Town of Clayton
Town Council Regular Meeting Agenda
Monday, September 16, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

THE PUBLIC MAY VIEW THE LIVE COUNCIL MEETING ON THE TOWN'S YOUTUBE CHANNEL:
https://www.youtube.com/TownofClaytonNC

1. CALL TO ORDER

a. Call to Order

b. Pledge of Allegiance

c. Invocation

2. ADJUSTMENT OF THE AGENDA

a. **POTENTIAL ACTION:** Approve or Adjust the Agenda

3. CONSENT AGENDA

a. Minutes

- August 19, 2024 - Regular Session
- August 19, 2024 - Closed Session
- September 3, 2024 - Work Session
- September 3, 2024 - Regular Session
- September 3, 2024 - Closed Session

Presenter: Heidi Holland, Town Clerk
August 19, 2024 - Regular Session
September 3, 2024 - Work Session
September 3, 2024 - Regular Session

b. NCDOT Road Closure Request
Presenter: Amy Shearin, Community Events and Engagement Coordinator
NCDOT Road Closure Request

POTENTIAL ACTION: Approve Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. Clayton4U
Presenter: Nathanael Shelton, Communication Director

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. National Finance and Accounting Appreciation Week Proclamation
Presenter: Mayor McLeod To Present To Staff
National Finance and Accounting Appreciation Week Proclamation

b. National IT Professionals Day Proclamation
Presenter: Mayor Pro Tem Sims To Present To Staff
National IT Professionals Day Proclamation

c. Human Resources Professionals Day Proclamation
Presenter: Council Member Archer To Present To Staff
Human Resources Professionals Day Proclamation

d. National Custodian Day Proclamation
Presenter: Council Member Williams To Present To Staff
National Custodian Day Proclamation

6. PUBLIC HEARINGS

a. 2023-202-ANX NCRR Industrial Development
Presenter: Conrad Olmedo, Planning Director
2023-202-ANX NCRR Industrial Development

POTENTIAL ACTION: Adoption of Ordinance #2024-09-01

b. UDO Text Amendments - UDOTA 2-24
Presenters: Conrad Olmedo, Planning Director and Chad Meadows, Consultant CodeWright Planners
UDOTA 2-24

POTENTIAL ACTION: Adoption of Ordinance #2024-09-02 and Consistency Statement

c. Town of Clayton Downtown Plan
Presenters: Conrad Olmedo, Planning Director and Dan Lambert, McAdam's LLC
Town of Clayton Downtown Plan

POTENTIAL ACTION: Adoption of Ordinance #2024-09-03 and Consistency Statement

d. Town of Clayton Strategic Plan
Presenter: Dolores Gill, Deputy Town Manager
Town of Clayton Strategic Plan

POTENTIAL ACTION: Adoption of Ordinance #2024-09-04

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

9. NEW BUSINESS

10. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

12. CLOSED SESSION

a. To Discuss Personnel Matter in Accordance with NC GS 143-318.11 (a)(6) and To Discuss Purchase of Real Property in Accordance with NC GS 143-318.11 (a)(5)

POTENTIAL ACTION: Motion To Go Into Closed Session

POTENTIAL ACTION: Motion To Return To Open Session

13. ADJOURNMENT

a. Adjourn

POTENTIAL ACTION: Motion To Adjourn

INFORMATION FOR THE PUBLIC

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.

7. QUASI-JUDICIAL HEARING

A quasi-judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. Town Council acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Town Council must make findings of fact based upon the evidence presented.

The Town Council refrains from "ex parte communication" about these cases, as the Town Council must make a decision based solely on the evidence presented at the hearing itself. Staff is available to assist with inquiries from citizens.

11. OTHER BUSINESS – INFORMAL DISCUSSION & PUBLIC COMMENT

RULES FOR PERSONS ADDRESSING TOWN COUNCIL

- During public hearings and public comment periods, each speaker will identify him/herself by giving his or her name and place of residence.
- Each speaker will be limited to speaking one time on any topic. When you are finished speaking, please step away from the podium and be seated.
- Each speaker will be limited to three (3) minutes and each group's representative will be limited to a maximum of five (5) total minutes. Each group is encouraged to designate a single spokesperson for their group.

Town of Clayton
Town Council Regular Meeting Minutes
Monday, August 19, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:
Mayor Jody McLeod
Mayor Pro Tem Michael Sims
Council Member Andria Archer
Council Member Gretchen Williams
Council Member Ruth Anderson*
**Joined Remotely*

Council Absent:
Council Member Porter Casey

Staff Present:
Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Nathanael Shelton, Communication Director
David Ranes, Fire Chief
Conrad Olmedo, Planning Director
Sam Johnson-Phillips, Deputy Town Clerk
Bruce Venable, Planner II

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:04 p.m.

b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a. Mr. Cappola provided the adjustment of the agenda to add a closed session to discuss Economic Development in accordance with NC GS 143-318.11 (a)(4).

3. CONSENT AGENDA

a. Minutes

- August 5, 2024 - Work Session
- August 5, 2024 - Regular Session
- August 5, 2024 - Closed Session

Presenter: Heidi Holland, Town Clerk

b. Authorizing Satisfaction of Lien for Code Compliance
Presenter: Heidi Holland, Town Clerk

c. Certification of Sufficiency for Item: 2023-202-ANX NCRR Industrial Development
Presenter: Heidi Holland, Town Clerk

d. Resolution Directing the Clerk to Set a Date for a Public Hearing for Item: 2023-202-ANX NCRR Industrial Development

e. MOU and Contract for School Resource Officer Program
Presenter: Greg Tart, Police Chief

f. NCDOT Utility Relocation Agreement for Winston and Guy Road Realignment Project
Presenter: Shannon Poole, Engineering

g. TOC Project 2020-128-SDM: Final Acceptance of the Public Water and Sewer Utilities for Buckhorn Branch Park, Phases 1 & Pump Station

Approve Consent Agenda as Presented

RESULT:	**CARRIED 4-0**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

4. ADMINISTRATIVE ITEMS

a. Clayton4U
Presenter: Nathanael Shelton, Communication Director

Mr. Shelton introduced Ms. Lydia Davis to Council as the new Communication and Marketing Specialist. It was communicated to Council that this episode focused on Downtown parking and available options.

Discussed were the five town-owned public parking lots that provide free parking 24/7. These spaces are located at the following locations: Town Hall lot on East Second Street, Town Square's lot on West Main Street, Horne Square's lot on East Main Street and Horne Street lot at the corner of Horne and Barbour Streets. In addition, it was reported there are spots located in the front half of the Clayton Police Department lot. It was stated that there have been three parking lots created through a public private partnership.

It was stated through the Mayor's Downtown Parking Taskforce, there has been an increase in the number of public parking spaces of more than 70%.

The parking spaces display a blue and white parking symbol and have a 12-hour maximum. It was stated the unmarked spots in those lots are not available for public parking. During the episode it was reported that a parking map has been created and added to the Town's website. Provided on the page is information about specific lot addresses and the hours.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Building and Code Staff Appreciation Day Proclamation
Presenter: Mayor Pro Tem Sims To Present to Staff

Mayor Pro Tem read and presented the proclamation to the staff.

6. PUBLIC HEARINGS

7. QUASI-JUDICIAL HEARING

a. 2023-124-SUP Creekside Townes Modification
(Continued from the June 3, 2024 meeting)
Presenter: Bruce Venable, Planner II

Mr. Venable stated this has been continued from the June 3, 2024, and that it is a Quasi-Judicial Hearing. It was reported the applicant couldn't attend previously which resulted in the continuation. Mr. Venable directed the Deputy Town Clerk to swear in those providing testimonies.

Mr. Venable communicated to Council that Creekside Townes was formerly known as Barber Mill Townhomes, which was a project that was approved in 2022 by Council. The applicant has requested a modification to their SUP and the approved site plan. The request is to relocate a minor thoroughfare buffer along Barber Mill Road to reduce the number of Townhomes that were permitted from 25 to 20 and for the acceptance of fee-in-lieu for a 5 ft wide bike lane, curb, gutter and sidewalk.

An ariel image was shown highlighting the location of Grovewood and Barber Mill which isn't far from a BP and The Town's Operation Center.

It was reiterated that this project was previously approved, Mr. Venable provided the project numbers. The project was approved for 25 units with a density of 6.21 units.

Mr. Venable stated this is coming before Council because the UDC it was approved under it requires under section 155.711 (J) any substantial deviations must be proposed and amended before the governing body that approved it. The items before Council were the following:

- Substantial change in the location of principal or accessory structures.
- Substantial change in pedestrian or vehicular access or circulation.

- Substantial change in the amount or location of landscape screens.

Mr. Venable stated the reason for this modification is due to Project R-3410 which is NCDOT's road widening project for NC 42 from NC 50 to US 70 Business. Shown was the proposed public meeting map that was provided by NCDOT at the time of their public meeting. Discussed were the road changes. It was reported that the scheduled production for this project is 2029 and it is on the current step project that goes out to 2033. Mr. Venable highlighted the realignment changes on the site. It was stated to do the realignment there would be a need to reduce the number of units and to accommodate the realignment of Barber Mill Road.

It was communicated as part of the screening there would be a required 15 ft wide type thoroughfare buffer that would be present along the front edge of Barber Mill Road. The applicant proposed, as part of the modification, to relocate it to where the future frontage would be. Mr. Venable showed on the map where the new proposed throughfare buffer would be located. It was stated that it would be the same width, same quantity of plantings and everything, just a different location.

Mr. Venable presented some considerations for Council. It was communicated to Council they would be making a vote to approve this modification to a special use permit. The original findings of fact were reviewed from the original application.

Highlights were provided on some updates to the conditions of approval. Some of the updates included:

- Updated the associated Site Plan (2024-88-SD) that has been attached to a newly modified site plan.
- In accordance with the associated Site Plan, a northbound left-turn lane shall be constructed on Barber Mill Road.
- In accordance with the associated Site Plan, frontage improvements along Barber Mill Road, consisting of a 5 ft wide bike lane, curb-and-gutter, and sidewalk shall be paid for with a fee-in-lieu per the sign and sealed Engineer's estimate prior to Final Plat approval.
- In accordance with the associated Site Plan, the maximum gross density for the site shall be 4.96 dwelling units per acre.

It was stated the remaining conditions are the same as those that were approved in 2022. Mayor McLeod requested that Mr. Venable review what was being presented for fee-in-lieu. Mr. Venable replied that it would consist of the 5 ft wide bike lane, curb-and-gutter and sidewalk. Mayor McLeod responded to confirm that there would not be a curb-and-gutter, sidewalk or amenity. Mr. Venable responded in the affirmative. It was also communicated that the applicant would pay the fee-in-lieu for that to potentially be added in the future by the town or NCDOT.

Mayor Pro Tem Sims requested that Mr. Venable return to the slide that showed the NCDOT road construction plan. Mayor Pro Tem Sims asked when the project would begin; Mr. Venable replied that construction is projected to begin in 2029.

The applicant, Mr. Rob Bailey from RNR Development updated Council on the modification of the special use permit that was approved in 2022. It was communicated to Council after the approval was received, the construction drawings were submitted. During the discussion about the road widening with NCDOT, there was a request for an early acquisition for the right of way. Mr. Bailey stated it made a large enough change to the original plan which required him to come back before Council. It was communicated to Council that there were several discussions and meetings held with NCDOT and the Town's staff to discuss the fee-in-lieu. Mr. Bailey stated what was concluded by the Town's staff and NCDOT was to include those improvements, and the taxpayer would have to pay to remove them, for the 42 widening construction projects by NCDOT. Discussion continued to state the fee-in-lieu would be the best use of the funds, instead of building it and then it having to be torn out in a few years.

Mayor McLeod inquired if there were any questions or comments; none were provided.

Town Attorney Cauley communicated to Mayor McLeod as a suggestion to incorporate the minutes and findings from the 2022 hearing into this record. Mayor McLeod agreed with Town Attorney Cauley.

Council Member Archer asked Town Attorney Cauley in terms of incorporating the minutes and findings from the 2022 hearing would stating that be sufficient or should it be part of the motion. Town Attorney Cauley responded if Council would indicate that's accepted as part of the record, that would be sufficient. Council Member Archer stated they would accept those minutes and the findings from the 2022 hearing about this application into the record.

Council Member Archer stated the modifications, and the application presented this evening did meet the findings of fact as described in the staff report. Council Member Archer made a motion to approve 2023-124-SUP with the conditions of approval.

Town Attorney Cauley requested that the Clerk indicate for the record that Council Member Anderson did not participate in the discussion or the vote, per the Council's Remote Participation Policy. The Clerk responded in the affirmative.

Approval of 2023-124-SUP

RESULT:	**CARRIED 3-0**
MOVER:	Andria Archer
SECONDER:	Michael Sims
YES:	Andria Archer, Michael Sims, and Gretchen Williams
NO:	None
ABSENT:	Porter Casey and Ruth Anderson

8. OLD BUSINESS

9. NEW BUSINESS

a. Fire Department 2024-2029 Strategic Plan
Presenter: David Ranes, Fire Chief

Chief Ranes provided a comprehensive and detailed report on the Fire Department's 2024-2029 Strategic Plan. It was stated the plan would guide the Fire Department's efforts and priorities over the next 5 years. Chief Ranes stated in 2023 before his arrival, North Carolina Fire Chief Consulting was brought in to assist with several key initiatives. The stated objectives to be met was to conduct a comprehensive SWAT analysis within the department. The insights gained from the assessment have been instrumental in shaping the strategic plan, which outlines six goals and 26 objectives. It was stated those goals focused on critical areas such as:

- Capital Planning
- Professional Development
- Community Outreach
- Service Efficiency
- Internal Engagement
- Overall Wellness Of The Employees

Through the internal assessments, staff had the opportunity to contribute their insights and three specific objectives: what the department should continue to do, what the department should stop doing and what should the department start doing. Chief Ranes stated these discussions were crucial in aligning their efforts with their vision of being a dedicated model organization, while serving an ever-changing community through continuous improvement.

Chief Ranes communicated to Council that the Strategic Plan embodies the fire department's core values the five C's:

- Collaboration
- Commitment
- Compassion
- Confidence
- Courage

It was stated this represented the essential first step towards achieving accreditation through the center for Public Safety Excellence. Chief Ranes stated as the fire department continues to grow and evolve to meet the needs of the community, they are committed to becoming the fire department of choice in the region.

Chief Ranes stated the fire department staff would evaluate their progress quarterly against those objectives through planning meetings to ensure that the living document actively guides their decisions and remains relevant to their evolving needs.

Adoption of Resolution #2024-87

RESULT:	**CARRIED 4-0**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

10. STAFF REPORTS

a. Town Manager

Mr. Cappola provided an advance hard copy of the FY24 report to Council. He expressed appreciation and gratitude to the staff that provided the content in the book. It was stated this would be provided to the public.

It was announced on August 31, 2024, the library would be closed for their Annual Strategic Planning. On Monday, September 2, 2024, in observance of Memorial Day, all facilities would be closed. The next Town Council Meeting would be held Tuesday, September 3, 2024. A work session would be held at 3:00 p.m. earlier that day followed by the regular meeting held at 6:00 p.m.

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

12. CLOSED SESSION

a. To Discuss Purchasing of Real Property in Accordance with NC GS 143-318.11 (a)(5) & To Discuss a Legal Matter in Accordance with NC GS 143-318.11(a)(3)

Motion To Go Into Closed Session

RESULT:	**CARRIED**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

Motion To Return To Open Session

RESULT:	**CARRIED 4-0**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None
ABSENT:	Porter Casey

13. ADJOURNMENT

a. Adjourn

With nothing further, the meeting was adjourned at 7:35 p.m.

Motion To Adjourn

RESULT:	**CARRIED**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson
NO:	None
ABSENT:	Porter Casey

Duly adopted this 16th day of September 2024, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Town of Clayton
Town Council Work Session Minutes
Tuesday, September 3, 2024 at 3:00 PM
Rotary Room, Town Hall
111 E. Second Street

Council Present:
Mayor Jody McLeod
Council Member Andria Archer
Mayor Pro Tem Michael Sims
Council Member Porter Casey
Council Member Gretchen Williams
Council Member Ruth Anderson*
**Joined Remotely*

Council Absent:
None

Staff Present:
Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Robert McKie, Finance Director
Conrad Olmedo, Planning Director
David Ranes, Fire Chief
Ann Game, Revenue & Utility Customer Service Director

Guests Present:
Dan Lambert, McAdams
Chad Meadows, CodeWright Planners

1 CALL TO ORDER

a) Mayor McLeod called the meeting to order at 3:11 p.m.

2 ADJUSTMENT OF THE AGENDA

a) **Approve or Adjust the Agenda**

RESULT:	**CARRIED 5-0**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Porter Casey, Gretchen Williams, and Ruth Anderson*
NO:	None

3 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) 3:00 - 3:15 p.m.
Staff Recognitions/Introductions

- Ashley Berna, Customer Service Specialist

Presenter: Ann Game, Revenue & Utility Customer Service Director

- Alicia Thomas, Development Services Manager

Presenter: Lee Barbee, Deputy Town Manager

Ms. Game introduced Ashley Berna. She comes with experience from Harnett and Johnston County. Deputy Town Manager Dolores Gill introduced Alicia Thomas. She has experience in both Senior Planner and Development Services Coordinator roles. Council welcomed both.

4 ITEMS FOR DISCUSSION

a) 3:15 - 4:00 p.m.
Downtown Master Plan
Presenter: Conrad Olmedo, Planning Director; Audrey Duchesne, Senior Planner; and Dan Lambert, McAdams

Mr. Olmedo introduced Dan Lambert. Mr. Lambert stated this plan is ready for adoption. This plan has gone before the Planning and Downtown Development Advisory Boards, both who recommended approval. The goal is for this plan to go to council for adoption at the September 16, 2024, meeting. This draft contains input the public, Clayton on the Move, DDA, and the Planning Board have provided. It was noted this document is only for guidance.

The vision statement and community values were shared. He discussed the two new districts that have been added: Historic Downtown Core District and the Downtown Development District.

Discussion began on the recommendations.

Future Land Use Map Recommendations:

- FLUM - 01. Revisit and refi ne areas designated as Downtown Support
- FLUM - 02. Expand Downtown Core area
- FLUM - 03. Replace the Downtown Core designation with a new pair of designations, the Historic Downtown Core and Downtown Development

Zoning Map Recommendations:

- ZONM - 01. Expand the area considered to be the Downtown Core
- ZONM - 02. Replace the Downtown Core (DTNC) zoning district, dividing it into the Downtown Development District (DTDD) and the Historic Downtown Core District (HDCD) per the Downtown Plan

Traffic Transportation and Parking Recommendations:

- TTPK - 01. Add a 75-foot eastbound left-turn lane on Main Street at Robertson Street
- TTPK - 02. Add a 100-foot westbound left-turn lane on Main Street at

Robertson Street

- TTPK - 03. Add a 125-foot eastbound left-turn lane on Main Street at O'Neil Street
- TTPK - 04. Add a 125-foot westbound right-turn lane on Main Street at O'Neil Street
- TTPK - 05. Add a 50-foot westbound left-turn lane on Main Street at Smith Street
- TTPK - 06. Do NOT widen the roads in downtown Clayton in the future
- TPK - 07. Reduce the speed on Main Street to 25 mph from Stallings Street to Robertson Street, especially once a sidewalk is constructed. The reduced speed limit will help with creating a sense of arriving in Downtown Clayton and slower vehicle speeds will give drivers more reaction time to stop for pedestrians who are crossing the road.
- TTPK - 08. Incorporate a four-way stop to the intersection of Main Street and Moore Street following speed limit reduction and addition of sidewalks to the intersection.
- TTPK - 09. Develop Main Street into more of a 'Complete Street'
- TTPK - 10. Realign the western end of Stallings Street keeping the entirety of the downtown stretch north of the railroad corridor. Close the North Carolina Railroad crossing at Stallings Street as a part of the Stallings realignment.
- TTPK - 11. Close the North Carolina Railroad crossing at Church Street
- TTPK - 12. Hire commuter rail planning consultants to study best possible location(s) for a commuter rail station in or near downtown Clayton
- TTPK - 13. Continue to pursue BRT opportunities on US 70 BUS as well as bike/ped connectivity to downtown
- TTPK - 14. Establish a three route network of microtransit including the Green Route (Barber Mill + North O'Neil), Gold Route (US 70, and Pink Route (NC 42)
- TTPK - 15. Perform a formal Downtown Parking Study using projections derived from the land use and development patterns recommended in this Downtown Plan
- TTPK - 16. Establish agreement with NCRR to allow First Street and Front Street parking and pedestrian improvements.
- TTPK - 17. Design + construct First Street and Front Street parking and pedestrian improvements
- TTPK - 18. Contract a need and feasibility study for surface and structure parking to identify possible sites, triggers for development of each and cost factors for implementing each.
- TTPK - 19. Add funding line item to budget and Capital Improvements Plan to begin accruing necessary funds to implement either solution.
- TTPK - 20. Acquire property for implementation of recommended solution based on need and feasibility study.
- TTPK - 21. Design + construct preferred parking solution (Surface or Structure).

