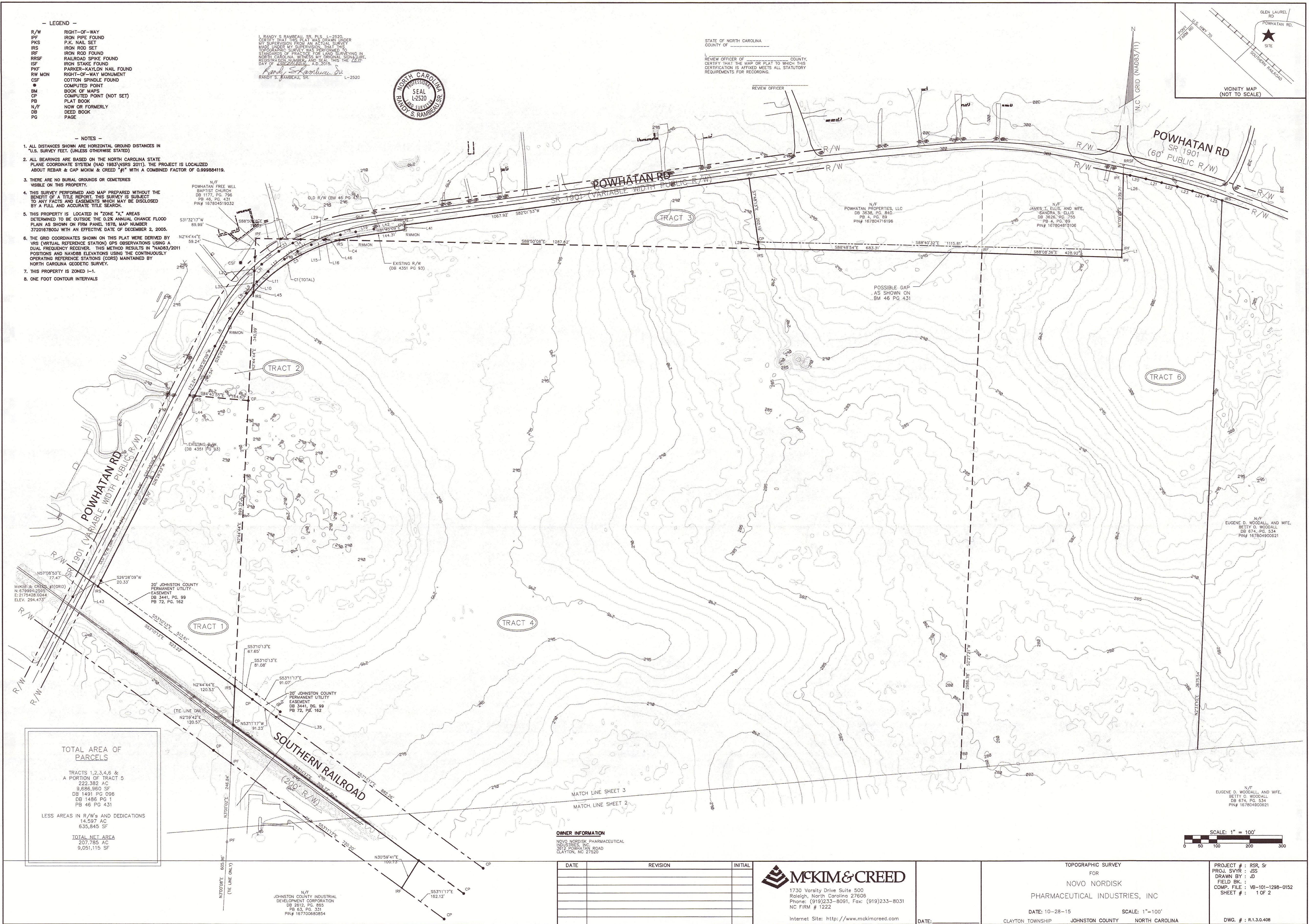


NOTES:
1. REFER TO DRAWING CL-XX-DAPI-US-3-15-00-001 FOR GENERAL NOTES, LIST OF DRAWINGS AND SPECIFICATIONS.

LEGEND:	
EXISTING	PROPOSED
PROPERTY LINE	
TREES	
FENCE	
BUILDING	
ROAD	
STORMWATER MANAGEMENT BASIN No. 3	
DISTURBED WETLANDS	
UNDISTURBED WETLANDS	

A	27JAN16	CIT	ISSUED FOR REVIEW												
Rev.:	Rev. date:	Design Init.:	Revisions:												
EFDEE Engineering Professional Corporation 100 Fluor Daniel Drive, Greenville, SC 29607 License No. C-0742															
Drawing checked:	Drawing approved:		Document classification												
 Novo Nordisk A/S Povungtun Road Clayton, North Carolina USA Novo Nordisk Diabetes API-US <table><tr><td>Creation date:</td><td>29OCT15</td></tr><tr><td>Revision date:</td><td></td></tr><tr><td>Drawn By:</td><td>TRH</td></tr><tr><td>Design By:</td><td>AFZ</td></tr><tr><td>Scale:</td><td>1"=200'</td></tr><tr><td>Page no.:</td><td></td></tr></table> CIVIL SITE MASTER PLAN WITH AERIAL				Creation date:	29OCT15	Revision date:		Drawn By:	TRH	Design By:	AFZ	Scale:	1"=200'	Page no.:	
Creation date:	29OCT15														
Revision date:															
Drawn By:	TRH														
Design By:	AFZ														
Scale:	1"=200'														
Page no.:															
CL ZZ DAPI-US 3 15 00004															





- LEGEND -
R/W RIGHT-OF-WAY
IFF IRON PIPE FOUND
PKS P.C. NAIL SET
IRS IRON ROD SET
RRSF RAILROAD SPIKE FOUND
ISF IRON STAKE FOUND
PNT FARMER-KAYLON NAIL FOUND
RW MON RIGHT-OF-WAY MONUMENT
CSF COTTON SPINDLE FOUND
COMPUTED POINT
BM BOOK OF MAPS
CP COMPUTED POINT (NOT SET)
PB PLAT BOOK
N/F NOW OR FORMERLY
DS DEED BOOK
PG PAGE

- NOTES -
1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET, UNLESS OTHERWISE STATED.
2. ALL BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 1983/VNRS 2011). THE PROJECT IS LOCALIZED ABOUT REBAR & CAP MCKIM & CREED #1" WITH A COMBINED FACTOR OF 0.999984119.
3. THERE ARE NO BURIAL GROUNDS OR CEMETERIES VISIBLE ON THIS PROPERTY.
4. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY IS SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
5. THIS PROPERTY IS LOCATED IN "ZONE 1" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SHOWN ON FIRM PANEL 1676, MAP NUMBER 3700167601 WITH AN EFFECTIVE DATE OF DECEMBER 2, 2005.
6. THE GRID COORDINATES SHOWN ON THIS PLAT WERE DERIVED BY VRS (VIRTUAL REFERENCE STATION) GPS OBSERVATIONS USING A DUAL FREQUENCY RECEIVER. THIS METHOD RESULTS IN "NAD83/2011" POSITIONS AND NAVD83 ELEVATIONS USING THE CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) MAINTAINED BY NORTH CAROLINA GEODETIC SURVEY.
7. THIS PROPERTY IS ZONED I-1.
8. ONE FOOT CONTOUR INTERVALS

TOTAL AREA OF PARCELS
TRACTS 1,2,3,4,5 & A PORTION OF TRACT 6
222,382 AC
9,686,960 SF
DB 1491 PG 098
DB 1486 PG 1
PB 46 PG 431
LESS AREAS IN R/W'S AND DEDICATIONS
14,597 AC
635,849 SF
TOTAL NET AREA
207,785 AC
9,051,115 SF

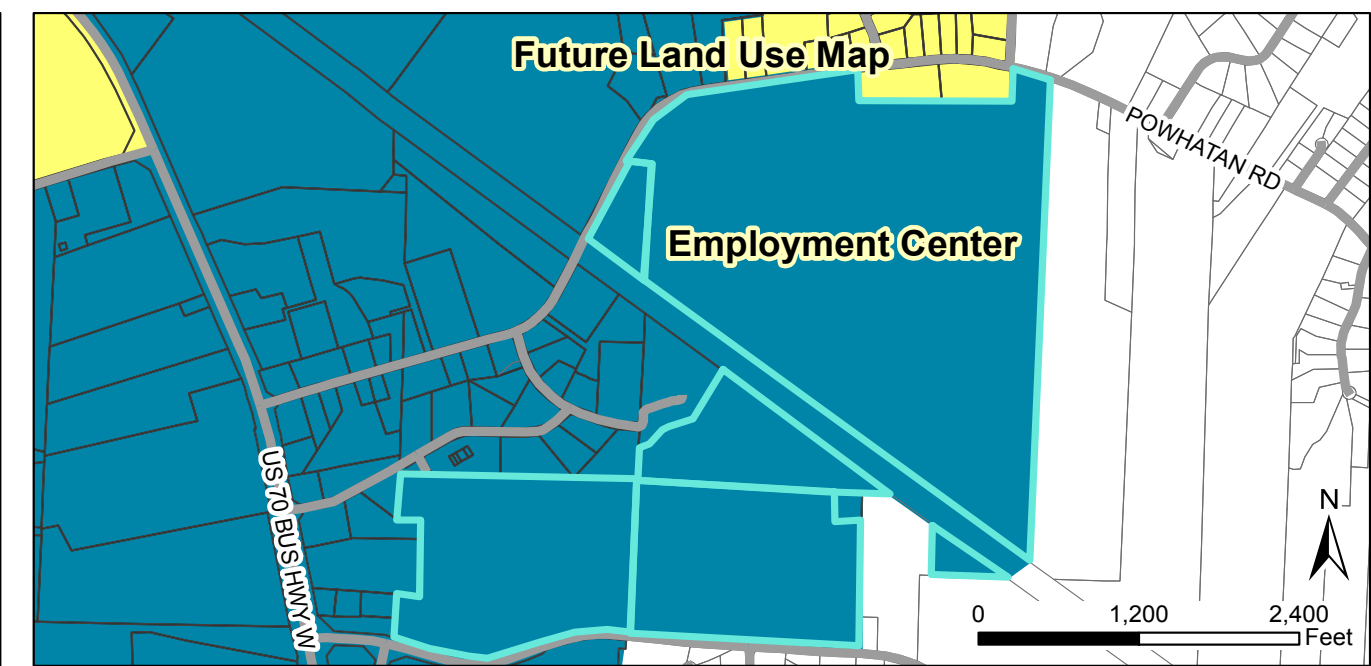
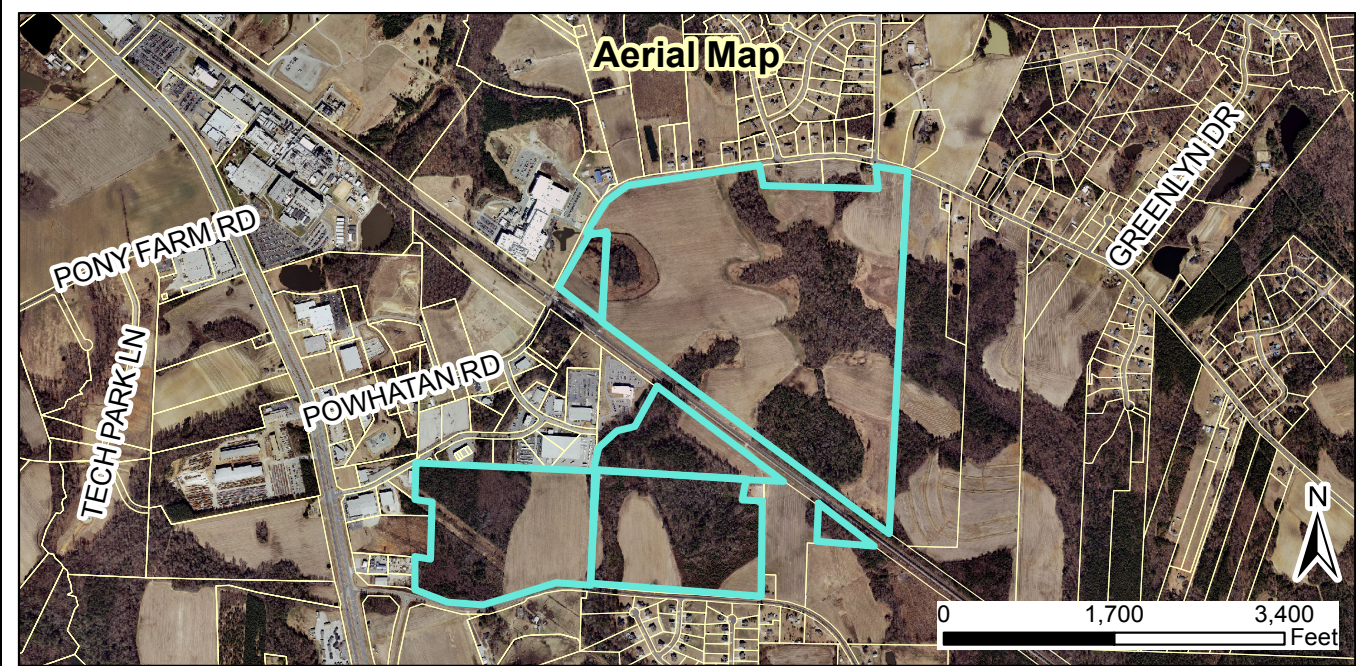
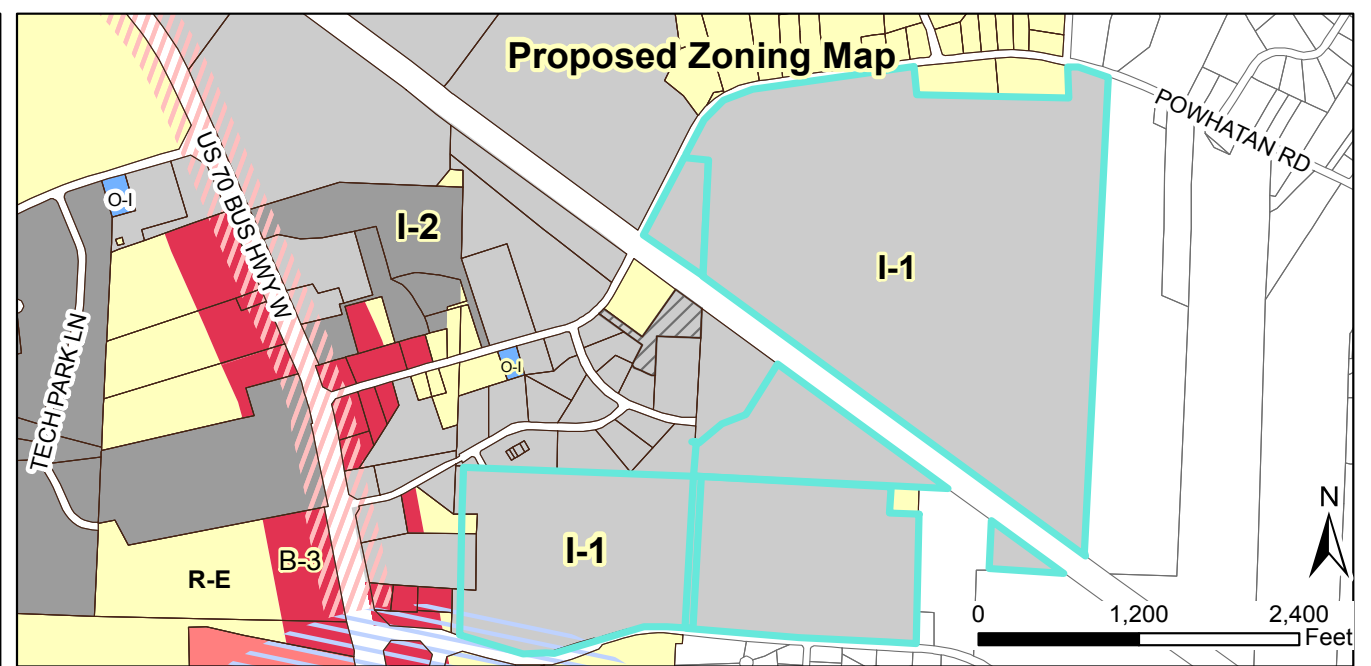
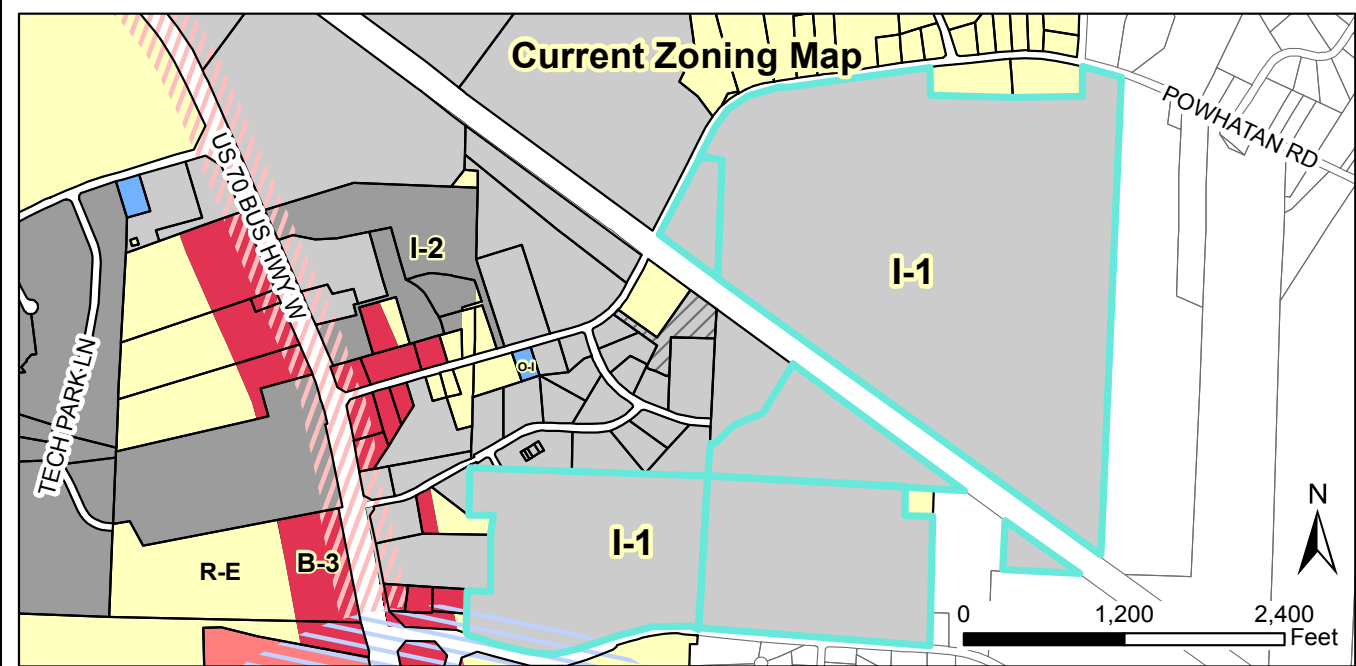
OWNER INFORMATION
NOVO NORDISK PHARMACEUTICAL
1800 PINEHURST RD
CLAYTON, NC 27520

Table with 3 columns: DATE, REVISION, INITIAL. It contains a header row and several empty rows for tracking changes.

MCKIM & CREED
1730 Varsity Drive Suite 500
Raleigh, North Carolina 27608
Phone: (919)233-8051, Fax: (919)233-8031
NC FIRM # 1222
Internet Site: http://www.mckimcreed.com

TOPOGRAPHIC SURVEY
FOR
NOVO NORDISK
PHARMACEUTICAL INDUSTRIES, INC
DATE: 10-28-15 SCALE: 1"=100'
CLAYTON TOWNSHIP JOHNSTON COUNTY NORTH CAROLINA

PROJECT # : RSR, S/
PROJ. SYR : JSS
DRAWN BY : JD
FIELD BK :
COMP. FILE : VB-101-1298-0152
SHEET # : 1 OF 2
DWG. # : R.1.3.0.408

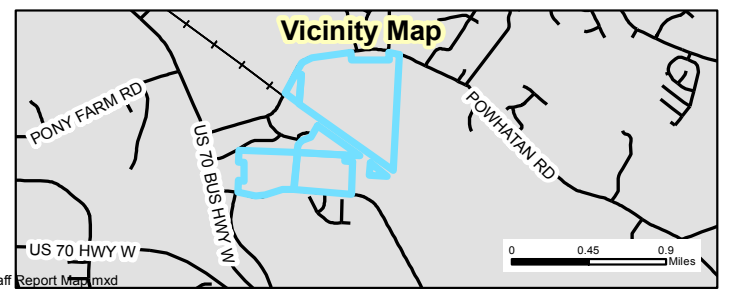


2015-82-SP- Novo Nordisk Bright Sky Major Site Plan (acting as a Master Plan)
Request: To develop a 900,000 square foot API production facility.
2015-20-SUP- Novo Nordisk Bright Sky Building Height Special Use Permit
Request: Special Use request to allow a maximum building height of 90'

Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
 Property Owners: Novo Nordisk Pharmaceutical Industries, Inc.
 Parcel IDs: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9547
 Tag #s: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I0521C



- Site
 - Parcels_03202015_All
 - Special Use District
 - Thorough Fare Overlay
 - Scenic Highway Overlay
- 2/3/16
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.





January 28, 2016

Dear Clayton Area Property Owner:

As a follow-up to the original Neighborhood Meeting notification letter dated January 21, 2016, this subsequent letter is to notify you that a Special Use Permit application has been filed with the Town of Clayton by Novo Nordisk Pharmaceutical Industries, Inc., in addition to the Master Site Plan application referenced in the initial letter. A Special Use Permit has been requested in order for several of the proposed buildings associated with the project to exceed the maximum building height of 50-feet. Per Town of Clayton regulations, a Neighborhood Meeting is required to provide information to area residents about the nature of the Special Use Permit request. As recommended by the Town, information regarding the Special Use proposal will be presented in conjunction with the Master Site Plan Neighborhood Meeting as originally proposed in the January 21, 2016 letter as detailed below. Representative with Novo Nordisk, the Town of Clayton, NC Department of Transportation, and environmental and engineering consultants Kimley-Horn and Associates, and Fluor Engineering will be present to explain the Master Site Plan and Special Use Permit applications, answer questions, and solicit comments.

Meeting Date: February 9, 2016

Meeting Time: 6:00 pm

Meeting Location: Johnston County Workforce Development Center – Discovery Room
135 Best Wood Drive, Clayton, NC 27520

Type of Application: Major Site Plan and Special Use Permit

Property Address: The approximately 269-acre project site is located off of Powhatan Road, east of the existing Novo Nordisk Pharmaceutical Industries facility located at 3612 Powhatan Road in Clayton.

Description of Project/Proposal: The project will consist of the construction of an approximately 900,000 square foot Active Pharmaceutical Ingredients (APIs) production facility. The facility will employ approximately 700 people when it begins operations scheduled for 2020. The construction-related facilities will consist of the following: warehouses for raw materials, finished products, and consumable/cold storage; fermentation buildings for raw product growth; recovery buildings for separation of yeast and byproducts from API; purification buildings for product refinement; waste water tank, fire water tank, and cooling towers; office space, gowning and laboratory building; central utility building housing boilers for clean steam, processed air and water; electrical substation; gate houses at facility entrances; waste water pre-treatment facility; parking facilities; and stormwater management basins. In addition to access off of Powhatan Road, a southern access is proposed off of Gordon Road which will include a bridge over the Norfolk Southern railroad.

Novo Nordisk Pharmaceutical
Industries, Inc.

3612 Powhatan Road
Clayton, NC 27527

T: 919-550-2200
F: 919-553-3670

www.novonordisk-clayton.com

The following will be available for your review at the Neighborhood Meeting:

1. A copy of the project application/plans
2. A map showing the location of the project in relation to neighboring properties and roads.
3. A map/plans showing the development proposal.
4. Architectural building elevations (associated with the Special Use Permit)

If you have any questions prior to or after this meeting, you may contact me at (919) 550-2200.
You may also contact the Planning Department at (919) 553-5002.

Sincerely,



Gary Lohr
Director, Site Support
Novo Nordisk Pharmaceutical Industries, Inc.

Cc: Town of Clayton Planning Department

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____

Date of Mailing: _____

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: _____

Signature: _____

Date of Meeting: 09 Feb 2016

Time of Meeting: 1800 or 6:00pm

Location of Meeting: JCWD: Discovery Room at 135 Best Wood Dr., Clayton, NC 27520

Meeting Summary/Minutes: *provide a summary of the discussion held at the meeting, including issues raised and any resolution discussed, and any changes made to the application as a result of the meeting.*

** See Attached Novo Nordisk Meeting Minutes **

Please write clearly (or submit a typed summary). Use additional sheets if necessary.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application: _____

Location/Date: _____

	NAME	ADDRESS
1	Allen Wellen	Smithfield, NC
2	Haley Hogg	Town of Clayton, Staff
3	JAY McLEOD	" " " "
4	Travis Dunn	305 Deerfield Dr.
5	Baby Furt	FLUOR CORP.
6	Beth Dean	Kimley-Horn
7	Benny + Debbie Fargnoli	19 Stratford Dr Clayton NC
8	Rick Hester	Po Box 1288 Smithfield
9	Bergie Gaddis	P.O. Box 1809, Smithfield, NC
10	Deborah Porto	ICC Clayton
11	Mike Wickey	3416 Kemphrick Ct Raleigh
12	Carol Wickey	3416 Kemphrick Ct Raleigh
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application: _____

Location/Date: _____

	NAME	ADDRESS
1	DAVID DZYOUNG	111 EAST 2 ND ST. CLAYTON 27520
2	Matt Kuntz	
3	Garry Lohr	
4	Gwen Lohr	
5	Norwood Thompson	442 1/2 E. Main St
6	JOE BIZELL	120 S. THIRD ST. SMITHFIELD
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

Minutes

Meeting: NNPII DAPI US Neighborhood Meeting

Date of meeting: 09Feb2016 at 1800

Participants: Town of Clayton, Fluor, Kimley-Horn, NNPII DAPI US, Johnston Co. Sheriff's Dept., Neighborhood residents (See attached Attendance Roster)

Excused: Justin Lamb, Chris Johnson, et al.

Meeting organiser: Gary Lohr

Note Taker: Beth Reed/Jessica Gadbois

Copy: Town of Clayton

Topic/Action	Responsible	Deadline
Meeting commenced at 18:14 with Gary Lohr - Introduced self & DAPI US Project - Introduced groups present: - Kimley-Horn - Town of Clayton - Johnston County - NC-DOT - Fluor - Jo Co Sheriff's Department - Neighbors of NNPII DAPI US Project	Gary Lohr	N/A
PowerPoint utilized by Gary Lohr to present & discuss DAPI US Expansion Project - Agenda included: - Welcome - Safety & Practicalities - Novo Nordisk overview - Origin of Novo Nordisk as a company - Product lines - Introduced GLP1-Oral Protein potential - Worldwide Pandemic of Diabetes - Supply vs Demand - Need for additional insulin production - See Q & A section: #1 - Novo Nordisk in Clayton - History/Development of existing facility - Expansions to meet continued supply & demand 2014 Expansion utilized remaining Novo Nordisk property W. of Powhatan Rd. - Novo's commitment to their Triple Bottom Line: - Financial, Social & Environmental responsibility: Focus on Social & Environmental	Gary Lohr	N/A

Continued on page 2

Topic/Action	Responsible	Deadline
○ DAPI Expansion ▪ Novo's commitment to job site & community ▪ Social Responsibility: Giving back to the community • Job creation ▪ Environmental Aspirations • LEED • Minimize wetland impact • Waste strategies • Water usage • Heat Recovery • Minimize Waste ▪ Rational for Expansion: • Site Clayton: sq. Footage, acreage & project cost • Meet increased demands on insulin supply due to rapid increase in worldwide Diabetes patients • Diversify products & production locations ○ Project Execution ▪ Gary Lohr hands Execution portion of presentation over to Bailey Forrest, Site Manager – Fluor Engineering at 18:27		
○ Project Execution/Logistics ▪ Introduced self, excitement for project & Novo Nordisk as a client ▪ Fluor Philosophy: contain activity within site ▪ Site Layout ▪ Construction Schedule & duration • Phase 1 & Phase 2 ▪ Measures taken to minimize Wetland Impact ▪ Gordon Road • Reviewed Map of Gordon Rd. ○ Access location & needs ○ Note: This opened Q & A's #2. - 8	Bailey Forrest	N/A
• Closing: Gary Lohr closed meeting 18:46 ○ Provided contact information ○ Shared gratitude for attendance & project support ○ Proposed ideas for Social/Environmental responsibility ▪ Community Garden for educational purposes as well as potential donations to local food banks • Bailey Forrest closed with "Being a good neighbor, we are here to stay & be good neighbors"	Gary Lohr/Bailey Forrest	N/A
➤ Questions & Answers		
Question #1: Neighborhood resident: What is attributing to the rise in Diabetes worldwide? Answer: Gary Lohr: A number of attributing factors such as environmental, genetics, diet, obesity as well as early/accurate detection have influenced the increase in Diabetic patients globally.	Gary Lohr	N/A
Question #2: Multiple residents: Requested a closer look at Gordon Road via the map on the Presentation screen and what the impact/improvements will be on the Road. Answer: Tim Little with NCDOT responded on the street improvements: The intersection improvements at US 70/Gordon Road will be required including signalization and US 70/Powhatan Road intersection improvements will also be required based upon the results of the Traffic Study prepared by Kimley-Horn and Associates.	Tim Little	N/A

Topic/Action	Responsible	Deadline
Question #3: Neighborhood resident: Is the property line, beyond the track, anywhere near Entrance? Answer: Bailey Forrest: Spoke of the Security House, laydown/construction then proceeded to show the resident on the Presentation slide Map.	Bailey Forrest	N/A
Question #4: Neighborhood resident: How far does the road & bridge come up from US Hwy 70? Answer: Norwood Thompson responded the road would go through a southern field not across from Edenborough. Answer: Bailey Forrest zoomed in on the Presentation Map to show Bridge across the Rail Road. Answer: Gary Lohr spoke on the importance of taking traffic away from the neighborhood. Answer: Tim Little spoke on the traffic, Street/Road improvements on Edenborough, Gordon & Bus 70.	Bailey Forrest, Gary Lohr & Tim Little	N/A
Question #5: Neighborhood resident inquired about Gate C Answer: Bailey Forrest explained this was temporary for staging	Bailey Forrest	N/A
Question #6: Neighborhood resident: Are you widening Gordon Road? Answer: Tim Little: There will be minimal widening required from Gordon Road Access tie in to Gordon Road back to the Gordon Road/US 70 Intersection; 2 feet wide on shoulders for Trucks traffic.	Tim Little	N/A
Question #7: Allen Wellons: How many employed by Construction Craft? Answer: Bailey Forrest : 1600-1800 Construction Craft for 2018, they will have split access to the site. (Allen replied he liked the numbers of employment)	Bailey Forrest	N/A
Question #8: Neighborhood resident: Do you anticipate more land acquisition for future projects? Answer: Gary Lohr: No additional acquisitions are proposed and if future expansion occurs outside the Phase 1 and 2 plans, it would be located to avoid wetland areas and potentially in the upland area within the existing property adjacent to the Powhatan/Glen Laurel Road intersection.	Gary Lohr	N/A
➤ End of Meeting Minutes/Q&A		

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167700-77-4939	New Bethel Church	1814 Gordon Road, Clayton, NC 27520
167700-77-7532	Betty L Mitchell	2367 Gordon Road, Clayton, NC 27520
167700-86-5850	Matthew E Spence	1685 Gordon Road, Clayton, NC 27520
167700-76-4994	Betty C Woodall	2175 Grabtown Road, Smithfield, NC 27577
167700-90-0621	Eugene D Woodall Betty Sue Woodall	484 Packing Plant Rd, Smithfield, NC 27577
167700-37-7058	Theodore James Cihos Betty Cihos	2017 Fox Den, Clayton, NC 27527
167700-37-7594	Walthom Group	442 1/2 East Main Street, Clayton, NC 27520
167700-37-7870	Winstead Building I A NC Partnership	P.O. DRAWER 1960, Smithfield, NC 27577
167700-37-9213	Theodore James Cihos Betty Cihos	2017 Fox Den, Clayton, NC 27527
167700-38-8091	Raymond M House Jr Angela C House	2020 Casey Road, Clayton, NC 27520
167700-48-1211	Walthom Group	442 1/2 East Main Street, Clayton, NC 27520
167700-48-5249	North Tech 120 LLC	120 North Tech Drive, Suite 102, Clayton, NC 27520
167700-48-9258	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097
167700-56-1770	Betty L Mitchell	2367 Gordon Road, Clayton, NC 27520
167700-56-9884	Claudia Gonzalez Santillan Jose Guadalupe Rocha Saucedo	103 Granton Court, Clayton, NC 27520
167700-58-2364	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097
167700-58-6227	Neuse River Leasing Inc	2160 Satellite Boulevard, Duluth, GA 30097

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167700-59-3446	Young Mun Son Hae Sook Son	3733 Powhatan Rd, Clayton, NC 27520
167700-59-6259	Lamm Media Group LLC	P.O. BOX 90, Smithfield, NC 27577
167700-66-3895	David J Koehler Valerie L Koehler	102 Granton Court, Clayton, NC 27520
167700-66-5871	David W Wiley Lisa B Wiley	24 Slateford Drive, Clayton, NC 27520
167700-66-8841	Benny Harold Langdon Deborah P Langdon	19 Slateford Drive, Clayton, NC 27520
167700-68-0854	Johnston County Industrial Development Corporation	P.O. BOX 1179, Smithfield, NC 27577
167700-76-0890	Scot Schwichow Diane M Schwichow	147 Eddlestone Court, Clayton, NC 27520
167700-76-3757	Charles E Adkins Tara Kristin Adkins	148 Eddlestone Ct, Clayton, NC 27520
167700-76-5792	Joseph B Jones Dorothy Jones	P.O. Box 871, Clayton, NC 27520
167804-51-8252	Powhatan Free Will Baptist	3470 Powhatan Road, Clayton, NC 27527
167804-61-0681	Grifols Therapeutics Inc	P.O. BOX 110526, Durham, NC 27709
167804-61-5488	Teresa Smith Scott	3366 Powhatan Road, Clayton, NC 27527
167804-61-7520	Larry Smith Linda T Smith	3352 Powhatan Road, Clayton, NC 27527
167804-61-9916	Roger William Hill Ginger Smith Hill	3276 Powhatan Road, Clayton, NC 27527
167804-62-3275	Kan D Holding LLC	444 E Main Street, Clayton, NC 27520
167804-71-1317	Roger William Hill	3276 Powhatan Road, Clayton, NC 27527
167804-71-2399	Warren Douglas Smoot Sharon Bond Smoot	3248 Powhatan Road, Clayton, NC 27527

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
167804-71-4452	Earl Wayne Poole Nancy E Poole	3226 Powhatan Road, Clayton, NC 27527
167804-71-6196	Powhatan Properties LLC	305 Deerfield Drive, Clayton, NC 27527
167804-81-3106	James Terry Ellis Sandra Stephenson Ellis	2007 Ridge Road, Clayton, NC 27520
167804-81-4402	Yazan Hassan Issa	23 Glen Laurel Road, Clayton, NC 27527
167804-91-0564	Powhatan Road Limited Partnership	P.O. BOX 327, Clayton, NC 27528
167804-91-5923	Charles B Gordon Powhatan Road Limited Partnership	P.O. BOX 327, Clayton, NC 27528
167804-41-9237	Novo Nordisk Pharmaceutical Industries Inc	3612 Powhatan Road, Clayton, NC 27527
167804-40-6294	Novo Nordisk Pharmaceutical Industries Inc	3612 Powhatan Road, Clayton, NC 27527
167700-47-9545	Young Family Irrevocable Trust Jenny Y Kelling Trustee	3739 National Dr, Ste 227, Raleigh, NC 27612

**Town of Clayton
Town Council
SUP Motion Sheet**

After considering the competent, material, and substantial evidence presented, including the application and materials of record, I move to (PICK ONE):

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application #2016-20 – Novo Nordisk Bright Sky Building Height.