Bicycle and Pedestrian Improvements Recommendations:

- BKPD - 01. Parking Lane/Enhancement Zone: curb extensions, parklets, bicycle corrals, etc. can be constructed in the pavement width typically used for on-street parallel parking.
- BKPD - 02. Pedestrians at Signalized Intersections: install pedestrian signal heads, provide adequate pedestrian crossing time.
- BKPD - 03. Priority Project #2: Main Street Pedestrian Improvements from Moore Street to Central Street.
- BKPD - 04. Priority Project #7: East Coast Greenway Complete Downtown Clayton Feasibility Stud
- BKPD - 05. Connecting First Street to Main Street, between Fayetteville Street and Church Street
- BKPD - 06. Connecting First Street to Main Street, between Church Street and Horne Square
- BKPD - 07. Improve signage identifying parking at the Clayton Center and the route to Main Street
- BKPD - 08. Connecting Second Street to Main Street, between Lombard Street and Smith Street
- BKPD - 09. Pedestrian railroad crossings should also be improved, particularly at Robertson Street, O'Neil Street and Central Street. Based on the September 24, 2020 traffic counts at the railroad crossings in conjunction with the recommendation to close the Church Street crossing, these intersections are the most used by pedestrians.
- BKPD - 10. Ahead of constructing a greenway tunnel under the railroad, pedestrian facilities should be constructed to connect the tunnel to the existing sidewalk on Main Street at Robertson Street.
- BKPD - 11. A grade separated pedestrian rail crossing, which has been analyzed in the past by the Town, should also be considered at Lombard Street adjacent to Horne Square. There is potential and desire to construct a greenway tunnel to connect Main Street to the East Coast Greenway, which would create a designated rail crossing for greenway traffic
- BKPD - 12. Plan, prioritize, design + construct consistent greenway scale walkway access along the length of the rail corridor through Downtown Clayton making connections to all pedestrian crossings of the rail corridor and improving access to Municipal Park from all parts of the Downtown Core.
- BKPD - 13. Design + Construct East Main Street Sidewalk Connector from Central Street to US 70 Business.
- BKPD - 14. Design + Construct the Mountain to Sea (MTS) Greenway Trail, also known as the Cross-Clayton Connector. This is included in the Move Clayton Transportation Plan as Priority Project #1: Robertson Street Sidewalk Gaps and Crossing Improvements from Clayton High School to Main Street.
- BKPD - 15. Consistent sidewalk access should be provided to each of

these destinations above, as well as other main attractions in Clayton that are within walking distance of the public parking provided downtown.
- BKPD - 16. Opportunities to close sidewalk gaps should be explored as funding becomes available. For example, the sidewalk gap on Stallings Street from Crawford Parkway to McCullers Street is approximately 900 feet long, and if funding becomes available for sidewalk construction, closing this gap would provide a more direct connection to the residents on Crawford Parkway to Municipal Park.

Main Street Streetscape Recommendations:
NEAR TERM
- MSNT - 01. Implement Pedestrian Intersection Guidance at Signalized Intersections
- MSNT - 02. Implement Pedestrian Traffic Signal Enhancements
- MSNT - 03. Study Main Street Corridor for Potential to Incorporate Mid Block Crossings under the NCDOT Action Plan

LONG TERM
- MSLT - 01. Implement Parking Lane / Enhancement Zone Concept Throughout Downtown Core Area

Other Downtown Pedestrian/Streetscape Improvements Recommendations:
NEAR TERM
- ODNT - 01. Incorporate Funding for Sidewalk Gap Closures + Crossing Improvements
- ODNT - 02. Establish Priority List of Sidewalk Gap Closures + Crossing Improvements
- ODNT - 03. Seek Alternative Funding Sources for On-Street Connections such as bike lanes or shared lane markings to Area Greenways + East Coast Greenway Completion through Downtown Greenway Completion
- ODNT - 04. Form Active Transportation Advisory Committee (ATAC) + Include Downtown Representation
- ODNT - 05. Become Designated as a Walk Friendly Community
- ODNT - 06. Contract Planning + Design Services for an Integrated Branding, Signage + Wayfinding System
- ODNT - 07. Erect Decorative / Protective Fencing Along Rail Corridor Along First Street + Front Street for Full Length of Downtown Corridor from Atkinson Steet to Central Street Restricting Crossings
- ODNT - 08. Improve Pedestrian Facilities at Railroad Crossings Including Controlled Access Control Measures

LONG TERM
- ODLT - 01. Implement + Construct Integrated Branding, Signage +

Wayfinding System

Downtown Events and Programming Recommendations:
NEAR TERM

- DENT - 01. Identify Preferred Location for Construction of a Permanent Public Restroom Building for Year-Round Event and Public Use
- DENT - 02. Add Funding Line Item to Annual Budget to Reserve Funds for Construction, Maintenance, and Security Patrol of Permanent Public Restroom Building and Related Infrastructure

LONG TERM

- DELT - 01. Contract, Plan, Design + Construct Permanent Public Restroom Building + Related Infrastructure

Farmers' Market Recommendations:
NEAR TERM

- DENT - 03. Identify Preferred Location for Permanent Pavilion Structure(s) for Year-Round Market Use
- DENT - 04. Add Funding Line Item to Annual Budget to Reserve Funds for Construction of Permanent Pavilion Structure(s) and Infrastructure
- DENT - 05. Study Vendors from Current + Prior Farmers' Markets and Identify Gaps in Offerings to Customers

LONG TERM

- DELT - 02. Actively Seek a Variety of Vendors, Craftsmen, Artisans + Artists to Contract Spaces at the Farmers' Market
- DELT - 03. Contract, Plan, Design + Construct Farmers' Market Pavilion Structure(s) + Infrastructure

Clayton Concert Series and Family Movie Night Recommendations:
NEAR TERM

- DENT - 06. Identify Preferred Location for Construction of Permanent Stage/Bandshell Structure for Year-Round Performance Event Use
- DENT - 07. Add Funding Line Item to Annual Budget to Begin Reserving Funds for Construction of Permanent Stage/Bandshell Structure and Related Infrastructure
- DENT - 08. Identify Available Location for Expanded Concert Series Including Different Venues at Different Scales
- DENT - 09. Work with Other Series Such As Family Movie Night to Fill Empty Slots in Schedule with Regular Functions
- DENT - 10. Work with Cultural Arts Department and The Clayton Center to Book Complimentary Performance Events

LONG TERM

- DELT - 04. Actively Seek Larger and More Frequent Events through

Targeted Marketing Campaigns
- DELT - 05. Create a new position or empower an existing position to coordinate downtown events and their planning

Infrastructure Improvements Recommendations:
NEAR TERM
- INFR - 01. Utilizing the Downtown Stormwater Analysis Study (anticipated completion in late 2024), identify capacity needed and trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates.
- INFR - 02. Contract a Water and Wastewater Analysis Study to identify capacity needed and identify need for new treatment facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates.
- INFR - 03. Contract an Electrical Service Capacity Analysis Study to identify capacity needed and identify need for new supply and transmission facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates.

LONG TERM
- INFR - 04. Establish plan and funding for integrated utility network information to be created, populated, and updated in a format that works well with design firms working within the Town (such as a BIM system) as well as unification and consolidation of GIS data.
- INFR - 05. Pursue utility conversion from overhead to underground to alleviate visual clutter and to reduce conflicts.

UDO Text Recommendations:
- 1.8 REVIEW AUTHORITIES - To establish authority for enforcement of architectural guidelines in the Historic Downtown Core District (HDTC), a review board and its review authority and process needs to be established within section 1.8.
- 1.11 VESTED RIGHTS - For properties entitled to lesser densities, particularly in the newly established Downtown Development
- 2.2 APPLICATION SUMMARY TABLES - Include new district classifications in all application process language including any variation specific to the new districts and their criteria
- 2.3 APPLICATION TYPES - Include new application type for Historic Downtown Core Architectural Review including procedures, policies, forms and fees
- 2.4 REVIEW PROCEDURES - Include review procedure(s) for Historic Downtown Core Architectural Review
- 3.2 CONVENTIONAL ZONING DISTRICTS - Add language for two new zoning districts, Downtown Development District (DTDD) and Historic

Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts.

- 3.4 GENERAL DIMENSIONAL STANDARDS - Add language for two new zoning districts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts.
- 3.8 ZONING MAP - Revise Zoning Map to reflect Future Land Use Map recommendations from the Downtown Plan including two new classifications
- CHAPTER 5 NONCONFORMITIES - Revise each section within this chapter to reflect the restrictive requirements of the new Historic Downtown Core District (HDTC) such that it incentivizes the redevelopment of properties that do not match the intended preserved and enhanced character of the district.
- 6.2 DESIGN STANDARDS + GUIDELINES - Add a new subsection establishing the architectural and design standards and guidelines for the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)
- 6.3 THROUGH 6.18 - Revise each section's language to establish the design standards and guidelines for these elements in the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)
- CHAPTER 7 VIOLATIONS - Revise the sections in this chapter to add significant disincentives to nonconformance within the Downtown as well as to establish preferred paths of transition to new zoning through enforcement of declared violations.
- ARCHITECTURAL GUIDELINES [ADD FOR HISTORIC DOWNTOWN CORE DISTRICT + DOWNTOWN DEVELOPMENT DISTRICT] - Add to the Unified Development Ordinance a set of enforceable architectural design standards for new construction, redevelopment, and adaptive re-use to establish design styles and architectural elements as well as to establish maximum heights of architectural elements, structures, placement and treatments for utilities and peripheral items, and to defi ne a process for review, public input, approval or denial, and for appeal of decisions.

Questions were raised regarding the possibility of adding a second band stage, public restrooms, and a permanent pavilion structure for year-round use for the Farmers' Market, equipped with electricity and water. There was discussion on the Town hiring a person solely to work on programming.

Council Member Archer asked if there was a redline version of all the changes available; Mr. Lambert stated yes, he would provide that to Council. Council Member Casey stated it is important to reserve as much open space as possible. He stated he is not opposed to having two band stages but doesn't want to lose the appeal of having events downtown.

A matrix of all action items was shared, highlighting those flagged with cross-references to other Town plans.

Council Member Archer discussed three variables of the Planning Board meeting last week: wants to preserve the Historic Downtown, discussion on how the plan treats building height and density – not adding density to Main Street, and public transit. Mayor Pro Tem Sims stated in the Historic District, he would like those buildings to stay the way they are. Council Member Archer asked Mr. Olmedo if that was his takeaway from developers; he stated that's a point of discussion, but the direction has been to keep the buildings in their current context. Council Member Archer stated if we keep the Historic District the same, that's not compatible with public transit and density piece of this plan.

Mr. Lambert stated this plan is a smaller scale version of what is seen in larger cities. Council Member Archer stated she wants to make sure developers won't look at this plan and be reluctant to bring big ideas to Clayton. Council Member Anderson stated she does not want this language to be stifling so a good project won't come to the Town. Planning Board Member Mike Surasky stated the only way to solve traffic is to add density and we need to focus on where this density needs to be. There was discussion on the Town having two downtowns. Mayor McLeod stated we need to develop pockets of places for citizens to go. He stated we need to emphasize to our citizens this is a concept, a guide.

Mr. Lambert stated if Council had any changes to please get those to Mr. Olmedo.

5 ITEMS FOR DISCUSSION

a) 4:05 - 4:40 p.m.
Text Amendments
Presenter: Conrad Olmedo, Planning Director and Chad Meadows, CodeWright Planners

Chad Meadows stated this is the second round of UDO amendments. This round contained approximately 111 changes, which fell into 7 different groups. This draft was presented at the August 26, 2024, Planning Board meeting where the board recommended approval with three additional comments: restricting number of new driveways for new lots created fronting arterial roads; considering additional and further discussing enhancements for conditional rezonings; and revising the maximum height of multi-family buildings within 100' of an existing single-family residence to be only two stories and removing the 18-foot height reference.

He discussed the robust process for how to track these amendments; shared

was a copy of the summary table and how changes are tracked. He stated many of these changes are minor in nature, shared were these changes.

Administrative/Non-Substantive:

- 'Building Inspector' to 'Inspections Director', pp. 34, 37, 48, 63, 65, 516
- Remove references to riparian buffer procedures, pp. 54, 145, 146
- 'Compl**i**mentary' to 'compl**e**mentary', pp. 214, 218, 430, 539, 540
- Typos, Missing Words, Extra Words, pp. 76, 99, 116, 186, 345
- Updated Images (to properly reflect codified text), pp. 417, 425, 480, 527

Procedures:

- Determination – Adds Inspections Director, pp. 48, 78
- Land Disturbance Permit – Pre-app optional, pp. 48
- Alternative Sign Plan – Town Council decided, not Planning Director, pp. 50, 118, 119
- Driveway Permit – Not required for access to a private road, but does require zoning compliance permit + allows a construction professional to prepare application instead of PE, pp. 83
- Final Plat Recordation – Allows staff or applicant to record + caveat about failure to provide recorded copy to staff, pp. 106
- Performance Guarantees – Adds landscaping to eligible features, adds sedimentation/erosion control in ineligible features, clarifies Town Council decides post-approval applications, pp. 111, 112
- TIA – Engineering Director 'accept' or 'not accept' instead of 'decide' + can still deny application based on TIA, pp. 139, 140
- Family Subdivision Certification Statement, pp. 800
- Family Subdivison, Limited Subdivision, Minor Plat – added to application requirements table, pp. 806, 807

Districts:

- Type 3 Conditional Rezoning – Concept plan subject to vesting; does not run with the land, pp. 71
- DTNC – Removed height provision for corner buildings, pp. 183
- Mixed-use Development must comply with Mixed-Use Design Standards in Ch. 6 (DTNC, DTNN, DTNT, MXD), pp. 184, 188, 191, 196
- MXD District – There is a maximum street setback, not a minimum street setback, pp. 197
- RLD District – Sidewalks may be required in certain areas, pp. 211
- Methods of Demonstrating Higher Quality Development for Type 3 Conditional Rezonings (landscaping, parking, traffic lights), pp. 227
- Lot Coverage - Only areas under buildings or roofs = lot coverage; prior approvals subject to rules in effect when approved, pp. 243
- Off-Street Parking – May encroach into setbacks except in DTNC and DTNT, pp. 251

Uses:

- Parking and Shipping Uses – permitted by-right in PUB, pp. 284
- Vehicle Towing or Storage – Allowed in CZC, pp. 285
- Bungalow Court – Requires Type B (not Type C buffer), pp. 295
- Single-Family Attached – All lots in Downtown districts less than 50-feet-wide must be rear loaded, pp. 325
- Secondary Structures – some permitted in front of principal dwelling when lot is 2 acres in size or more; requires doubled front setback, pp. 354
- Push carts added to mobile restaurants; removes separation from schools, churches, cemeteries, pp. 356, 364, 365
- RV Parking – Removed from CRM, LID, HID, CZC, CZI, pp. 356
- Vehicle Towing or Storage – Added as a secondary use, subject to same standards applied to principal use, pp. 356, 361, 372
- Outdoor dining may take place on an adjacent lot, but if so, not credited towards open space set-aside standards, pp. 366

Infrastructure:

- Placement of features within an easement requires prior approval from easement holder, pp. 490
- Easements are permitted features in passive and active open space set-asides, pp. 553, 555
- Potable water & sanitary sewer minimum connection distances are measured as straight lines from point-to-point, pp. 495, 510

Development Standards:

- Clarifies applicability of access & circulation standards for redevelopment (increase by 50% or more of floor area, use area, provided parking), pp. 411
- Single-Family Attached – 'Parent' parcel must be at least 30-feet-wide, pp. 412
- Increase min. driveway depth for single-family detached from 20 to 25 feet, pp. 416
- Driveway spacing – Must be 20 feet, whether on same or different lots, pp. 418
- Setbacks from Alternative Access are same as street setback; Engineering Director may allow alternative accessway of 30 feet (down from 50'), pp. 419
- Driveways – Town or NCDOT can restrict #; Added driveway width (12/24); Driveway depth from NCDOT street determined by NCDOT, pp. 420
- Parking Lot Cross-Access – Separation from driveway or street reduced from 60 feet to 50 feet; Engineering Director may reduce further, pp. 424
- Mixed Use standards applied to all principal buildings in a mixed-use

development, pp. 430
- Bike Lanes in Mixed-Use developments – provided in accordance with Adopted Policy Guidance, pp. 431
- Mixed-Use parking location – limited to the side or rear, pp. 434
- Mixed-Use weather protection – only required over windows/doors; max. projection of 5 feet, pp. 435
- Multi-family buildings must be parallel to street when within 100 feet of street, pp. 439
- Multi-Family Building Façade elements – applied to all building facades, not just those fronting streets; 2 or more dormers; shutters on at least ¾ of windows; 2+ bay windows; removed cornice, pp. 441, 442
- Multi-family building articulation required on all sides, not just street facing, pp. 444
- Clarifies max. multi-building height (18') within 100' of single-family detached or attached dwellings, pp. 444
- Limits use of gates across accessways serving multi-family, pp. 446, 509
- Clarifies non-residential design standards apply to attached structures added to an existing building, pp. 449
- Non-residential building articulation features only counted on the wall where located, pp. 453
- Non-residential outparcels on street corners must include at least 2 of 4 required design features, pp. 459
- Large format retail structures may utilize allowable alternatives to transparent windows and doors, pp. 462
- Residential design guidelines apply to triplexes & quadplexes, pp. 463
- Removes limits on concrete foundations, pp. 464
- Distinctly different requirements for SFD reduced from 6 to 4, pp. 468
- Lighting plans shall be prepared a lighting professional, pp. 478
- Allows gravel to be used for surface parking when within or next to railroad ROW, subject to specific standards, pp. 579, 580

Definitions:
- Mid-block Alley - 745
- Vehicle Towing or Storage – 792 (its or, not and)

There was discussion on the Vehicle Towing or Storage recommendation. It was asked if a size limitation could be put on that; Mr. Meadows stated yes. Council Member Casey stated he was curious how other municipalities do this; Mr. Meadows stated we would continue to look at this. Regarding the development standards change on multi-family building elements, those were broadened and applied articulation to help establish high quality of design.

Council Member Archer stated she feels we are delivering on the promise of updating this document as needed. It was stated a request for modification

was recently received and hoped to be included in this round; Council was asked should it be included as a one off? It was consensus of Council to let everyone know these modifications only happen quarterly.

Next steps are to hold the public hearing at the September 16, 2024, council meeting for possible adoption.

b) 4:40 - 5:00 p.m.
Strategic Plan
Presenter: Dolores Gill, Deputy Town Manager

Ms. Gill provided an update on the Strategic Plan. She stated at the Council Retreat in February of this year, Raftelis worked with Council to create a Vision, Mission, and Values that led to six Key Focus Areas, which are now seven areas. Department directors and the leadership teams are currently working on an operational plan to get this plan into motion.

Ms. Gill discussed the community input received for this plan. Shared was the percentage of survey respondents who agreed with the Town's draft vision statement and key focus areas: 87% - Vision; 88% - Vibrant Downtown; 89% - Desirable Amenities and Spaces; 83% - Sustainable Infrastructure Investment; 75% - Mobility, Transportation, and Transit; 86% - Diversified Economic Development; and 85% - Community Outreach and Engagement (the Public Safety key focus was not developed at the time of the survey).

She discussed the development of a dashboard that would show the process of goals created by the department directors and leadership team and stated Council would receive regular updates.

The next step is to include this plan on the September 16, 2024 council meeting agenda for potential adoption.

6 ADJOURNMENT

a) Adjourn

With nothing further, the meeting was adjourned at 5:17 p.m.

Motion To Adjourn

RESULT:	**CARRIED 5-0**
MOVER:	Michael Sims
SECONDER:	Porter Casey
YES:	Andria Archer, Michael Sims, Porter Casey, Gretchen Williams, and Ruth Anderson*
NO:	None

Duly adopted this16th day of September 2024, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Town of Clayton
Town Council Regular Meeting Minutes
Tuesday, September 3, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:
Mayor Jody McLeod
Council Member Porter Casey
Council Member Andria Archer
Mayor Pro Tem Michael Sims
Council Member Gretchen Williams
Council Member Ruth Anderson*
**Joined Remotely*

Council Absent:
None

Staff Present:
Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Robert McKie, Finance Director
David Ranes, Fire Chief
Joshua Baird, Water Resources Director
Conrad Olmedo, Planning Director
Louis Duffie, Asst. Program Manager

Guests Present:
Adam Sharpe, HDR

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:05 p.m.

b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a. **Approve or Adjust the Agenda**

RESULT:	**CARRIED 5-0**
MOVER:	Porter Casey
SECONDER:	Andria Archer
YES:	Porter Casey, Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None

3. CONSENT AGENDA

a. 2023-202-ANX NCRR Industrial Development Annexation Resolution Setting the Public Hearing
Presenter: Heidi Holland, Town Clerk

b. NCDOT Road Closure Request
Presenter: Amy Shearin, Community Events and Engagement Coordinator

c. TOC Project 2020-62-SDM: Final Acceptance of the Public Water and Sewer Utilities for Champion West Subdivision
Presenter: Chris Rowland, Engineering

Approve Consent Agenda as Presented

RESULT:	**CARRIED 5-0**
MOVER:	Andria Archer
SECONDER:	Michael Sims
YES:	Porter Casey, Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson*
NO:	None

4. ADMINISTRATIVE ITEMS

a. Clayton4U
Presenter: Nathanael Shelton, Communication Director

Ms. Gill presented this video which spoke of the process of obtaining a permit.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. NCSDAR Proclamation
Presenter: Council Member Casey to Present to DAR Member

Council Member Casey read the proclamation into the record and presented to Fran, President of the Smithfield Chapter of the DAR. She thanked Council for the proclamation. She stated every year on September 17th, the organization celebrates Bells Across America. She invited all to come to the Smithfield Courthouse steps to ring bells on this date at 4:00 p.m. to celebrate the 1787 signing of the Constitution.

6. PUBLIC HEARINGS

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

a. Water Reclamation Facility Update
Presenters: Louis Duffie, Project Manager and Adam Sharpe, HDR

Mr. Duffie and Mr. Sharpe provided an update on Town projects. Mr. Sharpe provided a 90-120 look ahead. He shared the primary projects: Sam's Branch WRF (nearing 60% completion with a little over 1 year remaining), Clayton-Raleigh Pump Station Expansion (under construction), Little Creek Transmission (construction is complete), Little Creek Pump Station (construction is complete), and ECIA Pump Station & Transmission (out for bidding – target completion date is early 2026). The ECIP Pump Station and Transmission would take all flow from East Clayton industrial area and bring it back to Sam's Branch.

Mr. Duffie shared updated photos of the progress of Sam's Branch Water Reclamation Facility. He stated the seven tanks are completed and have been tested. The influent pump station is complete in terms of excavation and back filling. The admin building is nearing completion, and the water retention pond has been excavated. Shared was a time-lapsed video.

In the next 3-4 months a milestone to hit would be to hydraulic test the bioreactor. A lot of process equipment would be delivered for installation and testing.

Mr. Sharp shared a chart of all projects and their financials. He stated the projects have been tracking right along in a relatively predictable manner. He discussed the long-standing agreement with Raleigh Water to send Raleigh wastewater for treatment. He stated the Town now has an industrial user permit with the City of Raleigh to be able to send some nonproduction waste streams.

He discussed thoughts for the future and what phase two would look like; what the liquid stream capacity expansion would look like, what the solid expansion side would look like, and where everything would go when thinking about going from 6 to 10 MGD. He stated they are looking possibly beyond 10 MGD so enough space could be reserved in the future.

b. Utility Regionalization Update
Presenter: Lee Worsley, Central Pines Regional Council

Mr. Worsley stated the role of Central Pines is to be a neutral third-party entity to help guide conversations and to help all Johnston County local government think about what steps to take. No final decisions have been made but good conversations are continuing.

He discussed the importance of collaboration to include sharing ideas and expertise, sharing of risks, taking advantage of economy of scale, trust-building, more robust grant and funding opportunities, limiting redundant infrastructure, potential sharing of staff and equipment, and joint opportunities for construction and maintenance.

He discussed existing collaborations. He stated a lot of communities in Johnston County have expressed their interest in regionalization. Although collaboration already exists, several communities wish to form robust interlocal agreements with their neighbors.

He discussed the 3-year goal which is to see what it would take to form a county-wide self-contained Water and Sewer Authority. No final decisions have been made and every local government that desires to participate would have the opportunity. Shared was a potential 3-year timeline for Year 1 if a Water and Sewer Authority is pursued. This timeline was provided to the commissioners. He stated the group that has been meeting is a group of elected officials, one from each of the local governments. This group would be called the Policy Committee. A Technical Advisory Committee would then be formed, which would be made up of technical experts from each of the local governments. The other committee to be formed would be the Near-Term ILA Committee.

Years 2-3 would be the potential adoption of the interlocal agreements, continuing to look at infrastructure, continuing to look at legalities and rates, and continuing to do stakeholder engagement.

Shared was an organizational flow chart. If a Water and Sewer Authority would be formed, the Policy Committee and Technical Committees would go away. There would be an Authority Board that would appoint their own committees.

Shared were recommendations; immediately begin working on strong draft ILA with towns of Kenly, Micro, Princeton, Pine Level and Johnston County; continuing existing collaborations efforts on current needs; all Johnston County local governments continue the policy committee and forming the Technical Advisory Committee. The ultimate goal is to ensure access to clean, efficient water and sewer to best serve all of Johnston County's residents.

Council Member Casey stated we need to be mindful and intentional of what we do moving forward. He thanked Mr. Worsley for what he has done. Mayor Pro Tem Sims thanked Mr. Worsley for being here. He stated the Town would continue to be a part of this moving forward.

Immediate next steps include re-affirm commitment to Exploration of Collaboration; establish Policy and Technical Advisory Committees; work on near-term ILA agreements; and to develop stakeholder engagement plan.

9. NEW BUSINESS

10. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

12. CLOSED SESSION

a. To Discuss Legal Matter in Accordance with NC GS 143-318.11 (a)(3) and To Discuss Economic Development in Accordance with NC GS 143-318.11 (a)(4)

Motion To Go Into Closed Session

RESULT:	**CARRIED 5-0**
MOVER:	Michael Sims
SECONDER:	Porter Casey
YES:	Porter Casey, Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson
NO:	None

Motion To Return To Open Session

RESULT:	**CARRIED 5-0**
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Porter Casey, Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson
NO:	None

13. ADJOURNMENT

a. Adjourn

With nothing further, the meeting was adjourned at 7:30 p.m.

Motion To Adjourn

RESULT:	**CARRIED 5-0**
MOVER:	Michael Sims
SECONDER:	Porter Casey
YES:	Porter Casey, Andria Archer, Michael Sims, Gretchen Williams, and Ruth Anderson
NO:	None

Duly adopted this 16th day of September 2024, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
September 16, 2024	CONSENT AGENDA

Item Title

NCDOT Road Closure Request

Presenter(s)

Amy Shearin, Community Events and Engagement Coordinator

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Special Mailing
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☐ None Required

Summary

At the September 3, 2024 council meeting, a resolution was adopted for a road closure request for the Clayton High Homecoming Parade for the date of October 2, 2024. The date of the parade is actually on October 1, 2024. This resolution will replace the one adopted at the September 3, 2024 council meeting.

Funding Source

N/A

Corresponding Documentation

Oct 1 Homecoming Parade

Submitted By: Heidi Holland, Economic Development

Reviewed By:

Rich Cappola, Town Manager	Approved - Sep 11 2024
Heidi Holland, Town Clerk	Approved - Sep 12 2024

Resolution #2024-92

CLAYTON HIGH HOMECOMING PARADE
ROAD CLOSURE REQUEST

WHEREAS, the Clayton Town Council acknowledges the Clayton High School Homecoming Parade as a beloved tradition for its residents; and

WHEREAS, the Clayton Town Council acknowledges the Clayton High School Homecoming Parade will require signage and traffic control prior to the start of and until its completion.

NOW THEREFORE BE IT ORDAINED by the Clayton Town Council pursuant to the authority granted by NCGS 20-169 that they do hereby declare a temporary road closure during the following day and times as set below on the following portion of a North Carolina State Road:

Date: Tuesday, October 1, 2024
Times: 5:30 – 7:30 pm

NCDOT Maintained Road Closures:

- Main Street from O'Neil Street to Smith Street
- Lombard Street from Main Street to Second Street

Town of Clayton Maintained Road Closures

- Fayetteville Street from Hamby to First Street
- Second Street from Hardy Street to O'Neil Street
- Church Street from Horne Street to First Street
- Barbour Street from Horne Street to Main Street

FURTHER, this ordinance will remain in effect for only the dates and times as stated above.

Duly adopted this the 16th day of September 2024 while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
PROCLAMATION
FINANCE AND ACCOUNTING APPRECIATION WEEK

WHEREAS, the Town of Clayton honors the Finance and Accounting Department professionals as they serve their organization by managing day-to-day accounting operations and balancing the budget, both of which are needed for citizens to have faith and trust in their government; and

WHEREAS, the Finance and Accounting Department professionals are credentialed professionals, who provide financial transparency to citizens through timely publication of financial statements that meet the highest standards of governmental accounting; and

WHEREAS, this the Town of Clayton recognizes the Finance and Accounting Department during this week and honors the vital services they provide to our town and our community; and

NOW, THEREFORE, on behalf of the Clayton Town Council, we hereby proclaim September 23 - 27, 2024 Finance and Accounting Appreciation Week and encourage all citizens to extend their appreciation to all government finance professionals.

Proclaimed this the 16th day of September, 2024.

_____

Jody L. McLeod
Mayor

TOWN OF CLAYTON
PROCLAMATION
NATIONAL IT PROFESSIONALS DAY

WHEREAS, National IT Professionals Day was created in 2015, and celebrated the third Tuesday of September each year; and

WHEREAS, it is with acknowledgment and appreciation of the technical experts; network engineers, system administrators, database administrators, business systems analysts, GIS analysts and service desk technicians who ensure our networks, applications, tools, technology, and information are kept secure; ensuring technical processes, systems, and devices operate smoothly; and

WHEREAS, the Town of Clayton supports the skilled work of IT Professionals to strengthen community communication and resiliency, connect people with technology and each other, and provide and promote opportunities for healthy living, equity, and sustainability; and

WHEREAS, National IT Professionals Day recognizes the importance and benefits of IT Professionals as an integral role, enriching the lives of our community members, securing a desirable place to live, work, play, and visit; and

WHEREAS, the most important part of this day is taking the time to thank the IT professionals who make modern life easier for all of us.

NOW, THEREFORE, on behalf of the Clayton Town Council, we hereby proclaim September 17, 2024 as National IT Professionals Day.

Proclaimed this the 16th day of September, 2024.

_____

Jody L. McLeod
Mayor

TOWN OF CLAYTON
PROCLAMATION
HUMAN RESOURCE PROFESSIONAL DAY

WHEREAS, the Town of Clayton honors the office of Human Resources for the important work that they do to support all Town employees; and

WHEREAS, Human Resource professionals help employees adapt to an ever changing and competitive environment while responding to workplace needs and economic challenges; and

WHEREAS, these professionals enable positive organizational development and serve as strategic partners to meet public service goals by recruiting and retaining qualified diverse candidates for employment; developing equitable compensation and benefits structures; and preserving the integrity of the organization by ensuring compliance with state and federal laws; and

WHEREAS, the Town of Clayton Human Resource professionals serve as leaders, business strategists, problem-solvers, talent developers, and advocates, while displaying integrity and dedication; and

WHEREAS, Human Resource Professional Day is an opportunity to show appreciation for Human Resource professionals and the valuable work they do every day.

NOW, THEREFORE, on behalf of the Clayton Town Council, we hereby proclaim September 26, 2024 as Human Resource Professional Day.

Proclaimed this the 16th day of September, 2024.

_____

Jody L. McLeod
Mayor

TOWN OF CLAYTON
NATIONAL CUSTODIAN DAY
PROCLAMATION

WHEREAS, each year, on October 2, National Custodian Day is observed; and

WHEREAS, custodians are the unsung heroes of our offices and many other commercial facilities; and

WHEREAS, custodians are willing to learn and adapt to new technologies to make our facilities better for years to come; and

WHEREAS, they are hard-working individuals who dedicate countless hours to providing a clean and safe environment for our staff and community who occupy those buildings; and

WHEREAS, we are proud to recognize our custodians and recognize the hard work that it takes to keep our public facilities in tip-top shape and diligently work tirelessly to make sure our workplaces are spotless and sanitary; and

WHEREAS, it is the Town of Clayton's commitment that every custodian is shown appreciation and thanks for all they do for our buildings and facilities.

NOW, THEREFORE, on behalf of the Clayton Town Council, we hereby proclaim October 2, 2024, National Custodian Day.

Proclaimed this the 16th day of September, 2024.

_____

Jody L. McLeod
Mayor

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
September 16, 2024	PUBLIC HEARINGS

Item Title

2023-202-ANX NCRR Industrial Development

Presenter(s)

Conrad Olmedo, Planning Director

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

- ☒ Public Hearing (Required by GS)
- ☒ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☒ Special Mailing
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☐ None Required

Other/Special Instructions: Posted Public Notice Sign to property

Summary

Applicant is petition to annex ~72 acres into the Town of Clayton in order to receive Town services. This project is associated with project 2023-191-SP_CD NCRR Industrial Development.

Background/History

August 5th, 2024 - 1st meeting: Resolution Directing the Clerk to Certify Sufficiency of the petition.
August 19th, 2024 - 2nd meeting: Setting the date for the public hearing
September 3rd, 2024- 3rd meeting: Setting the date for the public hearing - meeting rescheduled due noticing requirements set forth in General Statues.

Recommendation

Staff are recommending approval of the petition to annex.

Funding Source

N/A

Corresponding Documentation

Staff Report - TC - 9.16.2024 - 2023-202-ANX NCRR Industrial Development

Application 2023-202-ANX NCRR Industrial Development

Legal Description - 2023-202-ANX NCRR Industrial Development

Annexation Plat - NCRR ALTA Survey

Ordinance - 2023-202-ANX NCRR Industrial Development

Presentation - 2023-202-ANX NCRR Industrial Developemnt

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Rich Cappola, Town Manager	Approved - Sep 11 2024
Heidi Holland, Town Clerk	Approved - Sep 12 2024

PLANNING DEPARTMENT

TOWN COUNCIL STAFF REPORT
September 16, 2024

NCRR ANNEXATION

Project #:	2023-202-ANX	**Location:**	Property South of Intersection of NC HWY 42 and E. Front St.
Applicant:	NCRR Clayton Industrial Park,	**Project Type:**	Annexation
Property Owner:	North Carolina Railroad Company	**Proposed Use:**	N/A
Staff Planner:	Conrad Olmedo, Planning Director	**TAG #(s):**	05H03100C

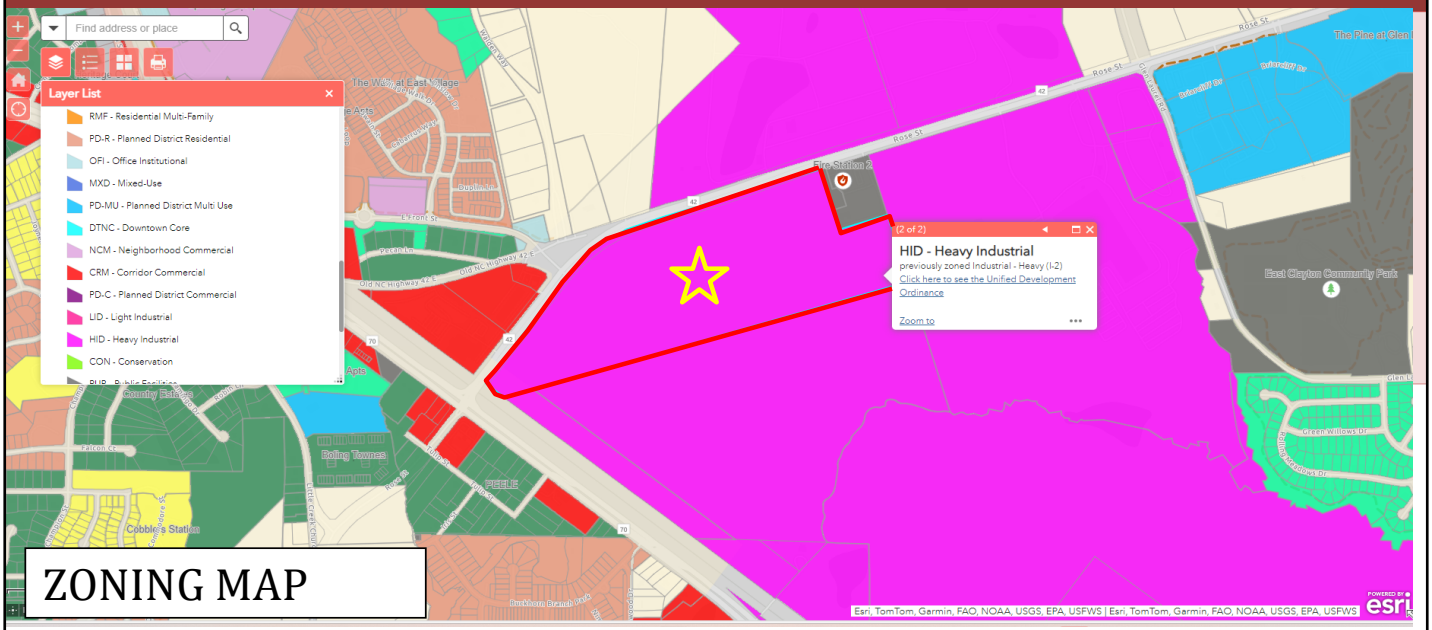


PROJECT SUMMARY

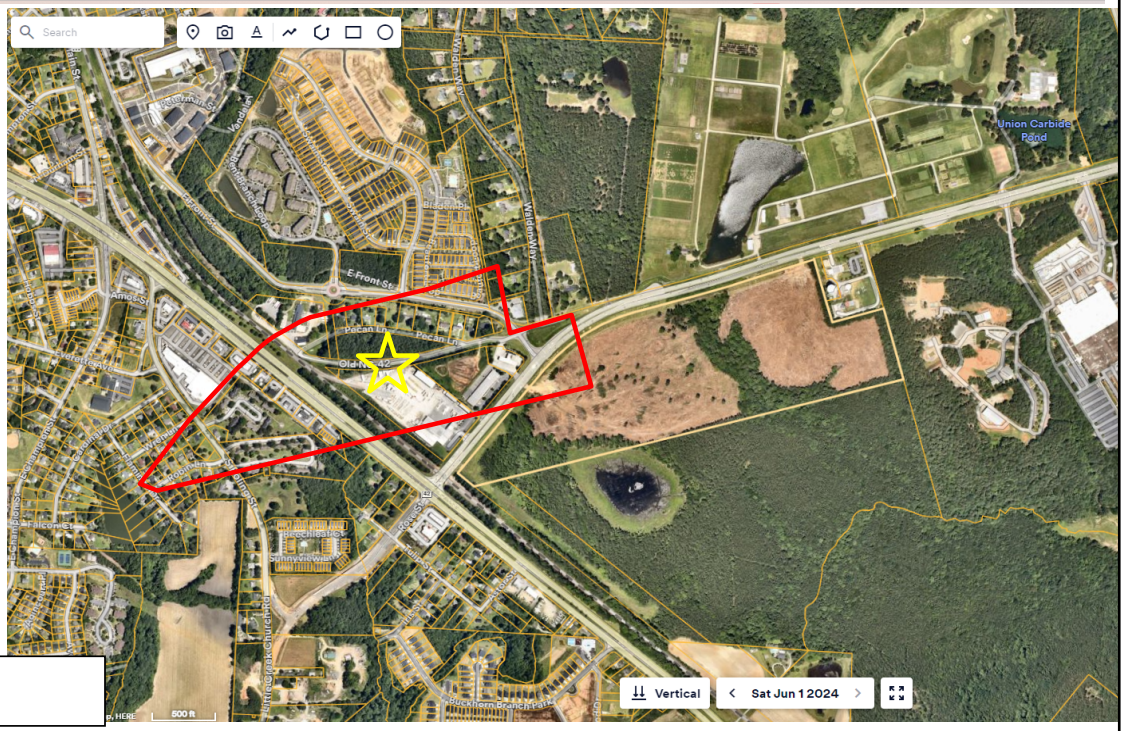
The site is located on the south side of NC HWY 42, northeast of the intersection of US HWY 70 W and NC HWY 42 and within Clayton extraterritorial jurisdiction (ETJ). The applicant has petitioned the Town to be annexed into the corporate limits of the Town of Clayton. The subject proper is approximately +/- 72.32 acres in size and is currently zoned Heavy Industrial (HID). The site is currently being prepared for eventual development with plans being reviewed by the Town's Technical Review Committee (TRC), 2023-191-SP_CD NCRR Industrial Development.

LAND USE REVIEW

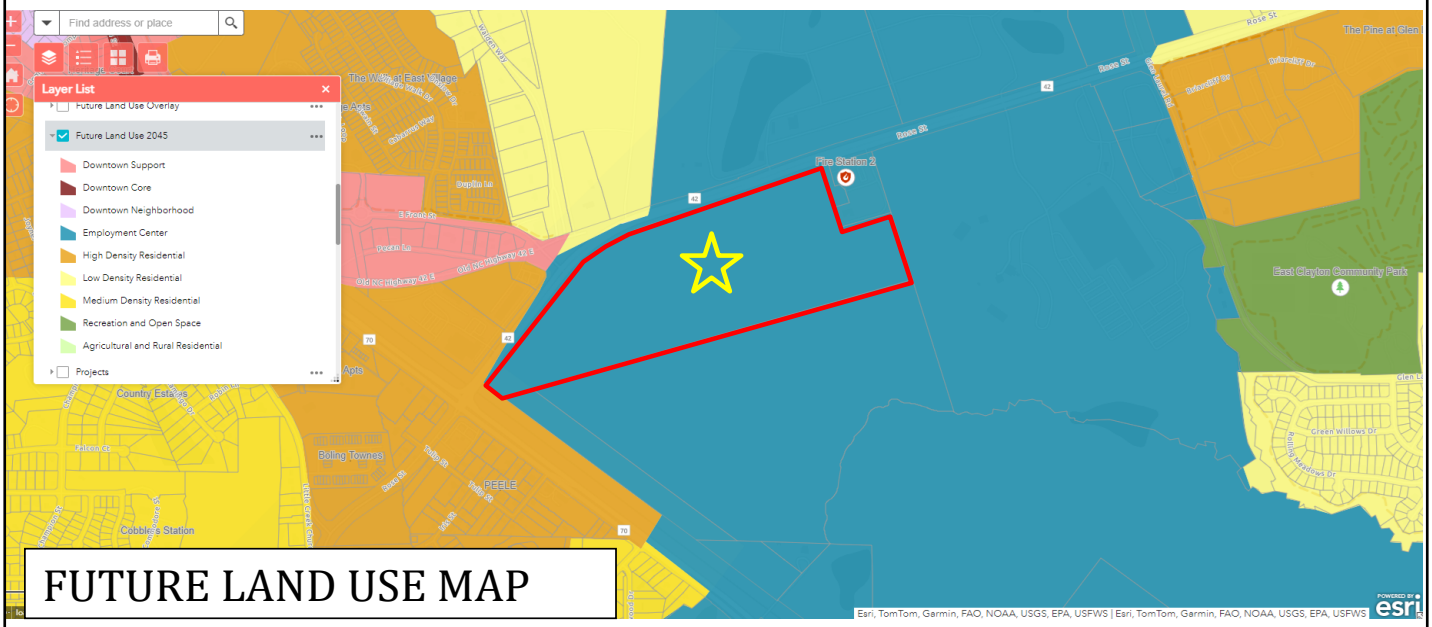
SITE DATA:
Acreage: +/- 72.32 acres
Existing Use: Vacant



ZONING MAP



AERIAL MAP



FUTURE LAND USE MAP

ATTACHMENTS:

1) Staff Report
2) Petition for Annexation
3) Legal Description of Metes and Bounds
4) Annexation Plat
5) Annexation Ordinance
6) Presentation

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

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are accepted on a rolling basis and can be submitted to the Town of Clayton Planning Department.