This motion is based on the following findings:

1. The application **will not** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

OR

The application **will** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved. (State evidence supporting finding.)

2. The application **meets all** required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.

OR

The application **does not meet all** required specifications and **does not** conform to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations. (State evidence supporting finding.)

3. The application **will not** substantially injure the value of adjoining or abutting property, and **will not** be detrimental to the use or development of adjacent properties or other neighborhood uses.

OR

The application **will** substantially injure the value of adjoining or abutting property, and **will** be detrimental to the use or development of adjacent properties or other neighborhood uses. (State evidence supporting finding).

4. The application **will not** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

OR

The application **will** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties. (State evidence supporting finding.)

[If approved with conditions] The applicant meets the above findings subject to the following conditions:

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on April 4, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following special use application:

- Novo Nordisk Bright Sky Building Height Special Use Permit, 2016-20-SUP. The request is to allow a maximum building height of 90 feet, which exceeds the maximum height permitted outright in the Unified Development Code, for the buildings that will be a part of the new production facility for Novo Nordisk Pharmaceuticals. Parcel numbers 167804-50-7128 and 167804-60-8595.

During an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

This is an open meeting and the public is invited to attend.

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
Wednesday, March 23, 2016
Wednesday, March 30, 2016

Affidavit of publication required.

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2016-20-SUP
GRANTED**

On the date listed below, the Town Council for the Town of Clayton met and held an evidentiary hearing to consider the following application:

Applicant:	Novo Nordisk Pharmaceutical Industries, Inc.
Property Owner:	Novo Nordisk Pharmaceutical Industries, Inc.
Property Location:	3612 Powhatan Road, Clayton, NC 27527
Brief Property Description:	+180.76 acres
Tax Parcel Number:	167804-50-7128, 167804-60-8595
Proposed Use of Property:	Allow Maximum Building Height of 90'
Hearing Date:	April 4, 2016

Having heard all the evidence and argument presented at the hearing, the Board of Adjustment makes the following findings:

- (1) That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.
- (2) That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.
- (3) That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
- (4) That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

The Town Council also finds the Special Use Permit is subject to the following conditions:

1. All buildings exceeding the maximum height limitation for this zoning district (currently 50 feet) shall be located at least 10 feet from the present day project limits (defined as the outermost property line of the parcels included in this Special Use Permit) for every 1 foot that the building exceeds the height of 50 feet.
2. The building height specifications identified in the approved Master Plan shall be the extent to which each particular building height may be exceeded.
3. This Special Use Permit shall only apply to this Master Plan, and shall be null and void should any portion of the property in the future be split off from the current project.
4. This Special Use Permit shall only apply to the two parcels on the north side of the railroad tracks.

TOWN OF CLAYTON

BY: _____
Mayor

DATE: _____
[Note: within 14 days of decision per Code Section
155.702(G)]

ATTEST:

_____(SEAL)
Town Clerk



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearings

Meeting Date:

April 4, 2016

ITEM TITLE:

Refinance of Two Existing Finance Agreements

DESCRIPTION:

Information was provided at the March 7 2016 Town Council meeting regarding opportunities for savings with refinancing. Approval for moving forward was granted. Two existing finance agreements will be refinanced and will be secured by the Clayton Community Center and the Clayton Law Enforcement Center.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Finance Department

PRESENTER:

Robert McKie

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:

PUBLIC NOTICE

Notice is hereby given that the Town Council of the Town of Clayton will hold two public hearings on Monday, April 4, 2016 at 6:30 PM at Town Hall, 111 East Second Street, with respect to (1) an installment financing agreement in the amount of \$5,990,000, the proceeds of which will be used to refinance one or more existing financing agreements, and will be secured by the Clayton Community Center; and (2) an installment financing agreement in the amount of \$7,335,000, the proceeds of which will be used to refinance one or more existing financing agreements, and will be secured by the Clayton Law Enforcement Center.

The public is invited to attend.

**Kimberly A. Moffett, CMC
Town Clerk**

News & Observer

**Please advertise on the following dates:
March 25, 2016**

Affidavit of publication required.

TOWN COUNCIL
OF THE
TOWN OF CLAYTON, NORTH CAROLINA

Excerpt of Minutes
of Meeting of
April 4, 2016

Present: Mayor _____ presiding, and Councilmembers: _____

Absent: _____

* * * * *

Councilmember _____ introduced the following resolution, the title of which was read:

* * * * *

RESOLUTION AUTHORIZING THE FILING OF AN
APPLICATION FOR APPROVAL OF AN INSTALLMENT
FINANCING AGREEMENT AUTHORIZED BY NORTH
CAROLINA GENERAL STATUTE §160A-20 AND MAKING
CERTAIN FINDINGS REQUIRED BY NORTH CAROLINA
GENERAL STATUTE §159-151

WHEREAS, the Town Council (the "Council") of the Town of Clayton, North Carolina (the "Town") desires to pursue the refinancing of (i) an Installment Financing Agreement dated September 14, 2007, between the Town and First-Citizens Bank & Trust Company in the amount of \$2,073,434.68, the proceeds of which were used to purchase park land, (ii) an Installment Financing Agreement between the Town and USDA in the amount of \$5,000,000, the proceeds of which were used to finance a new community center, (iii) an Installment Financing Agreement dated February 5, 2009, between the Town and PNC Bank, National Association in the amount of \$1,500,000, the proceeds of which were used to finance the construction of a new community center, and (iv) an Installment Financing Agreement dated November 30, 2010, between the Town and First-Citizens Bank & Trust Company in the amount of \$6,070,000, the proceeds of which were used to finance the construction of a new law enforcement center (collectively, the "Prior Loans") pursuant to one or more installment financing agreements, as permitted under N.C.G.S. § 160A-20; and

WHEREAS, it is anticipated that the cost of the refinancing of the Prior Loans and payment of issuance expenses in connection with the refinancing will be approximately \$13,325,000.00; and

WHEREAS, the refinancing of the Prior Loans pursuant to N.C.G.S. § 160A-20 must be approved by the North Carolina Local Government Commission (the "LGC") and will only be approved if the findings of N.C.G.S. § 159-151(b) have been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town, as follows:

1. After consideration, the Council has determined that the most advantageous manner of refinancing of the Prior Loans is by one or more installment contracts pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended.

2. Pursuant to Section 160A-20, the Town is authorized to the refinance the Prior Loans by entering into one or more installment contracts and security agreements or other security instruments that create security interests in some or all of the property financed or refinanced to secure repayment of such financing.

3. The proposed financings are necessary or expedient because of the need to refinance the Prior Loans to provide debt service savings for the Town.

4. The proposed financings are preferable to general obligation bond financings for the same purposes because the original financings were done pursuant to Section 160A-20.

5. The cost of the proposed undertaking exceeds the amount of funds that can be prudently raised from currently available appropriations, unappropriated fund balances, and non-voted general obligation bonds that could be issued by the Town in the fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution.

6. The cost of financing under the proposed financings will not be materially greater than the cost of issuing general obligation bonds and will result in cost savings because of reduced debt service.

7. The sums proposed to be provided under the financings are adequate and not excessive for the stated purpose of refinancing the Prior Loans.

8. The Town's debt management procedures and policies are good and have been carried out in strict compliance with law and will henceforth be so carried out.

9. There will be no increase in taxes necessary to meet the sums to fall due under the proposed financings.

10. The Town is not in default in any of its debt service obligations.

11. The attorney for the Town will render an opinion that the proposed refinancing of the Prior Loans is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

12. Each of the Town Manager, the Town Finance Director and other appropriate officers of the Town is hereby authorized and directed to proceed with the refinancing of the Prior Loans and to file one or more applications with the LGC for its approval of such financings as described above for the refinancing of the Prior Loans in an amount no to exceed \$13,325,000, and the actions of any of the Mayor, the Town Manager, the Town Finance Director, and other officers of the Town in connection therewith are hereby approved and confirmed.

15. All other acts of the Council and the officers of the Town which are in conformity with the purposes and intent of this Resolution and in furtherance of the refinancing of the Prior Loans are hereby ratified, approved and confirmed.

16. This resolution shall take effect immediately.

Councilmember _____ moved the passage of the foregoing resolution and Councilmember _____ seconded the motion and the resolution was passed by the following vote:

Ayes: Councilmember _____

Nays: Councilmember _____

Not voting: Councilmember _____

* * * * *

I, Kimberly A. Moffett, Town Clerk for the Town of Clayton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Town Council of the Town at a regular meeting duly called and held on April 4, 2016, and that the proceedings of such meeting are recorded in the Minutes of said Board. Pursuant to N.C.G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Town Council of the Town is on file in my office.

I DO HEREBY FURTHER CERTIFY that due notice of such meeting, stating its time and place and the subjects to be considered was posted, mailed or delivered as required by G. S. § 143-318.12(b)(2).

WITNESS my hand and the official seal of the Town this ____ day of April, 2016.

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton, North Carolina

(SEAL)



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearings

Meeting Date:

April 4, 2016

ITEM TITLE:

Rezoning 2015-84-RZ - Clayton Northside Substation

DESCRIPTION:

Request to rezone the subject parcel from Residential (R-E) to Public Facilities (PF). This property is at 1200 N. O'Neil Street, but is physically located east of the approved Ashcroft subdivision, west of the Sam's Branch greenway, south of the Neuse River.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

March 21, 2016

Action Taken:

Set Public Hearing for April 4, 2016

Information Provided:

Application/Staff Report/Recommendation

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

REZONING APPLICATION

Pursuant to Article 7, Section 155.704 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to amend the Official Zoning Map.

Application fee: Standard Rezoning: \$500.00
Rezoning to Planned Development District: \$1,000.00 + \$5.00 acre
All fees are due when the application is submitted.

Note on Planned Developments: Requests to rezone to a Planned Development District must be accompanied by a Master Plan submittal. Master Plans are approved as Preliminary Subdivision Plats – please submit a concurrent Preliminary Subdivision Plat application and Master Plan.

SITE INFORMATION

Clayton Northside 230 KV Substation Rezoning
Name of Project: Sam's Branch Substation Acreage of Property: 78.54
County Tag Number: 05H02199W NC PIN: 166900-96-3977
Address/Location: Located along Sam's Branch Greenway
Existing Zoning District: R-E (Residential Estate)
Proposed Zoning District: P-F (Public Facilities)
Is project within an Overlay District? ☒ No
☐ Yes (list): _____

APPLICANT INFORMATION

Applicant: Town of Clayton
Mailing Address: PO Box 879 Clayton, NC 27528
Phone Number: 919-553-5002 Fax: _____
Contact Person: Planning Dept. - Haley Hogg or Jay McLeod
Email Address: hhogg@townofclaytonnc.org or jwm@townofclaytonnc.org

FOR OFFICE USE ONLY

Date Received: <u>DEC 30 2015</u>	Amount Paid: <u>Town initiated</u>	File Number: <u>2015-84-RZ</u>
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version 07/30/2015
Town of Clayton
Planning Department

PROPERTY OWNER INFORMATION

Name: Town of Clayton
Mailing Address: PO Box 879 Clayton, NC 27528
Phone Number: _____ Fax: _____
Email Address: _____

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

Rezoning of subject parcel from R-E to P-F to
accommodate future Town Substation

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			To be completed by staff:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☐	☒			
2. Review Fee (\$500 for standard rezoning OR \$1,000 + \$5.00/acre for Planned Developments)	☐	☒	Fee waived - town initiated		
3. Completed application	☒				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	☐	☒			
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	☐				
6. If property to be rezoned is a portion of a parcel: - Property legal description typed (10 pt. font or greater). The legal description must also be submitted electronically in Microsoft Word format. - Plat showing property to be rezoned, matching legal description.	☐ ☐	☒ ☒			
7. Adjacent property owners list	☒	☐			
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>	☒				
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town - thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	☒				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

The Town recently adopted the PF zoning district, specifically for public property. The rezoning will make the subject properties consistent with Town Council direction.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.

As stated above, the PF zoning district was created to be a suitable zoning district for public property.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.

The change to the subject property classifies it in a new zoning district. This district balances other uses by separating public and private property.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.

The PF zoning district is designed to specifically differentiate public facilities and services.

5. It has been determined that the legal purposes for which zoning exists are not violated.

The subject rezoning does not violate the legality
of the proposed zoning.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

The subject properties are currently occupied with
public facilities and associated uses.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The purpose of the rezoning is to correctly classify
public facilities which benefit the general public.

APPLICANT AFFIDAVIT

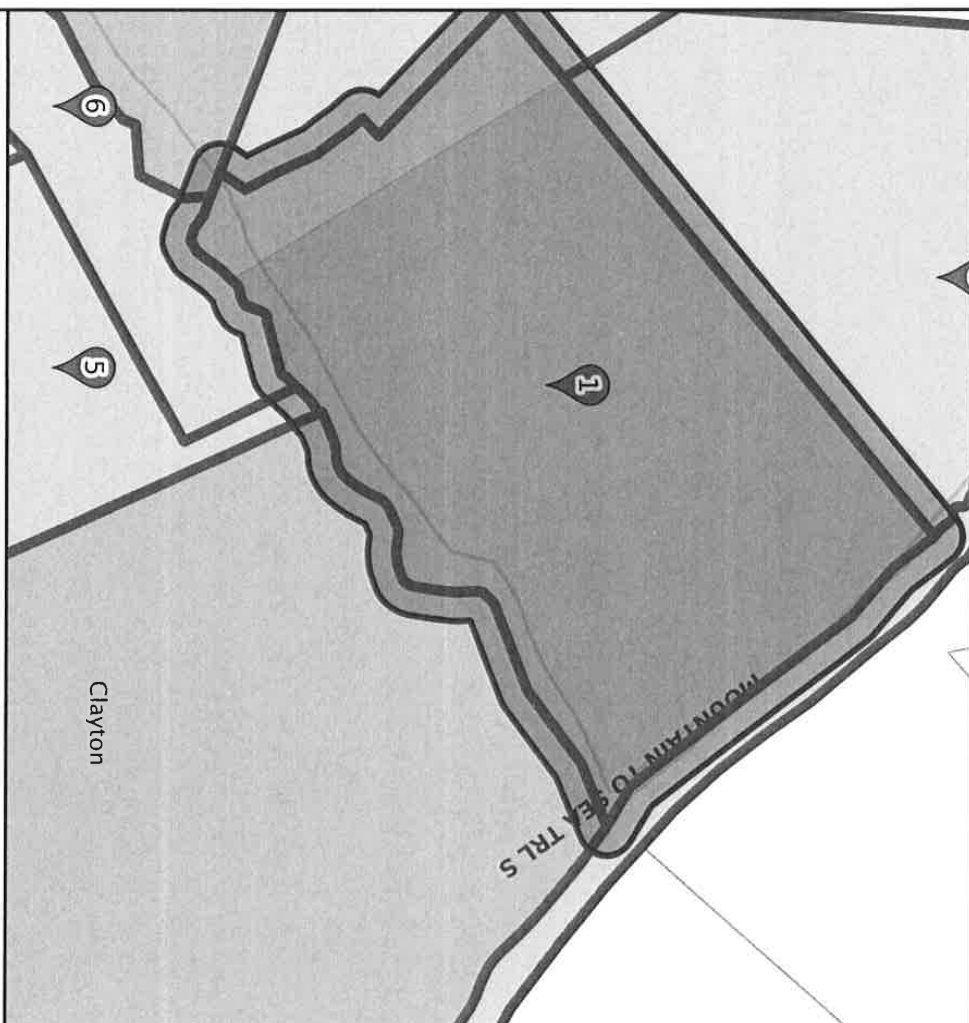
I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Haley Hogg
Print Name

Haley Hogg
Signature of Applicant

12-30-15
Date

*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.



Result 1

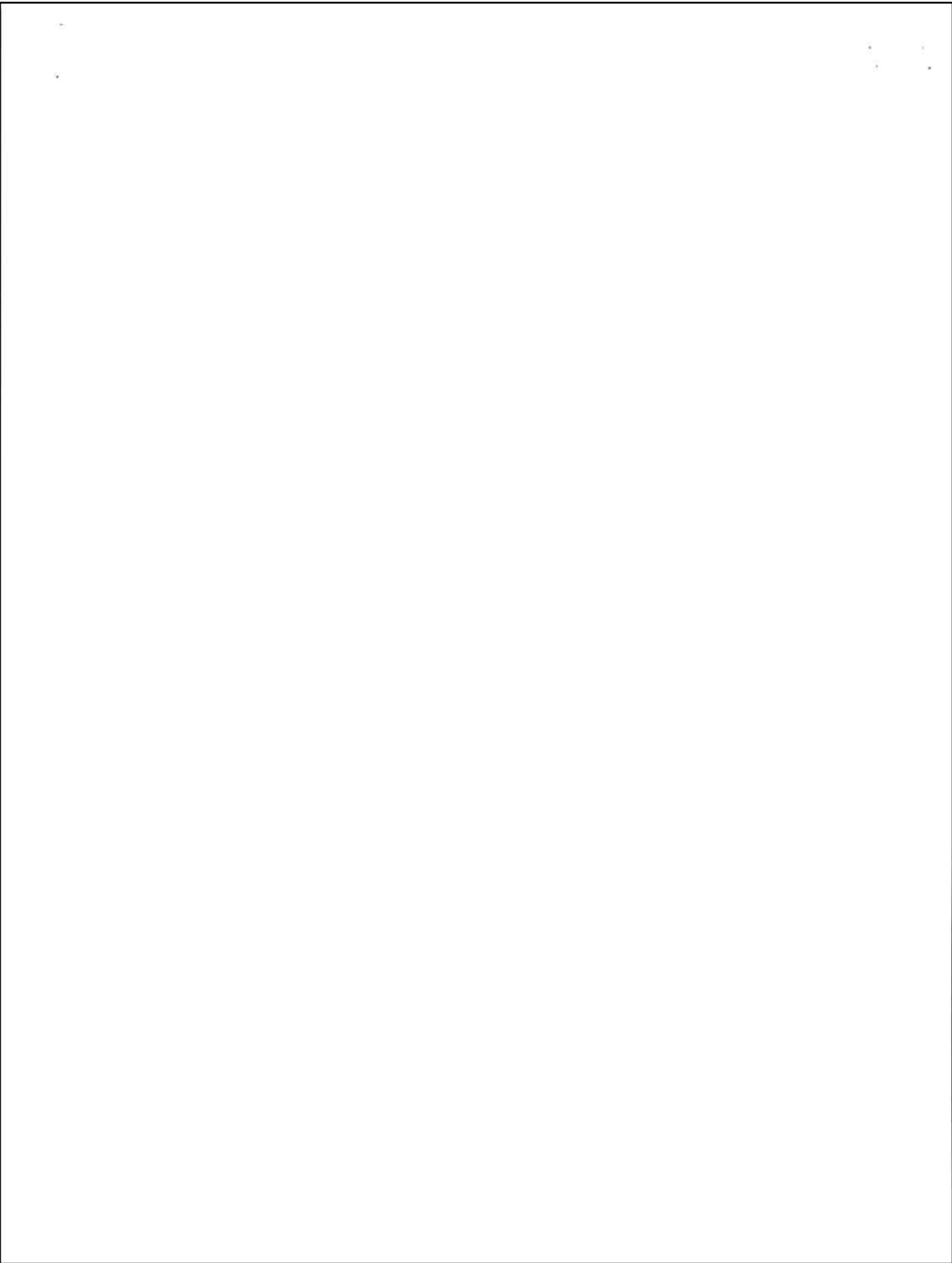
id: 05H02199W
Tag: 05H02199W
Tax Unique Id: 4170091
Owner Name 1: THE TOWN OF CLAYTON,
NORTH CAROLINA
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 879
Mail Address 3: CLAYTON, NC 27528-0000
Book: 04697
Page: 0849

Result 2

id: 05H02015A
Tag: 05H02015A
Tax Unique Id: 3990474
Owner Name 1: JOHNSTON LAND GROUP LLC
Owner Name 2: CEBCO CONSTRUCTION INC
Mail Address 1:
Mail Address 2: PO BOX 591
Mail Address 3: MAMERS, NC 27552-0000
Book: 03270
Page: 0986

Scale: 1:6529 - 1 in. = 544.11 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)





Johnston County assumes no legal responsibility for the information represented here.

*** DISCLAIMER ***

Result 3

id: 05H02200B
Tag: 05H02200B
Tax Unique Id: 4233836
Owner Name 1: LEE, W GATTIS
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 72
Mail Address 3: CLAYTON, NC 27520-0000
Book: 04381
Page: 0338

Result 5

id: 05H02015C
Tag: 05H02015C
Tax Unique Id: 4209055
Owner Name 1: CATERPILLAR INC
Owner Name 2:
Mail Address 1: 100 NE ADAMS STREET
Mail Address 2:
Mail Address 3: PEORIA, IL 61629-4295
Book: 03929
Page: 0598

Result 7

id: water016
Tag: water016
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 4

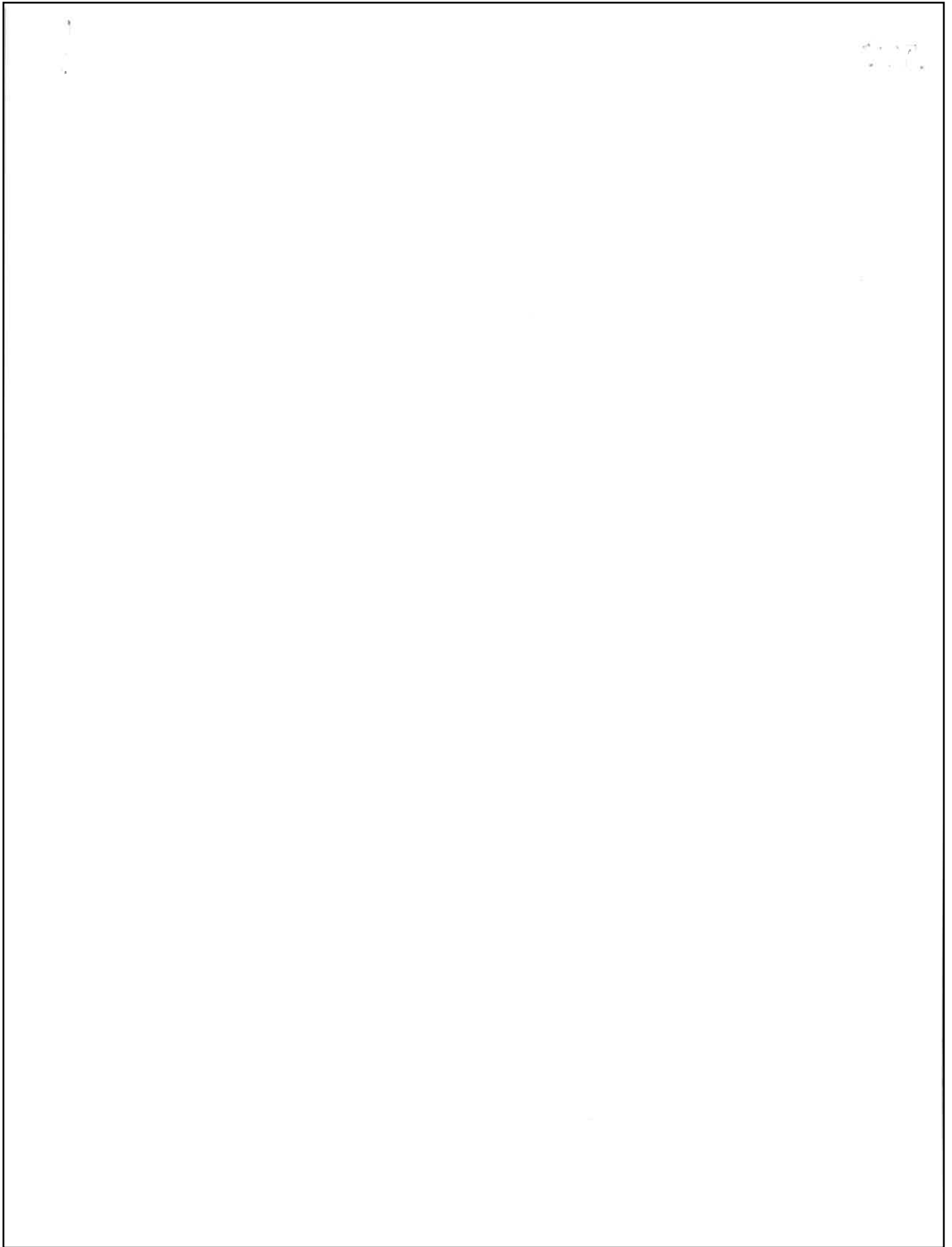
id: 05H02200G
Tag: 05H02200G
Tax Unique Id: 4235404
Owner Name 1: CATERPILLAR INC
Owner Name 2:
Mail Address 1: 100 NE ADAMS STREET
Mail Address 2:
Mail Address 3: PEORIA, IL 61629-4295
Book: 03634
Page: 0746

Result 6

id: 05H02199H
Tag: 05H02199H
Tax Unique Id: 4170125
Owner Name 1: HARDEE, JOSEPH T
Owner Name 2:
Mail Address 1: 2020 GOVERNMENT RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520
Book: 01307
Page: 0552

Result 8

id: 05H02015
Tag: 05H02015
Tax Unique Id: 4159647
Owner Name 1: LEE, W GATTIS
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 72
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03944
Page: 0847





Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

Planning Board
February 22, 2016

STAFF REPORT

Application Number: 2015-84-RZ

Project Name: Clayton Northside 230 KV Substation Rezoning

NC PIN / Tag #: 166900-96-3977 / 05H02199W
Town Limits/ETJ: Town Limits and ETJ (with pending annexation of the ETJ portion)
Overlay: Watershed Protection Overlay
Applicant: Town of Clayton
Owner: Town of Clayton
Location: This property is addressed at 1200 N O'Neil Street, but is physically located east of the approved Ashcroft subdivision, west of the Sam's Branch greenway, south of the Neuse River.

Public Noticing:

- Neighborhood meeting: February 3, 2016
- Sign posted prior to February 12, 2016
- Letters mailed prior to March 24, 2016
- Newspaper ad posted prior to March 24, 2015

REQUEST: Rezoning of the subject parcel from Residential-Estate (R-E) to Public Facilities (PF).

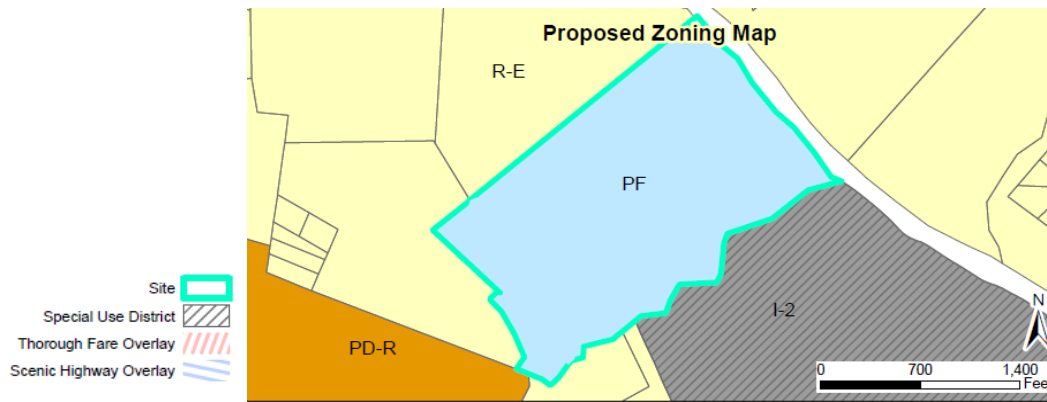
SITE DATA:

Acreage: ±79.1 acres
Existing Use: Vacant



ADJACENT ZONING AND LAND USES:

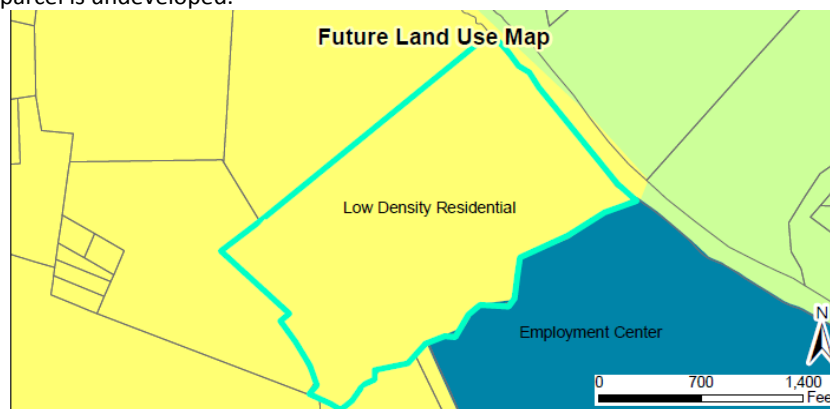
Direction	Zoning	Existing Use
North	Residential-Estate (R-E)	Vacant
South	Industrial-Heavy (I-2)	Caterpillar R&D Facility and Vacant
East	Residential-Estate (R-E)	Vacant/Residential
West	Residential-Estate (R-E) and Planned Development Residential (PD-R)	Vacant and Ashcroft Subdivision (currently approved and in early phases of construction).



STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant (Town of Clayton) has initiated a process to rezone a Town owned property from Residential Estate (R-E) to Public Facilities (PF) to provide consistency between the zoning district and the use of the property. Running concurrently with this request, the Town has also submitted a Major Site Plan application for the subject property to develop a new electrical substation to serve the Town of Clayton. A portion of this property, specifically the westernmost portion, is currently not located within Town Limits and is in the process of being annexed. The property in question houses several public facilities, including the shooting range, wastewater pump facility, Sam's Branch greenway, and the Clayton Riverwalk-on-the-Neuse greenway. The majority of the parcel is undeveloped.



Compatibility with Surrounding Land Uses

The proposed rezoning is compatible with surrounding land uses.

Consistency with 2040 Comprehensive Plan

The 2040 Comprehensive Plan designates this property as “Low Density Residential”. The proposed rezoning will allow for the provision of public infrastructure that supports residential growth. Current and currently proposed uses are properly buffered from surrounding properties..

CONSIDERATIONS:

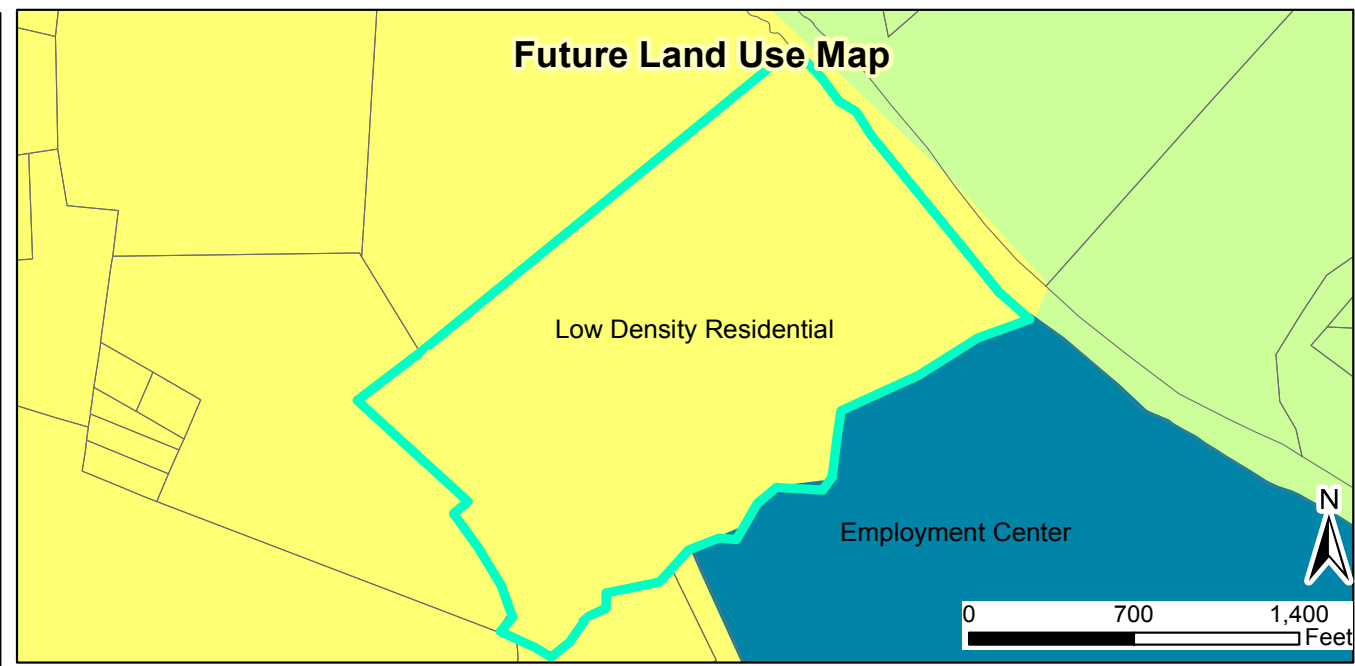
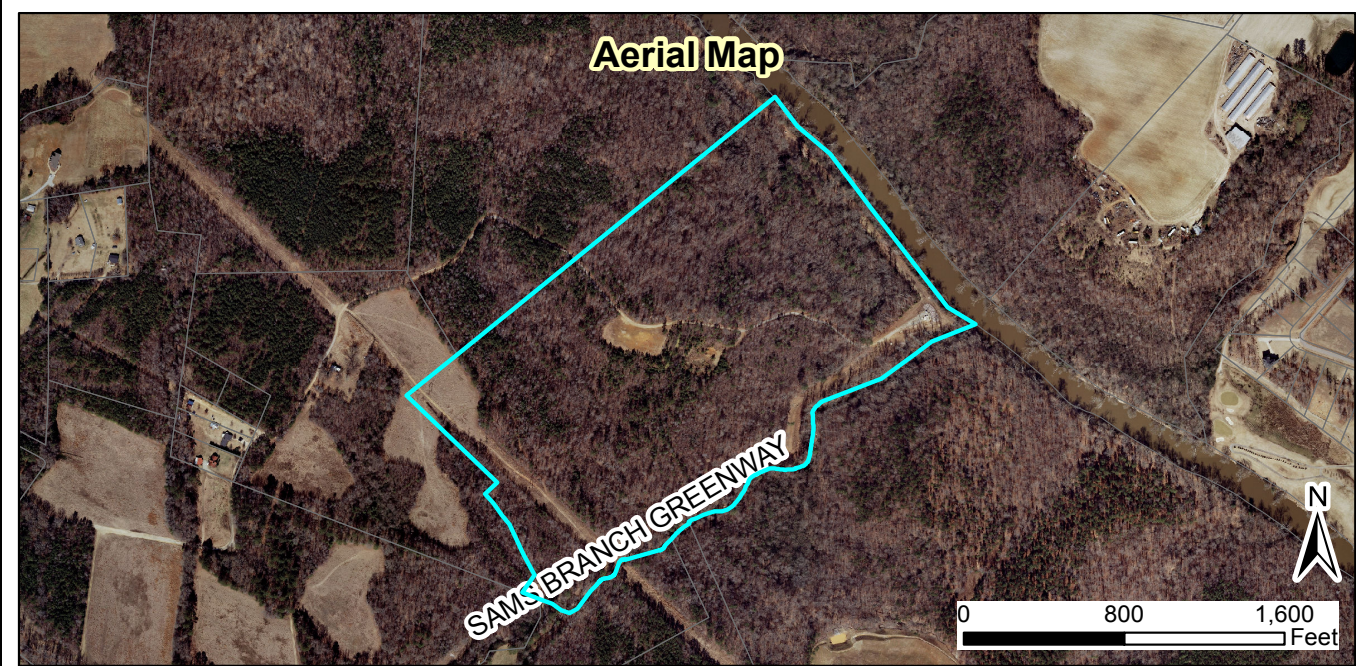
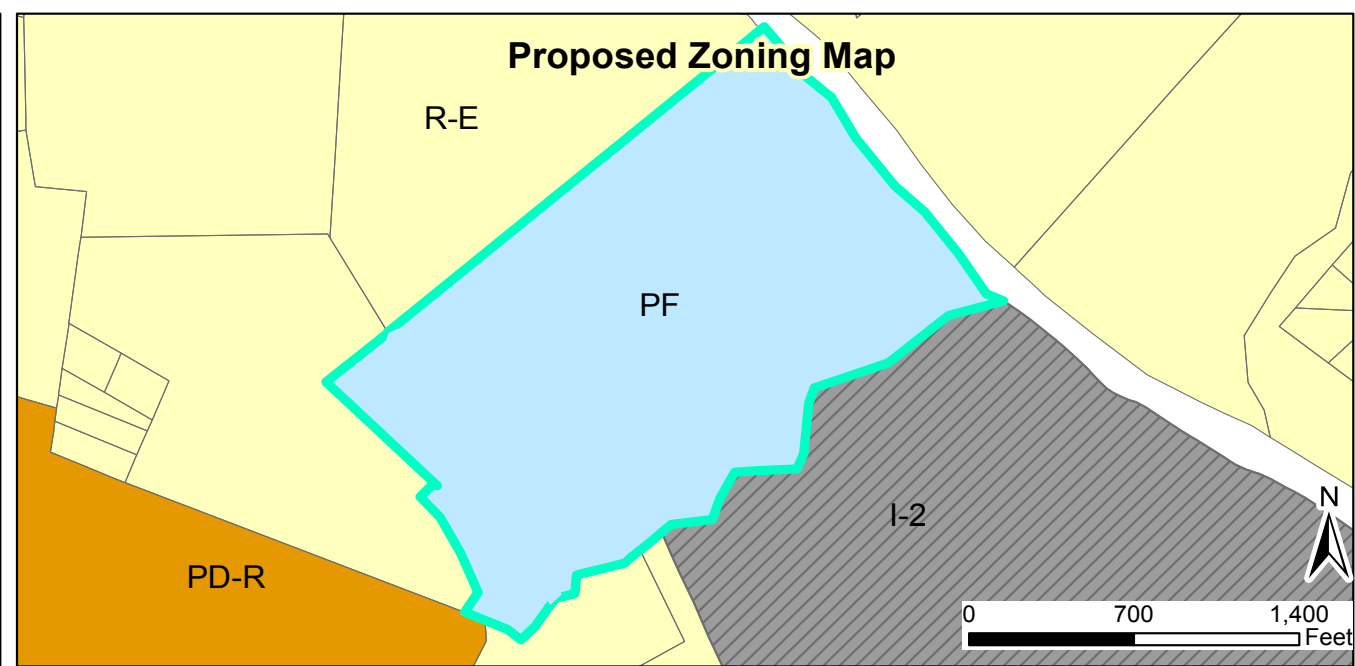
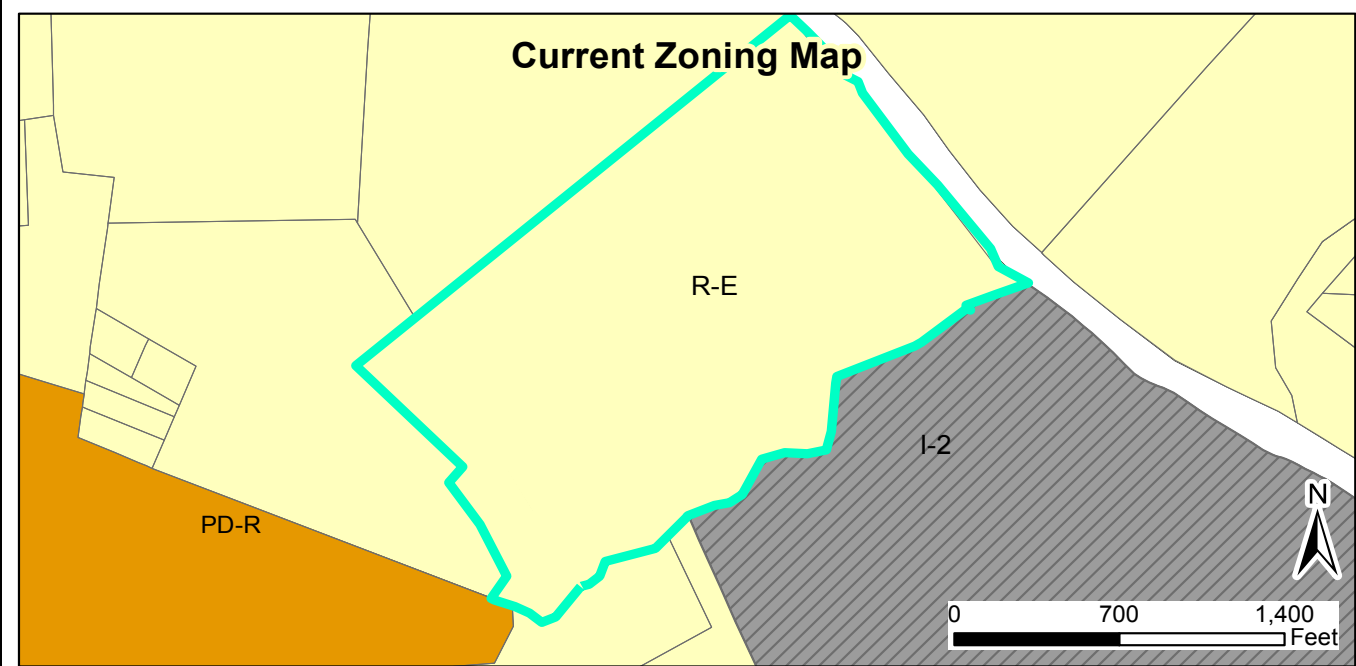
- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
 - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
 - If approved, this rezoning shall result in an update to the Town of Clayton’s official Zoning Map.
-

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning of the subject parcel from Residential Estate (R-E) to Public Facilities (PF).

ATTACHMENTS:

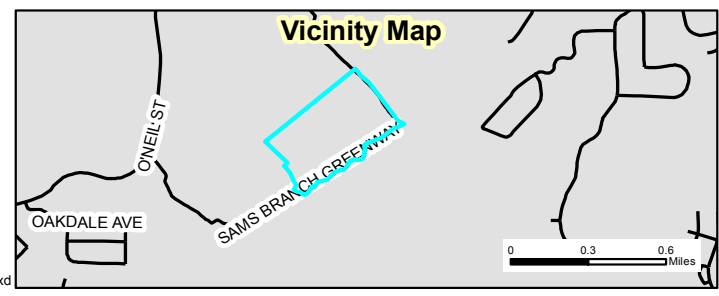
- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials



2015-84-RZ- Clayton Northside 230KV Substation Rezoning
2016-06-SP- Clayton Northside 230KV Substation Major Site Plan
Requests: To rezone the subject parcel from R-E to PF,
and to develop a new electrical substation for the Town of Clayton
 Applicant: Town of Clayton
 Property Owners: Town of Clayton
 Parcel ID: 166900-96-3977
 Tag #: 05H02199W



- ETJ_Parcels
 - Site
 - Special Use District
 - Thorough Fare Overlay
 - Scenic Highway Overlay
- Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: O:\PLANNING\REZONING\Rezoning\2015\2015-84-RZ- Clayton Northside 230 KV Substation Rezoning (formerly Sam's Branch)\Maps\StaffReportMap- Clayton Northside Substation RZ and SP.mxd

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: 2015-84-RZ + 2016-06-SP Clayton Northside 230 KV Substation

Application: Rezoning and Major Site Plan

Location/Date: Clayton Center Lobby/Town Hall; 2/3/16 @ 6:00 PM

	NAME	ADDRESS
1	Haley Hogg	Town of Clayton; Staff
2	Dale Medlin	Town of Clayton Electric Director
3	Tony PEARCE	UTILITY ELEC. CONSULTANTS
4		
5		
6		
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20		

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



Bob Satterfield
Art Holder
Jason Thompson
R.S. "Butch" Lawter, Jr.
COUNCIL MEMBERS

Michael Grannis
MAYOR PRO TEM

January 19, 2016

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed by the Town of Clayton for a rezoning and major site plan involving Town Property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a neighborhood meeting will be held to provide information to area residents about the nature of the proposal. A representative of the Town will be present to explain the rezoning, answer questions, and solicit comments.

Meeting Date: February 3, 2016

Location: Clayton Center Lobby, Clayton Town Hall 111 E. Second Street, Clayton, NC 27520

Time: 6:00pm

Type of Application: Rezoning & Major Site Plan

General Description: Rezoning the subject property (Parcel ID: 166900-96-3977) from Residential-Estate (R-E) to Public Facilities (PF). Major Site Plan approval is also being requested to develop an electrical substation on the subject property.

If you have any questions prior to or after this meeting, you may contact me at 919-553-5002
Town of Clayton Planning

Sincerely,

Haley Hogg
Town Planner
Town of Clayton

cc: Clayton Planning Dept.

P. O. Box 879 - Clayton, North Carolina 27528 - Office (919) 553-5002 - Fax (919) 553-8919

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING AMENDMENT
(Rezoning Amendment)

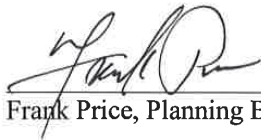
Clayton Northside Electric Substation
2015-84-RZ

On February 22, 2016 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to ☒ approve ☐ deny the above referenced rezoning application.

Recommendation(s) made this 22nd day of February 2016 while in regular session.

Signed:



Frank Price, Planning Board Chair

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2015-84-RZ Clayton Northside 230 KV Substation Rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan, specifically:

- Objective U4.1: Improve electric service to accommodate growth in a timely manner

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

the above referenced zoning amendment is reasonable and in the public interest.

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on April 4, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following rezoning requests:

- 3900 Powhatan Road Rezoning, 2016-13-RZ, for parcel number 167700-39-3255. The requested change is from Highway Business (B-3) and Residential Estate (R-E) to Industrial Light (I-1).
- Cameron Way Rezoning, 2016-24-RZ, for parcel numbers 165911-55-3881, 165911-55-5881, 165911-55-7668, 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, and 165911-55-1332. The requested change is from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).
- Clayton Northside Substation Rezoning, 2015-84-RZ, for parcel number 166900-96-3977. The requested change is from Residential Estate (R-E) to Public Facilities (PF).

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

This is an open meeting and the public is invited to attend.

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:

Wednesday, March 23, 2016

Wednesday, March 30, 2016

Dates are the two Wednesdays prior to the hearing

Affidavit of publication required.

COUNCIL MOTION SHEET
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny]** **Case # 2015-84-RZ – Clayton Northside Substation Rezoning.**

[IF APPROVING]

and to approve the Statement of Consistency and Reasonableness included in the Agenda packet [with the following modifications: STATE MODIFICATIONS, IF ANY].

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
AND ZONING MAP
OF THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton to include in the Public Facilities (P-F) zone the property described below, said property formerly being zoned Residential Estate (R-E); and

WHEREAS said property is owned by the Town of Clayton; and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in the Clayton News Star, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160A-364 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Zoning Ordinance of the Town of Clayton and by Section 160A-384 of the General Statutes; and

WHEREAS the said public hearing was actually conducted at 6:30 p.m. on April 4, 2016, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

THEREFORE, after duly considering the matter, THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Public Facilities zone the following described property:

General Description:
Located along Sam's Branch Greenway

Specific Description:

NC Parcel Identification Numbers: 166900-96-3977

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Public Facilities zone the above-described property and will be so marked.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED by the Clayton Town Council this 4th day of April,
2016, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearings

Meeting Date:

April 4, 2016

ITEM TITLE:

Rezoning 2016-13-RZ - 3900 Powhatan Road

DESCRIPTION:

Request to rezone the split-zoned parcel from B-3 and R-E to I-1. The location of the property is 3900 Powhatan Road.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

March 21, 2016

Action Taken:

Set Public Hearing for April 4, 2016

Information Provided:

Application/Staff Report

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

REZONING APPLICATION

Pursuant to Article 7, Section 155.704 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to amend the Official Zoning Map.

Application fee: Standard Rezoning: \$500.00
Rezoning to Planned Development District: \$1,000.00 + \$5.00 acre
All fees are due when the application is submitted.

Note on Planned Developments: Requests to rezone to a Planned Development District must be accompanied by a Master Plan submittal. Master Plans are approved as Preliminary Subdivision Plats – please submit a concurrent Preliminary Subdivision Plat application and Master Plan.

SITE INFORMATION

Name of Project: 3900 Powhatan Rd Acreage of Property: 2.45 ac.
County Tag Number: 05105017c NC PIN: 167700-39-3255
Address/Location: 3900 Powhatan Rd, Clayton, NC 27527
Existing Zoning District: split b/w B-3 & R-E
Proposed Zoning District: I-1 (light industrial)
Is project within an Overlay District? ☐ No
☒ Yes (list): Watershed Protection Overlay

APPLICANT INFORMATION

Applicant: Town-initiated on behalf of owner to correct clerical error.
Mailing Address: Planning Dept.
Phone Number: 919-359-9335 Fax: _____
Contact Person: Jay McLeod
Email Address: jwmcleod@townofclaytonnc.org

FOR OFFICE USE ONLY

Date Received: 12/01/2015;
application cycle Amount Paid: \$0 - town File Number: 2016-13-RZ
for Jan. 4, 2016 initiated;
clerical correction

PROPERTY OWNER INFORMATION

Name: Walthom Group III LLC
Mailing Address: 442 1/2 E Main St, Clayton 27520
Phone Number: _____ Fax: _____
Email Address: jlee@walthomgroup.com

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

This is to correct a clerical error that occurred when this property was brought into the Town's ETJ, at which point the zoning was incorrectly migrated over.

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			To be completed by staff:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☒	☐			
2. Review Fee (\$500 for standard rezoning OR \$1,000 + \$5.00/acre for Planned Developments)	☐	☒ <i>Town initiated</i>			
3. Completed application	☒				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	☒	☐			
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	☐	☒ <i>use tag #.</i>			
6. If property to be rezoned is a portion of a parcel: - Property legal description typed (10 pt. font or greater). The legal description must also be submitted electronically in Microsoft Word format. - Plat showing property to be rezoned, matching legal description.	☐ ☐	☒ ☒			
7. Adjacent property owners list	☒	☐			
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>	☐				
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town - thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	☐	☒			

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

I-1 is consistent w/ Future Land Use showing this area as "Employment Center".

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.

It is suitable. Currently it is a large warehouse bldg.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.

This proposed change allows industrial uses in an industrial area, for purposes of employment base.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.

This area is already ~~the~~ able to accommodate industrial uses, & the facility is already existing.

5. It has been determined that the legal purposes for which zoning exists are not violated.

This is correct; they are not violated.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

There will be no adverse effect.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

This is correct; there will be no detriment to the general public

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

JAY McLEOD

Print Name *Town Planner*

Jmm (on behalf of T.O.C.)
Signature of Applicant

01/11/2016
Date



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Planning Board
February 22, 2016

STAFF REPORT

Application Number: 2016-13-RZ Project Name: 3900 Powhatan Road Rezoning

NC PIN / Tag #: 167700-39-3255 / 05i05017c
Town Limits/ETJ: ETJ
Overlay: Watershed Protection Overlay
Applicant: Town of Clayton
Owner: Walthom Group III LLC
Location: 3900 Powhatan Road

Public Noticing:

- Neighborhood meeting: February 3, 2016
- Signs Posted prior to February 12, 2016
- Letters mailed to adjacent property owners prior to March 24, 2016
- Newspaper ad noticed prior to March 24, 2016

REQUEST: Request to rezone the split-zoned parcel from B-3 and R-E to I-1.

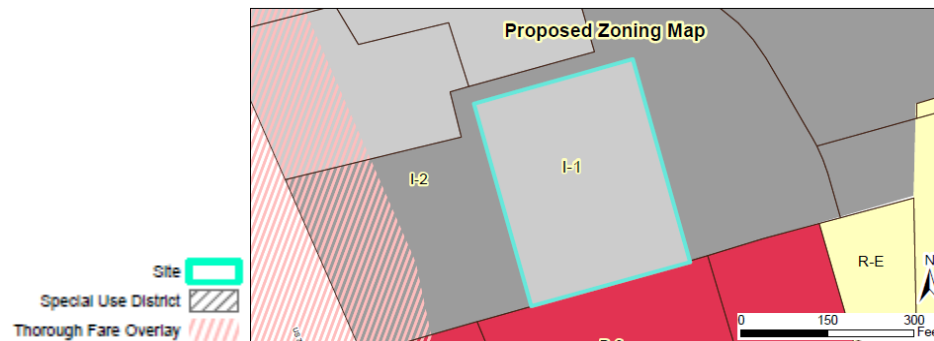
SITE DATA:

Acreage: ±2.4 acres
Existing Uses: Commercial/Warehouse



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Industrial-Heavy (I-2) and Industrial-Light (I-1)	Industrial
South	Highway-Business (B-3)	Self-storage
East	Industrial-Heavy (I-2)	Parking/Vacant
West	Industrial-Heavy (I-2)	Industrial/Warehouse, and Vacant



STAFF ANALYSIS AND COMMENTARY:

Overview

The Town of Clayton is requesting to rezone the subject parcel, at the request of the owner (see attached correspondence), in order to correct a clerical error made when the parcel was brought into the ETJ. Currently, the parcel has split zoning of Highway-Business (B-3) and Residential-Estate (R-E). The Town is requesting to rezone the parcel to Industrial-Light (I-1) in order to fix the split zoning, and to rezone the parcel to a zoning district that is compatible with the existing use as well as surrounding properties. Correspondence with the Johnston County Planning Director, Berry Gray, confirms that the zoning prior to inclusion in Clayton's ETJ was Light Industrial (see attached correspondence).

Compatibility with Surrounding Land Uses

The proposed zoning change of the parcel from B-3 and R-E to I-1 is compatible with surrounding existing land uses, which are primarily industrial.

Consistency with the 2040 Comprehensive Plan

The proposed zoning change is consistent with Clayton's 2040 Comprehensive Plan, which designates this parcel as "Employment Center".

CONSIDERATIONS:

- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.

- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
- If approved, this rezoning will result in a modification to amend the official zoning map for The Town of Clayton.

APPROVAL CRITERIA:

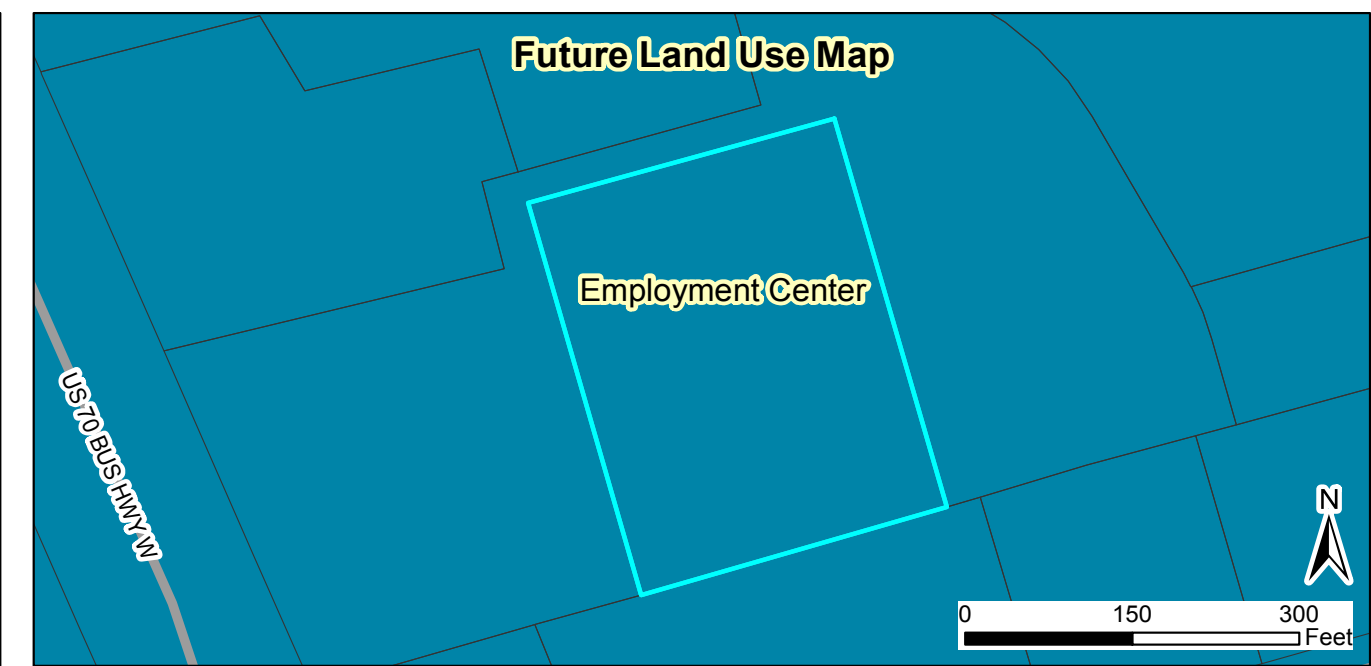
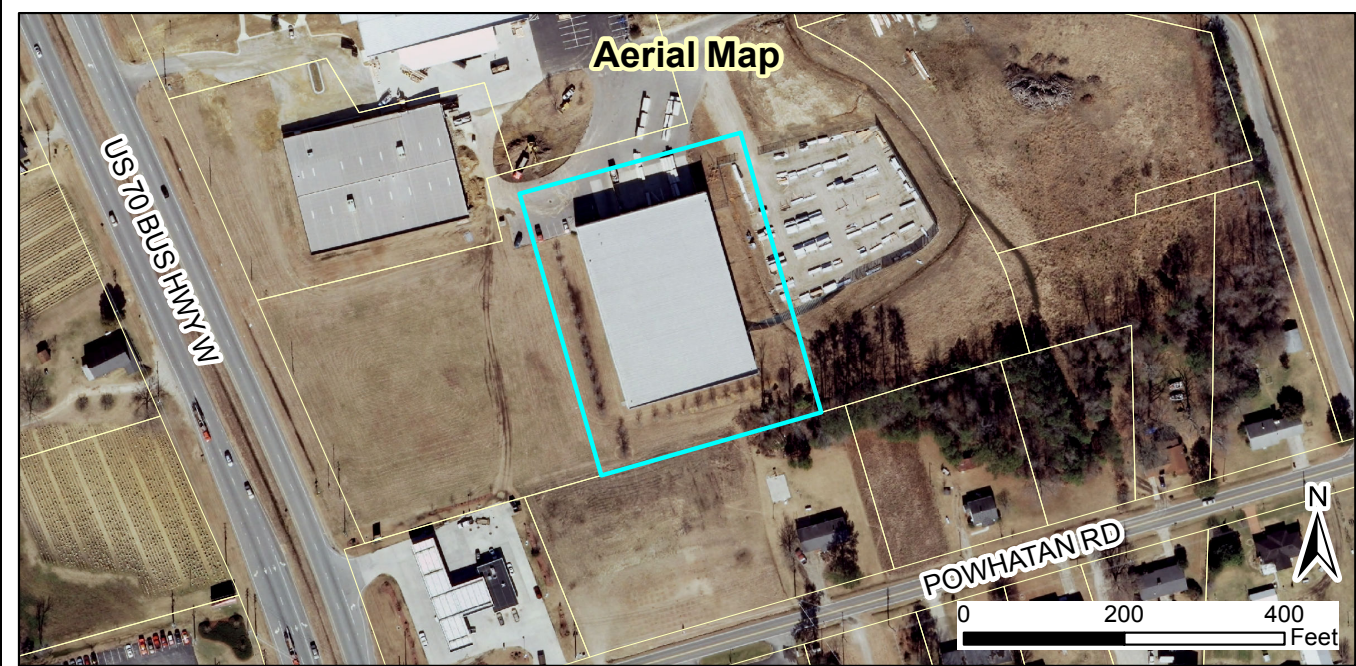
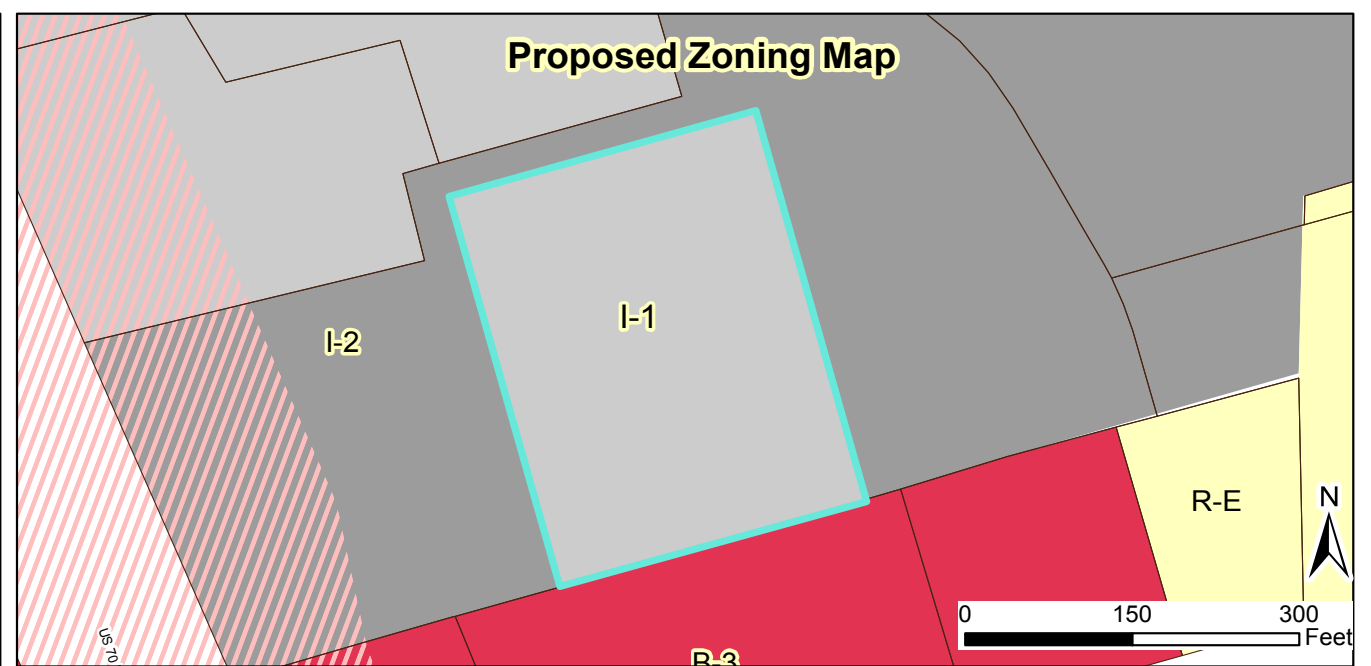
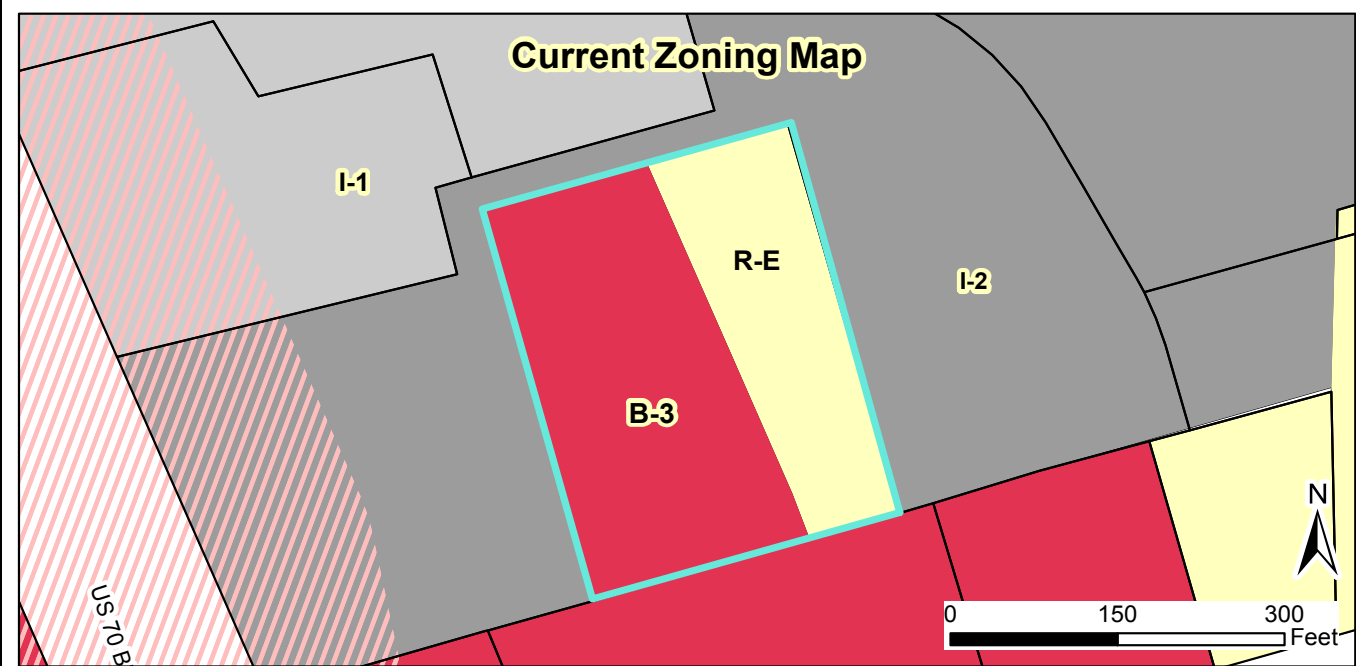
The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant's responses are incorporated as an attachment to the Staff Report.

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning of the subject parcels from Highway Business (B-3) and Residential Estate (R-E) to Light Industrial (I-1).

ATTACHMENTS:

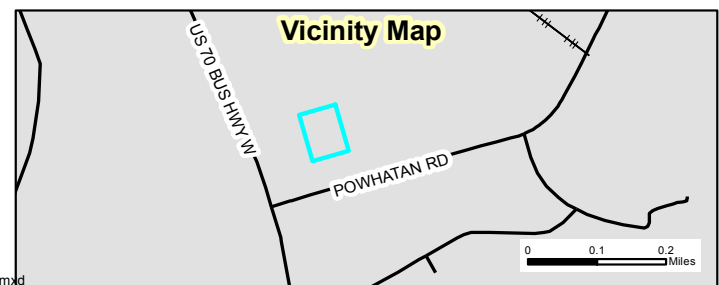
- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Supporting Correspondence:
 - a. Applicant letter
 - b. Johnston County Planning Director email



2016-13-RZ- 3900 Powhatan Road Rezoning
Request: To rezone the subject parcel from B-3 and R-E to I-1
 Applicant: Town of Clayton
 Property Owners: Waltham Group III LLC
 Parcel ID: 167700-39-3255
 Tag #: 05105017C



- Site
 - Special Use District
 - Thorough Fare Overlay
 - Scenic Highway Overlay
- 02/02/16
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: O:\PLANNING\REZONING\Rezoning\2016\2016-13-RZ 3900 Powhatan Road\Maps\StaffReportMap- 3900 Powhatan Road Rezoning.mxd

Walthom Group III, LLC
442½ E. Main St.
Clayton, NC 27520

Town of Clayton
Planning Department
Jay McLeod
David DeYoung

December 1, 2015

Dear David and Jay,

Thank you for assisting me in correcting the zoning errors involving our building and land at 8182 US 70 and taking steps to correct the addressing problems.

I see three errors of which at least 2 were created (I think) when the town expanded the ETJ land several years ago.

1. The warehouse with a blue stripe is shown on maps as in 2 different zones, B-3 and R-E. It should be I-1
2. The adjacent lot 3594 is indicated as I-2. That area has always been I-1.
3. Adjacent lot 9377 is shaped like the number "7." The top part of the 7 indicates I-2 and the vertical is R-E. I think the whole thing is R-E. However, several years ago there was an intended change with a business. It was the same time that the space was annexed by Clayton. Regardless of R-E or I-1, I am pretty confident it was never I-2.

I appreciate your help in seeing that this is corrected.

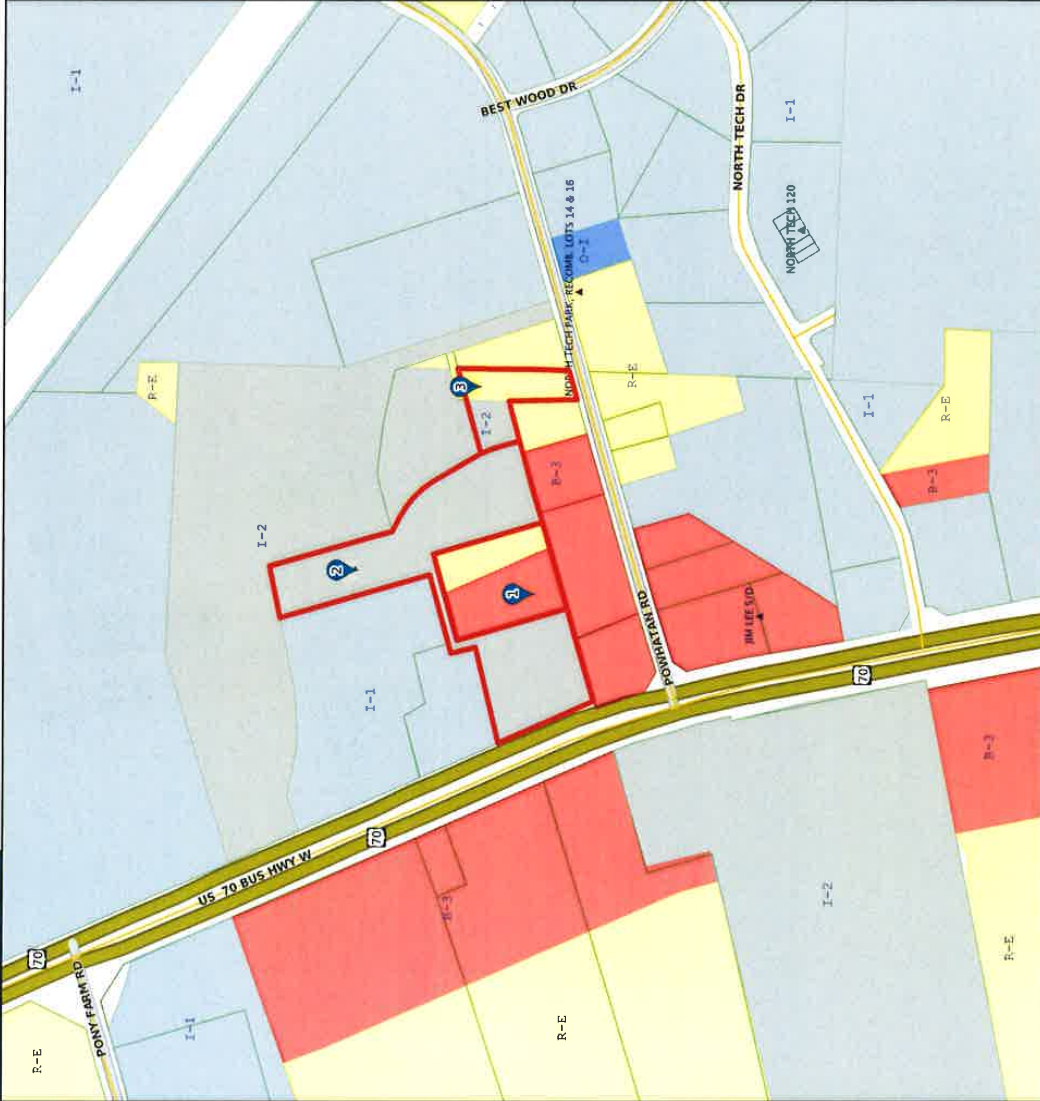
Jim Lee

Manager Member
Walthom Group III, LLC



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result 1
Id: 0505017C
Tag: 0505017C
Tax Unique Id: 422519
NCPin: 167700-39-3255
Mapsheet No: 1677
Owner Name 1: WALTHAM GROUP III, LLC
Owner Name 2: WALTHAM GROUP V, LLC
Mail Address 1: 442 1/2 E MAIN ST
Mail Address 2: CLAYTON, NC 27520-0000
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1: CLAYTON, NC 27520-0000
Site Address 2: CLAYTON, NC 27520-0000
Book: 04213
Page: 0905
Market Value: 1714680
Assessed Acreage: 2.43
Calc. Acreage: 2.46
Sales Price: 0
Sale Date: 2006-05-10

Result 2
Id: 0505017D
Tag: 0505017D
Tax Unique Id: 422519
NCPin: 167700-39-3594
Mapsheet No: 1677
Owner Name 1: WALTHAM GROUP V, LLC
Owner Name 2: WALTHAM GROUP V, LLC
Mail Address 1: 442 1/2 E MAIN STREET
Mail Address 2: CLAYTON, NC 27520-0000
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1: CLAYTON, NC 27520-0000
Site Address 2: CLAYTON, NC 27520-0000
Book: 04213
Page: 0905
Market Value: 278100
Assessed Acreage: 0.92
Calc. Acreage: 0.97
Sales Price: 0
Sale Date: 2012-12-04

Result 3
Id: 0505019D
Tag: 0505019D
Tax Unique Id: 422519
NCPin: 167700-39-0377
Mapsheet No: 1677
Owner Name 1: LEE BRAXTON A
Owner Name 2: LEE JIM W JR
Mail Address 1: 401 PATE STREET
Mail Address 2: APEX, NC 27502-0000
Mail Address 3: APEX, NC 27502-0000
Site Address 1: APEX, NC 27502-0000
Site Address 2: APEX, NC 27502-0000
Book: 04213
Page: 0905
Market Value: 93710
Assessed Acreage: 1.42
Calc. Acreage: 1.3
Sales Price: 0
Sale Date: 2013-12-04



Scale: 1:3015 - 1 in. = 251.24 feet

(The scale is only accurate when printed landscape on a 17 x 22 size sheet with no page scaling.)

Johnston County GIS
December 2, 2015

Jay McLeod

From: Beth Franson
Sent: Monday, December 14, 2015 4:03 PM
To: Jay McLeod
Subject: FW: ETJ zoning

From: Berry Gray [<mailto:berry.gray@johnstonnc.com>]
Sent: Monday, April 09, 2012 11:27 AM
To: Beth Franson
Subject: FW: ETJ zoning

Beth,

I meant to copy you on this email. The letter basically says the same thing I emailed to you last week.

Berry

From: Berry Gray
Sent: Monday, April 09, 2012 11:25 AM
To: 'David DeYoung'
Subject: ETJ zoning

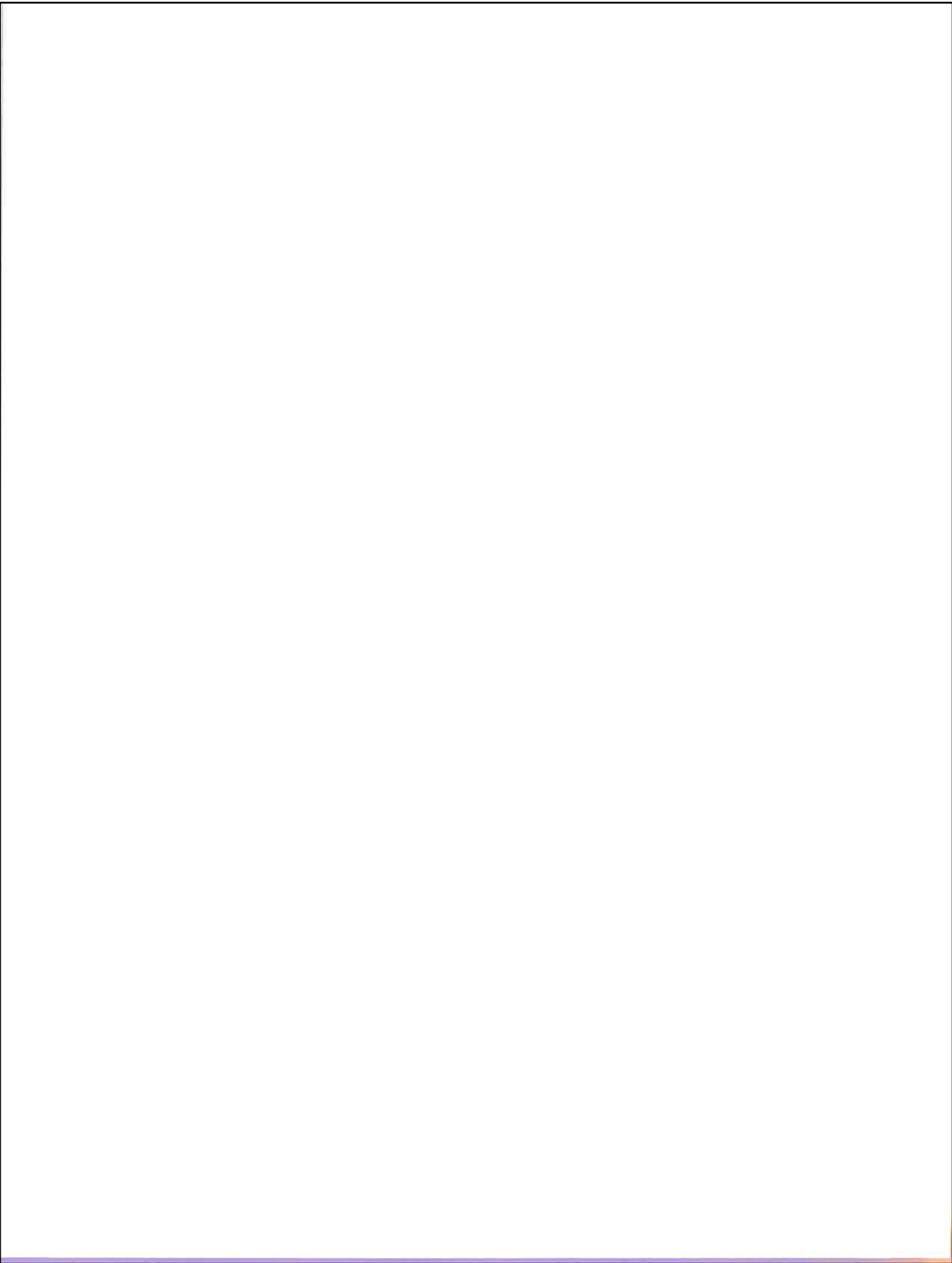
Hey David,

I hope you had a good holiday. Jim Lee with the Waltham Group asked me to send you a letter regarding the original zoning of some property in the extended ETJ. I told him I would send one verifying the original zoning but that I had no opinion in how the town handles it. If you need any additional information, please let me know. Have a good week.

Berry Gray
Planning Director

Johnston County Planning Department
309 E Market Street
Smithfield, NC 27577
Phone: 919-989-5150
Fax: 919-989-5426

Email: berry.gray@johnstonnc.com
www.johnstonnc.com/planning



Jay McLeod

From: Beth Franson
Sent: Monday, December 14, 2015 4:03 PM
To: Jay McLeod
Subject: FW: RE:
Attachments: image002.jpg

From: Berry Gray [<mailto:berry.gray@johnstonnc.com>]
Sent: Monday, April 02, 2012 11:43 AM
To: Beth Franson
Subject: RE:

It was I1, light industrial. I hope this helps.

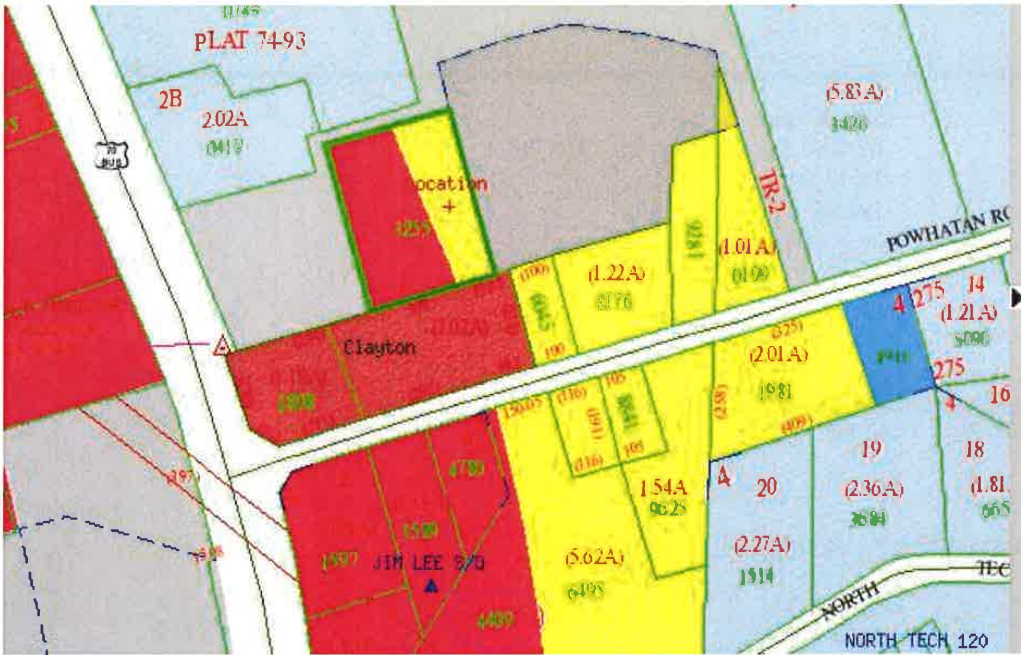
Berry Gray
Planning Director

Johnston County Planning Department
309 E Market Street
Smithfield, NC 27577
Phone: 919-989-5150
Fax: 919-989-5426

Email: berry.gray@johnstonnc.com
www.johnstonnc.com/planning

From: Beth Franson [<mailto:bfranson@townofclaytonnc.org>]
Sent: Monday, April 02, 2012 11:31 AM
To: Berry Gray
Subject:
Importance: High

Hey Barry,
Can you verify for me the zoning of the parcel highlighted with the green boundary when it was in the County's jurisdiction, (Industrial (heavy or light))?
Thanks Barry.



Beth
 Beth Franson
 Planner
 Town of Clayton
 111 E Second St
 P O Box 879
 Clayton, NC 27528
 (919) 359-9350
 (919) 553-1720 (fax)
www.townofclaytonnc.org

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING AMENDMENT
(Rezoning Amendment)

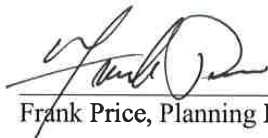
3900 Powhatan Road Rezoning
2016-13-RZ

On February 22, 2016 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to ☒ approve ☐ deny the above referenced rezoning application.

Recommendation(s) made this 22nd day of February 2016 while in regular session.

Signed:



Frank Price, Planning Board Chair

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2016-13-RZ 3900 Powhatan Road Rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan, specifically:

- Objective LU1.2: Encourage the redevelopment or adaptive reuse of under-utilized commercial development.
- Objective LU1: Preserve Clayton's small-town character while allowing for growth and development in appropriate areas.

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

the above referenced zoning amendment is reasonable and in the public interest.

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on April 4, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following rezoning requests:

- 3900 Powhatan Road Rezoning, 2016-13-RZ, for parcel number 167700-39-3255. The requested change is from Highway Business (B-3) and Residential Estate (R-E) to Industrial Light (I-1).
- Cameron Way Rezoning, 2016-24-RZ, for parcel numbers 165911-55-3881, 165911-55-5881, 165911-55-7668, 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, and 165911-55-1332. The requested change is from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).
- Clayton Northside Substation Rezoning, 2015-84-RZ, for parcel number 166900-96-3977. The requested change is from Residential Estate (R-E) to Public Facilities (PF).

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

This is an open meeting and the public is invited to attend.

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:

Wednesday, March 23, 2016

Wednesday, March 30, 2016

Dates are the two Wednesdays prior to the hearing

Affidavit of publication required.

COUNCIL MOTION SHEET
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny]** **Case # 2016-13-RZ – Powhattan Rezoning.**

[IF APPROVING]

and to approve the Statement of Consistency and Reasonableness included in the Agenda packet [with the following modifications: STATE MODIFICATIONS, IF ANY].

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
AND ZONING MAP
OF THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton to include in the Light Industrial (I-1) zone the property described below, said property formerly being zoned Highway Business (B-3) and Residential-Estate (R-E); and

WHEREAS said property is owned by the Walthom Group III LLC; and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in the Clayton News Star, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160A-364 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Zoning Ordinance of the Town of Clayton and by Section 160A-384 of the General Statutes; and

WHEREAS the said public hearing was actually conducted at 6:30 p.m. on April 4, 2016, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

THEREFORE, after duly considering the matter, THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Light Industrial (I-1) zone the following described property:

General Description:

Located at 3900 Powhatan Road, Clayton.

Specific Description:

NC Parcel Identification Numbers: 167700-39-3255

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Light Industrial zone the above-described property and will be so marked.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED by the Clayton Town Council this 4th day of April,
2016, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Items Scheduled for Regular Meetings

Meeting Date:

April 4, 2016

ITEM TITLE:

Rezoning 2016-24-RZ - Cameron Way

DESCRIPTION:

Request to rezone the subject parcels from Highway Business-Special Use District (B-3-SUD) to Highway Business (B-3). This property is located West of Shotwell Road, along Cameron Way, Enterprise Drive, and Mechanical Drive.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

March 21, 2016

Action Taken:

Set Public Hearing for April 4, 2016

Information Provided:

Application/Staff Report

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

REZONING APPLICATION

Pursuant to Article 7, Section 155.704 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to amend the Official Zoning Map.

Application Fees: **Standard Rezoning Fee: \$500.00** ✓
Rezoning to Planned Development District Fee: \$1,000.00 + \$5.00 acre
Advertisement Fee: \$100.00 ✓
All fees are due when the application is submitted.

Note on Planned Developments: Requests to rezone to a Planned Development District must be accompanied by a Master Plan submittal. Master Plans are approved as Preliminary Subdivision Plats – please submit a concurrent Preliminary Subdivision Plat application and Master Plan.

SITE INFORMATION

Name of Project: Corporate Developers, LLC Acreage of Property: 5.49 ACRES
County Tag Number: see Attachment NC PIN: see Attachment
Address/Location: see Lots 1, 2, 3, 5, 6, 7, 8, & 9 see Attachment
Existing Zoning District: B-3 SUD
Proposed Zoning District: B-3

APPLICANT INFORMATION

Applicant: Corporate Developers, LLC
Mailing Address: 155 BENNETT PLACE, Clayton, NC 27527
Phone Number: (919) 669-5255 Fax: N/A
Contact Person: GREG NELSON
Email Address: gnelson@stwcop.com

FOR OFFICE USE ONLY

Date Received: FEB 01 2016 Amount Paid: \$500.00 + \$100.00 Advertisement Fee File Number: 2016-24-22

version 1/16/2016
TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 10

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

yes we intend to be agreeable to the Town's plans.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.

There should be no issues from the current zoning of B-3 SUB to B-3

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.

to improve the balance of uses from the original zoning of B-3 SUB

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.

All lots involved 1, 2, 3, 5, 6, 7, & 9 all have water and sewer hookups on each lot with power & cable TV access

5. It has been determined that the legal purposes for which zoning exists are not violated.

yes that's correct

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

We feel no adverse impact will affect adjoining property owners re with property values

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

There will no specific benefit to any property owner with the rezoning change from B-3 SUB to B-3



**Town of Clayton
Planning Department**

111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: "CAMERON WAY REZONING"
2016-24-RZ Address or PIN #: See Attached Lots
1,2,3,5,6,7,8,9

AGENT/APPLICANT INFORMATION:

CORPORATE DEVELOPERS, LLC
GREGORY N. NELSON
(Name - type, print clearly)

155 BENNETT PLACE
(Address)
Clayton, NC 27527
(City, State, Zip)

I hereby give CONSENT to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (list applicable requests below):

Request Rezoning change
from B-3 SUD to B-3

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

Carol Nelson
(Name - type, print clearly)
Carol Nelson, member
(Owner's Signature)

155 BENNETT PLACE
(Address)
Clayton, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF Johnston

Sworn and subscribed before me Debra S. Brewer, a Notary Public for the above State and County, this the 8th day of February, 20 16.

SEAL



Debra S. Brewer
Notary Public
My Commission
Expires: 02-05-2018

January 2015

Page 10 of 16



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: CLAYTON WAY REZONING
2016-24-RZ Address or PIN #: See Attached lots
1, 2, 3, 5, 6, 7, 8, 9

AGENT/APPLICANT INFORMATION:

CONCORPANTE DEVELOPERS LLC
GREGORY N. NELSON
(Name - type, print clearly)

155 BENNETT PLACE
(Address)
CLAYTON, NC 27527
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (list applicable requests):

Request REZONING change
from B-3 SUD to B-3

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

EDWIN RAY HALES
EDWIN W. HALES
(Name - type, print clearly)

[Signature]
(Owner's Signature)

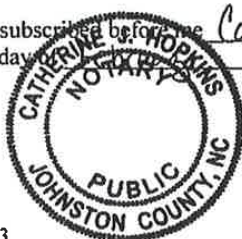
403 PARKRIDGE DRIVE
(Address)

CLAYTON, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF Johnston

Sworn and subscribed before me, Catherine J. Hopkins, a Notary Public for the above State and County, this the 3 day of October, 2016.

SEAL



Catherine J. Hopkins
Notary Public

My Commission Expires: 9/29/2020

October 2013



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Planning Board
February 22, 2016

STAFF REPORT

Application Number: 2016-24-RZ Project Name: Cameron Way Rezoning

NC PIN / Tag #: 165911-55-3881 / 05026073T, 165911-55-5881 / 05026073S, 165911-55-7668 / 05026073E, 165911-55-4651 / 05026073O, 165911-55-3487 / 05026073N, 165911-55-4126 / 05026073J, 165911-55-2285 / 05026073I, 165911-55-1332 / 05026073H

Town Limits/ETJ: Town

Overlay: None

Applicant: Greg Nelson

Owner: Corporate Developers LLC

Location: Located east of Shotwell Road, along Cameron Way, Enterprise Drive, and Mechanical Drive.

Public Noticing:

- Neighborhood meeting: February 11, 2016
- Signs Posted prior to February 12, 2016
- Letters mailed to adjacent property owners prior to March 24, 2016
- Newspaper ad noticed prior to March 24, 2016

REQUEST: Request to rezone the subject parcels from Highway Business-Special Use District (B-3-SUD) to Highway Business (B-3).