Application Review Fee: $300

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant. There is an initial 15 business day review cycle with 3 Council hearing meetings. Expect an estimated minimum of 2-3 months for review/approval.

Annexation Plat and Legal Description (Metes & Bounds) Submission: The plat and a legal description (metes and bounds) must be submitted with the application and review fee.

Is the proposed land for annexation located outside the Claytex Fire District? ____ Yes X No

**If the proposed land for annexation is located outside of the Claytex Fire District, the Fire District in which the land is located must be notified by the Town, and a payment from the applicant to the Town covering the proportional share of Fire District Debt of the land (as determined by the Fire District) will be required to be made. This process will increase the timeline for approval of these annexations.*

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved. These first two actions generally occur during the Consent Agenda item on 2 consecutive Town Council meetings.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton. The Public Hearing is generally held during the 3rd Council meeting, following approval of the Certificated Sufficiency and Resolution setting the Public Hearing date.

Recordation: If the annexation is approved by the Town Council, the applicant is required to submit one (1) Mylar annexation plat to the Planning Department for signature. The Annexation Plat shall be recorded at the appropriate county Register of Deeds.

Revised July 2023

Name of Project: NCRR Clayton Industrial Park **Date:** 9/6/2023

Applicant Name: Garretson Browne **Phone:** 919-819-9427 **Email:** garretson.browne@redgate-re.com

Petition for Voluntary Annexation Application

1. **Application Type:** ☐ Individual ■ Corporation ☐ LLC ☐ Partnership

2. **The proposed annexation will be:** ■ Contiguous Annexation ☐ Non-Contiguous Annexation

Property Information

To the Town Council of the Town of Clayton, North Carolina:

1. I/We the undersigned owner(s)* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

   *If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign the petition.

2. The area to be annexed is [X] contiguous, [ ] non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.

3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

   Total Acreage to be annexed: 72.32 Existing Housing Units: 0

   Population of acreage to be annexed: 0 Fire District: CTD4

   Existing Zoning District*: Industrial Heavy I2 Proposed Town Zoning District*: Industrial Heavy I2

   County Recorded Plat Book and Page #: 05845 and 0338

   Reason for petitioner to annex: X Receive Town Services ____Other (please specify): _____

5. **I/We** acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in the termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate on the following page, and attach proof.)

FOR OFFICE USE ONLY

Date Received:_____ Amount Paid:_____ Petition Number: _____

Revised July 2023

This page must be notarized prior to submitting to the Town for review

Complete ONLY if applying for an individual annexation and if property is owned by individual (s):

_____ Please Print

_____ Signature

_____ Please Print

_____ Signature

Complete ONLY if applying for a Corporation Annexation:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its secretary by order of its Board of Directors, this 12 day of December, 2023.

SEAL

Corporate Name: North Carolina Railroad

By: _____ (Signature)

Attest: _____ Secretary (Signature)

Complete ONLY if applying for a Limited Liability Company Annexation:

In witness whereof, _____ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this ____ day of _____,20___.

Name of Limited Liability Company: _____

By: _____ Signature of Member/Manager

Complete ONLY if applying for a Partnership Annexation:

In witness whereof, _____ a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this ____ day of _____, 20____.

Name of Partnership: _____

By: _____ Signature of General Partner

By: _____

By: _____ Signature of General Partner

By: _____

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me,_____, a Notary Public for the above State and County, this_____day of,_____, 20_____.

_____ Notary Public

SEAL

My Commission Expires: _____

Revised July 2023

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	Leave a 2-inch by 2-inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

LEGAL DESCRIPTION AS NOW SURVEYED

BEING THAT TRACT OF LAND CONTAINING 72.391 ACRES (3,153,348 SQUARE FEET) LOCATED IN CLAYTON TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA; SAID TRACT HAVING BEEN CONVEYED TO THE NORTH CAROLINA RAILROAD COMPANY BY DEED RECORDED UNDER DB 867 PG. 185 OF THE JOHNSTON COUNTY REGISTRY, BEING SHOWN ON THAT MAP ENTITLED “ANNEXATION PLAT FOR THE TOWN OF CLAYTON, PROERTY OF NORTH CAROLINA RAILROAD COMPANY” DATED SEPTEMBER 8, 2023, PREPARED BY CE GROUP AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NAIL SET WITHIN THE RIGHT-OF-WAY OF NC HIGHWAY 42 (ALLOWING 100 FEET) HAVING NC GRID COORDINATES OF N: 689,088.58’ AND E: 2,168,699.04’; THENCE A TIE LINE S 22°14’37” E 30.97 FEET TO CONCRETE MONUMENT FOUND ON THE SOUTHERN RIGHT-OF-WAY LINE OF NC HWY 42; THENCE A TIE LINE S 17°01’06” E 7.22 FEET TO AN IRON PIPE SET ON THE NORTHERN LINE OF THE HEREIN DESCRIBED TRACT, SAID IRON PIPE BEING THE POINT OF BEGINNING; THENCE WITH WESTERN AND SOUTHERN LINES OF THE TOWN OF CLAYTON (DB 1681, PG 209) S 17°23’39” E 531.29 FEET TO AN IRON PIPE FOUND AND N 72°25’15” E 424.97 FEET TO AN IRON PIPE FOUND; THENCE WITH A WESTERN LINE OF CATERPILLAR INC. (DB 1206, PG 51) S 17°34’45” E 598.18 FEET TO AN IRON PIPE FOUND; THENCE WITH A NORTHERN LINE OF GRIFOLS THERAPEUTICS (DB 5086, PG. 823) S 72°38’12” W 3,491.16 FEET TO AN IRON PIPE FOUND; THENCE WITH A NORTHEASTERN LINE OF NORTH CAROLINA RAILROAD COMPANY N 53°26’34” W 232.70 FEET TO A CONCRETE MONUMENT FOUND; THENCE WITH THE SOUTHEASTERN RIGHT-OF WAY OF NC HWY 42 N 37°01’59” E 1,084.09 FEET TO A CONCRETE MONUMENT FOUND; THENCE A CURVE TO THE RIGHT HAVING A RADIUS OF 1,430.00’ AND A CHORD BEARING AND DISTANCE OF N 54°47’55” E 873.39 FEET TO A CONCRETE MONUMENT FOUND; THENCE N 72°34’47” E 470.26 FEET TO A BENT CONCRETE MONUMENT FOUND; THENCE A CURVE TO THE LEFT HAVING A RADIUS OF 8,080.00’ AND A CHORD BEARING AND DISTANCE OF N 70°30’57” E 585.46 FEET TO A CONCRETE MONUMENT FOUND; THENCE N 70°07’25” E 432.96 FEET TO AN IRON PIPE SET, SAID IRON PIPE BEING THE POINT OF BEGINNING.

GENERAL NOTES

1. THE PURPOSE OF THIS PLAT IS TO PERFORM AN ALTA/NSPS LAND TITLE SURVEY OF THE PROPERTY OF NORTH CAROLINA RAILROAD COMPANY RECORDED ON DEED BOOK 5848 PAGE 338, JOHNSTON COUNTY REGISTRY.
2. THE UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (M).
3. ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED, GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID".
4. AREA(S) CALCULATED BY THE COORDINATE METHOD.
5. GRID TIE BY NC VRS.
6. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NONEXISTENCE OF ANY UNDERGROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
7. ALL PROPERTY CORNERS SET ARE 5/8" IRON PIPES SET (IPS) FLUSH WITH EXISTING GROUND UNLESS OTHERWISE NOTED.
8. NO EARTH MOVING WORK WAS OBSERVED AT TIME OF THE SURVEY
9. THIS SURVEYOR IS UNAWARE OF ANY PROPOSED CHANGES TO STREET RIGHT OF WAY LINES.
10. THIS PROPERTY ABUTS PUBLIC RIGHT-OF-WAYS: NC HIGHWAY 42 AND US HIGHWAY 70 BUSINESS WEST.
11. THE LAND DEPICTED FORMS A NON CONTIGUOUS PARCEL WITH A POSSIBLE OVERLAP
12. NO CEMETERIES WERE OBSERVED IN THE COURSE OF THIS SURVEY.

FLOOD NOTE:

UPON EXAMINATION OF FLOOD INSURANCE RATE MAPS 3720166800K DATED JUNE 20, 2018 THE SUBJECT PROPERTY LIES IN ZONE "X", WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN.

UNDERGROUND UTILITY NOTE:

THE PURPOSE OF THIS MAP IS TO DISPLAY UNDERGROUND UTILITIES UTILIZING THE 811 UTILITY LOCATION SERVICE. DESIGNATED BY 811 UTILITY PARTNERS, AND SURVEYED BY CE GROUP, INC.

THIS MAP SHOULD NOT BE RELIED UPON AS A COMPLETE DEPICTION OF ALL UNDERGROUND UTILITY APPURTENANCES THAT MAY EXIST WITHIN THE LIMITS OF THIS SURVEY. IT SHOULD BE ASSUMED THAT ADDITIONAL UTILITIES EXIST IN THE AREA DEPICTED ON THIS MAP. USE OF THIS MAP DOES NOT NEGATE ANY PARTY'S RESPONSIBILITY TO CONTACT "ONE-CALL" PRIOR TO PERFORMING EXCAVATIONS INSIDE THE LIMITS OF THIS SURVEY.

SURVEY REFERENCES

DEED BOOK 792 PAGE 264
DEED BOOK 867 PAGE 206
DEED BOOK 1206 PAGE 51
DEED BOOK 1681 PAGE 209
DEED BOOK 2479 PAGE 937
DEED BOOK 4882 PAGE 319
DEED BOOK 5086 PAGE 823
DEED BOOK 5372 PAGE 843
DEED BOOK 5494 PAGE 686
DEED BOOK 5848 PAGE 338 (CURRENT)
DEED BOOK 5886 PAGE 681
DEED BOOK 6355 PAGE 309
DEED BOOK 6436 PAGE 718

PLAT BOOK 49 PAGE 315

UNRECORDED PRELIMINARY ALTA/NSPS SURVEY BY WITHERS AND RAVENEL FOUND IN A PRELIMINARY OPINION ON TITLE FOR CHICAGO TITLE INSURANCE COMPANY RECEIVED BY CE GROUP INC. ON AUGUST 30th, 2023

ALL OTHERS AS SHOWN HEREON

ABBREVIATIONS

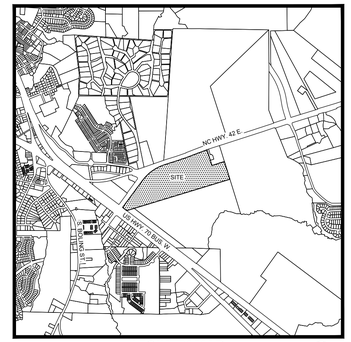
AG	ABOVE GROUND
BG	BELOW GROUND
BCMF	BENT CONCRETE MONUMENT FOUND
CMF	CONCRETE MONUMENT FOUND
DB	DEED BOOK
INV.	INVERT
IPF	IRON PIPE FOUND
IPS	IRON PIPE SET
MBSL	MINIMUM BUILDING SETBACK LINE
N/F	NOW OR FORMERLY
PB	PLAT BOOK
PG	PAGE
TB	TOP OF BANK
U/G	UNDERGROUND
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT-OF-WAY

ZONING INFORMATION

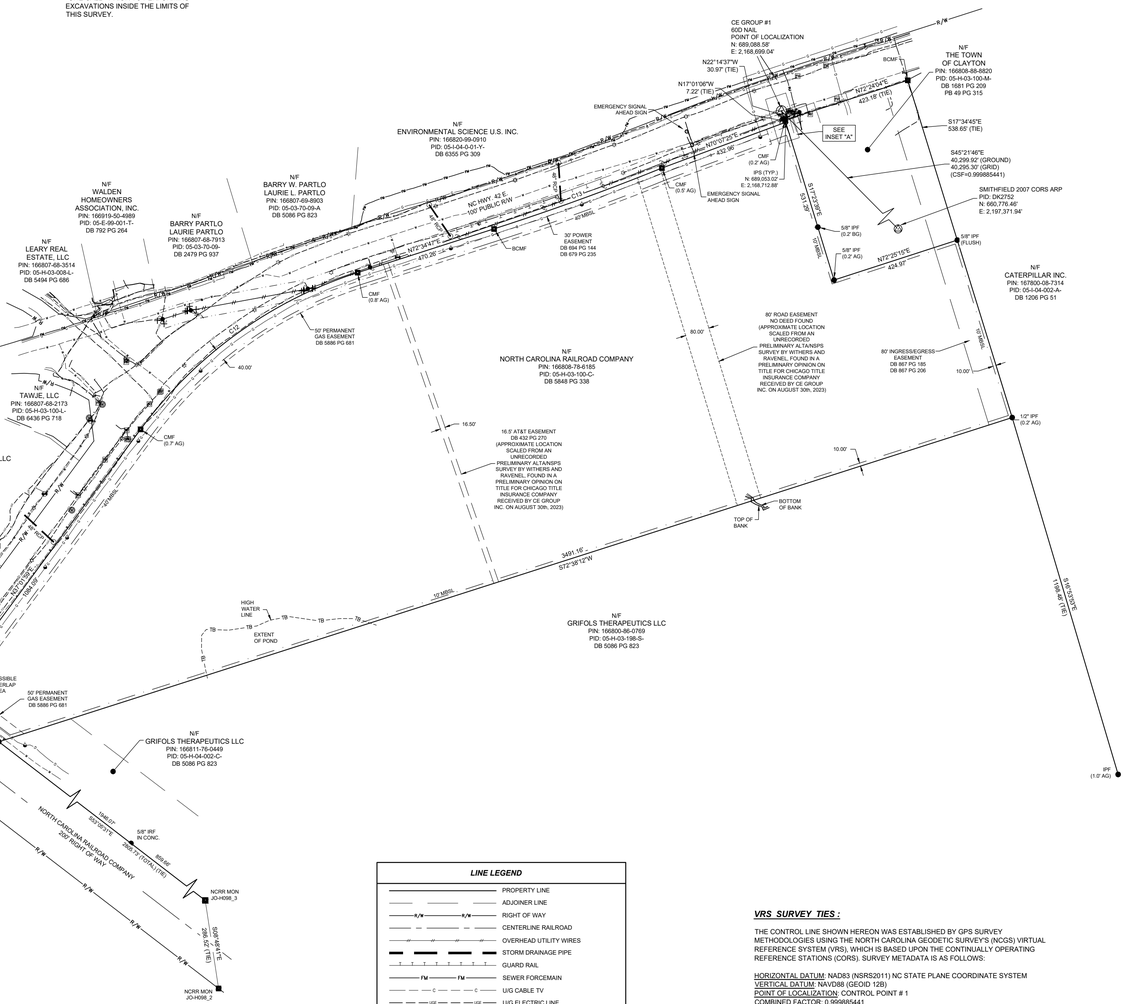
ZONING "I-2" INDUSTRIAL-2 DISTRICT
MINIMUM BUILDING SETBACK REQUIREMENTS:
FROM ANY ARTERIAL OR COLLECTOR STREET RIGHT OF WAY - 40'
FROM ANY LOCAL STREET RIGHT OF WAY - 30'
FROM ANY INTERIOR LOT LINE ADJACENT TO COMMERCIAL OR INDUSTRIAL ZONING - 10'
FROM ANY INTERIOR LOT LINE ADJACENT TO RESIDENTIAL ZONING - 20'
FROM ANY ACCESS EASEMENT - 15'
ACCESSORY STRUCTURES:
MAXIMUM BUILDING HEIGHT REQUIREMENTS
ADJACENT TO RESIDENTIAL ZONING - 40'
ADJACENT TO NONRESIDENTIAL ZONING - NO HEIGHT RESTRICTIONS

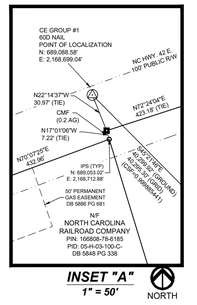
OWNER/SITE INFORMATION

OWNER: NORTH CAROLINA RAILROAD COMPANY
2809 HIGHWOODS BOULEVARD, RALEIGH, NC 27604
SITE ADDRESS: INTERSECTION OF NC HIGHWAY 42 AND US HIGHWAY 70 BUISNESS WEST, CLAYTON, NC 27520
DEED BOOK 5845 PAGE 338
ZONING: I-2 PER JOHNSTON COUNTY GIS



VICINITY MAP
1" = 2000'
NORTH





INSET "A"
1" = 50'
NORTH

SYMBOL LEGEND

●	PROPERTY CORNER FOUND
○	PROPERTY CORNER SET
■	CONC MONUMENT FOUND
→	SIGN
	GRATED INLET
	LIGHT POLE
	UTILITY POLE
	UTILITY POLE WITH DROP
	GUY WIRE / ANCHOR
E	ELECTRIC TRANSFORMER
	ELECTRIC METER
TS	TRAFFIC SIGNAL HANDHOLE
	GAS LINE MARKER
	TELEPHONE PEDESTAL
FO	FIBEROPTIC HANDHOLE
	FIRE HYDRANT
W	WATER MANHOLE
	WATER METER
	WATER VALVE
	WATER AV MON
MW	MONITORING WELL

LINE LEGEND

	PROPERTY LINE
	ADJOINER LINE
R/W R/W	RIGHT OF WAY
	CENTERLINE RAILROAD
OHU OHU	OVERHEAD UTILITY WIRES
	STORM DRAINAGE PIPE
GR GR	GUARD RAIL
FM FM	SEWER FORCEMAIN
C C	U/G CABLE TV
UGE UGE	U/G ELECTRIC LINE
T T	U/G TELEPHONE
FO FO	U/G FIBER OPTIC
G G	U/G GAS
W W	U/G WATER LINE
TB TB	TOP OF BANK
	MINIMUM BUILDING SETBACK LINE
	PERMANENT GAS EASEMENT
	INGRESS/EGRESS EASEMENT
	AT&T EASEMENT
	ROAD EASEMENT
	POWER EASEMENT

NORTH
NC GRID NAD 83 (2011)
200' 0 200' 400'
SCALE: 1" = 200'

ALTA / NSPS LAND TITLE SURVEY CERTIFICATION:

TO: CHICAGO TITLE INSURANCE COMPANY; NORTH CAROLINA RAILROAD COMPANY, A MARKETABLE FEE SIMPLE TITLE

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 7(a), 7(b)(1), 8, 9, 11(OBSERVED EVIDENCE ONLY), 13, 16, 17, 18 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON AUGUST 17th, 2023.

DATE OF PLAT OR MAP: AUGUST 30th, 2023

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES OR SALES

WILLIAM E. MCLAMB III, PLS NC LICENSE #: L-5505

I, WILLIAM E. MCLAMB III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION, FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS ___DAY OF _____, A.D., 2023.

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES OR SALES

WILLIAM E. MCLAMB III N.C. REG. NO.: L-5505

VRS SURVEY TIES :

THE CONTROL LINE SHOWN HEREON WAS ESTABLISHED BY GPS SURVEY METHODOLOGIES USING THE NORTH CAROLINA GEODETIC SURVEY'S (NCGS) VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). SURVEY METADATA IS AS FOLLOWS:

HORIZONTAL DATUM: NAD83 (NSRS2011) NC STATE PLANE COORDINATE SYSTEM
VERTICAL DATUM: NAVD88 (GEOID 12B)
POINT OF LOCALIZATION: CONTROL POINT # 1
COMBINED FACTOR: 0.999885441
DATE OF GPS SURVEY: 07/10/2023
UNITS OF SURVEY: U.S. SURVEY FEET
GPS ANTENNA: SPECTRA SP80 (SERIAL # 5913550088)
GPS TECHNIQUE: REAL TIME KINEMATICS
PUBLISHED/FIXED CONTROL USE:
SMITHFIELD 2007 CORS ARP PID: DK2752
LATITUDE: 35 33 49.60964 ELLIPSOID HEIGHT: 80.29 SFT
LONGITUDE: 78 20 10.80501 GEOID HEIGHT: -112.18 SFT
ELEVATION: 192.6 SFT
ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH TRIMBLE BUSINESS CENTER (TBC) VER. 5.51 USING A NETWORK LEAST SQUARES ADJUSTMENT AT THE 95% CONFIDENCE LEVEL.
POSITIONAL ACCURACY: HORIZONTAL: 0.04 VERTICAL: 0.20
CLASS OF SURVEY: CLASS A

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NUMBER: PRELIMINARY
COMMITMENT DATE: PRELIMINARY

1. EASEMENTS TO CAROLINA POWER & LGHT COMPANY RECORDED IN BOOK 502 , PAGE 175, BOOK 679, PAGE 225, BOOK 694, PAGE 144 AND BOOK 770, PAGE 402, ALL, JOHNSTON COUNTY REGISTRY.
   -BOOK 502 PAGE 175 - BLANKET IN NATURE - NOT PLOTTABLE
   -BOOK 679 PAGE 225 - DOES NOT AFFECT SUBJECT PROPERTY SURVEYED
   -BOOK 694 PAGE 144 - AS SHOWN HEREON
   -BOOK 770 PAGE 402 - BLANKET IN NATURE - NOT PLOTTABLE
2. EASEMENT TO CAROLINA TELEPHONE AND TELEGRAPH COMPANY RECORDED IN BOOK 493, PAGE 412, JOHNSTON COUNTY REGISTRY.
   NO TELEPHONE OR TELEPHONE POLES OBSERVED ON SUBJECT PROPERTY SURVEYED AT THE TIME OF SURVEY
3. EASEMENT TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY RECORDED IN BOOK 432, PAGE 270, JOHNSTON COUNTY REGISTRY.
   BLANKET IN NATURE - NOT PLOTTABLE
4. DRAINAGE EASEMENT TO DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 1475, PAGE 567, JOHNSTON COUNTY REGISTRY.
   HIGHWAY MAP THAT REVERENCES PROJECT I.D. # W2815, STATE PROJECT # 8.7331008 NOT PROVIDED TO SUREYEOR
5. TEMPORARY EASEMENTS TO DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 1475, PAGE 570 AND BOOK 1475, PAGE 573, BOTH JOHNSTON COUNTY REGISTRY.
   -BOOK 1475 PAGE 570 - NO ROADWAY WORK OBSERVED DURING THE COURSE OF THE SURVEY
   -BOOK 1475 PAGE 573 - SLOPE EASMENT BLANKET IN NATURE - NOT PLOTTABLE
6. MEMORANDUM OF PIPELINE AGREEMENT WITH JOHNSTON COUNTY RECORDED IN BOOK 4076, PAGE 923, JOHNSTON COUNTY REGISTRY.
   BLANKET IN NATURE - NOT PLOTTABLE
7. EASEMENT TO PIEDMONT NATURAL GAS COMPANY, INC. RECORDED IN BOOK 5886, PAGE 681, JOHNSTON COUNTY REGISTRY.
   AS SHOWN HEREON
8. MEMORANDUM OF ACTION RECORDED IN BOOK 4077, PAGE 633 AND CORRESPONDING CONSENT JUDGMENT IN FAVOR OF DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 5845, PAGE 338, JOHNSTON COUNTY REGISTRY.
   BLANKET IN NATURE - NOT PLOTTABLE
9. NOTICE OF OBLIGATION RECORDED IN BOOK 1584, PAGE 910, JOHNSTON COUNTY REGISTRY
   NOT A MATTER OF SURVEY
10. EASEMENT TO SOUTHERN REGION INDUSTRIAL REALTY, INC. RESERVED IN BOOK 867, PAGE 185, JOHNSTON COUNTY REGISTRY
   AS SHOWN HEREON

DATE	REVISIONS	NO.

CE GROUP
301 GLENWOOD AVE. 220
RALEIGH,NC 27603
PHONE: 919-367-8790
FAX: 919-322-0032
www.cegroupinc.com
License # C-1739

ALTA/NSPS SURVEY
PROPERTY OF NORTH CAROLINA RAILROAD COMPANY
DEED BOOK 5848 PAGE 338
CLAYTON TOWNSHIP - JOHNSTON COUNTY - NORTH CAROLINA

Survey Date: SEPTEMBER 8th, 2023
Scale: 1" = 200'
Drawn: HKS
Checked: WEM
Project No. 214-001
Computer Dwg. Name: VA I_214-001_ALTA_2023.dwg

Sheet No: 1 Of___

Ordinance #2024-09-01

Annexation Petition 2023-202-ANX NCRR Industrial Development
NCRR Clayton Industrial Park, Garretson Browne
Location: 8175 US HWY 70 BUS, Clayton, NC 27520
Contiguous; 72.32

TOWN OF CLAYTON
ORDINANCE TO EXTEND THE CORPORATE LIMITS

1. WHEREAS, the Clayton Town Council has been petitioned under NC GS 160A-58.1.

to annex the area described below; and

WHEREAS, the Clayton Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Clayton Town Hall, 111 E Second Street at 6 p.m. on September 16, 2024, after due notice by publication in the Johnstonian on September 4 & 11, 2024; and

WHEREAS, the Clayton Town Council finds that the petition meets the requirements of NC GS 160A-31;

NOW THEREFORE, BE IT ORDAINED by the Clayton Town Council of the Town of Clayton, North Carolina that:

1. **SECTION 1** By virtue of the authority granted by NC GS 160A-58.1., the following described territory is hereby annexed and made part of the Town of Clayton as of September 16, 2024:

BEING THAT TRACT OF LAND CONTAINING 72.391 ACRES (3,153,348 SQUARE FEET) LOCATED IN CLAYTON TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA; SAID TRACT HAVING BEEN CONVEYED TO THE NORTH CAROLINA RAILROAD COMPANY BY DEED RECORDED UNDER DB 867 PG. 185 OF THE JOHNSTON COUNTY REGISTRY, BEING SHOWN ON THAT MAP ENTITLED "ANNEXATION PLAT FOR THE TOWN OF CLAYTON, PROERTY OF NORTH CAROLINA RAILROAD COMPANY" DATED SEPTEMBER 8, 2023, PREPARED BY CE GROUP AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NAIL SET WITHIN THE RIGHT-OF-WAY OF NC HIGHWAY 42 (ALLOWING 100 FEET) HAVING NC GRID COORDINATES OF N: 689,088.58' AND E: 2,168,699.04'; THENCE A TIE LINE S 22°14'37" E 30.97 FEET TO CONCRETE MONUMENT FOUND ON THE SOUTHERN RIGHT-OF-WAY LINE OF NC HWY 42; THENCE A TIE LINE S 17°01'06" E 7.22 FEET TO AN IRON PIPE SET ON THE NORTHERN LINE OF THE HEREIN DESCRIBED TRACT, SAID IRON PIPE BEING THE POINT OF BEGINNING; THENCE WITH WESTERN AND SOUTHERN LINES OF THE TOWN OF CLAYTON (DB 1681, PG 209) S 17°23'39" E 531.29 FEET TO AN IRON PIPE FOUND AND N 72°25'15" E 424.97 FEET TO AN IRON PIPE FOUND; THENCE WITH A WESTERN LINE OF CATERPILLAR INC. (DB 1206, PG 51) S 17°34'45" E 598.18 FEET TO AN IRON PIPE FOUND; THENCE WITH A NORTHERN LINE OF GRIFOLS THERAPEUTICS (DB 5086, PG. 823) S 72°38'12" W 3,491.16 FEET TO AN IRON PIPE FOUND; THENCE WITH A NORTHEASTERN LINE OF NORTH CAROLINA RAILROAD COMPANY N 53°26'34" W 232.70 FEET TO A CONCRETE MONUMENT FOUND; THENCE WITH THE SOUTHEASTERN RIGHT-OF WAY OF NC HWY 42 N 37°01'59" E 1,084.09 FEET TO A CONCRETE MONUMENT FOUND; THENCE A CURVE TO THE RIGHT HAVING A RADIUS OF 1,430.00' AND A CHORD BEARING AND DISTANCE OF N 54°47'55" E 873.39 FEET TO A CONCRETE MONUMENT FOUND; THENCE N 72°34'47" E 470.26 FEET TO A BENT CONCRETE MONUMENT FOUND; THENCE A CURVE TO THE LEFT HAVING A RADIUS OF 8,080.00' AND A CHORD BEARING AND DISTANCE OF N 70°30'57" E 585.46 FEET TO A CONCRETE MONUMENT FOUND; THENCE N 70°07'25" E 432.96 FEET TO AN IRON PIPE SET, SAID IRON PIPE BEING THE POINT OF BEGINNING.

SECTION 2 Upon and after September 16, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Clayton and shall be entitled to the same

privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes in according to NC GS 160A-58.10.

SECTION 3 The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of (COUNTY), and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in SECTION 1 above, together with a duly certified copy of the ordinance. Such a map shall also be delivered to the County Board of Elections, as required by NC GS 163-288.1.

ADOPTED this 16th day of September 2024 while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

NORTH CAROLINA
JOHNSTON COUNTY

This the _____ day of _____, 2024, personally appeared before me Heidi Holland, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Heidi Holland, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

_____
Notary Public - Signature

_____

Notary Public – Printed Name

Commission Expires:

_____

County of Commission:

_____

COMMUNITY DEVELOPMENT

Annexation Petition

2023-202 ANX NCRR Industrial Development

REQUEST: Applicant is seeking annexation of +- 72 acres of contiguous real property into the town limits of Clayton.

- **Property Size: Approximately** 72 acres
- **TAG #(s):** 05H03100C
- **Contiguous or Non-Contiguous:** Contiguous
- **Town Limits/ETJ:** ETJ
- **Applicant:** NCRR Clayton Industrial Park
- **Owner:** North Carolina Railroad Company
- **Location:** Property South of Intersection of NC HWY 42 and E. Front St.
- **Public Noticing Dates:**
  - **Legal Ad Publish Date: September 4 and 11, 2024**
  - **Town Council Meeting: September 16, 2024**

COMMUNITY DEVELOPMENT

Annexation Petition

2023-202-ANX NCRR Industrial Development



COMMUNITY DEVELOPMENT

Annexation Petition

2023-202-ANX NCRR Industrial Development

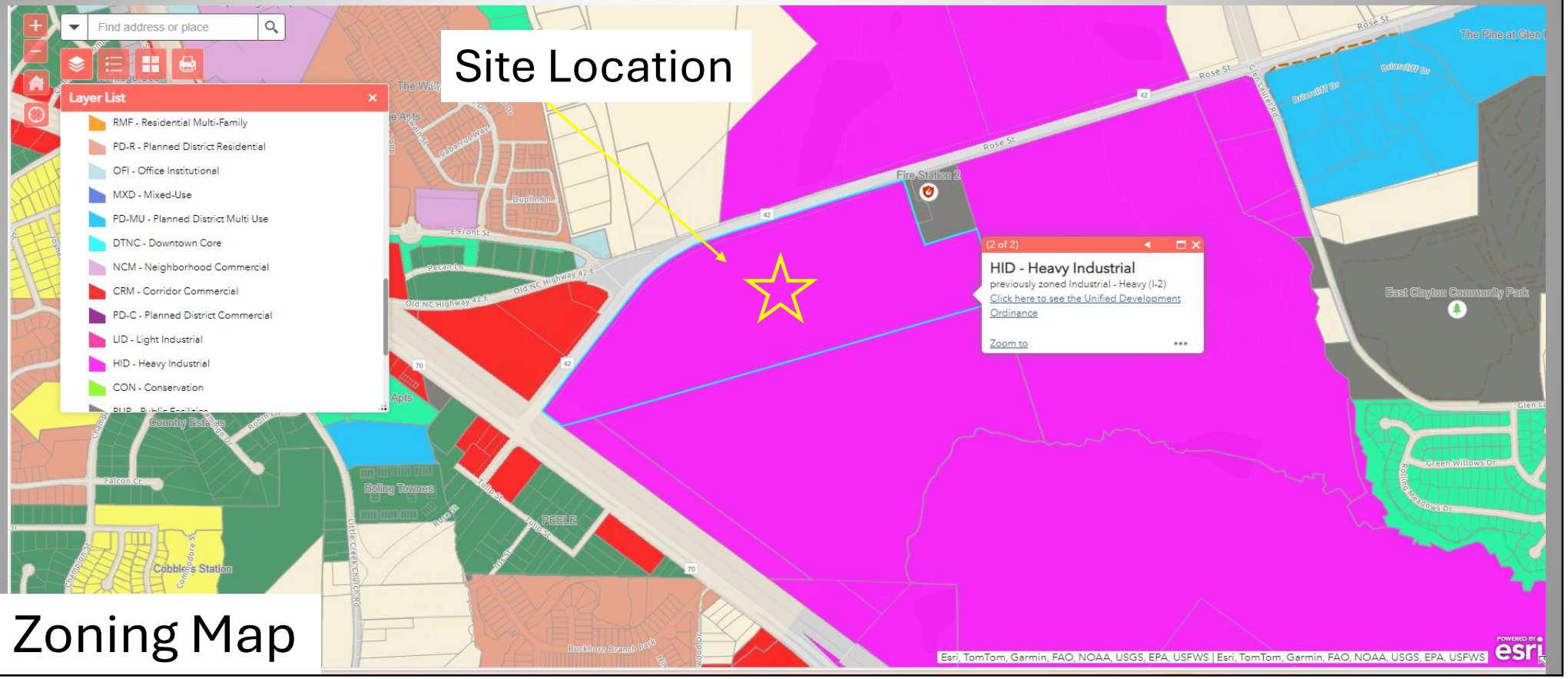


Aerial Map

COMMUNITY DEVELOPMENT

Annexation Petition

2023-202-ANX NCRR Industrial Development

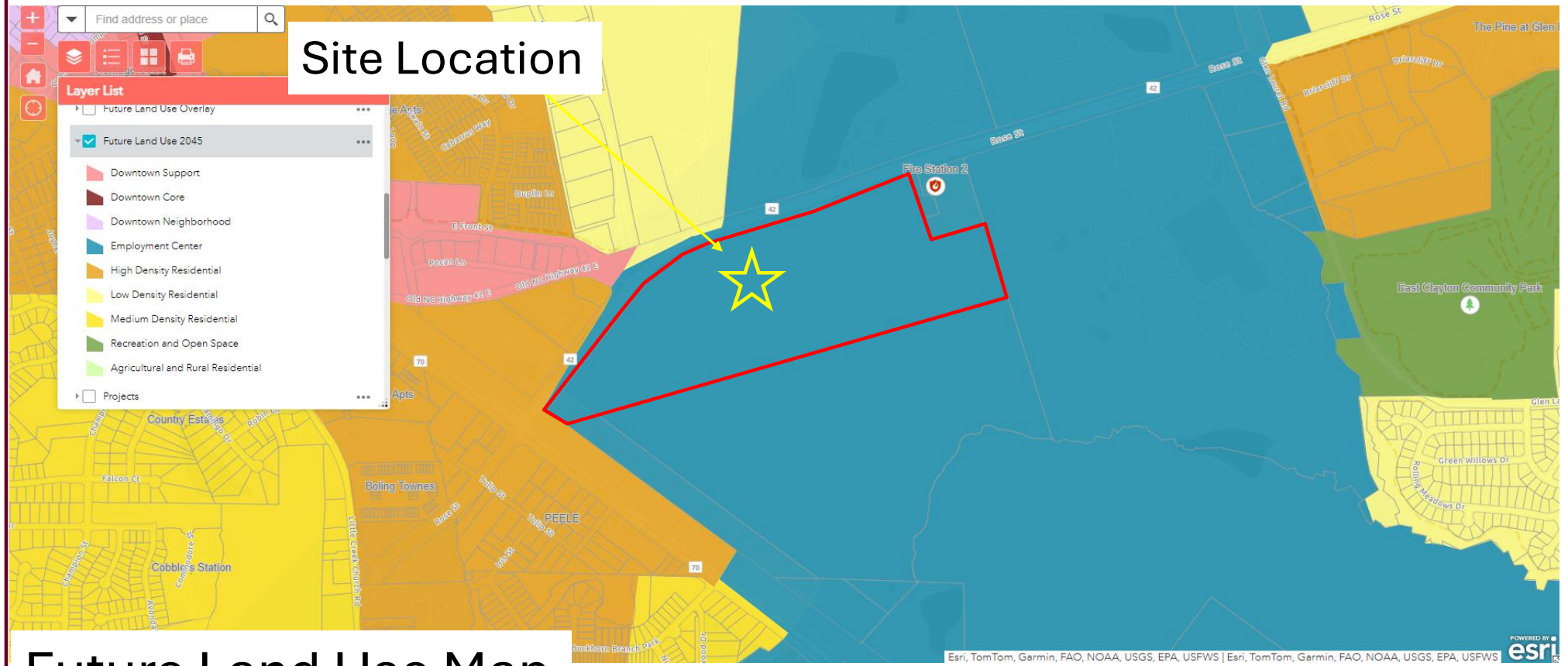


Zoning Map

COMMUNITY DEVELOPMENT

Annexation Petition

2023-202-ANX NCRR Industrial Development



Future Land Use Map

COMMUNITY DEVELOPMENT

Annexation Petition

2023-202-ANX NCRR Industrial Development

QUESTIONS FOR STAFF?



Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
September 16, 2024	PUBLIC HEARINGS

Item Title

UDO Text Amendments - UDOTA 2-24

Presenter(s)

Conrad Olmedo, Planning Director Chad Meadows, Consultant CodeWright Planners

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Legislative

Applicable General Statute Number: 160D-601 Procedure for adopting, amending, or repealing development regulations.

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

☒ Public Hearing (Required by GS)
☐ Public Hearing (Not Required by GS)
☐ Newspaper Notice (Required by GS)
☐ Newspaper Notice (Not Required by GS)
☐ Public Forum/Input Session
☐ Press Release

☐ E-News Distribution
☐ Social Media
☐ Special Mailing
☐ Website
☐ Survey
☒ None Required

Summary

This is the second set of text amendments for the Town Unified Development Ordinance (UDO). The UDO was adopted in November 2023 and is effective since January second 2024. The first set of text amendment was presented and approved in April 2024.

Recommendation

The Planning department recommends the approval of UDOTA 2-24.

Funding Source

N/A

Corresponding Documentation

Staff Report - UDOTA 2-24

Clayton UDOTA Summary Table 2-24 8-5-24

Clayton UDO TA 2-24 9-12-24 - v 9.13.24

Consistency Statements Sheet - Town Council - UDOTA 2-24

Ordinance - UDOTA 2-24

UDOTA 2-24 TC - 9.16.24 - v 9.13.24

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Rich Cappola, Town Manager	Approved - Sep 11 2024
Heidi Holland, Town Clerk	Approved - Sep 12 2024

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

Town Council, September 16, 2024

STAFF REPORT

Project Name: Unified Development Ordinance Text Amendments (UDOTA 2-24)

Consultant: Chad Meadows, AICP – CodeWright Planners
Applicant: Town of Clayton, Planning Department

Request:
A presentation to the Planning Board of the Town of Clayton's Unified Development Ordinance Text Amendments (UDOTA 1-24).

PROJECT OVERVIEW

On November 20, 2023, the Town Council adopted the Town of Clayton Unified Development Ordinance (UDO). The UDO became effective on January 2, 2024 and has been the Town's land use regulatory document since that date. As part of the adoption of the UDO, it was communicated that the UDO would be updated on a reoccurring basis to reflect feedback from its implementation. This first round of UDO Text Amendments consists of 33 topics that comprise technical clarifications, improvements in State law alignment, and staff observations from implementation.

REVIEW CRITERIA

Per UDO Section 2.3.26.G., "the advisability of amending the text of this Ordinance is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Town Council may, but is not required to, consider whether and the extent to which the proposed text amendment:

1. Enhances the public's health, safety, and welfare;
2. Is consistent with the Town's Adopted Policy Guidance;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Addresses an unforeseen matter not present when the Ordinance was adopted;
6. Addresses other factors determined to be relevant by the Town Council; and
7. Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the

natural functioning of the environment."

Staff Commentary: the UDO is a living document that is reflective of lessons learned through daily implementation, community input, and state law compliance. Upon the adoption of the UDO it was understood that text amendments would be an integral part of keeping the UDO relevant. Staff believes that the provided text amendments are reflective of the Clayton community's input, put forth in the best good faith effort from deliberation amongst staff and the consultant team, and in alignment with keeping Clayton at the forefront of planning's best practices.

At their August 26, 2024 meeting, the Planning Board discussed the proposed text amendments and provided the following insights:

- Restricting number of new driveways for new lots created fronting arterial roads.
- Considering additional and further discussing enhancements for conditional rezonings.
- Revising the maximum height of multi-family buildings within 100' of an existing single-family residence to be only two stories and removing the 18-foot height reference.

These discussion points have been considered by staff and were presented at the Town Council Work Session held on September 3, 2024. Additional discussion occurred at the Work Session regarding proposed changes to the "Vehicle Towing or Storage" uses. Staff has made changes to reflect both the Planning Board and Town Council's discussion to the Text Amendments as follows:

- Removal of the 18-foot maximum height reference and established a maximum height of 24 feet and two stories; and
- Removal of the "Vehicle Towing or Storage" uses to allow for further discussion amongst staff and bring forth changes in a forthcoming Text Amendment.

TOWN COUNCIL CONSIDERATIONS

- The Town Council shall make a final decision regarding the adoption of the proposed Text Amendments.
- If approved, the Text Amendments will be included as part of a newly revised version of the Town of Clayton's UDO.

STAFF RECOMMENDATION

Staff recommends approval of the UDO Text Amendments (UDOTA 2-24) per Option 1 in the provided consistency statements sheet, consistent with the 2045 Comprehensive Growth Plan.

I make a motion to approve the Unified Development Ordinance Text Amendments based on consistency with the adopted 2045 Comprehensive Growth Plan, in that:

- *GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and*

development in appropriate areas.