SITE DATA:

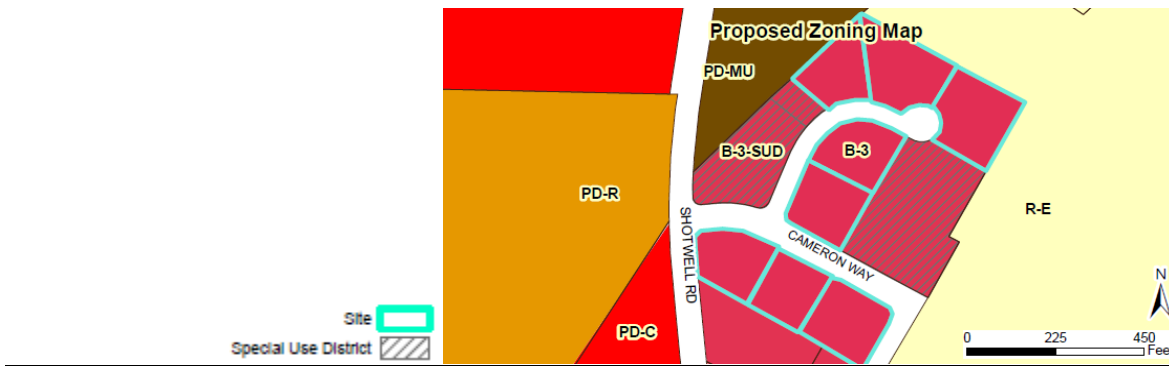
Acreage: +/- 5.54 acres

Existing Uses: Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Planned Development Mixed Use (PD-MU)	Agriculture and Vacant
South	Highway-Business (B-3)	Vacant and Auto Repair Shop
East	Residential-Estate (R-E)	Agriculture and Vacant
West	Planned Development-Residential (PD-R), Highway Business (B-3), & Planned Development-Commercial (PD-C)	Multi-Family Apartments, Daycare, and Vacant



STAFF ANALYSIS AND COMMENTARY:

Overview

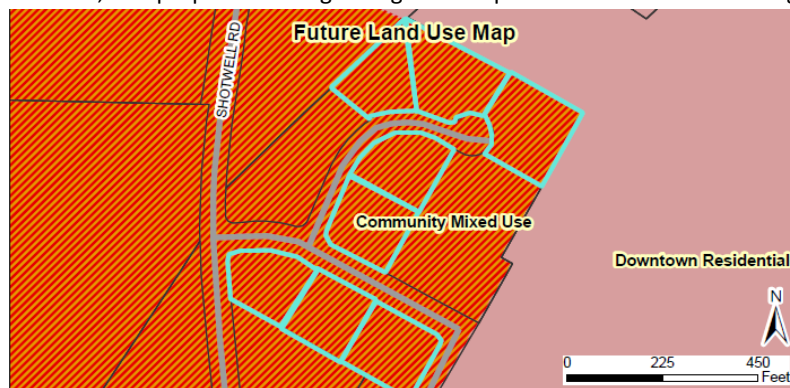
The applicant is requesting to rezone the subject parcels from B-3 (SUD) to B-3, in order to remove the Special Use District designation from the properties. Special Use Districts require all potential uses to go through the special use process in order to operate, regardless of what the base zoning district permits. The applicant is looking to remove this extra step from these properties by removing the Special Use designation.

Compatibility with Surrounding Land Uses

The proposed zoning change is to remove the Special Use District designation from the parcel, but the base zoning district of B-3 will remain. Therefore, the proposed zoning change is compatible with the surrounding land uses, which are all commercial uses or vacant/agriculture.

Consistency with the 2040 Comprehensive Plan

The proposed zoning change is consistent with Clayton's 2040 Comprehensive Plan.



CONSIDERATIONS:

- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
- If approved, this rezoning will result in a modification to amend the official zoning map for The Town of Clayton.

APPROVAL CRITERIA:

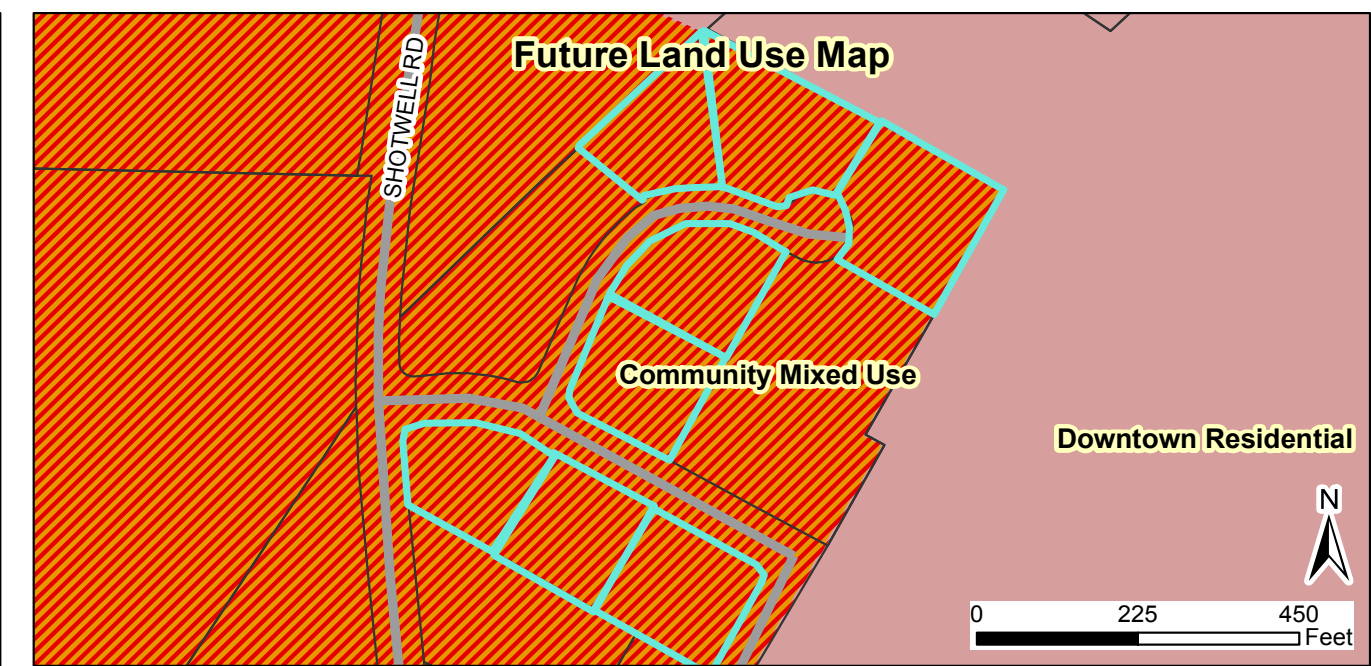
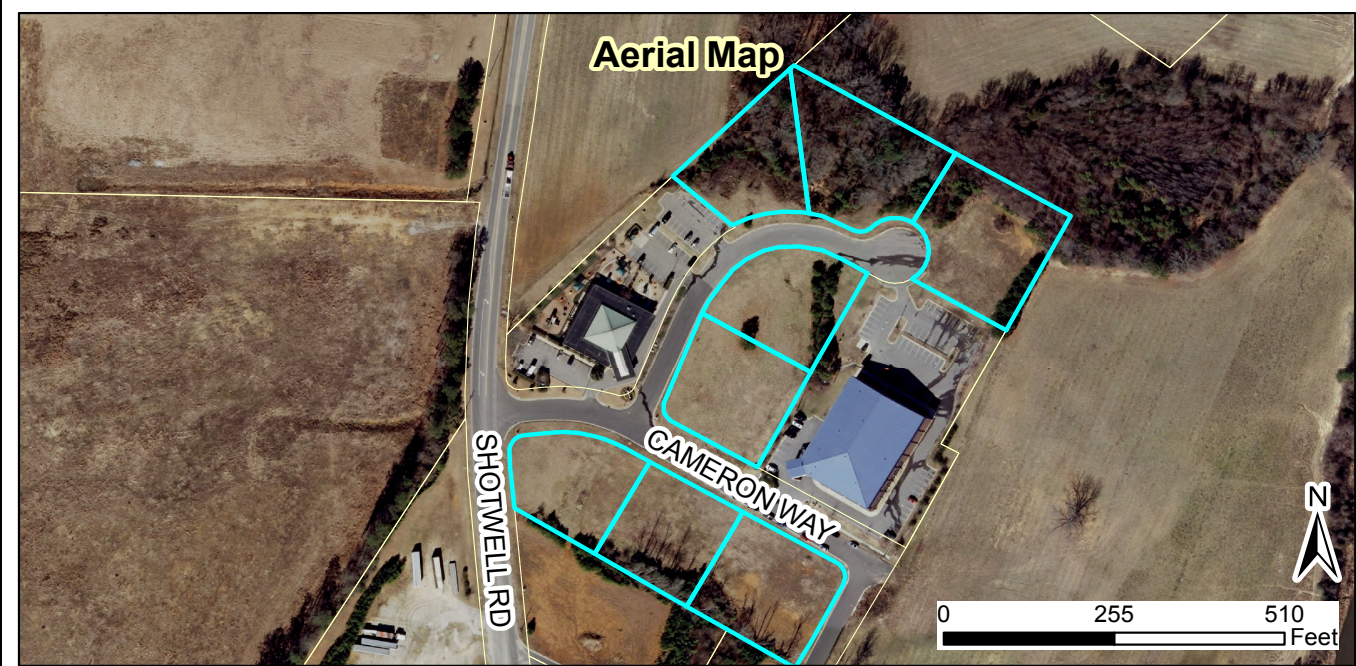
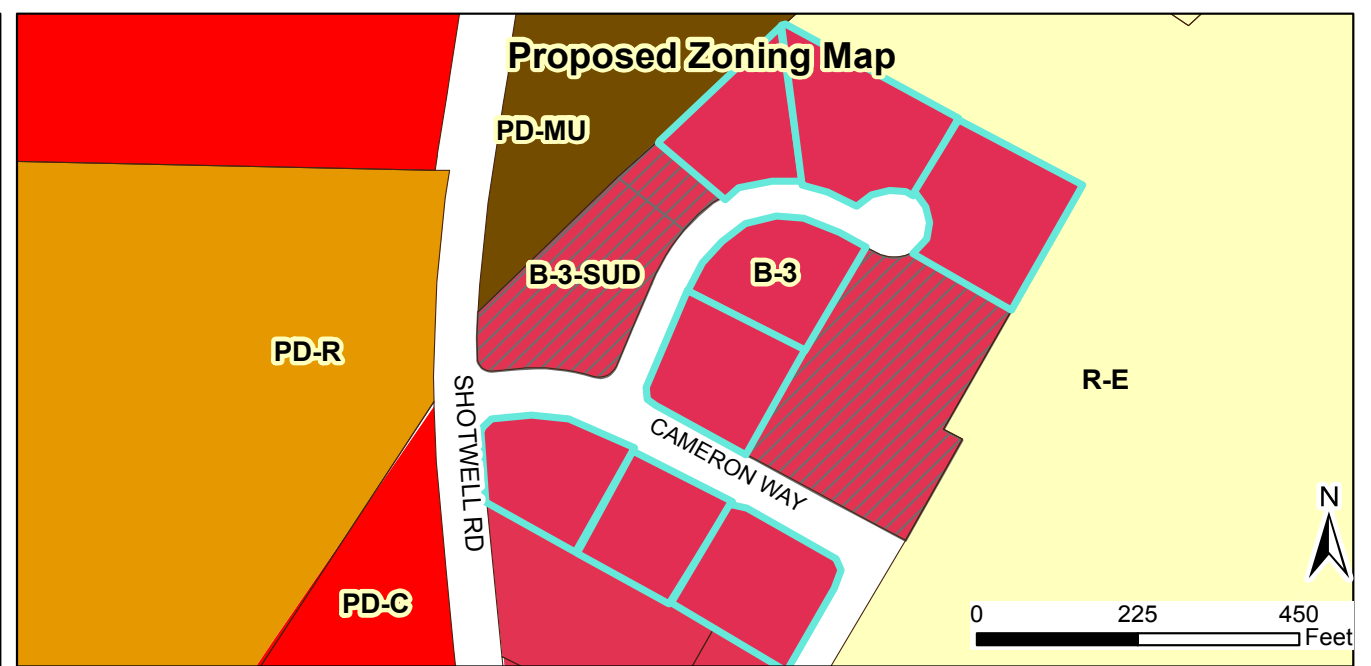
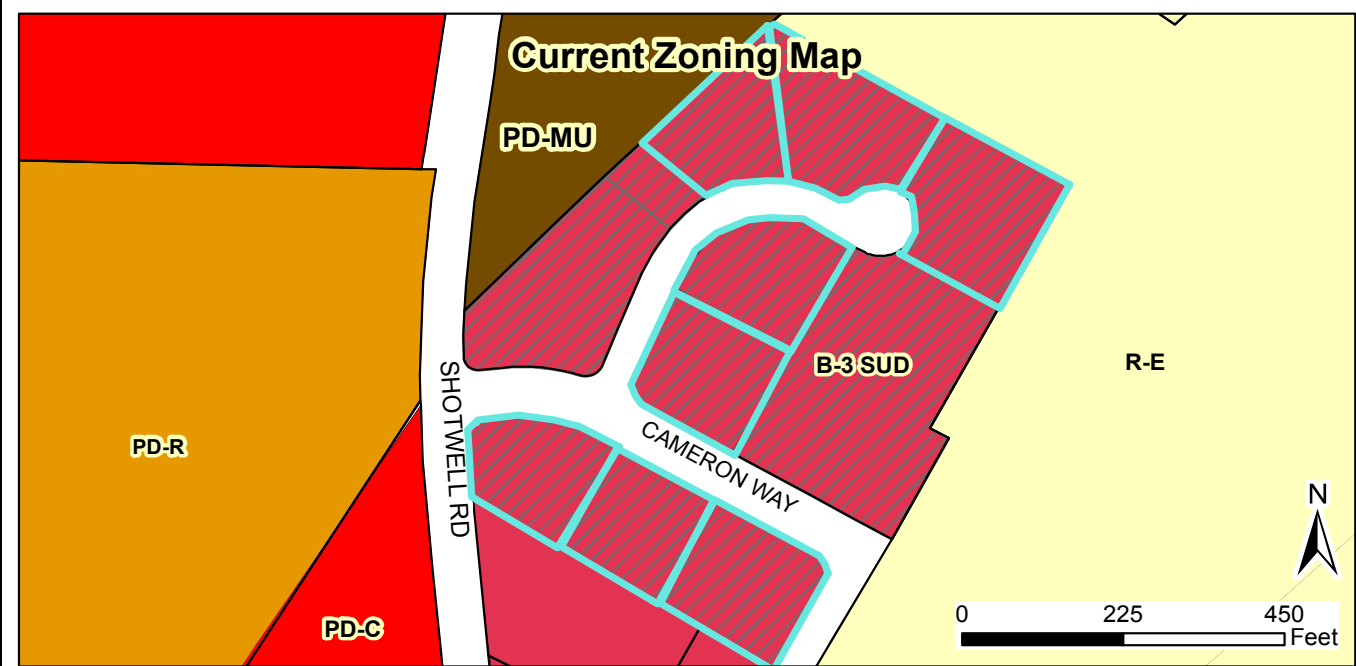
The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant's responses are incorporated as an attachment to the Staff Report.

STAFF RECOMMENDATION:

Staff is recommending ***approval*** of the rezoning of the subject parcels from Highway Business – Special Use District (B-3 SUD) to Highway Business (B-3).

ATTACHMENTS:

- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials



2016-24-RZ - Cameron Way Rezoning
Request: To rezone subject parcels from B-3 SUD to B-3

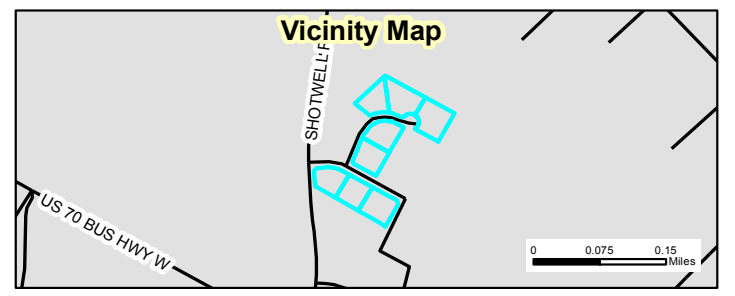
Applicant: Greg Nelson
 Property Owners: Corporate Developers LLC
 Parcel IDs: 165911-55-3881, 165911-55-5881, 165911-55-7668,
 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, 165911-55-1332
 Tag #s: , 05026073T, 05026073S, 05026073E, 05026073O,
 05026073N, 05026073J, 05026073I, 05026073H



- Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay

02/02/16
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

Document Path: O:\PLANNING\REZONING\Rezoning\2016\2016-24-RZ Cameron Way Rezoning\Maps\StaffReportMap- Cameron Way Rezoning.mxd



*Corporate Development, LLC
Meeting Feb 11, 2016*

NEIGHBORHOOD MEETING INFORMATION

Purpose:

The purpose of the neighborhood meeting shall be to inform the neighborhood of the nature of the proposed land use and development features, answer questions, respond to concerns, and solicit comments.

Meeting Date:

The meeting must be held at least ten (10) calendar days prior to the Planning Board meeting.

Meeting Time & Location:

The meeting must be held no earlier than 6:00 pm Monday through Friday, and must be held in a location generally accessible to residents within close proximity of the request.

Meeting Notice Mailing requirements:

1. The applicant must contact all adjacent property owners via first class mailing (see sample letter).
2. The mailing must include all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the subject property. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property.
3. The notice must be mailed at least ten (10) calendar days but not more than twenty-five (25) days prior to the date of the neighborhood meeting.

Information provided to Planning Department:

Alert the Planning Department when the date, location, and time are determined. Planning staff may attend the neighborhood meeting to answer process/code questions.

Return the following items to the Planning Department at least ten (10) calendar days prior to the Planning Board meeting in electronic or hard copy format:

- ☒ Neighborhood Meeting Summary Form
- ☒ Copy of the letter mailed
- ☒ Mailing list
- ☒ Attendance roster

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: Feb 1, 2016

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached):

Printed Name: Gregory N. Nelson

Signature: Gregory N. Nelson

Date of Meeting: Feb 11, 2016

Time of Meeting: 6:30 pm

Location of Meeting: McCalls BBQ, 10365 US 70 Bus, Clayton, NC 27527

Meeting Summary/Minutes: provide a summary of the discussion held at the meeting, including issues raised and any changes made by the applicant as a result of the meeting.

No adjoining property owners who received letters attended the neighborhood meeting. Therefore, no issues were raised and no changes were made to the application. We provided zoning definitions, and attached property maps with a list of adjoining property owner and their parcel no with location. (See attached information packets provided)

Only one phone call has been received as of Feb 13, 2016. I received a phone call from Mr. Capps (Tag No 05026073, Pin No 165911-65-2257) pertaining to the letter he received dated Feb 1, 2016. He questioned the change in zoning ^{and} as was fine with the request and understood the need to change the zoning. He was very supportive and wished us luck in future property sales.

Myself and Kay Hales another owner of Corporate Developers, LLC were the only attendees (see attached sheet)

Please write clearly (or submit a typed summary), and use additional sheets if necessary.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Corporate Developers, LLC 2/11/2016
 Location/Date: Mc Calls BBQ, 10365 US 70 Bus, Clayton, NC 27527

	NAME	ADDRESS
1	<i>Ray Felt</i>	<i>403 Parkridge Drive, Clayton, NC 27527</i>
2	<i>Burgess Nelson</i>	<i>155 Bennett Place, Clayton, NC 27527</i>
3		
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20		

List of Adjacent Property Owners Mailing List

Cameron Way Rezoning Project

Neighborhood Meeting Feb 11, 2016

Project Name: 2016-24-RZ

McCalls BBBQ, 10365 US 70 Bus, Clayton, NC 27527

Parcel Number	Name	Address
Tag No. 05G02005X, NC Pin 165911-55-2009	Plaza Development Co, LLC	2127 Willow Hill Ln, Clayton, NC 27520-5943
Tag No. 05G02005C, NC Pin 165910-45-8042	TRI ARC Food Systems, Inc.	4905 Waters Edge Dr., Raleigh, NC. 27606-2405
Tag No. 05026073P, NC Pin 165911-55-2509	TREE HOUSE PROPERTIES, LLC	P.O. Box 4206, Greensboro, NC 27404-0000
Tag No. 05026073, NC Pin 165911-65-2257	Stella Caps,	3620 Wind Sock CT, Eastover, NC 28312,-9303
Tag No. 05G02005A, NC Pin 165911-56-7592	Lee Brothers Rental	400 W. Main Street, Clayton, NC 27520-0000
Tag No. 05G02205C, NC Pin 165911-45-3301	Promeneade Apartments, LLC	639 Excutive Drive, Fayetteville, NC 28305-5489
Tag No. 05026073M, NC Pin 165911-55-6406	Larry & Patrica Durham	1198 Peele Road, Clayton, NC 27520-0000

Copy of Letter



Corporate Developers, LLC

Feb 1, 2016

TREE HOUSE PROPERTIES, LLC
P.O. BOX 4206
GREENSBORO, N.C. 27404-0000

Ref: Cameron Park
Phase I& II Development

Dear Clayton Area Property,

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: Feb 11, 2016

Meeting Time: 6:30 pm

Meeting Location: McCall's BBQ, 10365 US Business, Clayton, N.C. 27527

Type of Application: Rezoning entire property from B-3 SUD to B-3

Project/proposal property address: Cameron Way and Mechanical Dr, Clayton, NC

Description of project/proposal: See Attached Descriptions and lots included for
Rezoning request,

At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project application.
2. A Map at a scale that is appropriate to the project and shows neighborhood properties and roads.
3. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact me at (919)-669-5255. You may also contact the Planning Department at (919)-553-5002.

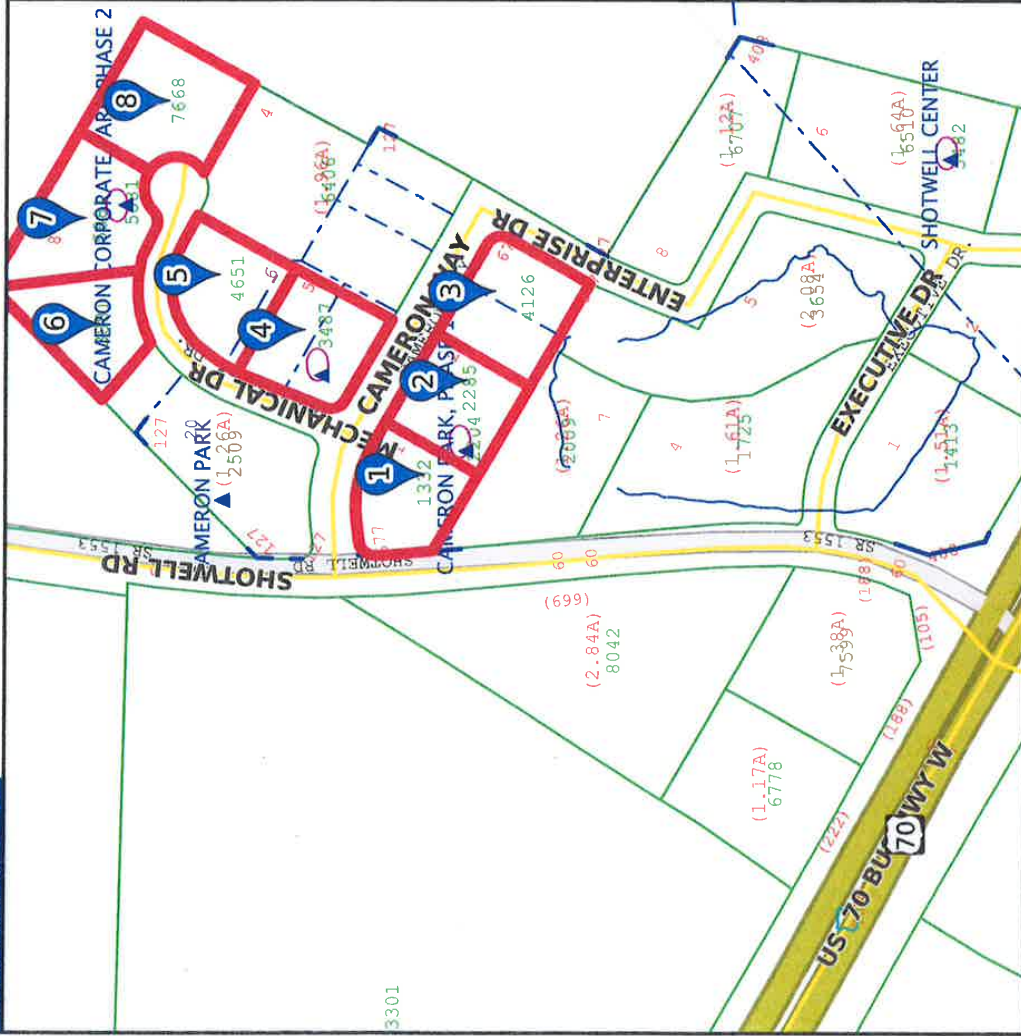
Sincerely,



Gregory N. Nelson
Member

155 Bennett Place, Clayton, N.C. 27527 (919)669-5255

Johnston County assumes no legal responsibility for the information represented here.



id: 05026073H
Tag: 05026073H
Tax Unique Id: 4371463
NCPin: 165911-55-1332
Mapsheet No: 165911
Owner Name 1: CORPORATE DEVELOPERS
LLC
Owner Name 2:
Mail Address 1: 135 BENNETT PLACE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Site Address 1:
Site Address 2:
Book: 02317
Page: 0715
Market Value: 172720
Assessed Acreage: 0.61
Calc. Acreage: 0.595
Sales Price: 1075000
Sale Date: 2002-10-29

Scale: 1:3000 - 1 in. = 250 feet

Johnston County GIS
January 31, 2016

Date 1-Feb-16

Property Descriptions for Corporate Developrs LLC

Rezoning Lots From B-3 Special Use to B-3

Lot No. 1 CAMERON PK
Tag No. 05026073H
NC Pin No. 165911-55-1332
Total Acreage 0.61
Address Cameron Way

Lot No. 2 CAMERON PK
Tag No. 05026073I
NC Pin No. 165911-55-2855
Total Acreage 0.61
Address Cameron Way

Lot No. 3 CAMERON PK
Tag No. 05026073J
NC Pin No. 165911-55-4126
Total Acreage 0.70
Address Cameron Way

Lot No. 5 CAMERON PK
Tag No. 05026073N
NC Pin No. 165911-55-3487
Total Acreage 0.66
Address Cameron Way & Mecanical Dr.

Lot No. 6 CAMERON PK
Tag No. 05026073O
NC Pin No. 165911-55-4651
Total Acreage 0.66
Address Mechanical Dr.

Lot No. 7 CAMERON PK
Tag No. 05026073E
NC Pin No. 165911-55-7668
Total Acreage 0.84
Address Mechanical Dr.

Lot No. 8 CAMERON PK
Tag No. 05026073S
NC Pin No. 165911-55-5881
Total Acreage 0.80
Address Mechanical Dr.

Lot No. 9 CAMERON PK
Tag No. 05026073T
NC Pin No. 165911-55-3881
Total Acreage 0.61
Address Mechanical Dr.

Total Acres = 5.49

List of Adjacent Property Owners

Cameron Way Rezoning Project

Neighborhood Meeting Feb 11, 2016

Project Name: 2016-24-RZ

McCalls BBQ, 10365 US 70 Bus, Clayton, NC 27527

Parcel Number	Name	Address
Tag No. 05G02005X, NC Pin 165911-55-2009	Plaza Development Co, LLC	2127 Willow Hill Ln, Clayton, NC 27520-5943
Tag No. 05G02005C, NC Pin 165910-45-8042	TRI ARC Food Systems, Inc.	4905 Waters Edge Dr., Raleigh, NC. 27606-2405
Tag No. 05026073P, NC Pin 165911-55-2509	TREE HOUSE PROPERTIES, LLC	P.O. Box 4206, Greensboro, NC 27404-0000
Tag No. 05026073, NC Pin 165911-65-2257	Stella Caps,	3620 Wind Sock CT, Eastover, NC 28312,-9303
Tag No. 05G02005A, NC Pin 165911-56-7592	Lee Brothers Rental	400 W. Main Street, Clayton, NC 27520-0000
Tag No. 05G02205C, NC Pin 165911-45-3301	Promeneade Apartments, LLC	639 Excutive Drive, Fayetteville, NC 28305-5489
Tag No. 05026073M, NC Pin 165911-55-6406	Larry & Patrica Durham	1198 Peele Road, Clayton, NC 27520-0000

2/11/2016

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Map Info Locate Query Select Themes & Analysis Reports Measure Reset

Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

Id	05G02005C
Tag	05G02005C
Tax Unique Id	4317222
NCPin	165910-45-8042
Mapsheet No	165910
Owner Name 1	TRI ARC FOOD SYSTEMS INC 23
Owner Name 2	
Mail Address 1	4905 WATERS EDGE DR
Mail Address 2	
Mail Address 3	RALEIGH, NC 27606-2405
Site Address 1	
Site Address 2	
Book	01348
Page	0626
Market Value	762130
Assessed Acreage	2.86
Calc. Acreage	2.84
Sales Price	541000
Sale Date	1993-12-03

Map navigation controls: Pan, ZoomBox, Zoom In, Zoom Out, Full Extent, Previous, Next, Refresh, Print

Map showing parcels with various attributes and labels:

- SHOTWELL RD
- CAMERON WAY
- ENTERPRISE DR
- EXECUTIVE DRIVE DR
- SHOTWELL CENTER
- Parcel numbers: 1332, 1304, 2185, 4126, 8042, 1725, 3654, 5707, 5510, 1413
- Parcel area labels: (1.25A), (1.00A), (1.61A), (2.00A), (1.15A), (1.24A)
- Parcel values: 8042, 1725, 3654, 5707, 5510, 1413

Saved Parcel Information



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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

Id	05026073P
Tag	05026073P
Tax Unique Id	4315836
NCPin	165911-55-2509
Mapsheat No	165911
Owner Name 1	TREE HOUSE PROPERTIES LLC
Owner Name 2	
Mail Address 1	
Mail Address 2	PO BOX 4206
Mail Address 3	GREENSBORO, NC 27404-0000
Site Address 1	
Site Address 2	
Book	03358
Page	0947
Market Value	1439800
Assessed Acreage	1.27
Calc. Acreage	1.26
Sales Price	1800000
Sale Date	2007-06-08

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

Id	05026073
Tag	05026073
Tax Unique Id	4360412
NCPin	165911-65-2257
Mapsheet No	165911
Owner Name 1	CAPPS, STELLA PUCKETTEST OF
Owner Name 2	
Mail Address 1	3620 WIND SOCK CT
Mail Address 2	
Mail Address 3	EASTOVER, NC 28312-9303
Site Address 1	
Site Address 2	
Book	
Page	
Market Value	1659090
Assessed Acreage	42.56
Calc. Acreage	42.98
Sales Price	0
Sale Date	

Map navigation controls: Pan, ZoomBox, Zoom In, Zoom Out, Full Extent, Previous, Next, Refresh, Print

Map showing parcels with labels: SHOTWELL RD, CAMERON WAY, MECHANICAL DR, CAMERON PARK, CAMERON CORPORATE PARK PHASE 2, ENTERPRISE DR, TR 3. Parcel numbers: 127, 20, 26A, 2509, 4651, 7668, 1332, 4384, 2285, 4126, 1725, 6042, 6406, 6707.

Saved Parcel Information

MapClick JOHNSTON COUNTY, NORTH CAROLINA

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Map Info Locate Query Select Themes & Analysis Reports Measure Reset

Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

Id	05G02005A
Tag	05G02005A
Tax Unique Id	4317221
NCPin	165911-56-7592
Mapsheet No	165911
Owner Name 1	LEE BROTHERS RENTAL
Owner Name 2	
Mail Address 1	400 W MAIN STREET
Mail Address 2	
Mail Address 3	CLAYTON, NC 27520-0000
Site Address 1	
Site Address 2	
Book	03344
Page	0564
Market Value	893430
Assessed Acreage	19.58
Calc. Acreage	18.9
Sales Price	0
Sale Date	2007-05-15

Map navigation controls: Pan, ZoomBox, Zoom In, Zoom Out, Full Extent, Previous, Next, Refresh, Print

Map showing parcel boundaries, roads (SHOTWELL RD, CAMERON WAY, MECHANICAL DR), and various parcel numbers (e.g., 3881, 5881, 7668, 4651, 2509, 3487, 2406, 8088).

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Single-Parcel Tax Info

Pen

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Zoom In

Zoom Out

Full Extent

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Click on a parcel.