- *Policy LU 1.1 Manages future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.*
- *Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.*

This action is reasonable and in the public interest, in that:

- *The 2045 Comprehensive Growth Plan encourages an up-to-date Unified Development Ordinance.*
- *The request is compatible with providing a relevant and community-reflective land use regulatory framework.*

ATTACHMENTS:

1. UDOTA 2-24 Tracking Form
2. UDOTA 2-24 Redline Changes
3. Consistency Statements Sheet

UDOTA 2-24 SUMMARY TABLE

Last Table Update: 8-5-24

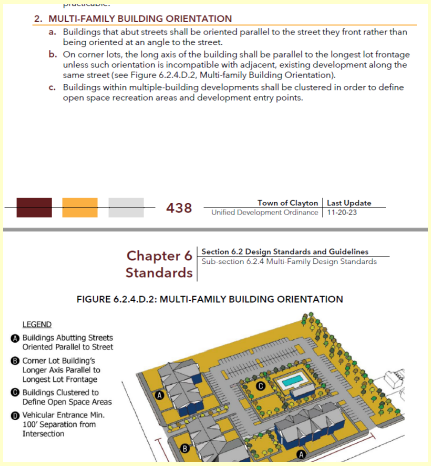
PB packet due 8.16.24 – PB Meeting 8.26.24 – TC Work Session 9.3.24 – TC Adoption 9.16.24

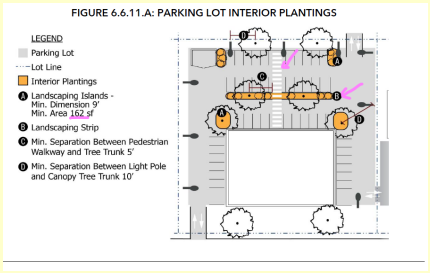
Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
1						
2						
3	6-4-24	Consulting Team	Minimum Development Entry Points	6.5.12.F.7	507	UDOTA1-24 dealt with street stubs in 6.5.12.F.6. We need to go back and make sure we are all good with minimum development entry points in 6.5.12.F.7. This changed recently, and not 100% this is still compliant. Resolved 6-21-24 no changes to UDO needed
4	6-4-24	Consulting team	Wastewater Connection	6.5.13.B	512	UDOTA1-24 made some changes to recognize single-lot development connection requirements. This needs to be reviewed against 2023 session law as there may have been some changes that bar mandatory connection distances in some cases. Need to have legal / Joshua weigh in Resolved 6-21-24 – SL2023-90 applied solely to already developed lands in city limits not applied to developing lands no changes to UDO needed
5						
6	2-16-24	Staff	Streets for MF Design	6.2.4.D.1.a.; 6.2.4.D.2.a. 6.2.4.D.3.a. 6.2.4.D.4.b. 6.2.4.D.7.a. 6.2.4.D.10.b.,	439, 440, 441, 443, 445	Streets and facing them are a critieria/threshold for MF design standards… should remove entirely? Just have them all meet these requirements? This may help move the needle towards a more administrative approach with MF projects in the appropriate zone districts. Adjust standards currently geared to street facing facades to be applicable to all building facades
7	2-16-24	Staff	Remove Gate from Private Street	6.2.4.D.12.a.	446	Remove Gate from Private Street MF 6.2.4.D.12.a., add 'private street too, 446; idea is to not allow gates at all, even from internal driveways? Going to remove the ability to have gates on public and private streets in multi-family developments

UDOTA 2-24 SUMMARY TABLE

Last Table Update: 8-5-24

PB packet due 8.16.24 – PB Meeting 8.26.24 – TC Work Session 9.3.24 – TC Adoption 9.16.24

Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
8	2-16-24	Staff	MF Abutting	6.2.4.a.	439	Legend A, is it articulated that buildings abutt and go as close to the ROW as possible or just not a funny angle as per 2.a.?  2. MULTI-FAMILY BUILDING ORIENTATION a. Buildings that abut streets shall be oriented parallel to the street they front rather than being oriented at an angle to the street. b. On corner lots, the long axis of the building shall be parallel to the longest lot frontage unless such orientation is incompatible with adjacent, existing development along the same street (see Figure 6.2.4.D.2, Multi-family Building Orientation). c. Buildings within multiple-building developments shall be clustered in order to define open space recreation areas and development entry points. 438 Town of Clayton | Last Update Unified Development Ordinance | 11-20-23 Chapter 6 Standards | Section 6.2 Design Standards and Guidelines Sub-section 6.2.4 Multi-Family Design Standards FIGURE 6.2.4.D.2: MULTI-FAMILY BUILDING ORIENTATION LEGEND A Buildings Abutting Streets Oriented Parallel to Street B Corner Lot Building's Longer Axis Parallel to Longest Lot Frontage C Buildings Clustered to Define Open Space Areas D Vehicular Entrance Min. 100' Separation from Intersection Revise 2a so that 2a does not apply in cases where the building is 100 feet or more from the street
9	2-16-24	Staff	SFA Lot Widths	4.3.119.B.	327	There are conflicts with regards to min lot width and requirements for alley loaded homes. The SFA section says more than 8 units in 1 building need alley loaded but then lot width says anything less than 50' need to be alley loaded. Add the following to SFA use standard: A. In the DTNC, DTNN, or DTNT districts, any lots of less than 50 feet in width shall be alley loaded, regardless of the number of dwelling units in a single row.
10						

Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
11	2-16-24	Staff	Landscape Island/Strip	Section 6.6.11.A.2 ., a.,d.	523	Figure 6.6.11.A., shows 162 SF but should be 180 SF. Figure doesn't have an example of 12 spaces in a row without a Ped break to articulate the required landscape island per 12 spaces. Ped walkway requirement may need to be better articulated to indicate it's not within the walkway but a part of the overall site design  Change diagram to reflect 180 sf Add 13 spaces in a row and then have ped walkway
12	2-16-24	Staff	Walk-In Coolers	General, 6.2.5.	447	We're getting walk-in coolers attached to Primary/Secondary walls, should have something explicit where these are required to match the primary/secondary building wall materials. This way, they do not end up proposing a fence or deck board as screening. Require these features to comply with design standards If this means enclosing around walls, then so be it
13	2-16-24	Staff	Outdoor Storage as Principal Use	4.2.5. and 4.3.	292	We have a full on area that's going to be for outdoor use only, storage of fleet trucks. Amend the definition of vehicle towing and storage definition to include fleet vehicle storage
14						
15	5/2/24	Staff	Impervious Surface	Sec. 3.2	178+	There is a mismatch between past plats which regulate impervious surfaces on lots (like all impervious surfaces, driveways, patios, eaves, etc.) and the UDO, which indicates lot coverage consists solely of the building footprint. Need to discuss and reconcile No need to change anything now, but clarify impervious surfaces do not count towards lot coverage just building footprint
16	5/2/24	Staff	Paving			Need to allow gravel in NCRR ROW as an allowable form of paving (is this for streets and parking areas, or just streets?) yes addressing in Emily's comments too

Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
17						
18	5/2/24	Staff	Parking lot stem length	6.1.4.E	417	Current requirements call for 100-foot-deep parking lot accessway from NCDOT streets. Consider revising to allow NCDOT to determine min depth Changing this to by what NCDOT requires, not 100
19	5-2-24	Staff	RV storage	4.5.5.X	367	Clarifying that uses engaged in the storage of one or more recreational vehicles outdoor are not engaged in "outdoor storage" and rather are storing an RV, subject to the standards for RV storage in Section 4.5.5.X Changing vehicle towing and storage to or storage. Add RV into definition of towing or storage. Be sure to check use table and parking standards. Also add a new secondary use- vehicle towing and storage make subject to same stands as a principal use. For RV as secondary use, clarify these standards are for residential lot. Other RV storage on non-residential lots is towing or storage use type. Add limit on living in RV if stored on non-residential lot
20	5-2-24	Staff	Secondary use setbacks from streets	4.5.3.B.6	353	Clarify secondary structure setbacks from streets are not applied from private street rights-of-way Add an exemption to this for lots of 2 ac in size or more. In those cases, the accessory structure may not be closer than twice the required street setbacks
21	5-2-24	Staff	Mobile restaurants	4.5.5.S.5	363	Want to allow mobile restaurants within 100 feet of a church or school Ok will change the separation standards to remove this limitation
22	5-2-24	Staff	Family Subdivision Certification	9.1.5	792	Establishment of a new family subdivision certificate statement A draft has been delivered to Bruce, no additional comments yet. Will include in certification statements
23	6-4-24	Consulting team	Plat certificate summary Table	9.1	790	Add columns for family, limited and minor plat Will supplement plat requirement table with these columns
24	6-13-24	Staff	Mixed use street setbacks	6.2.3.E.3.a	429	Strike the first sentence in a referring to buildings built to street. Also, fix MXD district by flipping min and max numbers 3.2.8.c.f (p. 197) Also look at district diagram

Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
25	2-16-24	Public Comment	Nonconforming Uses	1.11.4		- This section notes that ANY modification to the nonconforming use or site will require a Special Use Permit. Unless this is addressed somewhere else that I missed, I have the following notes: o This seems is too broad and could be interpreted in many ways. For example: What if they only change their sign/sign structure? What if they change the building in a way that does not increase the size or intensity of the use? What if the use is reduced? What if they add a new patio that does not affect the use? And so on… o Needs a clear and definable threshold to require a SUP. SUPs are very costly for an applicant and often our nonconforming uses end up being small older businesses who may not have resources to go through the complex quasi-judicial process. New UDO permitted existing to remain without taking any action. Changes mean you need to get a SUP. Many existing uses now no longer require SUP, should be less of an issue.
26	2-16-24	Public Comment	Annexation Sequence	2.3.3.H.		• Question: Annexations are approved prior to the decision regarding the development approval – makes sense. My question is whether the property owner is then obligated to annex if the subsequent development request is not approved? o And when would the annexation be applicable? (annexation = higher property taxes due to now paying town taxes) Annexations can be reviewed concurrently with other applications, but annexation needs to happen first, even if the land is in ETJ. Want to annex before any other approval. The town wants the land in the corporate limits before a development plan approval even if in ETJ. Annexation effective upon adoption of ordinance unless date delayed by Council. So applicant obliged to annex before other application is considered.

Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
27	2-16-24	Public Comment		2.3.6.Q.1		still unclear, may need to be ironed out in practice?): notes that the establishment of a CZ district runs with the land, but that the Concept Plan is subject to vesting rules and will thus expire - to clarify, does this mean that any standards associated with Type 1 and 2 CZ districts run with the land with no expiration? Or do those expire? o If type 1 and 2 standards do not expire, do any elements (i.e. conditions of approval, use limitations, etc) for a Type 3 CZ never expire or does vesting apply to everything associated with the Type 3 request (other than the name of the district)? Type 1 and Type 2 COA never expire. Type 3 concept plan and COA approved after Jan 2 2024 are subject to Vesting. Will clarify this in 2.3.6.Q
28	2-16-24	Public Comment		2.3.16.A.1.d		2.3.16.A.1.d. – uses the word "expedited" subdivision – seems like a typo since "expedited" is not otherwise used above. (I know expedited subdivisions is a terminology noted in the statutes but should clarify what is what here) Minor type will change expedited to limited
29	2-16-24	Public Comment		2.3.17.G.3.c.		notes that the final recorded plat is null & void if not digitally delivered to planning dept - This seems pretty strict - is this a normal consequence? - Seems like someone could record the plat and sell the lots, but forget to email it to staff, and then the Town could somehow nullify the recorded plat? This is a very typical requirement and outcome for failure to provide the recorded copy. Will modify2.3.17.G.3 to permit Town staff to record the final plat instead of the applicant
30	2-16-24	Public Comment	Minor Subdivision review criteria	2.3.18.D		- This is probably a minor comment, as staff *should* be able to look back 3 years to see if a minor plat has been recorded on the property…but I could see it hanging someone up. Read on: - Like with the limited subdivisions, should we add that "Minor subdivision" be included on the final plat title block to ensure that the time restrictions are easy to follow? (easily identify whether it was classified as a Minor Subdivision when recorded so you quickly know whether to apply the 3 year wait limit on another minor subdivision) - Similarly, should also identify in the Title as a Minor Family Subdivision since that isn't held to the 3 year wait period (minor family subdivisions aren't bound by the 3 year waiting period) Will add requirement for 3-year toll on resale in the title block for family subdivision plats

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
31	2-16-24	Public Comment		2.3.20.A.2.		notes that sign copy changes to a lawfully approved and conforming sign are not subject to a sign permit. - Is this suggesting that nonconforming signs require a sign permit for a new sign copy? If so, I disagree – we have a lot of pole signs and billboards and other older signs that change copy regularly. Further, it means that every time someone asks about a sign copy, it will be up to staff to determine whether the existing sign actually meets code or is a nonconforming sign, which would be a pain (you'd have to have them go take measurements, etc). Just seems like a waste of time overall. (Also, often people will change out sign copy without a permit because it's just the copy, not the structure – I think you'd have a lot of unintentional noncompliance). See 5.3.2.B, changes to nonconforming sign copy are permitted. Will remove the word "conforming" from 2.3.20.A.2
32	2-16-24	Public Comment		2.3.27		- What does "decided" mean? If "approved and accepted," does that mean that the associated Concept Plan being decided as part of a Conditional Zoning/SUP cannot be denied based on traffic impacts? We can change decide to "accept or not accept" Will add a new # to 2.3.27.G that clarifies that an application may be denied upon the basis of a TIA even if the TIA is accepted by the Engineering Director

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
33	2-16-24	Public Comment.		2.3.29.C.1.		sets up variance types for variances regarding State-overseen riparian buffer impacts - I disagree with this section – it was previously a requirement and was removed by current engineering staff for a reason. - There are already strict processes in place for impacts to riparian buffers, wetlands, watersheds, etc. The state has a very clear process for showing minimization of impacts, avoidance of the impacts when possible, no other options available, etc. - Given that these requests already go through a rigorous review, I don't think it is appropriate to require a second variance process o I'm very nervous handing off scientific environmental decisions to a group that is not trained in scientific environmental decisions. I strongly believe in environmental protections but there are SO many considerations that go into approval of any impact. Let's leave it to the experts. o I oversaw a project that had to cross a stream with a road – we had to get a variance for that crossing. It was time consuming, and confusing for the BoA who simply listened to our environmental consultant explain all the things the State has to look at in order to approve an impact. o Unless someone stands up with credible evidence saying the State is not doing their job reviewing buffer impacts, what evidence could lead to a denial? - Further complicating this is the fact that the code says you cannot get your State impact approval until you have variance approval from the BOA. How would this be enforced, and how can the BOA review the request without knowing whether the State would allow it? UDOTA1-24 removed language pertaining to riparian buffer variances. We did miss a couple occurrences of the term "riparian buffer" that still need to be deleted. However, staff is responsible for deciding variances for Flood, stormwater, and minor water supply watershed variances.
34	2-16-24	Public Comment		2.3.29.G.4.b		Riparian Buffer Variance, states that a Major Variance shall be decided by the NC Environmental Management Commission. • I may be missing something here. This is seemingly in contrast (or at least is confusing) to Section 2.3.29.F.2. which states that the BOA can deny the request, in which case it cannot be sent to the EMC for review. (If approved by the BoA it's considered a recommendation of approval since they aren't the actual authority). I get that the EMC is the final say overall, but to my point above it's just confusing when creating a multi-layered approval process. UDOTA1-24 removed any references to the Town enforcing riparian buffer provisions

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35	2-16-24	Public Comment		3.2.3.C.		Note 10 is not called out in table. Minor, but a fixable typo. • I think it should be called out in Item G: Max Street Setback . - The max street setback calls out Note 9, but it seems like Note 10 should also be called out here as Note 10 speaks to a maximum setback of 0 feet Will move the bracket note from the right side of the table to the left
36	2-16-24	Public Comment		3.2.3.C.		(and others, especially downtown – sets up a min 20' off-street parking setback buffer) - We need to maximize use of downtown lots and 20' along the street frontage is a waste of property if there's a parking lot there – what else would be done with this land? o I can't think of any parking downtown that does not have parking within 15 feet of the property line – you'd be making most parking nonconforming. o Further, it's inconsistent with the Setback Encroachments section 3.6.9 which states that vehicular off-street parking areas may be located in any setback, so long as they are not closer than 5 feet to the street right-of-way (see page 246). - Same issue/question for all districts with this standard, needs review Current standards stops short of requiring parking to side or rear. Does permit parking in front or corner side, but does not let parking establish next to street edge. That area is for gathering, landscape, art, or other features. Do not want parking adjacent to back of sidewalk. Agree that 3.6.9 needs to be revised to prohibit encroachment into parking setbacks in downtown districts

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37	2-16-24	Public Comment		3.2.3.C.		downtown core Table, note 6 regarding minimum height for corner buildings – confusing language can be interpreted in various ways: - Note 6 has confusing language, also is open to interpretation… It states that the minimum height for downtown core corner buildings is "At least two stories, but corner buildings shall maintain the same height as an adjacent building of more than two stories." o What does this mean… ▯ What is meant by the "adjacent building"? Is this the adjacent building on the opposite corner on the same side of the street? Adjacent buildings that are mid-block? What about buildings across the street, is that also adjacent? What if there is a gap between buildings? (i.e. a parking lot?) ▯ does this mean the exact height in feet of corner buildings must be consistent with adjacent buildings? Or just that it must match the # of stories if it's more than 2 stories tall? (i.e. if the building next door is 3 stories then the corner lot building has to be 3 stories – but could vary in actual height?) ▯ Conflicting language: it is a "minimum" standard but then states the height shall be "the same height as an adjacent building." Can it be taller than the adjacent building if that adjacent building is more than two stories? ▯ I think the goal/intent needs to be identified, and the language rewritten for clarity. (Further, unless I can better understand the goal, I think the standard should be removed as it is so unclear). We will strike Note 6 in DTC

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38	2-16-24	Public Comment		3.2.3.D.1.		On-Street Parking - Confusing Language (also applies to other downtown districts that have the same language) - Says "On-street parking shall be provided in accordance with the Town's adopted policy guidance, but shall be limited to one side of the street." o What "adopted policy" is being referred to here? If we are referring to the Transportation Plan it should say so – otherwise it leaves it open for interpretation. We have a lot of adopted policy guidance, some of which conflicts with each other. o What does "shall be limited to one side of the street" mean? ▯ It reads like it is "limiting" parking to one side of the street. ▯ I hope we would not require someone to install parking on the other side of the street…? ▯ It may be clearer to clarify intent that on-street parking, if required, is only required to be installed along the frontage of the project where possible (this is typical for any development project – you never have to install improvements in front of property across the street. Further, there are often limitations that disallow on-street parking (i.e. on-street parking is not allowed within certain distances of intersections)). o When would the requirement for on-street parking be triggered? All projects? ▯ This needs to be clarified so reuse of an existing building would not trigger on-street parking installation if there is none, or likewise would not prohibit use of an existing building that does not have feasibility for on-street parking. o Make it clear that if on-street parking is not feasible it is not required – there are parcels downtown where the street is close to an intersection and the street is striped such that on-street parking is not permitted on either side of the street. ▯ If the Transportation Plan (or whatever "policy" is referenced) is clear on this then no need to mention it here – hard to know without seeing that policy. Revise 3.2.3.D2. To remove reference to parking on one side of the street.

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39	2-16-24	Public Comment		3.2.3.D.7		summary worded incorrectly? Seems like a typo and is missing a word or two. o Same for summaries of each DTN sub-district 3.2.3.D.7 Summary - possible wording issues? - The summary seems to suggest there is a DTN district as well as DTN sub-districts (it states "land within a Downtown (DTN) district or applicable sub-district"). However, the way I read the rest of the chapters, you cannot be zoned just DTN – you have to be one of the three subcategories, correct? o Follow up application of new zoning district names Question: What subcategories are being automatically applied and which need to be rezoned? It seems like anything B-1 will be rezoned to DTNC, while the other DTN districts are only available by request. Code no longer references DTN as a district, it relies on 4-digit district abbreviations. Statement regarding translation is correct. All B-1 (except Riverwood) was translated to DTNC. No other DTNN or DTNT exists
40	2-16-24	Public Comment	Downtown Neighborhood	3.2.4.		- Typo? Is the second sentence of section A summary supposed to reference the DTNT or the DTNN? (Seems like it's supposed to refer to the DTNN, not DTNT, since it's a description of the district…). Yes this is a typo. We will revise 3.2.4.A purpose to reflect DTNN not DTNT designation. Good catch
41	2-16-24	Public Comment	MXD	3.2.8.C.		MXD dimensional standards - - Why a minimum building size of 10,000 sf and a minimum street setback of 20 feet? o These standards conflict with the images shown in the "preferred development forms" section Increasing minimum building size to 50k sf (lots of 5Ac+ exempted). Dropping minimum street setback.

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42	2-16-24	Public Comment	Open Space Set Aside	3.2.		requires OSS for even small residential subdivisions - Philosophical Question: Is it a good idea to require OSS standards for small subdivisions? (versus allowing a rec fee payment per lot) I think subdivisions under 10 lots aren't required to have HOAs, correct? Because Chp 6 states that OSS cannot be on individual lots, this would necessitate a HOA no matter what, unless it's an exempt plat. o Fee in lieu CAN be allowed, but there is no guarantee written into the code. o For example: Seems silly for a 3 lot minor subdivision in the any zoning district to set aside 10-30% of that land as passive open space to be held in shared ownership… o If the standard is to allow fee-in-lieu, this makes a little more sense, but since it's at the discretion of the PD or ED, it won't be immediately clear. ▯ Imagine someone coming in to subdivide property into 3 lots, in the RLL. You won't be able to tell if they meet minimum lot size requirements for that subdivision unless you can first determine whether fee in lieu will be allowed (because removing a % of the total land area could mean 2 lots instead of 3). UDOTA1-24 changed OSS requirements to exempt subdivisions of 5 or fewer lots from OSS provision requirements
43	2-16-24	Public Comment		3.2.14.RLD		• Summary states that sidewalks will be provided in "heavily trafficked areas" but sidewalk section later in the UDO states that sidewalks are always required – even when lots are >1 acre, sidewalk is required on one side of the street. Why the conflict? • Apparent Typo for duplexes…Why would duplexes have a smaller lot area and smaller minimum lot width than single family detached…is the goal to incentivize two-family dwelling units? (duplexes aren't always on their own individual lots…?) Street side setbacks are also significantly less! o This discrepancy doesn't seem to exist in other zoning districts. o Also, maximum height is listed as "7.26." This whole column seems like it may be a typo. Suggest remove "sidewalks are provided in heavily trafficked areas". Duplexes no longer permitted in RLD – must use conditional residential option

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44	2-16-24	Public Comment		OSS for each District		- Commercial OSS: I think this used to be a very common thing in the 90's or early 2000's – it explains all of the random unused gazebos you see at every commercial site built in a certain era. o Should consider whether this requirement will actually create a benefit (I don't know the answer to this, but it should be discussed) - Residential: o I disagree with the model that requires the least OSS for high density and most for low density. I don't think it is Council's stated intent to disincentivize larger lot development. - Both Commercial and Residential: o As noted in my 3.2 note above, we need to be sure we are considering implications of requiring OSS for projects of all sizes – should small projects be exempted (or allowed by-right to pay fee in lieu?) These notes are old. Residential open space reduced to 10% from prior version (still need to change RMD and RLD need to be changed to 10%). After consideration, staff wishes to retain open space requirements for commercial – it is 5% of a site, and landscaping is credited. Not onerous.
45	2-16-24	Public Comment		Chapter 4 Use Table		governmental uses • Why do we have a Public Facilities District, if all the public facilities uses are just allowed by right in almost every zoning district anyhow? o I get that it provides an option, but there should be a requirement to rezone to Public Facilities, if installing a public facility. That would at least provide some level of expectation to surrounding property owners of what may be constructed near their home (if it's zoned PUB you know it could be any of the allowed uses in PUB). Public facility district is a legacy district. Rezoning requirement is a policy matter for Council.

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46	2-16-24	Public Comment		Chapter 4 - General		- I think we should consider a noise ordinance for Town – at least have the conversation. I think when considering the compatibility of uses in mixed use areas, it's important to protect the residential components from the negative impacts of non-residential development (this is after all the reason we have Zoning). Some jurisdictions like Raleigh have developed specific, measurable, and enforceable standards for non-residential uses next to residential. o Clayton's current standard is found in the nuisance standards and enforced by police, and is basically decided by standing on someone's porch and seeing if the noise bothers you. o I think this is a zoning issue. Nuisance noises are parties and dogs – zoning should not be silent to noises that are part of a land use (compared to "nuisance" noises); we should be protecting homeowners here. Not preparing noise provisions at this time. If they were prepared, would be in code of ordinances
47	2-16-24	Public Comment		Chp 4 Use Table		- Why shouldn't vehicle painting/bodywork be allowed in CRM (current B-3)? There is currently a Caliber Collision on Hwy 70 Bus and repair/bodywork businesses like Caliber are common along highway corridors. So long as the damaged vehicles and parts are well-hidden it's not an issue. o If vehicle towing and storage is permitted in CRM, surely a body shop would also be suitable as it has the same visual impact? In fact, I'd think if anything the two should be switched with a tow yard only allowed in industrial zoning districts as a body shop is more of a well-visited service use. Vehicle towing and storage was removed as an allowable use in CRM. These are industrial uses
48	2-16-24	Public Comment	Bungalow Courts	4.3.24.B.6		Bungalow Courts – Class C perimeter buffer required adjacent to res zoned property - Is Type C appropriate? That is the same standard buffer we use to protect residential from higher intensity commercial uses – what are we protecting adjacent residential from in this case? o I think a 6' opaque fence would suffice just fine, if something is needed. - Is any buffer appropriate? Isn't the idea of a bungalow court mostly to allow multiple lots to be accessed by a single driveway? They are already complying with the Residential Design standards, so it should be a pretty high quality thing that would not be a detriment to adjacent properties. - Same comment for the Class C buffer on pocket neighborhoods. Bungalow court changed to be limited as by-right only in RMF, NCM, MXD. Will reduce to a Type B.

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49	2-16-24	Public Comment		4.3.107		Repair Shops – no outdoor display of retail allowed - Just for discussion; I have not formed an opinion: Why not? Isn't it customary for a bike repair shop to sit bikes for sale outside? Perhaps the use can simply have two components: repair and retail (even if the retail is secondary to the repair), then would be able to sit the bikes outside? Concern over repair shops having outdoor storage and claiming it is an outdoor display/sales area, not outdoor storage. Sell stuff inside, or become a retail use that offers repair as a secondary use
50	2-16-24	Public Comment		4.3.136 and 4.3.138		- Why wouldn't vehicle repair/service not be held to the same 25% of buildable area standard that is set for vehicle painting/bodywork (for temporary storage of vehicles)? o Maybe I am underestimating impacts of vehicle painting/bodywork? I am only familiar with Hendrick Collison, which a combined painting/bodywork/repair location; Caliber Collision on Hwy 70, and Coats on South Saunders. Caliber and Coats both seem very appropriate along highway corridors (speaking to an earlier comment asking why vehicle paint/bodywork is prohibited in the commercial corridor district).. Neither seem inappropriate along a highway… Painting and bodywork is very intense. It involves chemicals, aerosols, and noise.
51	2-16-24	Public Comment		4.5.5.S		mobile restaurant (food truck) - For discussion: Confirm that it is standard to require an annual zoning permit from each food truck vendor as proposed, versus a zoning permit from the property owner (if on private property – when parking on public the truck should get the permit). Not sure how Deep River does it – do they provide zoning compliance permits for each food truck that shows up to their regular food truck rodeos? Seems like they often pull in new trucks from Wake County and it could be an issue if they had to wait for the zoning permit to come through. BUT - maybe it's not and all food trucks expect this requirement! Shifted permitting responsibility from the mobile restaurant to the landowner where the mobile restaurant is located.

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52	2-16-24	Public Comment		4.5.5.T.1.b.		outdoor seating must be located on same tract as principal use it serves - Unintended consequence alert: Please change language to "or be authorized by easement (or legal agreement)" or similar wording. There are locations downtown where a shared patio space will serve outdoor seating for multiple restaurants and modifying lot lines to accommodate this is not feasible (including a project I am working on). A variance to allow it is not an easy process for a small business owner. Broaden 4.5.5.T to permit off-site seating and dining. However, off-site dining/seating can not be used for credit towards gathering area provided as part of required open space
53	2-16-24	Public Comment		4.5.5.Y.2.		Play Equipment cannot sit between the front façade of a residential dwelling and the street - Why not? I honestly don't mind seeing play equipment in the front yard – I dislike the idea of relegating kids and play to the backyard. - Leave this to HOAs to manage – as far as neighborhood quality, I'd rather focus on managing cars parking in the front yard grass, or create a code to address unsafe dilapidated housing, which has more of an impact. - Even in a HOA neighborhood I am overseeing with strict standards, we allow basketball goals in the front driveway. Rules do not permit other secondary structures in front yard, no reason to exempt play equipment.
54	2-16-24	Public Comment		5.3.4.C		if a nonconforming sign is more than 50% damaged (based on replacement cost value), must be replaced with a conforming sign This is a pretty typical standard

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55	2-16-24	Public Comment		5.5.5		reconstruction of homes following damage - The prohibition against replacement of damaged nonconforming elements or buildings based on the 50% value gives me pause. I understand the desire to gradually and naturally eliminate nonconforming features, but it just seems like this just incentivizes people to lie ("it was only 49% of the value!"), or unfairly penalizes someone who is affected by a natural disaster. I don't know the answer to this one!! - If a home has a large fire that accounts for 51% replacement cost damage but largely leaves the structural walls intact, but that home is a nonconforming structure – is it fair to ask the owners to tear down the home and build a new one? I think any nonconforming structure that is damaged should be allowed to rebuild as-is, so long as they do not increase the nonconformity, regardless of "how much" it was damaged. (Plus – construction costs change year to year…replacement costs in 2022 were vastly different than 2020, for example). o How is the outcome any different than someone doing a full renovation of a home that accounts for greater than 51% of their home value (which would be allowed)? Again, it seems like an unfair penalty for folks whose property suffers damage. UDO has been revised to exempt nonconforming SFD from replacement
56	2-16-24	Public Comment		6.1.2.B		6.1.2.B – notes the standards are applicable to redevelopment if it increases the intensity by 50% or more. • I don't see "intensity" measurement defined in the code. Should be sure it is defined in the definitions section so there is no confusion. Will adjust to remove intensity and clarify expansion of 50% of sf or # of spaces

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57	2-16-24	Public Comment		6.1.3.A.3.		6.1.3.A.3. – states that lots abutting a public or private street may not be less than 30 feet wide (20 foot minimum for conservation subdivisions). • What about townhome lots? Does this mean you can't subdivide the lot to the ROW, and the workaround would be that they are subdivided such that the driveways are in a common area? • OR is this just for the "starter" base tract of land? (which makes sense, but I wasn't sure of the intent). If so, might be good to clarify for those of us who read everything so literally! Generally: Just a discussion point that there is a lot of very specific information (i.e. requirement in driveway surfacing of minimum 6 inches of concrete, driveway apron designs). It seems this would be information in the engineering design manual? Just making sure we aren't replicating standards too much (can be troublesome when one standard is updated and the replicated standard is missed and not updated). Will revise to clarify that the lot frontage width is applied to the townhouse development as a whole, not individual townhouse lots
58	2-16-24	Public Comment		6.1.4.D.2		6.1.4.D.2 Table of driveway width & depth for residential development: • Why is the minimum driveway depth longer for two-family/tri/quadplexes than for single family detached? (25 vs 20 feet). • Is 20 enough when abutting a garage door? Agree that it should be 25 feet (update diagram too)
59	2-16-24	Public Comment		6.1.4.D.2. Figure		6.1.4.D.2. Figure residential driveway width and depth – includes a setback of 50 feet on the attached dwelling unit • What standard is this? I am not sure where the 50 foot setback is coming from? That is the minimum parking lot stem depth (fix the diagram it shows 8 and should show 11 units)
60	2-16-24	Public Comment		6.1.4.D.5.d.		6.1.4.D.5.d. access easement width for alternative access of 50 feet • 50 feet wide access easement seems large… It feels quite wide given the minimum driveway width is just 15 feet. • An alternative access driveway appears to be shown in the Figure <> residential driveway width & depth, but a 50 foot wide access easement would not fit in this example unless it included part of the homes This is so the accessway can transform to a street if the number of units needing access grows over time
61	2-16-24	Public Comment		6.1.4.D.5 Figure		6.1.4.D.5 Figure<> Alternative Lot Access – includes "G" stating min setback from easement is the district street setback distance • Where is this standard noted in the text? I didn't see it on my read-through. Agree it is not clear. Will add a new sub-section on setbacks

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62	2-16-24	Public Comment		6.1.4.E.1.b.		6.1.4.E.1.b.: notes that outparcels must be accessible internally in addition to access from the adjacent street network • Does this mean they must have two driveways and that all outparcels must have access to the existing public street network? I'm not sure I understand the intent of this – I would think we would want to reduce driveway cuts and prioritize internal cross-access when possible? (I'm thinking of all the outparcels in the Walmart shopping plaza, as an example…you wouldn't want each to have direct access to Hwy 70.) Agree. Clarify language
63	2-16-24	Public Comment		6.1.4.E.2		6.1.4.E.2 – states # of driveway access points may be restricted when necessary • By whom? Will clarify it is by the Town or NCDOT depending upon who owns the street
64	2-16-24	Public Comment		6.1.4.E.4 Table		6.1.4.E.4 Table<>parking lot accessway depth • I don't think this should apply to downtown lots. It is unreasonable to require a 75 foot setback for a downtown parking lot of over 50 spaces. o I am working on a project with about 75 spaces and parking lot ingress/egress on opposite existing rights of ways, and if we have to provide 75 feet of setback from each it would remove most of our parking. Downtown lots just aren't that deep. o Stacking for 1 car is adequate (for example, the new West End project has stacking for about 1 car and NCDOT has told us that is what they look for in situations like that) o As another example, the Clayton Center parking lot would be out of compliance. o Also, the figure in 6.1.5 appears to show an accessway depth that is less than the required. Changing the standards for NCDOT streets to their discretion. Still exploring changes to for Town streets

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65	2-16-24	Public Comment		6.1.4.E.4.b.		6.1.4.E.4.b., and associated Figure "parking lot accessway depth": States that no parking spaces can be closer to the ROW than the accessway depth. • Why? Is the intent to set the parking lot back and provide a visual street buffer, or to provide vehicle stacking in the driveway? o I don't see why the parking lot cannot extend closer to the ROW than the driveway length? For example, the Clayton Center parking lot has parking spaces that extend closer to the street than the driveway.  Agree. Will expand to clarify parking spaces accessed directly from the stem. The idea is to avoid people maneuvering into or out of spaces within the stem
66	2-16-24	Public Comment		6.1.6.D.4.		6.1.6.D.4. : Configuration: a min distance of 60' is required between parking lot connection and the intersection of a driveway entrance and a street • I'm admittedly a little confused by what this means – I understand creating some separation, but why 60'? • Is this a measurement as the crow flies, or measured as the vehicular circulation pattern to that point? Will drop downwards to 50. Add a caveat that can be closer if necessary in order to connect to an exist cross access on an adjacent lot (fix image), subject to Eng director discretion
67	2-16-24	Public Comment		6.2.2.C.		6.2.2.C. Compatibility Standards for Farmland – buffer reference and requires adjacent residential lots to be twice the size of min lots in the development • Section1: Landscaping/buffer section needs to refer back to this, if it doesn't. (sorry I didn't go check myself to confirm!) • Section 3: requires that lot sizes adjacent to the bona fide farm must be at least twice the size of the min lot size. • I disagree that the lot sizes need to be increased – there is already a substantial 50' buffer and planting required. Noted. The idea is to keep density away from ag practices that may be incompatible – herbicide/insecticide application, livestock, prescribed burns, manure spreading, etc. No changes planned

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68	2-16-24	Public Comment		6.2.3.C		6.2.3.C Mixed use Design Exemptions • Aren't 2 & 3 already covered in the previous table? Instead of repeat, why not just point back to that Table? No change
69	2-16-24	Public Comment		6.2.3.E.1.c.		6.2.3.E.1.c. notes traffic-calming: • Is "traffic calming" defined anywhere? (I don't see it) Standards set down examples of traffic calming no changes planned
70	2-16-24	Public Comment		6.2.3.E.1.e.		6.2.3.E.1.e.: notes bicycle lanes must be included in cases where the roadway is subject to size or volume constraints, such as in the downtown area • I'm confused by the specification of requiring lanes when the roadway is subject to "size or volume constraints." What does this mean, and what is the intent of the standard? Suggest bike lanes required in accordance with policy guidance remove refs to constraints
71	2-16-24	Emily B.		6.2.3.E.1.g.		6.2.3.E.1.g. Are "mid-block alleys" defined? (design standards, etc?) Supplement existing definition
72	2-16-24	Public Comment		6.2.3.E.2.b.v.		6.2.3.E.2.b.v. "buildings enclosing outdoor dining or gathering spaces for pedestrians between buildings" • The following figure uses the word "frame" instead of "enclose" – should fix for consistency Supplement text to clarify frame and enclosure
73	2-16-24	Public Comment		6.2.3.E.3.c.		6.2.3.E.3.c. allows exceeding of max setback so long as the area is occupied by a public gathering spaces, outdoor dining, etc. • Make sure this is noted in the setbacks table notes in Chapter 3 (just a note, apologies that I haven't checked) Double check this in district standards.
74	2-16-24	Public Comment		6.2.3.E.4		6.2.3.E.4 Mixed-use lot frontage: • This standard is also called out in dimensional tables of Chapter 3 and in the three cases it is called out, it is either more or less restrictive – need to ensure there is no conflict. o Downtown core requires min. 75% o Downtown transitional requires min 55% (not specific to mixed use buildings, but could include mixed use buildings as they are listed as an allowed use type) o MXD requires min. 60% • Remember that this standard is applying to mixed use DEVELOPMENT, not just mixed use buildings. Does the 70% rule apply to outparcels? I would think a Walmart or Home Depot shopping center would be a mixed use development, right? Agree. Will add table notes to DTNT, DTNN, and MXD saying need to comply with design standards requirements if more restrictive

Grey row – topic still under consideration; Yellow row: Addressed in latest UDO text amendment draft; Red text = response or direction						
#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
75	2-16-24	Public Comment		6.2.3.E.6		6.2.3.E.6 off-street parking location FIGURE: • Figure does not appear to meet the min 70% Okay. Will revise the mixed use parking location provisions in the following ways – we are dropping the allowance for some parking in front. The graphics need to be replaced. Also need to clarify mixed-use design standards apply to all buildings in a mixed use development, even in horizontal integration.
76	2-16-24	Public Comment		6.2.3.E.7.d		6.2.3.E.7.d mixed use building articulation – inclusion of weather protection (awnings etc) along the entire building frontage abutting a street • Doest his have to be the ENTIRE building frontage? What if the awnings are just over the windows, as is typical? (none of the images show awnings that extend the entire building length) • Perhaps the Figure should include examples of all a-e articulations so it is clear what is being expected of each. Agree. Will change awnings canopies to entrances, windows, Must extend for 50% of the building facade length. Add min depth of 5' note there are differences between the text a-e and the callout letters
77	2-16-24	Public Comment		6.2.3.F.		6.2.3.F. Mixed Use Building Fenestration Image • Does this graphic meet any of the standards of 6.2.3.E.7? (Looks like a typical downtown-style building, but I don't see how it would meet one of the standards unless it had awnings over the windows?) This graphic is intended to show the measurement, not compliance with a different section
78	2-16-24	Public Comment		6.2.4.D.4 FIGURE		6.2.4.D.4 FIGURE Multi-Family building Facades • There is a "C- Eyebrow Windows" called out in the Legend, but no image that calls out eyebrow windows. This one is important because it isn't common terminology. • K as called out in the left-most image is an incorrect call-out. Should be H • J Corniced Parapets is in the legend, but not included in the imagery. As previously noted, ensure all items in legend are included in imagery Make sure that the image callouts match the lists
79	2-16-24	Public Comment		6.2.4.D.8		6.2.4.D.8 – buildings are limited to 2 stories or 18 feet within 100 feet of a lot with an existing single family detached residential dwellings • The "or" is throwing me off – is it one or the other? If not, make sure it's clear the building is limited to 18 feet no matter how many stories (although, isn't this short for a two-story building?) o Show the 18 feet in the Figure • Make sure this standard is repeated in the dimensions section • Does the "without an intervening street" language mean this does not apply if there is a street between the two? Leave as is

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
80	2-16-24	Public Comment		6.2.4.D.10.a.i.		6.2.4.D.10.a.i. buildings shall include at least two primary exterior materials • How can you have two primary? • Why isn't all brick ok? Leave as is
81	2-16-24	Public Comment		6.2.4.D.10.b.i		6.2.4.D.10.b.i – vinyl siding prohibited • Siding Shingles are often made from high quality vinyl and are the leading industry material for such application. Should be allowed. • Also consider very high quality vinyl siding…I haven't done a lot of research but know that not all vinyl is created equal Generally: Are we sure the word "complimentary" should not be replaced with "complementary"? (i.e. 6.2.5.B table. Complimentary is used 8 times in the document, complementary is used 3. Yes, needs to be the same will ensure "complementary" is uniformly used
82	2-16-24	Public Comment		6.2.5.F.10.d.iii		6.2.5.F.10.d.iii non-residential outparcels on street corner, required to provide a public gathering space adjacent to the corner • Does this mean they have to provide a public gathering space in the ROW? What if it's a restaurant – would they really want "public" gathering spaces right at the entrance? Make a minimum of two or more…add that
83	2-16-24	Public Comment		6.2.5.G.3.b.		6.2.5.G.3.b. – large-format retail fenestration • Are we sure that your average big-box store can meet these standards? I don't know of any Targets/etc that have windows (fake or real) on the secondary building walls? Will add option to alternatives to visually transparent windows and doors (see 6.2.5.f.8.c)
84	2-16-24	Public Comment		6.2.5.G.3.c.		6.2.5.G.3.c. – off-street parking, large format retail parking: no more than 75% can bet between the building's primary building façade and the street it faces • Public street or proposed private internal street system? • What if it's configured to face inward, so the side of the building is facing the street and the front is facing an internal private circulation/road network? Is that ok? Intended to be a public or private street not on the same site. 2nd example would not be a street and thus okay
85	2-16-24	Public Comment		6.2.6 A and B		6.2.6 A and B: • A. calls out "single-family detached and duplex housing" and B. calls out "single-family detached, two-family, triplex, and quadplex" o Make the descriptions consistent • Consider renaming 6.2.6 to include duplex, triplex, and quadplex Will fix in purpose statements