Results for item 1

Id	05G02205C
Tag	05G02205C
Tax Unique Id	4417130
NCPin	165910-45-3301
Mapsheet No	165910
Owner Name 1	PROMENADE APARTMENTS LLC
Owner Name 2	
Mail Address 1	639 EXECUTIVE PL STE 400
Mail Address 2	
Mail Address 3	FAYETTEVILLE, NC 28305-5489
Site Address 1	
Site Address 2	
Book	04424
Page	0368
Market Value	1997080
Assessed Acreage	22.46
Calc. Acreage	22.57
Sales Price	0
Sale Date	2014-03-18

Shotwell Rd

Cameron Way

Mechanical Dr

Cameron Park

Cameron Corporate Park Phase 2

7668

4651

348.7

2406

2509

3881

5881

8088

Shotwell Rd

Cameron Way

Mechanical Dr

Cameron Park

Cameron Corporate Park Phase 2

7668

4651

348.7

2406

2509

3881

5881

8088

Shotwell Rd

Cameron Way

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Cameron Corporate Park Phase 2

7668

4651

348.7

2406

2509

3881

5881

8088

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

Id	05026073M
Tag	05026073M
Tax Unique Id	4315835
NCPin	165911-55-6406
Mapsheet No	165911
Owner Name 1	DURHAM, LARRY N
Owner Name 2	DURHAM, PATRICIA P
Mail Address 1	1198 PEELE RD
Mail Address 2	
Mail Address 3	CLAYTON, NC 27520-0000
Site Address 1	
Site Address 2	
Book	03008
Page	0660
Market Value	1660660
Assessed Acreage	1.96
Calc. Acreage	1.961
Sales Price	2473000
Sale Date	2005-11-01

Map navigation controls: Pan, ZoomBox, Zoom In, Zoom Out, Full Extent, Previous, Next, Refresh, Print

Map showing parcels with labels: SHOTWELL RD, CAMERON WAY, MECHANICAL DR, CAMERON PARK, CAMERON CORPORATE PARK PHASE 2, 3881, 5881, 7668, 4651, 3487, 2509, 26A1, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 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2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138

ZONING DEFINITIONS

Zoning Definitions

Individual tax parcel zoning can be queried using the 'Zoning' option under the 'Query' menu in the Johnston County Internet Application. The County and each municipality maintain their own zoning codes. A general definition of each zoning is listed on this page. For additional information on Johnston County zoning, please refer to the Johnston County Land Development Code or contact the Johnston County Planning Department at (919) 989-5150. For additional information on municipality zoning, please contact the town directly.

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Zoning Codes

Johnston County - (919) 989-5150

AR: Agricultural and Residential. This includes houses, churches, etc. With a special use permit, uses can include kennels, day cares, community centers, etc.

RR: Resort/Residential. Campgrounds, stables, marinas, etc.

R-MHP: Residential-Mobile Home Parks.

OI: Office and Institutional. Hospitals, doctor's offices, banks, libraries, etc.

GB: General Business. Hotels, gas stations, lumber yards, auto repair, restaurants, etc.

CB: Community Business. Churches, restaurants, day care, convenience stores, etc.

NB: Neighborhood Business. Business uses limited to small scale churches, restaurants, day care, convenience stores, etc.

I-1: Light Industrial. Boat sales, cabinet shops, lumber yards, electronics manufacturing, pharmaceutical manufacturing, industrial supply sales and service, etc.

I-2: Heavy Industrial. Auto repair garages, junk yards, sawmills, concrete plants, milling operations, etc.

PUD: Planned Unit Development. Comprehensively planned communities where some light business is to be expected as part of the development where designated on the approved master plan.

IHI: Interstate Highway Interchange. Uses commonly found at the interchange of interstates. These include restaurants, gas stations, grocery stores, hotels, offices, etc.

SUD: Special Use District. Each of the zoning districts above have an associated Special Use Districts which restrict uses based on specific development approvals.

AHH: Airport Height Hazard District.

ESA: Environmentally Sensitive Area District. Limits residential development within the Floodplain.

WSPD: Water Supply Watershed Protection District. Limits built upon / impervious areas.

MTD: Municipal Transition District. Allows for greater residential densities on the fringe of the towns.

CLD: County Landfill.

Benson - (919) 894-4953

RA: Residential-Agricultural. Allows agricultural activities and residential development at low rural densities in areas where public services are not available.

R-20: Low Density Residential District. Development of property into low density residential neighborhoods where only one public service is available (water or sewer).

R-11: Medium Density Residential District. Development of residential neighborhoods at medium densities where public services are available.

R-6: Higher Density Residential District. Provides for older in-town neighborhoods which have developed at this density, and areas for future development.

R-MH: Mobile Home Residential District. Provides for development of mobile homes on individual lots and of mobile home parks in appropriate locations.

R-TH: Townhouse Residential District. Provides for development of townhouses in appropriate locations with proper consideration of site planning and design principles.

O&R: Office and Residential District. Allows conversion of older homes into office or light commercial uses in certain areas with controls to ensure their compatibility with the residential character of the neighborhood where such conversion will aid in the preservation of town's historic areas.

B-1: Central Business District. Allows a wide range of commercial uses compatible with Benson's downtown area.

B-2: General Business District. Provides for a variety of business uses which are appropriate in selected locations in the planning area where they will not cause compatibility problems with other uses.

B-3: Freeway Interchange District. Provides areas to serve the needs of the traveling public.

B-4: Neighborhood Business District. Provides locations for retail and service establishments supplying the frequent need of residents living in adjacent residential areas while ensuring that such establishments will not be detrimental to those residential areas.

I-1: Light Industrial District. Provides for industrial uses of a clean nature, which will be compatible with adjacent districts.

I-2: Heavy Industrial District. Allows a wide range of industrial uses in areas where such uses will not be incompatible with adjacent uses or neighborhoods.

SUD: Special Use District. Promotes greater land use compatibility by allowing landowners to voluntarily place their property into classifications in which a special use permit is required as a prerequisite to any use or development.

Clayton - (919) 553-5002

R-E : Residential-Estate. The R-E district is comprised of low density, single-family dwellings, and other selected uses which are compatible with the open and rural character of the area. The established regulations for this district are designed to promote and encourage an environment for family life and agriculture. To encourage higher quality development and to ensure greater environmental protection, open space subdivisions are permitted.

R-10: Single-Family Residential-10. The R-10 district is established to provide for orderly suburban residential development and redevelopment and is intended to maintain residential areas at relatively low densities characterized predominantly by owner-occupied, single-family detached units. The district requirements protect existing neighborhoods from undesirable or incompatible uses. To encourage higher quality development and to ensure greater environmental protection, open space subdivisions are permitted. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.

R-8: Single-Family Residential-8. The R-8 district is established to provide for orderly suburban residential development and redevelopment and is intended to maintain residential areas at suburban densities characterized predominantly by owner-occupied, single-family detached units. To encourage higher quality development and to ensure greater environmental protection, open space subdivisions are permitted. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.

R-6: Single-Family Residential-6. The R-6 district is established to provide for orderly suburban residential development and redevelopment. Intended to protect, preserve and enhance existing residential areas of higher density which include multi-family dwellings mixed with other housing types. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.

O-R: Office-Residential. The O-R district is intended to accommodate modest-scale professional occupations, along with single-family and multi-family residential units, to serve as a neighborhood activity center and as a transition between residential and more intense commercial uses.

O-I: Office-Institutional. The O-I district is intended to permit offices, institutions and associated administrative, executive, professional and research uses in new and existing structures and limited retail uses. Such offices and instructional uses should be

located along major roadways, adjacent to commercial uses to act as a buffer between such roadways and residential uses.

B-1: Central-Business. The B-1 district is intended to foster a vibrant, safe, town center by encouraging residential development while retaining and further developing a broad range of commercial, office, institutional, public, cultural and entertainment uses and activities. The district is intended to define and promote the town center as a desirable place to live, work and recreate.

B-2: Neighborhood-Business. The B-2 district provides opportunities for small-scale commercial uses offering primarily convenience shopping and services for adjacent residential areas. Proximity to residences requires that commercial operations are low intensity, unobtrusive and conducted at a scale and density compatible with the surrounding neighborhood. There is a relatively low demand on public services, transportation and utilities.

B-3: Highway-Business. The B-3 district provides locations of offices, service uses, and businesses retailing durable and convenience goods for the community as a whole. Located on major and minor thoroughfares and, therefore, are accessible to and serve the entire community. Site design and buffering mitigate impacts of traffic, operations and scale on adjacent businesses and residential neighborhoods.

I-1: Industrial-Light. The I-1 district fosters the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist. Industries should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or business districts, warehousing and wholesaling activities, and research facilities. The regulations of this district are intended to prohibit the use of land for industries that by their nature may create some nuisance to surrounding properties.

I-2: Industrial-Heavy. The I-2 district fosters the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist. Intended for heavy industries that, by their nature, may create some nuisance, and which are not properly associated with or are compatible with nearby residential or business districts, warehousing and wholesaling activities, and research facilities.

PD-R: Planned Development-Residential. The PD-R district provides opportunities for master-planned residential communities containing a mix of housing types, including associated amenities with appropriate perimeter buffering and open space. This district is primarily intended for large-scale residential projects that require either additional flexibility not available in a residential district or greater scrutiny by the town due to their scale.

PD-C: Planned Development-Commercial. The PD-C district is intended to enhance the design of a commercial development by allowing for additional flexibility not available in the nonresidential districts. The district allows for innovations and special features in site development, including the location and type of structures, the conservation of natural features, the conservation of energy, and the efficient use of open space.

PD-I: Planned Development-Industrial. The PD-I district is intended to provide a means of achieving unified industrial complexes of high quality to promote amenities beyond those expected under conventional techniques, to achieve greater flexibility in design, to encourage well-planned industrial developments that provide for community needs, to provide for appropriate use of land which is significantly unique in its physical characteristics, location or other circumstances to warrant special methods of development, and to allow the expansion of existing industrial areas while safeguarding and maintaining the integrity of surrounding uses, especially those of a residential nature.

PD-MU: Planned Development-Mixed Use. The PD-MU district is intended to provide coordinated mixed use developments which include light industrial, commercial, office, educational, civic, institutional, residential and service uses within a planned development with appropriate perimeter buffering and open space. The variety of land uses available in this district allows flexibility to respond to market demands and the needs of tenants, which provides for a variety of physically and functionally integrated land uses. p>

Four Oaks - (919) 963-3112

R8-5S: Medium - Density Single Family Residential District - The purpose of this district is to provide for single-family dwellings on 8,500 square foot lots. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of single-family dwellings and would be detrimental to the quiet residential nature of the areas included within this district. All residences shall meet criteria in Article II General provisions, Section 211. & Amendment 2 & 3.

R6-: High Density Residential District - The purpose of this district is to provide a location for single family on compact lots, duplex and multifamily dwellings. Multifamily developments are special uses in this district. All residences shall meet criteria in Article II, General Provisions, Section 211 & Amend 2& 3.

B-2H: Highway Business District - The purpose of this district is to provide area for those retail trade and service uses which are properly located on major thoroughfares.

R-6MH: Manufactured Home Residential District - The purpose of this district is to provide areas for manufactured homes on individual lots, as well as other single-family residential uses. **R-A: Residential-Agricultural** - The purpose of this district is to retain the open characteristics and agricultural of the land. All residence shall meet criteria in Article II, General Provisions, Section 2.11. & Amendment 2 & 3

B-1C: Central Business District - The purpose of this district is to provide for those uses most appropriately located in the central commercial area of Four Oaks.

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING AMENDMENT
(Rezoning Amendment)

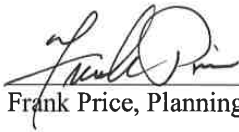
Cameron Way Rezoning
2016-24-RZ

On February 22, 2016 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to ☒approve ☐deny the above referenced rezoning application.

Recommendation(s) made this 22nd day of February 2016 while in regular session.

Signed:



Frank Price, Planning Board Chair

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2016-24-RZ Cameron Way Rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan, specifically:

- Objective LU1: Preserve Clayton's small-town character while allowing for growth and development in appropriate areas.

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

the above referenced zoning amendment is reasonable and in the public interest.

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on April 4, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following rezoning requests:

- 3900 Powhatan Road Rezoning, 2016-13-RZ, for parcel number 167700-39-3255. The requested change is from Highway Business (B-3) and Residential Estate (R-E) to Industrial Light (I-1).
- Cameron Way Rezoning, 2016-24-RZ, for parcel numbers 165911-55-3881, 165911-55-5881, 165911-55-7668, 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, and 165911-55-1332. The requested change is from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).
- Clayton Northside Substation Rezoning, 2015-84-RZ, for parcel number 166900-96-3977. The requested change is from Residential Estate (R-E) to Public Facilities (PF).

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

This is an open meeting and the public is invited to attend.

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:

Wednesday, March 23, 2016

Wednesday, March 30, 2016

Dates are the two Wednesdays prior to the hearing

Affidavit of publication required.

COUNCIL MOTION SHEET
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny]** **Case # 2016-24-RZ – Cameron Way Rezoning.**

[IF APPROVING]

and to approve the Statement of Consistency and Reasonableness included in the Agenda packet [with the following modifications: STATE MODIFICATIONS, IF ANY].

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
AND ZONING MAP
OF THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton to include in the Highway Business (B-3) zone the property described below, said property formerly being zoned Highway Business Special Use District (B-3 SUD); and

WHEREAS said property is owned by the Corporate Developers; and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in the Clayton News Star, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160A-364 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Zoning Ordinance of the Town of Clayton and by Section 160A-384 of the General Statutes; and

WHEREAS the said public hearing was actually conducted at 6:30 p.m. on April 4, 2016, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

THEREFORE, after duly considering the matter, THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Highway Business (B-3) zone the following described property:

General Description:

Located east of Shotwell Road, along Cameron way, Enterprise Drive and Mechanical Drive.

Specific Description:

NC Parcel Identification Numbers: 165911-55-3881/ 165911-55-5881 /
165911-55-7668 / 165911-55-4651 / 165911-55-3487 / 165911-55-4126 /
165911-55-2285 and 165911-55-1332

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Highway Business zone the above-described property and will be so marked.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED by the Clayton Town Council this 4th day of April,
2016, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearings

Meeting Date:

April 4, 2016

ITEM TITLE:

Text Amendments Unified Development Code

DESCRIPTION:

Request to make minor amendments to the text of the Unified Development Code (UDC). These amendments seek to either update the Code based on recent state legislative changes, correct typos, text, or references, relocate text to more appropriate sections, and/or otherwise make minor changes to the Code to clarify language, intent, or definitions. The proposed changes are minor in scope.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

March 21, 2016

Action Taken:

Set Public Hearing for April 4, 2016

Information Provided:

Amendments

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

*Planning Board
February 22, 2016*

STAFF REPORT

Application Number: 2016-41-OA

Project Name: UDC Glitch Bill 2016 (Ordinance Amendment)

Applicant: Town

Public Noticing:

- Newspaper ad posted prior to March 23, 2016

REQUEST: Request to make minor amendments to the text of the Unified Development Code, Title XV, §155. These amendments seek to either update the Code based on recent state legislative changes, correct typos, text, or references, relocate text to more appropriate sections, and/or otherwise make minor changes to the Code to clarify language, intent, or definitions. The proposed changes are minor in scope.

SECTIONS PROPOSED FOR AMENDMENT:

The following sections of Title XV, Chapter 155 and their general description are proposed for amendment:

- 109(D) – Transitional Provisions
- 200(A) – General Use Districts
- 200(C) – Overlay Districts
- 201 – Measurements and Exceptions
- 202(B) – Use Regulations, Table 2-1
- 204(B) – Water Protection Overlay [standards]
- 301 through 307 – Residential Use Standards
- 402 – Landscaping, Screening, and Buffering
- 602(I) – Subdivision Standards, Streets
- 704 – Rezoning
- 705 – Planned Development Review
- 719 – Nonconformities
- 801 through 802 – Abbreviations and Defined Terms

STAFF ANALYSIS AND COMMENTARY:

Overview

These amendments seek to either update the Code based on recent state legislative changes, correct typos, text, or references, relocate text to more appropriate sections, and/or otherwise make minor changes to the Code to clarify language, intent, or definitions. The proposed changes are generally minor in scope, which is why it is referred to as a “glitch bill”.

Approval Criteria:

- **Consistency with remainder of the Chapter**
The request is consistent with the remainder of Chapter 155.
- **Novelty of the request**
The request does not represent novel changes to the Code.
- **Correction of existing errors**
The request largely represents correction, clarification, or refinement of existing Code language.
- **Compliance with state or federal statutes or case law**
The request is consistent with all known state, federal, and case laws.

CONSIDERATIONS

- The Planning Board shall make a recommendation to Town Council. The Town Council shall make a final decision regarding revisions to the Town Code.

STAFF RECOMMENDATION:

Staff is recommending approval.

CONDITIONS:

Staff has no recommendation of Conditions.

ATTACHMENTS:

- 1) Draft Ordinance Amendment, in strikethrough/underline.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

MEMORANDUM

Date: March 14, 2016
To: Town Council
From: Planning Staff
Subject: **Notice of amendment to Ordinance Amendment 2016-41-OA**

At their February 22, 2016 meeting, the Planning Board recommended approval to Town Council of Ordinance Amendment 2016-41-OA. Since that time, staff has removed that portion of the application that sought to amend the language of subdivision review, which would have moved from the present process (of quasi-judicial review) to legislative review. That portion of the amendment relating to switching to legislative review of subdivisions will be reevaluated before it is brought before Council at an undetermined time in the future.

the County. This section is no longer relevant.	
\$155.200(A)	General Use Districts
Existing text (with strikethrough/underline)	
(A) <u>GENERAL USE DISTRICTS</u>	
(1) Residential <u>Districts</u>	
(2) Nonresidential <u>Districts</u>	
(3) Planned Development <u>Districts</u>	
Comment	
<none.>	

\$155.200(C)	Overlay Districts
Existing text (with strikethrough/underline)	
(C) <u>OVERLAY DISTRICTS</u>	
(1) Thoroughfare Overlay District (TOD)	
The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment. It is recognized that an enhanced development quality in areas of high visibility promotes economic development and stability in the entire community. The standards established in § 155.204(A) shall be applied to properties which adjoin major thoroughfares, as designated on the Town's Overlay Zoning Map.	
(2) Watershed Protection Overlay (WPO)	
(a) The Watershed Protection Overlay (WPO) is hereby established as a district that overlays the designated water supply watershed. The designated water supply watershed under this district is defined and established by the overlay district "Watershed Protection Overlay" on the zoning map. Land use and development within the WPO must comply with all the requirements of both the underlying zoning district and the watershed overlay.	
(b) The designated water supply watershed within the Town is designated by the state as a Class IV watershed protected area (WS-IV PA) and is referred to as the Neuse River (Smithfield) watershed within the Neuse River basin. Only new development activities that require an erosion/sedimentation control plan under state law or approved local government program are required to meet the provisions of this program. See § 155.501 for watershed protection standards.	

(3) Scenic Highway Overlay (SHO)

The Scenic Highway Overlay is established for the purpose of protecting the visual qualities of the scenic US Highway 70 West corridor, as further described in this Article, specifically in §155.204.

(4) Downtown Overlay District (DOD)

The Downtown Overlay District is established for the purpose of fostering the economic vitality of the area within the district's boundaries, as further described in this Article, specifically in §155.204.

Comment

This addition of text is to describe the other overlay districts whose description and regulations are already currently existing and more fully described in §155.204.

§155.201	Measurements and Exceptions
Existing text (with strikethrough/underline)	
(A) <u>GENERAL</u> No lot, even though it may consist of one or more adjacent lots of record in single ownership, shall be reduced in size so that the lot area per dwelling unit, lot width, yard and lot coverage requirements, and other requirements of this chapter are not maintained. This prohibition shall not be construed to prevent the purchase or condemnation of narrow strips of land for public utilities or street right-of-way purposes. (B) <u>BUILDING COVERAGE</u> The maximum area of the lot that is permitted to be covered by buildings, including both principal structures and accessory buildings. Building coverage does not include paved areas such as driveways, uncovered porches or patios, decks, swimming pools or pool cages, or roof overhangs of less than three feet. (C) <u>IMPERVIOUS SURFACE</u> The maximum area of the lot that is permitted to be covered by buildings, including both principal structures and accessory buildings, paved areas such as driveways, uncovered porches or patios, or solid decks.	

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(A) BUILDING SEPARATION

~~The required separation between any two buildings located on the same lot or parcel of land.~~

(B) GROSS FLOOR AREA

The gross floor area of a building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, ~~and shall include the following areas:~~

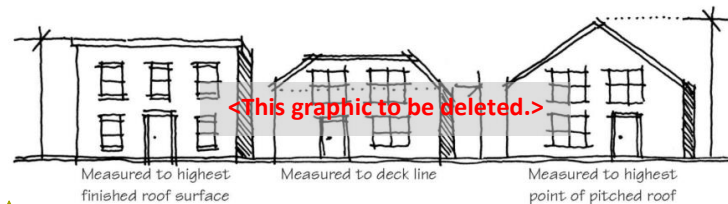
~~(3) The area of each floor of the structure;~~

~~(4) All attic space used for active commercial space; and~~

~~(5) All outside storage areas as permitted § 155.405.~~

(C) HEIGHT

- (1) Height shall be determined by the vertical distance from the average of the finished ground level to the highest finished roof surface ~~of any flat roof, to the deck line of a mansard roof, or to the highest point of the ridge of any pitched roof.~~



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- (2) No structure shall be erected or altered so as to exceed the height limit or density regulations of this ~~subchapter article~~ for the district in which it is located.
- (3) The Board of Adjustment may grant a ~~C~~onditional ~~U~~se ~~P~~ermit in accordance with § 155.710 for structures such as spires, belfries, cupolas, domes not intended for human occupancy, monuments, water tanks/towers, transmission and telecommunication towers, chimneys, flagpoles, aerials or antennas, or other similar structures which, by design or function, must exceed established height limits of the district in which it is to be located.
- (4) The Town Council may grant a ~~S~~pecial ~~U~~se ~~P~~ermit in accordance with § 155.711 for structures exceeding the maximum height limits of any district.

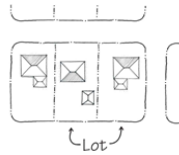
(D) AREA

Area shall be measured in gross square feet or acres.

- (1) **Lot**

~~(a) A single lot of record, or more than one contiguous lot of record in the same ownership, which lot or lots of record are not divided by any street or public alley.~~

~~(a)(b)~~ Lot area shall be that area included in a single, undivided piece of land.

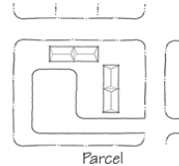


~~(a)(c)~~ Minimum lot areas shall be exclusive of existing or proposed public or private right-of-way, resource conservation areas (see § 155.500), and required recreation and open space (see § 155.203(H)).

(2) Parcel

~~(a) A continuous quantity of land in the possession of or owned by, or recorded as property of the same person or persons. A~~ parcel may contain multiple buildings or uses.

~~(a)(b)~~ Parcel area shall be that area required for each individual building in a multi-building project. A parcel may include multiple lots.

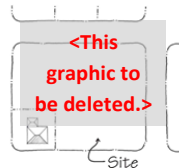


~~(3) Site~~

~~(a) A continuous quantity of land to be developed as a single project. A site may contain multiple parcel or lots.~~

~~(b) Site area shall be the total land area of the proposed development. A site may include multiple parcels or lots.~~

~~(c) Net site area shall mean the total gross area of the parcel, minus any resource conservation areas (see § 155.500) located on the site.~~



(E) WIDTH

(1) Building Width

Building width shall be measured by the distance along the front plane of any building (as determined by the location of an entrance fronting on a street).

(2) Parcel or Lot Width

Parcel or lot width shall be measured by the distance between the side lot lines (generally running perpendicular to a street), measured at the rear edge of the front setback (also commonly known as the street yard) ~~street yard~~ along a straight line parallel to the front of the property line or if the front property line is not



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~~straight, along-parallel to~~ the chord of the front property line.

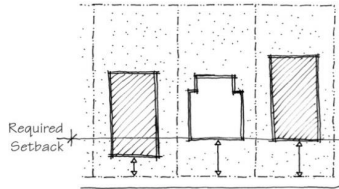
(F) **DENSITY**

- (1) Density shall be allocated to each development parcel as follows:
 - (a) One hundred percent of the district density for the area outside of resource conservation areas; and
 - (b) Fifty percent of the district density for any resource conservation areas.
- (2) Density for ~~single-family residential development districts~~ shall be calculated by dividing one acre of land (43,560 square feet) by the minimum lot area (in square feet) single-family detached lot size for the district, and then rounding down to the nearest whole number.

(G) **YARDS AND SETBACKS**

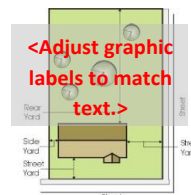
(1) **General**

- (a) All ~~street-front~~ yard and side ~~yard~~ ~~(street)street~~ yard setbacks shall be measured from the edge of the right-of-way.
- (b) The minimum ~~street-front~~ yard requirements of this ~~subchapter-article~~ for residential dwellings shall not apply on any lot where the average ~~street-front~~ yard of existing dwellings located on either side of the lot in question within the same block and zoning district and fronting on the same side of the street is less than the minimum required ~~street-front~~ yard. In such cases, the ~~street-front~~ yard on such lots may be less than the required ~~street-front~~ yard, but not less than the adjacent dwelling with the greatest ~~street-front~~ yard depth.
- (c) Every part of every required yard shall be open and unobstructed above the general ground level of the graded lot upward to the sky except as provided or as otherwise permitted in this ~~chapter-section~~.
- (d) No part of a yard or other open space required about any structure or use for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another structure or use.



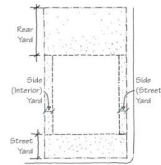
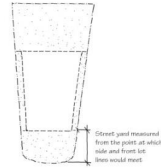
(2) **Types of Yards**

- (a) There are four types of yards ~~— streetfront, side (street), side street (also commonly known as street side) side (interior) side interior), and rear yards.~~
- (b) ~~Double frontage lots have two street yards.~~



(3) Measurement of Yards

- (a) Depth of a required street-front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot lines, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding.
- (b) Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.
- (c) Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

**(4) Yard Encroachments**

The following encroachment standards shall apply to all required yards, so long as they do not extend into any easements:

- (a) Parking structures may extend into the rear yard of a dwelling unit.
- (b) Chimneys, pre-fabricated chimneys, flues, or smokestacks may extend a maximum of four feet into a required yard.
- (c) Building eave or roof overhang may extend up to 24 inches into a required yard; provided that such extension is at least three feet from the property line, its lower edge is at least seven and one-half feet above the ground elevation, and it is located at least five feet from any other building or eave.
- (d) Sills and ornamental features may project up to 24 inches into any required yard.
- (e) Except in the B-1 District, fire escapes may project up to eight feet into any required yard.
- (f) Signs may extend into required yards in conformance with standards found in § 155.403.
- (g) Pedestrian bridges, breezeways, building connections, and supports of these structures may extend into required yards upon findings by the approving authority that the connecting feature is necessary to provide safe pedestrian access or to improve transit access.
- (h) Security gates and guard stations may be located within any required yard.

- (i) Unenclosed patios, decks or terraces, including lighting structures, may extend up to four feet into any required side yard, or up to eight feet into any required rear yard.

- (j) Covered porches may encroach a maximum of 20% of the required ~~street-front~~ yard setback depth.

...

Comment

Some of this text is redundant as these terms are already defined in Defined Terms (§155.802).

Some of this text has been modified to clarify measurements and terms.

The method of calculation for "Density" may deserve some additional analysis and revision.

(Note that labels and graphics will be adjusted to reflect any approved text changes.)

\$155.202(B), Table 2-1**Table 2-1, Use Regulations****Existing text (with strikethrough/underline)**

Use Type	Zoning Districts												Specific Use Section
	Residential				Nonresidential								
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF	
Residential Uses													
Adult Care Home (2-6 Adults)	P	P	P	P									\$155.301(A)
Adult Care Home (7-12 Adults)	S	S	S	S		C	S	S	S				\$155.301(A)
Adult Care Home (13+ Adults)						C	S	S	S				\$155.301(A)
Alley Loaded House		P	P	P									\$155.301(B)
Apartments		S	S	S	S	S	S	S	S				\$155.301(C)
Boarding House				C		P		P					\$155.301(D)
Child Care Home	C	C	C	C	C								\$155.301(E)
Manufactured Home	P												\$155.301(F)
Manufactured Home Park	S												\$155.301(G)
Nursing Home (Congregate Living Facility)	C			C		P		S	P				\$155.301(H)
Two family House		S	S	S	S								\$155.301(I)
Townhouse		S	S	S	S	S	S	S	S				\$155.301(J)
Security/Caretaker Quarters	C								C			C	\$155.301(K)
Single Family House	P	P	P	P									\$155.301(L)
Upper-story Residence	S	S	S	S	S	P	P	P	P				\$155.301(M)
Zero Lot Line House		P	P	P									\$155.301(N)
[delete row]													
Public and Civic Uses													
Assembly -Not For Profit	S					P			P			P	\$155.302(A)
Cemetery	P								P			P	\$155.302(B)
Church or Place of Worship	C	C	C	C		C		C	C				\$155.302(C)
College or University						P						P	\$155.302(D)
Day Care (Supervision for 3-8)	C	C	C	C	C								\$155.302(E)
Day Care (Supervision for 9+)	C	C	C	C	C	P	P	C	P				\$155.302(E)
Government Service	S	S	S	S	P	P	P	P	P	P	P	P	\$155.302(F)
Hospital or Medical Center						P				P		P	\$155.302(G)
School (Elementary or Secondary)	S	S	S	S		S						P	\$155.302(H)
School (Technical, Trade or Business)	S	S	S	S		P	P		P	P	P	P	\$155.302(I)
Recreational Uses													

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Entertainment, Indoor						C	C	C	P	P		P	\$155.303(A)
Entertainment, Outdoor									C	P		P	\$155.303(B)
Fitness Center						C	C	C	P	P		P	\$155.303(C)
Golf Course	P	P	P	P								P	\$155.303(D)
Gun Range						S	S	S	S	S	S	S	\$155.303(E)
Park, Active	S	S	S	S	S	S	S	S	S	S	S	P	\$155.303(F)
Park, Passive	C	C	C	C	P	P	C	C	C	C	C	P	\$155.303(G)
Stable, Private	P												\$155.303(H)
Agricultural Uses													
Agriculture, Livestock	C											C	\$155.304(A)
Agriculture, Sales and Service	P											C	\$155.304(B)
Nursery	P					P	P	C	P			P	\$155.304(C)
Commercial Uses													
Adult Oriented Business									S		S		\$155.305(A)
Bed and Breakfast	P					P	P	P	P				\$155.305(B)
Car Wash/Auto Detailing						C	C	P	P				\$155.305(C)
Contractor Office						C	C		P	P	P		\$155.305(D)
Contractor Storage Yard									C	C	P	P	\$155.305(E)
Convenience Store with Gas Sales							C	C	P	P	P		\$155.305(F)
Creative Studio					P	P	P	P	P				\$155.305(G)
Financial Institution					P	P	P	P	P				\$155.305(H)
Funeral Home				C	P	P	P	P	P				\$155.305(I)
Hotel/Motel					S	S	S	P					\$155.305(J)
Kennel	C							C					\$155.305(K)
Laundry Services								C	P	P			\$155.305(L)
Lounge, Cocktail							S	S	S	S			\$155.305(M)
Microbrewery						P		P	P	P			\$155.305(N)
Newspaper Publisher								P	P	P			\$155.305(O)
Office, General					P	P	P	P	P	P		P	\$155.305(P)
Office, Medical					P	P	P	P	P	P			\$155.305(Q)
Outdoor Seating/Sidewalk Cafe						C	P	C	C				\$155.305(R)
Parking Lot					S	S	S	S	S	S	S	S	\$155.305(S)
Pawn Shop									C	P			\$155.305(S)
Radio or Television Studio									P	P	P		\$155.305(T)
Restaurant, Drive-Through								C	C	C			\$155.305(U)
Restaurant, General						C	P	P	P	C			\$155.305(V)
Retail Sales, General							P		P				\$155.305(W)
Retail Sales, Neighborhood							P	P	P				\$155.305(X)
Self-storage Facility									C	P	P		\$155.305(Y)
Service, General							P		P				\$155.305(Z)
Service, Neighborhood							P	P	P				\$155.305(AA)
Tattoo Parlor									S				\$155.305(BB)
Towing Service and Storage									C	C	C		\$155.305(CC)
Vehicle Repair or Service									S	P	P		\$155.305(DD)
Vehicle Sales and Rental									P	P	P		\$155.305(EE)
Veterinary Clinic						C	C	C	C				\$155.305(FF)
Video Sweepstakes Operations										S			\$155.305(GG)
Industrial Uses													
Building Supplies, Wholesale									C	P	P		\$155.306(A)
Crematorium										P	P		\$155.306(B)
Gas and Fuel, Wholesale										P	P	P	\$155.306(C)
Laboratory, Research						P			P	P	P		\$155.306(D)
Manufacturing, Limited										P	P		\$155.306(E)
Manufacturing, General										C	P		\$155.306(F)
Manufacturing, Heavy											P		\$155.306(G)
Research and Development						P			P	P	P		\$155.306(H)
Warehouse, Freight Movement									C	P	P		\$155.306(I)
Utilities													
Recycling Center										P	P	P	\$155.307(A)
Renewable Energy Facility	S									ES	PS	PS	\$155.307(B)
Telecommunication Facility	S	S	S	S	S	S	S	S	S	S	S	S	\$155.307(C)
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	\$155.307(D)

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Utility, Major										P	P	P	\$155.307(E)
Waste Service										C	P	P	\$155.307(F)
Key:													
													P – Permitted
													C – Conditional Use permitted in the zoning district only if approved by the Board of Adjustment (BOA) (§ 155.710)
													S – Special Use permitted in the zoning district only if approved by the Town Council (TC) (§ 155.711)

Comment

Adjustments to the Use Table.

(Note that references in the “Specific Use Section” column will be adjusted according to changes.)

\$155.204(B)	Watershed Protection Overlay [standards]
Existing text (with strikethrough/underline)	
(H)(B) WATERSHED PROTECTION OVERLAY (-WP)	
Use and development standards. The use and development standards for the Watershed Protection Overlay (-WP) are found in § 155.501.	
Comment	
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\$155.301-.307	Residential Use Standards
Existing text (with strikethrough/underline)	
155.301	
(A) <u>ADULT CARE HOME</u>	
(1) An assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services to residents, either directly or, for scheduled needs, through formal written agreement with licensed home care or hospice agencies. Some licensed adult care homes provide supervision to persons with cognitive impairments whose decisions, if made independently, may jeopardize the safety or well-being of themselves or others and therefore require supervision.	
(2) In the R-E District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 4,000 square feet of lot area per occupant.	
(3) In the R-10 District, an adult care home shall provide <u>at</u> least 150 square feet of gross floor area per occupant and 2,000 square feet of lot area per occupant.	
(4) In the R-8 District, an adult care home shall provide <u>at</u> least 150 square feet of gross floor	

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area per occupant and 1,600 square feet of lot area per occupant.

(5) In the R-6 District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 1,200 square feet of lot area per occupant.

~~(5)(6) Pursuant to N.C. General Statutes 168-22, an Adult Care Home shall not be located within a ½ mile radius of an existing Adult Care Home.~~

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155.302

(A) ASSEMBLY, NOT FOR PROFIT

A site or facility open to the public, ~~owned or operated by a not for profit organization~~ for social, educational or recreational purposes. Typical uses include museums, cultural centers, recreational facilities, botanical gardens and community services such as after school care or tutorial services, medical services, and employment services. ~~Not for profit assembly uses requiring membership may include, and may also include~~ uses such as cultural organizations and union halls.

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155.305

(A)(E) CONTRACTOR STORAGE YARD

A lot used for the storage of construction material, equipment, or three or more commercial vehicles used by building trades and services, other than construction sites. A contractor's office is permitted as an accessory to the storage yard.

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155.305

1.(M) LOUNGE, COCKTAIL

A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, nightclubs, and similar uses other than restaurants or alcohol sales for off-premises consumption.

~~1.(1) Except in the B-1 zoning district, a~~ cocktail lounge shall not be located within 250 feet of a residential district and shall be separated a minimum of 750 feet from another cocktail lounge.

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~~(5)(1)~~ Outdoor seating and open lounge areas shall meet the criteria set forth in § 155.305(R)

155.305

(S) PARKING LOT

An area provided for self-parking or valet-parking of operable passenger automobiles or commercial vehicles by employees, visitors, and/or patrons of any office of government, public accommodations, commercial or industrial establishments, institutions, or any other business open to the general public. Parking lots may be further defined as being available for compensation, free, or as an accommodation to clients or customers.

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1-(T) PAWN SHOP

Any establishment engaged in the loaning of money on the security of personal property pledged in the keeping of the pawnbroker, and the sale of such property.

~~(A)~~(1) Outdoor storage may be allowed subject to Planning Board approval (see § 155.405).

155.307**1-(B) RENEWABLE ENERGY FACILITY**

A facility that generates renewable energy from sources such as solar, wind, ~~uses~~ or other systems with a principal use of producing electric, thermal power, or mechanical power.

Comment

Separation of Adult Care Homes is allowed per NC General Statutes §168-22.

Parking Lot added per change in Use Table.

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§155.402**Landscaping, Screening, and Buffering****Existing text (with strikethrough/underline)****155.402(D)****(2) Vehicular Use Areas**

All vehicular use areas shall observe a minimum front yard of not less than five feet, and a side yard on a corner lot of not less than five feet.

Parking lots in residential districts shall have front yards of not less than 15 feet and side and rear yards of not less than five feet.

Parking areas in excess of 1,500 square feet or five spaces shall provide landscaped areas in accordance with the requirements set forth in this Section.

(a) Perimeter Screening

1. The perimeter of all parking areas and other vehicular use areas adjacent to residentially-zoned property shall provide a Class C buffer as set forth in ~~PART 2~~ of this Section.

~~1-2.~~ The perimeter of all parking areas and other vehicular use areas with frontage on or visibility from any portion of ~~an existing~~ public right-of-way shall be

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screened to a height of 3 feet by either a berm, ~~a~~-continuous landscaped hedge, ~~a~~-decorative fence, decorative masonry wall, or any combination thereof.

~~2.3. At the time of installation, such screening shall be at least 30 inches in height.~~
Any vegetative screen shall be maintained at a minimum height of 36 inches within two years of planting.

155.402(E)(2)**(A) BUFFERS****(1) Buffer Defined**

A buffer is a specified land area, located parallel to and within the outer perimeter of a lot and extending to the lot line, together with the planting and landscaping required on the land. A buffer may also contain, or be required to contain, a barrier such as a berm or wall where such additional screening is necessary to achieve the desired level of buffering between various land use activities. A buffer is not intended to be commensurate with the term "yard" or "setback."

(2) Buffer Types

There are four types of required buffers that may occur on any given parcel, as described further in this section. ~~(for the specific width and plant material for each buffer classification see (E)(3) of this section.~~

(a) Street Buffers

1. All new development with frontage on a commercial street or designated minor thoroughfare shall provide a Class A buffer as set forth in (E)(3) of this section.
2. Double frontage lots abutting a collector street or residential collector street shall provide a Class A buffer along the entire rear yard frontage.

(b) Parking Buffers

Parking buffer requirements are set forth in PART 1 of this Section.

(c) Compatibility Buffers

Perimeter compatibility is required along the boundaries of all incompatible zoning districts or existing uses, whichever is more restrictive. If the existing use of an adjacent property is nonconforming then the required buffer shall be determined by zoning district instead of existing use. Table 4-5 shall be used to determine the required buffer classification between adjacent districts.

§155.402, PART 2. TABLE 4-5 COMPATIBILITY BUFFER REQUIREMENTS

Subject Property District	Adjacent Property District											
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF
R-E	--	--	--	--	--	--	--	--	--	--	--	--
R-10	A	--	--	--	--	--	--	--	--	--	--	--
R-8	B	A	--	--	--	--	--	--	--	--	--	--
R-6	B	A	A	--	--	--	--	--	--	--	--	--
O-R	B	A	A	A	--	--	--	--	--	--	--	--
O-I	B	B	B	B	A	--	--	--	--	--	--	--
B-1	B	B	B	B	B	B	--	B	--	--	--	--
B-2	B	B	B	B	B	B	--	--	--	--	--	--
B-3	C	C	C	C	C	B	B	B	--	--	--	B
I-1	C	C	C	C	C	C	C	C	B	--	--	B
I-2	C	C	C	C	C	C	C	C	B	--	--	B
PF ¹	--	--	--	--	--	--	--	--	--	--	--	--

¹ Where a use in a PF zoning district is generally found only in Industrial or Commercial districts, the use shall be buffered according to the more intensive buffer requirement found in that district.

¹ Where a use in a PF zoning district is generally found only in Industrial or Commercial districts, the use shall be buffered according to the more extensive buffer requirement found in that district.

155.402(E)**(e)(3) Project Boundary Buffers**

Project boundary buffers are established to mitigate the effect of specific types of development on adjacent properties. Where project boundaries coincide with district boundaries the following project boundary buffers shall apply.

1.(a) Open Space Residential Subdivision

A Class C buffer is required along all project boundaries of an open space subdivision (see § 155.203(H)(8)).

2.(b) Planned Development

1. A Class C buffer is required along all project boundaries of a planned development.
2. The continuous visual barrier of Class C buffers is not required for the street-side of non-residential Planned Developments where they abut major or minor thoroughfares.
3. A Class B buffer may be used when a Planned Development - Commercial (PD-C) abuts a non-residential district (see § 155.203(L)).

3.(c) Manufactured Home Park

A Class C buffer is required along all project boundaries of a manufactured home park (see § 155.301(G)(4)).

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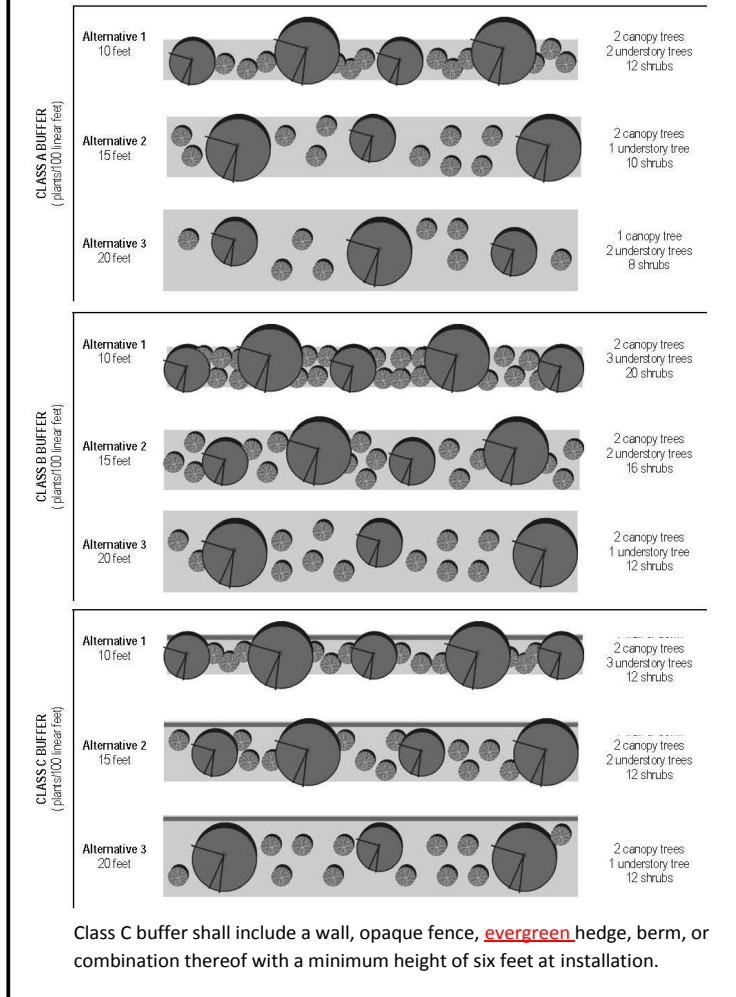
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(3) **Buffer Classification**

Figure 4-1 establishes the specific width and plant material for each buffer classification. The applicant may choose any alternative (1, 2, or 3) in the respective buffer classification. Buffers planted below overhead utility lines shall apply any of the allowed buffer alternatives, except that understory trees shall replace any canopy trees at a rate of two understory trees per required canopy tree. ~~The plantings below are intentionally overplanted at maturity, in order to provide an immediate beneficial impact.~~

<remainder of this page left blank to accommodate figure on next page.>

FIGURE 4-1 LANDSCAPE BUFFERS

155.402(E)(7)**(b) Berms**

Where berms are placed within any required buffer area, they shall meet the following requirements.

1. Berms shall have a minimum average height of 30 inches with side slopes ~~of not less than four~~ not steeper than three feet horizontal for each one foot vertical.
2. Slopes ~~in excess of four steeper than three~~ feet horizontal for each one foot vertical may be permitted if sufficient erosion control methods are taken and deemed by the Public Works Director to be maintainable.

155.402(G) – Screening**(2) Service Areas**

- (a) Trash collection, trash compaction, recycling collection, and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from ~~residential-adjacent~~ properties or public rights-of-way.
- (b) ~~Screening enclosures~~ Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high ~~with self closing access doors~~ and shall be constructed of the same materials as the primary building.

(c) Enclosures shall be screened by landscaping utilizing evergreen shrubs that shall be maintained at a minimum height of at least 36 inches within two years of planting.

~~(c)(d)~~ All service areas are limited to the area shown on an approved site plan.

~~(d)(e)~~ All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line.

155.402(H) – General Landscaping, Screening, and Buffering Provisions**(H) GENERAL PROVISIONS****(1) Design, Installation and Establishment****(a) Plant Material**

1. Except as otherwise specified in this article, landscaping materials shall conform to the following minimum specifications:

- A. Canopy trees shall have a 2.5 inch caliper and be 8 feet tall following installation.
- B. Understory trees shall have a 2.0 inch caliper and be 6 feet tall following

<u>installation.</u> C. <u>Shrubs not used for screening shall be a minimum height of 12 inches following installation.</u> D. <u>Shrubs explicitly used for screening shall be a minimum height of 24 inches following installation.</u> 1.2. Plant material shall be chosen from the lists of recommended plant species contained in the Clayton General Design Guidelines. Plant materials shall be reviewed for suitability with regard to the eventual size and spread, susceptibility to diseases and pests, and appropriateness to existing soil, climate and site conditions. Plant materials that vary from this list may be used with the approval of the Planning Director <u>or staff provided they meet the general size requirements and growth habits of the existing list of recommended plant species.</u> 2.3. <u>The preferred plant list shall be used to define the species of trees and shrubs deemed to be canopy trees, understory trees and shrubs. The lists may be expanded but are intended to provide guidance in selecting predominately hardy North Carolina native species. Selected plants should be predominantly hardy species that are native to North Carolina.</u> 3. <u>Except as otherwise indicated, selected trees shall be at a minimum of two and one half caliper inches at the time of planting. Canopy trees shall be at least eight feet in height and understory trees shall be at least six feet in height at planting. Shrubs shall be at least 30 inches in height at planting.</u>	Comment Clarification of when, where, and how landscaping screening shall occur, as well as consolidation of plant material size requirements and plant selection criteria.
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\$155.602	Subdivision Standards: Streets
Existing text (with strikethrough/underline)	
<u>155.602 - STREETS</u>	
(I) <u>STREET TYPES</u>	
<u>See Defined Terms (\$155. 802) for description of each Street Type</u>	
(1) <u>Major Thoroughfare</u> A street serving the principal network for high volumes of traffic or high-speed traffic as shown on the town's Transportation Plan. This street type consists of at least two travel lanes in each direction. A major thoroughfare shall be designated where the anticipated average daily volume exceeds 10,000 vehicles. Residences should not front on a major or <u>minor thoroughfare.</u>	

(2) ~~Minor Thoroughfare~~

~~A street designed primarily to collect and distribute traffic between the local street network and major thoroughfares as shown on the town's Transportation Plan. This street type generally consists of more than one travel lane in each direction. A minor thoroughfare shall be designated where the anticipated average daily volume ranges exceeds 6,000 vehicles. Residences should not front on a minor thoroughfare.~~

(3) ~~Commercial Street~~

~~A multi-lane street connecting to major or minor thoroughfares designed to accommodate large volumes (in excess of 6,000 trips per day) of traffic at moderate speeds while also providing, as a major part of its function, direct access to nonresidential or mixed use high trip generating land uses.~~

(4) ~~Collector Street~~

~~A street whose principal function is to carry traffic between residential collectors, residential streets, cul de sacs and major and minor thoroughfares, but that may also provide direct access to abutting properties. It is designed to carry more than 3,500 but less than 6,000 trips per day. Typically, a collector is able to serve, directly or indirectly, between 350 and 600 dwelling units.~~

(5) ~~Residential Collector Street~~

~~A street which serves as a connector street between residential streets, cul de sacs and major and minor thoroughfares. Residential collector streets typically collect traffic from 100 to 400 dwelling units.~~

(6) ~~Residential Street~~

~~A street whose principal function is to provide access to adjacent properties.~~

(7) ~~Cul-De-Sac (Commercial, Residential)~~

~~A short, street having one end open to traffic and the other permanently terminated by a vehicular turnaround.~~

(8) ~~Alley~~

~~A public vehicular way providing service access along rear or side property lines of lots which are also served by one of the other listed street types.~~

(9) ~~Frontage Road~~

~~(a) A street, parallel and adjacent to a major or minor thoroughfare, which provides access to abutting properties, protection from through traffic, and control of access to the major or minor thoroughfare.~~

- (2) Where a parcel of land to be subdivided adjoins a major thoroughfare, the Planning Board or Town Council may require that such lots be provided access by a frontage road.

Comment

Moved definitions to Defined Terms (§155.802) and consolidated remaining text.

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\$155.704	Rezoning
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§ 155.704 REZONING	
(C) <u>PRE-APPLICATION CONFERENCE</u>	
All applicants petitioning for a rezoning shall schedule a pre-application conference with the p Planning d irector in accordance with § 155.702(a).	
(I) <u>ACTION BY TOWN COUNCIL</u>	
(1) Before taking action on a rezoning, the Town Council shall consider the recommendations of the Planning Board and Planning Director.	
(2) The Town Council may approve the rezoning, deny the rezoning, or send the rezoning back to the Planning Director Planning Board for additional consideration.	
(3) Concurrently with adopting, denying, or remanding any rezoning, the Town Council shall adopt a statement describing whether its action is consistent with the adopted plans and polices of the Town and explaining why the Town Council considers the action taken to be reasonable and in the public interest.	
(J) <u>APPROVAL CRITERIA</u>	
In connection with its legislative decision on a rezoning request, the t Town c ouncil may consider factors including, but not limited to, the following: ...	
(K) <u>PROTEST TO ZONING CHANGE</u>	
(1) If a petition opposing a change in the rezoning is filed in accordance with the provisions of this section, then the proposed rezoning may be adopted only by a favorable vote of at least three-fourths of the Town Council.	
(2) To qualify as a protest under this section, the petition must:	
(a) Be signed by the owners of either:	
1. Twenty percent or more of the area included in the proposed change; or	
2. Five percent or more of the area of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned.	
3. Street right-of-way shall not be considered in computing the 100-foot buffer	

~~area, except where the street right-of-way is wider than 100 feet. When less than an entire parcel of land is subject to the proposed rezoning, the 100-foot buffer shall be measured from the property line of that parcel. For the purposes of this section, the "owners" are those listed on the county tax listing.~~

~~(b) Be a written petition actually bearing the signatures and addresses of the requisite number of property owners and stating that the signers do protest the proposed change.~~

~~(c) Be received by the Town Clerk at least two days before the date established for a public hearing on the rezoning to allow the Town Clerk's determination of the sufficiency and accuracy of the petition.~~



~~(d)~~

~~(e) Valid Protest Petition = 20% of rezone area or 5% of buffer area~~

~~(f)(K)~~ **MODIFICATION OF APPLICATION**

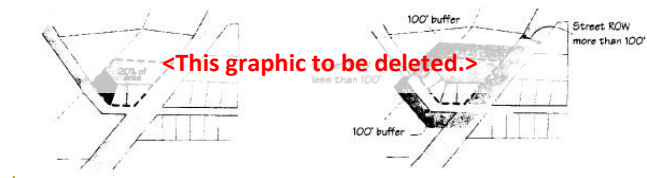
An applicant in a zoning matter may reduce the geographic scope and or propose a district of lower density or intensity from that requested in the application by filing a statement of modification with the ~~p~~Planning ~~d~~Director.

Comment

The Protest Petition has been invalidated by the State Legislature via House Bill 343. Other corrections are minor clerical and/or related to formatting.

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§155.705	Planned Development Review
Existing text (with strikethrough/underline)	
§ 155.705 PLANNED DEVELOPMENT REVIEW	
(K) <u>MASTER PLAN APPROVAL CRITERIA</u>	
The master plan review shall include and the applicant shall be responsible for successfully addressing the following:	
(1) Compliance with § 155.203(L <u>K</u>) and all other applicable requirements of this chapter;	
(2) Consistency with the Clayton General Design Guidelines;	
...	
(L) <u>PROTEST TO ZONING CHANGE</u>	
(1) If a petition opposing a change in the rezoning is filed in accordance with the provisions of this section, then the proposed rezoning may be adopted only by a favorable vote of at least three fourths of the Town Council.	
(2) To qualify as a protest under this section, the petition must:	
(a) Be signed by the owners of either:	
1. Twenty percent or more of the area included in the proposed change; or	
2. Five percent or more of the area of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned.	
3. Street right of way shall not be considered in computing the 100-foot buffer area, except where the street right of way is wider than 100 feet. When less than an entire parcel of land is subject to the proposed rezoning, the 100-foot buffer shall be measured from the property line of that parcel. For the purposes of this section, the "owners" are those listed on the county tax listing.	
(b) Be a written petition actually bearing the signatures and addresses of the requisite number of property owners and stating that the signers do protest the proposed change.	
(c) Be received by the Town Clerk at least two days before the date established for a public hearing on the rezoning to allow the Town Clerk's determination of the sufficiency and accuracy of the petition.	



~~Valid Protest Petition = 20% of rezone area or 5% of buffer area~~

Comment

The Protest Petition has been invalidated by the State Legislature via House Bill 343. Other modifications are clerical, referential, or formatting-related.

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§155.719	Nonconformities
Existing text (with strikethrough/underline)	
<p>§ 155.719 NONCONFORMITIES</p> <p>A lawful preexisting use, structure, or lot that does not meet the requirements of this chapter is called a nonconformity. Special provisions apply to nonconformities, as set forth in this section.</p> <p>(M) — EXISTING SUBSTANDARD STRUCTURES</p> <p class="list-item-l1">(1) The conforming use of a structure, as explained in § 155.109(A), existing at the time of the adoption of this chapter, may be continued, although the structure's size or location does not conform with the yard, dimensional, height, parking, loading, access, lot area, and lot coverage provisions of this chapter. Such structures are called substandard structures.</p> <p class="list-item-l1">(2) Substandard structures which are damaged or destroyed by fire, explosion, flood, or other calamity to the extent of more than 50% of the value of the structure, as determined by the town, may be reconstructed and shall comply with the applicable provisions of this chapter for the district in which such structure is located, unless the structure is situated on a substandard lot of record, in which case the provisions concerning substandard lots of record shall apply.</p> <p class="list-item-l1">(3) A substandard structure, including a mobile home, may not be moved off the lot or lots on which it is located, unless when relocated within the jurisdiction of the town, it complies with the regulations for the district in which it is located. Further, any subsequent reuse of the lot or lots from which the substandard structure has been moved must comply with the regulations for the district in which it is located.</p> <p class="list-item-l1">(4) A substandard structure may be enlarged or expanded, provided that any expansion meets all of the requirements for the zoning district, including, but not limited to the yard, dimensional, height, parking, loading, access, lot area, and lot coverage provisions of this chapter.</p> <p>(N) — EXISTING NONCONFORMING USES</p> <p>The nonconforming use of a structure or land at the time of the adoption of this chapter may be continued, except that:</p> <p class="list-item-l1">(1) Only that portion of the land in actual use may be so continued, and the nonconforming use may not be enlarged or extended, nor may any additional structures be added to be occupied by the nonconforming use, unless by special use permit, except that existing cemeteries can expand to the boundaries of the property which they owned at the time they became nonconforming.</p> <p class="list-item-l1">(2) Normal maintenance, repair, and incidental alteration of a building occupied by a nonconforming use is permitted, provided it does not extend the nonconforming use. A structure occupied by a nonconforming use may be changed to make the structure more in</p>	

~~character with the uses permitted in the district in which it is located.~~

- ~~(3) If such nonconforming use is damaged by fire, explosion, flood, or other calamity to the extent of more than 50% of its current equalized value, it shall not be restored unless it will comply with the use provisions of this chapter, except that nonconforming owner-occupied single-family dwellings may be restored. Multi-family development approved prior to June 4, 1996 may be restored in a manner which does not increase any nonconforming density, setback, or spacing of building standards approved in the original site plan, upon granting of a special use permit by the Town Council in accordance with § 155.711.~~
- ~~(4) If such nonconforming use is discontinued or terminated, as evidenced by the disconnection of electrical service to such nonconforming use for a period of 180 days, any future use of the structure or land shall comply with the provisions of this chapter.~~
- ~~(5) A nonconforming use, such as, but not limited to mobile homes, may not be moved off the lot or lots on which it is located, unless, when relocated within the jurisdiction of the town, it complies with the regulations for the district in which it is located. Further, any subsequent reuse of the lot or lots from which the nonconforming use has been moved must comply with the regulations for the district in which it is located.~~
- ~~(6) The Town Council may permit as a special use a change in nonconforming use, provided that the requirements of (B)(1) through (5) of this section are met, and the Town Council finds that such new use would be more in character with the uses permitted in the district than the previous use. In permitting such change, the Town Council may require appropriate conditions and safeguards in accordance with the provisions of this chapter.~~
- ~~(7) Once a nonconforming use has been changed or altered so as to comply with the provisions of this chapter, it shall not revert back to a nonconforming use. Once the Board of Adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a nonconforming use and become subject to all the conditions required by the Board. If the structure occupied by a nonconforming use is changed so as to be more in character with the uses permitted in the district in which it is located, it shall not subsequently be changed to be less in character.~~

~~(C) **EXISTING VACANT SUBSTANDARD LOTS**~~

- ~~(1) Where the owner of a lot at the time of the original passage of this chapter, or any successor in title does not own sufficient land to conform to the lot area or lot width requirements of this chapter, such a lot may be used as a building site for a single-family residence in a district in which residences are permitted, provided that the lot width and lot area are not more than 20% below the minimum specified in this chapter, and further provided that the County Health Department approves the reduction if on-site water or wastewater facilities are involved. In cases where the lot area and lot width are more than 20% below the minimum specified in this chapter, or other requirements cannot be met, the Board of Adjustment is authorized to approve as a variance such dimensions as shall conform as closely as possible to the required dimensions specified in this chapter. In~~

~~addition, nonresidential uses of land permitted in the applicable nonresidential zoning district may be granted a variance for development on a substandard lot, subject to approval by the Board of Adjustment and the required findings set forth in (C)(2) of this section.~~

- ~~(2) If two or more adjoining and vacant lots are in one ownership when this chapter is adopted, or at any time after the adoption of this chapter, and such lots individually do not meet the dimensional requirements of this chapter for the district in which such lots are located, then such group of lots shall be considered as a single lot and therefore, the provisions of (B)(1) of this section do not apply.~~

~~(P) **NONCONFORMING SIGNS**~~

~~(1) **Amortization of Nonconforming Signs**~~

~~Any sign existing prior to April 7, 1986 which does not conform to the requirements of this chapter may be continued with the following exceptions; however, all nonconforming signs shall be brought into compliance or removed within the time limits specified in (D)(3) of this section.~~

- ~~(a) Portable and windblown signs as defined in § 155.403, shall be removed by January 1, 1987.~~
- ~~(b) All moving signs shall cease movement by July 7, 1986.~~
- ~~(c) All non-governmental flashing signs shall stop flashing by July 7, 1986.~~

~~(2) **Enlargement and Revision of Nonconforming Signs**~~

~~No nonconforming sign shall be erected, replaced, or otherwise modified in such a way as to increase its nonconformity. Reasonable repair and maintenance of nonconforming signs, including the change of an advertising message, is permitted, provided that a nonconforming sign which is damaged or deteriorated to the extent of 50% or more of its value shall not be replaced unless it conforms to all provisions of this subchapter.~~

~~(3) **Removal of Nonconforming Signs**~~

- ~~(a) Nonconforming signs, when removed for other than normal maintenance, may not be erected again, nor may any such sign be replaced with another nonconforming sign.~~
- ~~(b) All nonconforming signs erected before the date of adoption of this chapter shall be removed or modified so as to conform to this chapter by February 1, 2002.~~

~~(Q) **NONCONFORMITIES IN THE WATER PROTECTION OVERLAY (WP)**~~

~~Nonconforming lots, buildings and structures may be continued and maintained subject to the provisions as set forth below. Expansions to nonconformities must meet the requirements of § 155.501, however, the impervious surface area is not required to be included in the density~~

~~calculations.~~

~~(1) — Vacant Lots~~

~~This category consists of vacant lots for which plats or deeds have been recorded in the office of the County Register of Deeds. Lots may be used for any of the uses allowed in the WP Overlay in which it is located, provided the following:~~

~~(a) — Where the lot area is below the minimum specified and no other standard needs to be modified to use the lot for residential purposes.~~

~~(b) — Notwithstanding (E)(1)(a) of this section, whenever two or more adjoining residential vacant lots of record are in single ownership at any time after the adoption of this chapter, and such lots individually have less area than the minimum requirements for residential purposes for the WP Overlay such lots shall be combined to create a single lot or lots which meet or minimize the degree of nonconformity.~~

~~(2) — Occupied Lots~~

~~This category consists of lots occupied for residential purposes at the time of the adoption of this chapter. These lots may continue to be used, provided that whenever two or more adjoining lots of record, one of which is occupied, are in single ownership at any time after the adoption of this chapter, and such lots individually or together have less area than the minimum requirements for residential purposes specified, such lots shall be combined to create lots which meet the minimum size requirements, or which minimize the degree of nonconformity.~~

~~(3) — Buildings and Impervious Surfaces~~

~~This category includes any buildings or impervious surface area existing at the time of adoption of this chapter not in conformance with the restrictions of this chapter. Such buildings and impervious surface areas shall be allowed to remain.~~

~~(4) — Reconstruction of Damaged Buildings or Impervious Surfaces.~~

~~Any existing building or impervious surface area not in conformance with the restriction of this chapter that has been damaged by fire, wind, flood or other causes, may be repaired and used as before. The total amount of space devoted to impervious surface area may not be increased unless stormwater controls that equals or exceeds the previous development is provided.~~

~~(Ord. 2005-11-02, passed 11-21-05)~~

Comment

Entire section (§155.719) to be deleted. This section was previously moved to §155.110 (per Ordinance 2013-10-03) and exists there currently. At that same time, Section .719 was intended to be deleted, but was not. This corrects that clerical error.

\$155.801 and .802	Abbreviations and Defined Terms
Existing text (with strikethrough/underline)	
155.801 - Abbreviations DENR: Department of Environment and Natural Resources <u>(now known as Department of Environmental Quality)</u> <u>DEQ: North Carolina Department of Environmental Quality</u>	
155.802 – Defined Terms Building Separation: The required separation between any two buildings <u>,located on the same lot or parcel of land.</u> Density The number of dwelling units permitted per net acre of land. Floor Area, Gross The sum of the gross horizontal area of the several floors of a building, measured from the exterior faces of the exterior walls or from the center of the common walls of attached buildings. Gross floor area includes basement floors, attic floor space, halls, closets, stairwells, space devoted to mechanical equipment, and enclosed porches. <u>Gross Floor Area also includes all outside storage areas.</u>	
Comment	
The above proposed changes are modifications to existing text. These changes provide consistency with relocations and/or changes to text in §155.201.	