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
86	2-16-24	Public Comment		6.2.6.C.2		6.2.6.C.2 – requires statement of consent and development approval to be recorded in the register of deeds • Should the Guidelines themselves be recorded as well? No need. The approval identifies which guidelines apply…all, some, one, etc.
87	2-16-24	Public Comment		6.2.6.D.2.a.		6.2.6.D.2.a. – standard preventing front or street-facing façade foundation walls to be visible concrete – must be covered with decks, porches, brick, etc • I think these two sentences need to be switched so it's clear the standard only applies to foundations facing a street. Delete second sentence
88	2-16-24	Public Comment		6.2.6.D.7.b		6.2.6.D.7.b – encourages a shared front door • I don't really think a shared entry door is ideal for a duplex (I know this part has no teeth, but am just saying duplexes should have separate doors) • I think wording could be added to encourage design to either provide or create the appearance of a single door on triplex/quads. (and maybe duplexes when on a corner and can have doors facing each street frontage). Leave as is
89	2-16-24	Public Comment		6.2.6.D.8.b		6.2.6.D.8.b – defines architectural variability standards • I looked at three high quality (seemingly, two I visited on Google Maps) neighborhoods with a good amount of architectural variability: Glen Laurel (Clayton), Scott's Mill (Apex) and Sunset Oaks (Holly Springs) and don't think the homes in these neighborhoods would meet these standards of providing 6 of the distinction options. o I would look at reducing the number to 3 or so. It's ok for a neighborhood to have a cohesive feel. Reduce to 4
90	2-16-24	Public Comment		6.3.4.A		6.3.4.A – notes Fence material shall ensure a minimum useful life of at least 10 years • This is unenforceable and should be removed (or moved to the "purpose" section) Leave as is
91	2-16-24	Public Comment		6.4.5.C.		6.4.5.C. – Certification Required for lighting plans • What does "certification must be provided" mean? Change person to "professional"
92	2-16-24	Public Comment		6.4.5.G.		6.4.5.G. Shielding – FIGURE Light Shielding • The right-middle image does not have a letter call-out We will add one
93	2-16-24	Public Comment		6.5.7.C.2		6.5.7.C.2 – typo – end of sentence is not finished Fixed already

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
94	2-16-24	Public Comment		6.5.9.A		6.5.9.A Fire Protection • Does this replace Chapter 95 in the Town's Code of Ordinances? This is in conflict with the adopted Chapter 95 because Chp 95 includes appendices… Noted, but no action taken
95	2-16-24	Public Comment		Sections 6.5.10 and 6.5.13		Sections 6.5.10 and 6.5.13 "potable water" and "wastewater" - state that any "development or a proposed major subdivision" is required to connect if it's within a specified distance of water/sewer. That distance is specified in the associated "mandatory water/sewer system connection" tables which apply to development/major subdivisions either in or out of the ETJ (except that the ETJ max connection requirement distance is noted as maxing out at 1,000'). • My confusion is: • The tables appear to only refer to major subdivisions (residential?) - it does not speak to other "development" (non-residential /mixed use development, existing lots, minor subdivisions, etc). • Was there an intent to set a distance for these? It's unclear what the standard is. I think it would be really helpful to add these categories to the tables (unless I'm totally missing something which is possible!). I am not finding requirements for sewer connections for these other uses/development patterns elsewhere in the text, except for some specific uses like manufactured home parks. • I think I see one additional typo in the potable water section: Section 6.5.10.B.2 states that in the ETJ, it should comply with the Table, except that developments of less than 100 units don't have to connect if it's more than 1,000 feet distance. However, I'm pretty sure that is a repeat of what is already stated in the Table, which already says if you are less than 100 units you simply have to comply with the distances shown, which max out at 1,000. • All in all, the language is a little tricky to follow - I think expanding the tables to include all types of development, and adding a second table for ETJ/outside corporate limits, would be prudent/helpful for usability and readability. Fixed as part of UDOTA1-24
96	2-16-24	Public Comment		Water / Sewer Expansion Policy		Water / Sewer Expansion Policy – revise the text of Chapter 51 of Title V of the Town's Code of Ordinances (entitled "water and sewer extension policy") to match the standards set in the relevant UDO sections. (Otherwise they'll conflict as Chp 51 simply states any development in town limits and within 300 feet of a water/sewer line has to connect.) Civic plus was contacted. Not sure status on code updates

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
97	2-16-24	Public Comment		6.5.10.B.1. and 6.5.12.B.1		6.5.10.B.1– expands water/sewer extension policy to include properties in the ETJ • Making sure this was a specific policy choice. Current code only applies the distance connection requirements to properties already in the Town Limits. If you're in the ETJ you are not required to connect to nearby water/sewer, but if you choose to you do have to annex. This expands that requirement to all ETJ properties. • Is measurement measured "as the crow flies" or along the reasonable path the sewer/water line would take to reach the development? (in some cases this would be a different calculation) Intended to be as the crow flies. Will clarify
98	2-16-24	Public Comment		6.5.11.F.1		6.5.11.F.1 - Note 2 in the Street Classification Table calls out a Town Functional Classification Map • What is this map? This has been deleted
99	2-16-24	Public Comment		6.5.11.2.b. and c.		6.5.11.2.b. and c. – notes that allowed cross-sections are in the engineering Design Manual, and that alternative cross-sections can only be approved as part of a variance or conditional rezoning • This puts some of the UDO out of compliance already – the current Design Manual does not have a street cross-section that allows Street Trees. Until it is updated, this language won't work. • Solution: allow alternative cross sections with approval by the Engineering Director. Currently, designs that include street trees, and other cross-sections, have been allowed on a case by case basis by the Engineering Director without need for a Variance or Conditional Approval I think it should stay that way. Not comfortable allowing staff to make that decision
101	6-21-24	Staff	Cond rezoning	2.3.8.I.2	76	Remove 1st and
102	6-21-24	Staff	Cross access spacing from road	6.1.6.D.4	417	Drop from 60 to 50 + fix diagram
103	6-21-24	Staff	Multi-family height limited to 18' 2 stories	6.2.4.8	441	Broaden to limit height as applied to single family attached as well. Add a statement that it is the lesser of: 2 stories or 18'
104	6-21-24	Staff	Type 3 conditional rezoning	3.3.1.E.4	227	New # 5 Add enhancement language from Burlington – build on this idea
105	6-21-24	Staff	SFA Driveway spacing	6.1.4.d.4.a	415	Remove reference to driveways on same lot – this is SFA
106	6-21-24	Staff	Traffic control	3.3.1.4	227	Make metal mast arms an example of enhancement for Type 3

UDOTA 2-24 SUMMARY TABLE

Last Table Update: 8-5-24

PB packet due 8.16.24 – PB Meeting 8.26.24 – TC Work Session 9.3.24 – TC Adoption 9.16.24

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#	**Date Added**	**Source**	**Short Title**	**UDO §#**	**P# (+/-)**	**Description**
107	6-21-24	Staff	Driveway permit	2.3.11	84	In cases of private street, no driveway permit, but must obtain ZCP. Applicant for ZCP must demonstrate private street owner acceptance of driveway access. Remove “shall” language
108	6-21-24	Staff	Non-res driveway width	6.1.E.4		Add a driveway width standard to table 12, 24, 36
109	6-21-24	Staff	Permit summary table	2.2.1	48	Make pre-app optional for land disturbance permit
110	6-21-24	Staff	Add food Push cart			Allow mobile restaurant secondary use permit to cover push cart + change definition of mobile restaurant regarding motorized
111	6-21-24	Staff	Driveway permit	2.3.11		Remove requirement for professional engineer to draw, could be done by any professional
112	6-21-24	Staff	Determination	2.3.9	78	Add Inspections Director and authorize to make determinations on building code-related topics
113	6-21-24	Staff	Alternative Sign Plan	2.3.20.K	118	Send these to Council
114	6-21-24	Staff	Performance guarantee	2.3.19.F	113	Performance guarantees filed after approval or extensions decided by Council, not Planning Director. Also 2.3.19.B.2 should be final plat not subdivision. Reword f to be vegetation and landscaping Ineligible Eligible features list add g “landscaping” and “h” land disturbance
115	6-21-24	Staff	Determination	2.3.9	78	Add determination of MSSD
116	6-21-24	Staff	Alternative Access	6.1.4.D	416	Allow PD or TRC to approve easement width of 30 feet when no way for additional lots to gain access
117	7-1-24	Staff	Building Articulations	6.2.5.F	448	Clarify that an articulation feature on one wall can not be credited towards required features on a separate wall
118						
119						
120						

UNIFIED DEVELOPMENT ORDINANCE

CODIFY CLAYTON

Adopted: 11.20.23
Effective: 1.2.24
Amended: ~~4.15~~9.16.24

ACKNOWLEDGEMENTS

Town Council

Jody McLeod, Mayor
Michael Sims, Mayor Pro Tem
Ruth Anderson, Councilmember
Andria Archer, Councilmember
Porter Casey, Councilmember
Gretchen Williams, Councilmember

Planning Board

James Moore, Chair
Jodie Dupree, Vice-Chair
Derrick Applewhite
Anita Bland
Jodie Dupree
Daniel Gleason
Kevin Lee
James Lipscomb
Jeffrey Spence
Mike Surasky
Ronald Williams

Town Staff

Rich Cappola, Town Manager
Lee Barbee, Deputy Town Manager
Dolores Gill, Deputy Town Manager
David Ranes, Fire Chief
Anthony Atkinson, Deputy Fire Chief/Fire Marshal
Barry Alston, Interim Building Inspections Director
Joshua Baird, Engineering Director
Patrick Pierce, Economic Development Director
Byron Poelman, Water Resources Director
Allen Turnage, Electric Director
Ethan Poppe, Energy Services Technician
Conrad Olmedo, Planning Director
~~Steven Mott, Planner II~~
Bruce Venable, Planner II

Consultant

CodeWright Planners, LLC
Angela S. Manning, Inc
Timmons Group

UDO AMENDMENTS

UDO AMENDMENTS		
Ordinance Number	**Ordinance Date**	**Description**
UDOTA 1-24	4.15.24	§1.8.6 No exclusion of TRC members from a TRC meeting §2.2.2 Add conservation subdivisions to the subdivision types table §2.3.8 Conventional Rezonings only processed in accordance with Town's schedule §2.3.12 Clarify exempt subdivisions identified in NCGS §2.3.13 Removal of trail from fee-in-lieu procedure (trails are private and not required like greenways or sidewalks); revise term "sidepath" to "multi-use path" (also changed in §6.10.1 & 8.3) 2.3.24 Clarify that a Town-initiated street renaming does not require a petition §2.3.27 Revise traffic assessment from "shall" require to "may" require §2.3.29 Revise Riparian Buffer provisions to clarify administration by the State, not the Town §2.4.4 Remove the timing requirement from neighborhood meetings, and permit Town staff to attend in accordance with Planning ~~Directro~~Director discretion §3.2.12 Duplexes, triplexes, and quadplexes no longer permitted by right (CZR district option still available) §3.2.15 Duplexes no longer permitted by right (CZR district option still available) §3.3.1 Clarify that Type 3 Conditional Rezonings with deviation requests are expected to result in higher quality development §3.3.6 Clarify the default dimensional standards that would apply for higher density residential uses in the CZR district §3.5.1 Remove circular cross reference to conditional zoning districts permitting higher residential densities and clarify that density incentives may be combined in the same development §3.6.8 Clarify that district setbacks are measured from lot lines, not from easements or required landscaping areas §4.5.5.W Clarify that parking of heavy trucks and trailers is prohibited in more than just residential districts §4.5.5.X Clarify that recreational vehicles must be parked on an improved surface §6.5.10 Clarified water extension requirements for single-lot developments §6.5.12.F.6 Add provisions addressing performance guarantees when street stubs can not be extended to property boundaries; also clarify that internal street stubs are not credited as links in the street connectivity index §6.5.12.F.7 Clarify the rules surrounding development entry points §6.5.12.G Move vehicular gates out of private street standards and into its own sub-section; clarify private drives and driveways may have gates §6.5.13 clarified sewer extension requirements for individual developments §6.6.9 Clarified how setbacks are measured if there are conflicts with required landscaping or easements §6.7.1 Clarify that open space set-aside is not required for minor subdivisions and some forms of residential development §6.7.2 Clarifies parkland dedication is not required for minor residential subdivisions §6.10.1 Softens greenway provision requirements for additions and expansions of existing buildings §6.12 Revision of Riparian Buffer rules to clarify the State's responsibility for enforcement §6.13.8.C Clarifies how wall signage is determined for tenants in multi-tenant buildings who rent more than one space in the same building §6.13.9 Clarify that sign supporting structures do not have maximum areas; walls sign measurement is wall sign area per linear foot of building facade §6.14.6 Updates to Soil Erosion & Sedimentation Control provisions (also changed in §7.5.4 & §7.9.1)
UDOTA 2-24	9.16.24	

B. POWERS AND DUTIES

The Technical Review Committee shall have the power to review and provide a recommendation or comments on applications in accordance with Section 2.2, Application Summary Tables.

C. RULES OF PROCEDURE

The Technical Review Committee shall adopt rules of procedure, which shall be available for inspection by members of the general public on the Town's website and in the offices of the Planning Department. The rules of procedure shall describe the Committee's operating procedures, composition, leadership provisions, and other relevant information not already included in this Ordinance.

1.8.7 TOWN STAFF

A. PLANNING DIRECTOR

The Planning Director shall have the responsibilities for decision making, recommendations, and comments on applications in accordance with Section 2.2, Application Summary Tables, as well as the following other powers and duties:

1. To preside over the Technical Review Committee;
2. To conduct pre-application conferences;
3. To enforce the provisions of this Ordinance, including entering any building, structure, or premises, as provided by law, to perform any duty imposed by this Ordinance;
4. To apply remedies for violations of this Ordinance;
5. To maintain the Official Zoning Map and related materials;
6. To process development applications and prepare staff reports as indicated in this Ordinance;
7. To maintain public records pertaining to this Ordinance and to make those records available to members of the public upon request;
8. To maintain rules of procedures for each review authority in this Ordinance;
9. To provide technical assistance to review authorities, upon request; and
10. To carry out any other powers and duties delegated by the Town Council that are consistent with this Ordinance and State law.

B. ~~BUILDING INSPECTOR~~INSPECTIONS DIRECTOR[1]

The ~~Building Inspector~~ Inspections Director shall have the responsibilities for decision making, in accordance with Section 2.2, Application Summary Tables.

C. ENGINEERING DIRECTOR

The Engineering Director shall have the responsibilities for decision making, recommendations, and comments, on applications in accordance with Section 2.2, Application Summary Tables, as well as the following:

1. The Engineering Director shall provide comments on Development Agreements; and
2. The Engineering Director shall perform the duties of the Floodplain Administrator and Stormwater Administrator.

[1] See STN#112

F. DELEGATION OF AUTHORITY

1. Whenever a provision of this Ordinance requires or authorizes a Town staff or designated official to take some action or perform some duty, the Town staff or designated official may designate, delegate, or authorize professional-level subordinates to perform the act or duty unless the terms of the provision specifically provide otherwise.
2. For the purposes of this section, "professional-level subordinate" shall mean another person employed by the Town who meets the Town's minimum qualifications for the position, and has the minimum amount of experience or professional authority reasonably necessary to execute or undertake the designated action, in the sole opinion of the delegating Town staff member of official.

G. APPEAL OF TOWN STAFF DECISIONS TO THE BOARD OF ADJUSTMENT

1. Except for the Building Inspector, appeals of decisions or actions by a Town staff member shall be to the Board of Adjustment in accordance with Section 2.3.2, Appeal.
2. Appeals of decisions or actions of the ~~Building Inspector~~ Inspections Director shall be to the North Carolina Commissioner of Insurance in accordance with applicable State law.

1.9 SEVERABILITY

1.9.1 INVALIDATION

Should any section, sentence, clause, phrase, or word of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect, impair, or invalidate the validity of the remaining parts of this Ordinance which can be given effect without the invalid provision.

1.9.2 PREJUDICIAL APPLICATION

Should any section, sentence, clause, phrase, or word of this Ordinance be held invalid or unconstitutional in its application to a particular case, such decision shall not affect or prejudice its application to other cases.

1.9.3 LAWFUL PRESUMPTION

There shall be a conclusive presumption when a review authority authorizes regulatory action, that the review authority would not have authorized the action except in the belief that such action was lawful.

1.10 TRANSITIONAL PROVISIONS

The standards in this subsection address existing violations, nonconformities, and applications in process at the time this Ordinance is made effective.

1.10.1 PRIOR AND PENDING APPLICATIONS

A. PRIOR APPROVAL

1. Any development approvals granted before January 2, 2024, shall remain valid until their expiration date.
2. Developments with valid approvals or permits may be carried out in accordance with the terms and conditions of their approval and the development standards in effect at the time of approval, provided the permit or approval is valid and has not expired.
3. If an approval expires or is revoked (e.g., for failure to comply with the terms and conditions of approval), any subsequent development of the site shall be applied for in accordance with the procedures and standards of this Ordinance.

G. Numbers in brackets signify table notes, which are found at the bottom of the table (the table bottom may be on a subsequent page).

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					Building Inspections Director	Engineering Director	Planning Director				
Administrative Adjustment	2.3.1	II	O	C	•	•	D	•	•	|A|	•
Appeal	2.3.2	III	O	•	•	•	•	•	•	|D|	A
Annexation	2.3.3	IV	O	C	•	•	R	•	(D)	•	A
Building Permit [2]	2.3.4	I	N/A	•	D	•	•	•	•	•	•
Certificate of Occupancy [2]	2.3.5	I	N/A	•	D	•	•	•	•	•	•
Conditional Rezoning [3]	2.3.6	IV	M	•	•	•	•	R	(D)	•	A
Conservation Subdivision [4]	2.3.7	II	M	C	•	•	D	•	•	|A|	•
Conventional Rezoning	2.3.8	IV	M	C	•	•	•	R	(D)	•	A
Determination [5]	2.3.9	I	O	•	D	D	D	•	•	|A|	•
Development Agreement	2.3.10	IV	O	C	•	C	C	•	(D)	•	A
Driveway Permit	2.3.11	I	O	•	•	D	•	•	•	|A|	•
Exempt Subdivision	2.3.12	I	N/A	•	•	•	D	•	•	|A|	•
Fee-in-Lieu [6]	2.3.13	II	O	C	•	D	D	•	•	A	•
Floodplain Permit	2.3.14	I	O	•	•	D	•	•	•	|A|	•

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
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Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					~~Building~~ Inspections ~~Director~~	Engineering Director	Planning Director				
Land Disturbance Permit[2]	2.3.15	I	~~M~~O	•	•	D	•	•	•	|A|	•
Limited Subdivision	2.3.16	I	O	•	•	•	D	•	•	|A|	•
Major Subdivision	2.3.17	II	M	C	•	•	D	•	•	|A|	•
Minor Subdivision	2.3.18	II	O	C	•	•	D	•	•	|A|	•
Performance Guarantee [7]	2.3.19	II	O	C	•	D	D	•	D	D	A
Sign Permit [8]	2.3.20	I	O	•	•	•	D	•	•	|A|	•
Site Plan [9]	2.3.21	II	M	C	•	•	D	•	•	|A|	•
Special Use Permit [10]	2.3.22	III	M	•	•	•	•	•	•	|D|	A
Stormwater Permit	2.3.23	I	O	•	•	D	•	•	•	|A|	•
Street Renaming/ Closure	2.3.24	IV	M	C	•	•	•	R	(D)	•	A
Temporary Permit	2.3.25	II	O	C	•	C	D	•	•	|A|	•
Text Amendment	2.3.26	IV	O	C	•	•	C	R	(D)	•	A
Transportation Impact Analysis	2.3.27	I	M	•	•	D	C	•	•	|A|	•
Tree Clearing Certificate	2.3.28	II	O	C	•	•	D	•	•	|A|	•
Variance [11]	2.3.29	III	M	•	•	•	•	•	•	|D|	A

[2] See STN#109

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					~~Building~~ Inspections ~~Director~~	Engineering Director	Planning Director				
Vested Rights Certificate	2.3.30	III	O	•	•	•	R	•	•	|D|	A
Zoning Compliance Permit	2.3.31	I	O	•	•	•	D	•	•	|A|	•

NOTES:
[1] Decision-making authority may be delegated in accordance with Section 8.2.8, Delegation of Authority.
[2] Appeals are filed with the North Carolina Commissioner of Insurance.
[3] In cases where a Conditional Rezoning application includes a Concept Plan, the TRC shall review the plan prior to consideration by the Planning Board.
[4] Approval of a Conservation Subdivision also requires approval of a Major Preliminary Plat.
[5] The Engineering Director shall make determinations on matters pertaining to stormwater, erosion control, and infrastructure requirements.
[6] The review authority responsible for making the decision on the associated development application shall also be responsible for making the decision on a Town-mandated Fee-In-Lieu request.
[7] The review authority responsible for making the decision on the associated development application shall also be responsible for making the decision on a Performance Guarantee request. Requests for Performance Guarantees filed after an associated application approval shall be decided by the Planning Director.
[8] Alternative Sign Plan requests shall be reviewed and decided by the ~~Planning Director~~Town Council.
[9] Site Plans that include changes to or extension of public infrastructure shall include construction drawings, which shall be decided by the Engineering Director.
[10] The TRC shall review the Concept Plan prior to consideration by the Board of Adjustment.
[11] The Environmental Management Commission shall decide Major Water Supply Watershed and Riparian Buffer Variance applications.

2.2.2 SUBDIVISION TYPES

The Subdivision Types Table below identifies the range of subdivision types addressed by this Ordinance, including details on the maximum number of lots that may be created, minimum tract size before division, whether or not the subdivision involves the extension of public infrastructure, and whether or not the lots in the subdivision must comply with the zoning district dimensional standards. Each subdivision process is described in more detail in Section 2.3, Application Types.

2.3 APPLICATION TYPES

2.3.1 ADMINISTRATIVE ADJUSTMENT

A. APPLICABILITY

1. Except where otherwise prohibited, an Administrative Adjustment may be requested for a modification or deviation to any of the following:
   a. A zoning district dimensional standard in Chapter 3, Districts.
   b. A numeric use-specific standard in Chapter 4, Land Uses.
   c. A numeric requirement in Chapter 5, Standards.
2. In no instance shall an Administrative Adjustment application seek to reduce any of the following:
   a. The required minimum lot