\$155.802	Defined Terms
Existing text (with strikethrough/underline)	
<u>Major Thoroughfare</u> <u>A street serving the principal network for high volumes of traffic or high speed traffic as shown on the town's Transportation Plan. This street type consists of at least two travel lanes in each direction. A major thoroughfare shall be designated where the anticipated average daily volume exceeds 10,000 vehicles.</u>	
<u>Minor Thoroughfare</u> <u>A street designed primarily to collect and distribute traffic between the local street network and major thoroughfares as shown on the town's Transportation Plan. This street type generally consists of more than one travel lane in each direction. A minor thoroughfare shall be designated where the anticipated average daily volume ranges exceeds 6,000 vehicles.</u>	
<u>Commercial Street</u>	

A multi-lane, street connecting to major or minor thoroughfares designed to accommodate large volumes (in excess of 6,000 trips per day) of traffic at moderate speeds while also providing, as a major part of its function, direct access to nonresidential or mixed use high trip generating land uses.

Collector Street

A street whose principal function is to carry traffic between residential collectors, residential streets, cul-de-sacs and major and minor thoroughfares, but that may also provide direct access to abutting properties. It is designed to carry more than 3,500 but less than 6,000 trips per day. Typically, a collector is able to serve, directly or indirectly, between 350 and 600 dwelling units.

Residential Collector Street

A street which serves as a connector street between residential streets, cul-de-sacs and major and minor thoroughfares. Residential collector streets typically collect traffic from 100 to 400 dwelling units.

Residential Street

A street whose principal function is to provide access to adjacent properties.

Cul-De-Sac (Commercial, Residential)

A short, street having one end open to traffic and the other permanently terminated by a vehicular turnaround.

Alley

A public vehicular way providing service access along rear or side property lines of lots which are also served by one of the other listed street types.

Frontage Road

A street, parallel and adjacent to a major or minor thoroughfare, which provides access to abutting properties, protection from through traffic, and control of access to the major or minor thoroughfare.

Setback

A line delineating the minimum allowable distance between the property line or right-of-way line and a building on a lot, within which no building, significant development, or other structure shall be placed except as otherwise provided. Wherever property lines and right-of-way lines both occur, the most restrictive setback distance on the lot shall prevail.

Comment

The above proposed changes represent the relocation of defined terms that are currently located Article 602(D), with the exception of Setback, which is proposed as an addition to the Defined Terms section.

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ORDINANCE AMENDMENT
(Text Amendment)

UDC Glitch Bill 2016
2016-41-OA

On February 22, 2016 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to ☒ approve ☐ deny the above referenced ordinance amendment.

Recommendation(s) made this 22nd day of February, 2016 while in regular session.

Signed:



Frank Price, Planning Board Chair

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold a public hearing on April 4, 2016, at 6:30 PM in the Council Chambers at the Clayton Center, 111 E Second Street, to consider amendments to the Unified Development Code. Copies of the proposed amendments are available in the Planning office and the Town Clerk's office for review by the public. The following sections of Title XV, Chapter 155 and their general description are proposed for amendment:

- 109(D) – Transitional Provisions
- 200(A)- General Use Districts
- 200(C)- Overlay Districts
- 201- Measurements and Exceptions
- 202(B)- Use Regulations, Table 2-1
- 204(B)- Water Protection Overlay (standards)
- 301 through 307- Residential Use Standards
- 402- Landscaping, Screening, and Buffering
- 602(I)- Subdivision Standards, Streets
- 704- Rezoning
- 705- Planned Development Review
- 706- Subdivision Review
- 719- Nonconformities
- 801 through 802- Abbreviations and Defined Terms

The public is invited to attend.

Jay McLeod, Planner
919-553-5002

Clayton News Star

Please advertise on the following dates:

Wednesday, March 23, 2016

Wednesday, March 30, 2016

Affidavit of publication required.

COUNCIL MOTION SHEET
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny]** Text Amendments to the Unified Development Code.

TOWN OF CLATYON
TEXT AMENDMENTS TO CHAPTER 155, SECTIONS 100-400 AND 600-800

BEING HEREBY ADROPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA, to amend the Code of Ordinance, Chapter 155 as follows:

§155.109(D) - Deleted	Transitional Provisions
------------------------------	--------------------------------

§155.200(A)	General Use Districts
(A) General use districts	
(1) Residential Districts (2) Nonresidential Districts (3) Planned Development Districts	

§155.200(C)	Overlay Districts
(C) <u>OVERLAY DISTRICTS</u>	
(3) Scenic Highway Overlay (SHO) The Scenic Highway Overlay is established for the purpose of protecting the visual qualities of the scenic US Highway 70 West corridor, as further described in this Article, specifically in §155.204. (4) Downtown Overlay District (DOD) The Downtown Overlay District is established for the purpose of fostering the economic vitality of the area within the district's boundaries, as further described in this Article, specifically in §155.204.	

§155.201	Measurements and Exceptions
Delete previous (B) (C) (D) (E) & (F) and replace with the following:	

(B) **GROSS FLOOR AREA**

The gross floor area of a building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

(C) **HEIGHT**

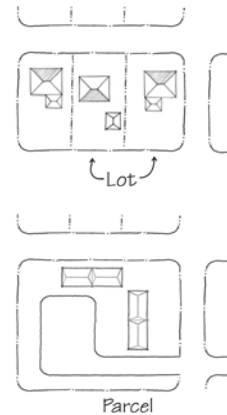
- (1) Height shall be determined by the vertical distance from the average of the finished ground level to the highest finished roof surface.
- (2) No structure shall be erected or altered so as to exceed the height limit or density regulations of this article for the district in which it is located.
- (3) The Board of Adjustment may grant a Conditional Use Permit in accordance with § 155.710 for structures such as spires, belfries, cupolas, domes not intended for human occupancy, monuments, water tanks/towers, transmission and telecommunication towers, chimneys, flagpoles, aerials or antennas, or other similar structures which, by design or function, must exceed established height limits of the district in which it is to be located.
- (4) The Town Council may grant a Special Use Permit in accordance with § 155.711 for structures exceeding the maximum height limits of any district.

(D) **AREA**

Area shall be measured in gross square feet or acres.

(1) **Lot**

- (b) Lot area shall be that area included in a single, undivided piece of land.
- (c) Minimum lot areas shall be exclusive of existing or proposed public or private right-of-way, resource conservation areas (see § 155.500), and required recreation and open space (see § 155.203(H)).



(2) **Parcel**

- (a) A parcel may contain multiple buildings or uses.
- (b) Parcel area shall be that area required for each individual building in a multi-building project. A parcel may include multiple lots.

(E) **WIDTH**

(1) **Building Width**

Building width shall be measured by the distance along the front plane of any building (as determined by the location of an entrance fronting on a street).

(2) **Parcel or Lot Width**



Parcel or lot width shall be measured by the distance between the side lot lines (generally running perpendicular to a street), measured at the rear edge of the front setback (also commonly known as the street yard) along a straight line parallel to the front of the property line or if the front property line is not straight, parallel to the chord of the front property line.

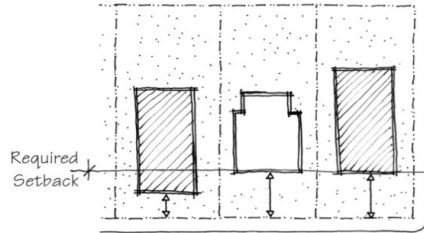
(F) **DENSITY**

- (1) Density shall be allocated to each development parcel as follows:
 - (a) One hundred percent of the district density for the area outside of resource conservation areas; and
 - (b) Fifty percent of the district density for any resource conservation areas.
- (2) Density for residential development shall be calculated by dividing one acre of land (43,560 square feet) by the minimum lot area (in square feet) for the district, and then rounding down to the nearest whole number.

(G) **YARDS AND SETBACKS**

(1) **General**

- (a) All front yard and side street yard setbacks shall be measured from the edge of the right-of-way.
- (b) The minimum front yard requirements of this article for residential dwellings shall not apply on any lot where the average front yard of existing dwellings located on either side of the lot in question within the same block and zoning district and fronting on the same side of the street is less than the minimum required front yard. In such cases, the front yard on such lots may be less than the required front yard, but not less than the adjacent dwelling with the greatest front yard depth.
- (c) Every part of every required yard shall be open and unobstructed above the general ground level of the graded lot upward to the sky except as provided or as otherwise permitted in this section.
- (d) No part of a yard or other open space required about any structure or use for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another structure or use.

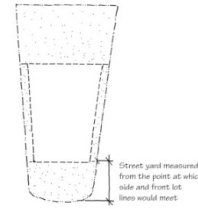


(2) **Types of Yards**

- (a) There are four types of yards – front, side street (also commonly known as street side) side interior, and rear.

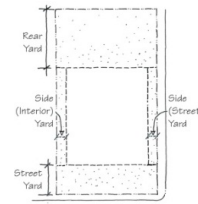
(3) **Measurement of Yards**

- (a) Depth of a required front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot lines, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding.



- (b) Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

- (c) Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.



(4) Yard Encroachments

The following encroachment standards shall apply to all required yards, so long as they do not extend into any easements:

- (a) Parking structures may extend into the rear yard of a dwelling unit.
- (b) Chimneys, pre-fabricated chimneys, flues, or smokestacks may extend a maximum of four feet into a required yard.
- (c) Building eave or roof overhang may extend up to 24 inches into a required yard; provided that such extension is at least three feet from the property line, its lower edge is at least seven and one-half feet above the ground elevation, and it is located at least five feet from any other building or eave.
- (d) Sills and ornamental features may project up to 24 inches into any required yard.
- (e) Except in the B-1 District, fire escapes may project up to eight feet into any required yard.
- (f) Signs may extend into required yards in conformance with standards found in § 155.403.
- (g) Pedestrian bridges, breezeways, building connections, and supports of these structures may extend into required yards upon findings by the approving authority that the connecting feature is necessary to provide safe pedestrian access or to improve transit access.
- (h) Security gates and guard stations may be located within any required yard.
- (i) Unenclosed patios, decks or terraces, including lighting structures, may extend up to four feet into any required side yard, or up to eight feet into any required rear yard.
- (j) Covered porches may encroach a maximum of 20% of the required front yard

setback depth.

§155.202(B), Table 2-1					Table 2-1, Use Regulations									
Use Type	Zoning Districts												Specific Use Section	
	Residential				Nonresidential									
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF		
Residential Uses														
Adult Care Home (2-6 Adults)	P	P	P	P									§155.301(A)	
Adult Care Home (7-12 Adults)	S	S	S	S		C	S	S	S				§155.301(A)	
Adult Care Home (13+ Adults)						C	S	S	S				§155.301(A)	
Alley Loaded House		P	P	P									§155.301(B)	
Apartments		S	S	S	S	S	S	S	S				§155.301(C)	
Boarding House				C		P		P					§155.301(D)	
Child Care Home	C	C	C	C	C								§155.301(E)	
Manufactured Home	P												§155.301(F)	
Manufactured Home Park	S												§155.301(G)	
Nursing Home (Congregate Living Facility)	C			C		P		S	P				§155.301(H)	
Two family House		S	S	S	S								§155.301(I)	
Townhouse		S	S	S	S	S	S	S	S				§155.301(J)	
Security/Caretaker Quarters	C								C			C	§155.301(K)	
Single Family House	P	P	P	P									§155.301(L)	
Upper-story Residence	S	S	S	S	S	P	P	P	P				§155.301(M)	
Zero Lot Line House		P	P	P									§155.301(N)	
Public and Civic Uses														
Assembly	S					P			P			P	§155.302(A)	
Cemetery	P								P			P	§155.302(B)	
Church or Place of Worship	C	C	C	C		C		C	C				§155.302(C)	
College or University						P						P	§155.302(D)	
Day Care (Supervision for 3-8)	C	C	C	C	C								§155.302(E)	
Day Care (Supervision for 9+)	C	C	C	C	C	P	P	C	P				§155.302(E)	
Government Service	S	S	S	S	P	P	P	P	P	P	P	P	§155.302(F)	
Hospital or Medical Center						P			P			P	§155.302(G)	
School (Elementary or Secondary)	S	S	S	S		S						P	§155.302(H)	
School (Technical, Trade or Business)	S	S	S	S		P			P	P	P	P	§155.302(I)	
Recreational Uses														
Entertainment, Indoor						C	C	C	P	P		P	§155.303(A)	
Entertainment, Outdoor									C	P		P	§155.303(B)	
Fitness Center						C	C	C	P	P		P	§155.303(C)	
Golf Course	P	P	P	P								P	§155.303(D)	
Gun Range							S	S	S	S	S	S	§155.303(E)	
Park, Active	S	S	S	S	S	S	S	S	S	S	S	P	§155.303(F)	
Park, Passive	C	C	C	C	P	P	C	C	C	C	C	P	§155.303(G)	
Stable, Private	P												§155.303(H)	
Agricultural Uses														
Agriculture, Livestock	C										C		§155.304(A)	
Agriculture, Sales and Service	P										C		§155.304(B)	
Nursery	P					P	P	C	P			P	§155.304(C)	
Commercial Uses														
Adult Oriented Business									S		S		§155.305(A)	
Bed and Breakfast	P					P	P	P	P				§155.305(B)	
Car Wash/Auto Detailing						C	C	P	P				§155.305(C)	
Contractor Office						C	C		P	P	P		§155.305(D)	
Storage Yard									C	C	P	P	§155.305(E)	
Convenience Store with Gas Sales							C	C	P	P	P		§155.305(F)	
Creative Studio					P	P	P	P	P				§155.305(G)	

Financial Institution					P	P	P	P	P				§155.305(H)
Funeral Home				C	P	P	P	P	P				§155.305(I)
Hotel/Motel						S	S	S	P				§155.305(J)
Kennel	C							C					§155.305(K)
Laundry Services							C		C	P	P		§155.305(L)
Lounge, Cocktail								S	S	S	S		§155.305(M)
Microbrewery							P		P	P	P		§155.305(N)
Newspaper Publisher									P	P	P		§155.305(O)
Office, General					P	P	P	P	P	P		P	§155.305(P)
Office, Medical					P	P	P	P	P	P			§155.305(Q)
Outdoor Seating/Sidewalk Cafe							C	P	C	C			§155.305(R)
Parking Lot					S	S	S	S	S	S	S	S	§155.305(S)
Pawn Shop									C	P			§155.305(S)
Radio or Television Studio									P	P	P		§155.305(T)
Restaurant, Drive-Through								C	C	C			§155.305(U)
Restaurant, General						C	P	P	P	C			§155.305(V)
Retail Sales, General							P		P				§155.305(W)
Retail Sales, Neighborhood							P	P	P				§155.305(X)
Self-storage Facility									C	P	P		§155.305(Y)
Service, General							P		P				§155.305(Z)
Service, Neighborhood							P	P	P				§155.305(AA)
Tattoo Parlor									S				§155.305(BB)
Towing Service and Storage									C	C	C		§155.305(CC)
Vehicle Repair or Service									S	P	P		§155.305(DD)
Vehicle Sales and Rental									P	P	P		§155.305(EE)
Veterinary Clinic						C	C	C	P				§155.305(FF)
Video Sweepstakes Operations										S			§155.305(GG)
Industrial Uses													
Building Supplies, Wholesale									C	P	P		§155.306(A)
Crematorium										P	P		§155.306(B)
Gas and Fuel, Wholesale										P	P	P	§155.306(C)
Laboratory, Research						P			P	P	P		§155.306(D)
Manufacturing, Limited										P	P		§155.306(E)
Manufacturing, General										C	P		§155.306(F)
Manufacturing, Heavy											P		§155.306(G)
Research and Development						P			P	P	P		§155.306(H)
Warehouse, Freight Movement									C	P	P		§155.306(I)
Utilities													
Recycling Center										P	P	P	§155.307(A)
Renewable Energy Facility	S									S	S	S	§155.307(B)
Telecommunication Facility	S	S	S	S	S	S	S	S	S	S	S	S	§155.307(C)
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	§155.307(D)
Utility, Major										P	P	P	§155.307(E)
Waste Service										C	P	P	§155.307(F)
Key:													
P – Permitted													
C – Conditional Use permitted in the zoning district only if approved by the Board of Adjustment (BOA) (§ 155.710)													
S – Special Use permitted in the zoning district only if approved by the Town Council (TC) (§ 155.711)													

§155.204(B)	Watershed Protection Overlay [standards]
(B) <u>WATERSHED PROTECTION OVERLAY (-WP)</u>	

The use and development standards for the Watershed Protection Overlay (-WP) are found in § 155.501.

§155.301-.307	Residential Use Standards
Existing text (with strikethrough/underline)	
155.301	
(A) <u>ADULT CARE HOME</u>	
An assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services to residents, either directly or, for scheduled needs, through formal written agreement with licensed home care or hospice agencies. Some licensed adult care homes provide supervision to persons with cognitive impairments whose decisions, if made independently, may jeopardize the safety or well-being of themselves or others and therefore require supervision.	
(1) In the R-E District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 4,000 square feet of lot area per occupant. (2) In the R-10 District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 2,000 square feet of lot area per occupant. (3) In the R-8 District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 1,600 square feet of lot area per occupant. (4) In the R-6 District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 1,200 square feet of lot area per occupant. (5) Pursuant to N.C. General Statutes 168-22, an Adult Care Home shall not be located within a ½ mile radius of an existing Adult Care Home.	
<u>155.302</u>	
(A) <u>ASSEMBLY</u>	
A site or facility open to the public, for social, educational or recreational purposes. Typical uses include museums, cultural centers, recreational facilities, botanical gardens and community services such as after school care or tutorial services, medical services, and employment services, and may also include uses such as cultural organizations and union halls.	
<u>155.305</u>	
(E) <u>STORAGE YARD</u>	
A lot used for the storage of construction material, equipment, or three or more commercial vehicles used by building trades and services, other than construction sites. A contractor's office is permitted as an accessory to the storage yard.	
<u>155.305</u>	
(M) <u>LOUNGE, COCKTAIL</u>	
A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the	

premises, including taverns, bars, nightclubs, and similar uses other than restaurants or alcohol sales for off-premises consumption.

- (1) Except in the B-1 zoning district, a cocktail lounge shall not be located within 250 feet of a residential district and shall be separated a minimum of 750 feet from another cocktail lounge.

155.305

(S) **PARKING LOT**

An area provided for self-parking or valet-parking of operable passenger automobiles or commercial vehicles by employees, visitors, and/or patrons of any office of government, public accommodations, commercial or industrial establishments, institutions, or any other business open to the general public. Parking lots may be further defined as being available for compensation, free, or as an accommodation to clients or customers.

(T) **PAWN SHOP**

Any establishment engaged in the loaning of money on the security of personal property pledged in the keeping of the pawnbroker, and the sale of such property.

- (1) Outdoor storage may be allowed subject to Planning Board approval (see § 155.405).

155.307

(B) **RENEWABLE ENERGY FACILITY**

A facility that generates renewable energy from sources such as solar, wind, or other systems with a principal use of producing electric, thermal power, or mechanical power.

§155.402	Landscaping, Screening, and Buffering
Existing text (with strikethrough/underline)	
155.402(D)	
(2) Vehicular Use Areas	
All vehicular use areas shall observe a minimum front yard of not less than five feet, and a side yard on a corner lot of not less than five feet.	
Parking lots in residential districts shall have front yards of not less than 15 feet and side and rear yards of not less than five feet.	
Parking areas in excess of 1,500 square feet or five spaces shall provide landscaped areas in	

accordance with the requirements set forth in this Section.

(a) ***Perimeter Screening***

1. The perimeter of all parking areas and other vehicular use areas adjacent to residentially-zoned property shall provide a Class C buffer as set forth in this Section.
2. The perimeter of all parking areas and other vehicular use areas with frontage on or visibility from any portion of a public right-of-way shall be screened to a height of 3 feet by either a berm, continuous landscaped hedge, decorative fence, decorative masonry wall, or any combination thereof.
3. Any vegetative screen shall be maintained at a minimum height of 36 inches within two years of planting.

155.402(E)(2)

(E) BUFFERS

(2) Buffer Types

There are four types of required buffers that may occur on any given parcel, as described further in this section.

(c) ***Compatibility Buffers***

Perimeter compatibility is required along the boundaries of all incompatible zoning districts or existing uses, whichever is more restrictive. If the existing use of an adjacent property is nonconforming then the required buffer shall be determined by zoning district instead of existing use. Table 4-5 shall be used to determine the required buffer classification between adjacent districts.

§155.402, PART 2. TABLE 4-5 COMPATIBILITY BUFFER REQUIREMENTS

Subject Property District	Adjacent Property District											
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF
R-E	--	--	--	--	--	--	--	--	--	--	--	--
R-10	A	--	--	--	--	--	--	--	--	--	--	--
R-8	B	A	--	--	--	--	--	--	--	--	--	--
R-6	B	A	A	--	--	--	--	--	--	--	--	--
O-R	B	A	A	A	--	--	--	--	--	--	--	--
O-I	B	B	B	B	A	--	--	--	--	--	--	--
B-1	B	B	B	B	B	B	--	B	--	--	--	--
B-2	B	B	B	B	B	B	--	--	--	--	--	--
B-3	C	C	C	C	C	B	B	B	--	--	--	B
I-1	C	C	C	C	C	C	C	C	B	--	--	B
I-2	C	C	C	C	C	C	C	C	B	--	--	B
PF ¹	--	--	--	--	--	--	--	--	--	--	--	--

¹ Where a use in a PF zoning district is generally found only in Industrial or Commercial districts, the use shall be buffered according to the more intensive buffer requirement found in that district.

155.402(E)

(2) Planned Development

A Class C buffer is required along all project boundaries of a planned development. The continuous visual barrier of Class C buffers is not required for the street-side of non-residential Planned Developments where they abut major or minor thoroughfares. A Class B buffer may be used when a Planned Development - Commercial (PD-C) abuts a non-residential district (see § 155.203(L)).

(3) Manufactured Home Park

A Class C buffer is required along all project boundaries of a manufactured home park (see § 155.301(G)(4)).

(4) Buffer Classification

Figure 4-1 establishes the specific width and plant material for each buffer classification. The applicant may choose any alternative (1, 2, or 3) in the respective buffer classification. Buffers planted below overhead utility lines shall apply any of the allowed buffer alternatives, except that understory trees shall replace any canopy trees at a rate of two understory trees per required canopy tree.

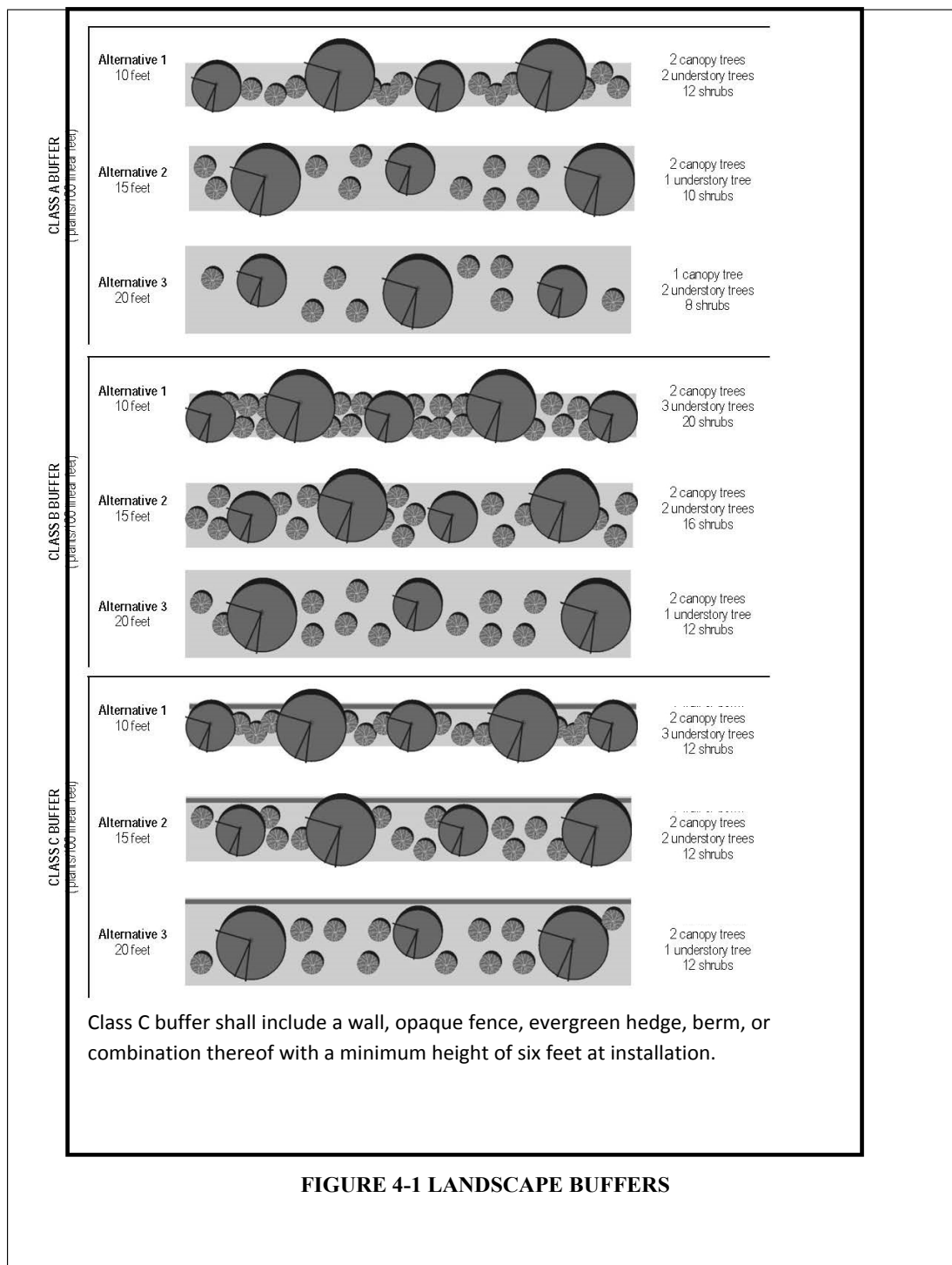


FIGURE 4-1 LANDSCAPE BUFFERS

155.402(E)(7)

(b) ***Berms***

1. Berms shall have a minimum average height of 30 inches with side slopes not steeper than three feet horizontal for each one foot vertical.
2. Slopes steeper than three feet horizontal for each one foot vertical may be permitted if sufficient erosion control methods are taken and deemed by the Public Works Director to be maintainable.

155.402(G) – Screening

(2) **Service Areas**

- (a) Trash collection, trash compaction, recycling collection, and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from adjacent properties or public rights-of-way.
- (b) Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high and shall be constructed of the same materials as the primary building.
- (c) Enclosures shall be screened by landscaping utilizing evergreen shrubs that shall be maintained at a minimum height of at least 36 inches within two years of planting.
- (d) All service areas are limited to the area shown on an approved site plan.
- (e) All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line.

155.402(H) – General Landscaping, Screening, and Buffering Provisions

(H) **GENERAL PROVISIONS**

(1) **Design, Installation and Establishment**

(a) ***Plant Material***

1. Except as otherwise specified in this article, landscaping materials shall conform to the following minimum specifications:
 - A. Canopy trees shall have a 2.5 inch caliper and be 8 feet tall following installation.
 - B. Understory trees shall have a 2.0 inch caliper and be 6 feet tall following installation.
 - C. Shrubs not used for screening shall be a minimum height of 12 inches following installation.
 - D. Shrubs explicitly used for screening shall be a minimum height of 24 inches following installation.
2. Plant material shall be chosen from the lists of recommended plant species contained in the Clayton General Design Guidelines. Plant materials that vary

from this list may be used with the approval of the Planning Director or staff provided they meet the general size requirements and growth habits of the existing list of recommended plant species.

3. Selected plants should be predominantly hardy species that are native to North Carolina.

§155.602	Subdivision Standards: Streets
155.602- STREETS	

(D) STREET TYPES – REPLACED WITH THE FOLLOWING:

See Defined Terms (§155. 802) for description of each Street Type

- (1) Residences should not front on major or minor thoroughfares.
- (4) Where a parcel of land to be subdivided adjoins a major thoroughfare, the Planning Board or Town Council may require that such lots be provided access by a frontage road.

§155.704	Rezoning
§ 155.704 REZONING	
<u>(I) ACTION BY TOWN COUNCIL</u>	
(2) The Town Council may approve the rezoning, deny the rezoning, or send the rezoning back to the Planning Board for additional consideration.	
<u>(K) PROTEST TO ZONING CHANGE – DELETE</u>	

§155.705	Planned Development Review
§ 155.705 PLANNED DEVELOPMENT REVIEW	
(K) <u>MASTER PLAN APPROVAL CRITERIA</u>	
The master plan review shall include and the applicant shall be responsible for successfully addressing the following:	
(1) Compliance with § 155.203(L) and all other applicable requirements of this chapter;	
(L) <u>PROTEST TO ZONING CHANGE – DELETE ENTIRE SECTION AS WELL AS DELETE GRAPHIC INCLUDED IN THIS SECTION</u>	

§155.719 -DELETED	Nonconformities
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§155.801 and .802	Abbreviations and Defined Terms
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155.801 - Abbreviations

DENR: Department of Environment and Natural Resources (now known as Department of Environmental Quality)

DEQ: North Carolina Department of Environmental Quality

155.802 – Defined Terms

Building Separation

The required separation between any two buildings.

Density

The number of dwelling units permitted per acre of land.

Floor Area, Gross

The sum of the gross horizontal area of the several floors of a building, measured from the exterior faces of the exterior walls or from the center of the common walls of attached buildings. Gross floor area includes basement floors, attic floor space, halls, closets, stairwells, space devoted to mechanical equipment, and enclosed porches. Gross Floor Area also includes all outside storage areas.

§155.802	Defined Terms
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Major Thoroughfare

A street serving the principal network for high volumes of traffic or high speed traffic as shown on the town's Transportation Plan. This street type consists of at least two travel lanes in each direction. A major thoroughfare shall be designated where the anticipated average daily volume exceeds 10,000 vehicles.

Minor Thoroughfare

A street designed primarily to collect and distribute traffic between the local street network and major thoroughfares as shown on the town's Transportation Plan. This street type generally consists of more than one travel lane in each direction. A minor thoroughfare shall be designated where the anticipated average daily volume ranges exceeds 6,000 vehicles.

Commercial Street

A multi-lane, street connecting to major or minor thoroughfares designed to accommodate large volumes (in excess of 6,000 trips per day) of traffic at moderate speeds while also providing, as a major part of its function, direct access to nonresidential or mixed use high trip generating land uses.

Collector Street

A street whose principal function is to carry traffic between residential collectors, residential streets, cul-de-sacs and major and minor thoroughfares, but that may also

provide direct access to abutting properties. It is designed to carry more than 3,500 but less than 6,000 trips per day. Typically, a collector is able to serve, directly or indirectly, between 350 and 600 dwelling units.

Residential Collector Street

A street which serves as a connector street between residential streets, cul-de-sacs and major and minor thoroughfares. Residential collector streets typically collect traffic from 100 to 400 dwelling units.

Residential Street

A street whose principal function is to provide access to adjacent properties.

Cul-De-Sac (Commercial, Residential)

A short, street having one end open to traffic and the other permanently terminated by a vehicular turnaround.

Alley

A public vehicular way providing service access along rear or side property lines of lots which are also served by one of the other listed street types.

Frontage Road

A street, parallel and adjacent to a major or minor thoroughfare, which provides access to abutting properties, protection from through traffic, and control of access to the major or minor thoroughfare.

Setback

A line delineating the minimum allowable distance between the property line or right-of-way line and a building on a lot, within which no building, significant development, or other structure shall be placed except as otherwise provided. Wherever property lines and right-of-way lines both occur, the most restrictive setback distance on the lot shall prevail.

Duly adopted this 4th day of April, 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk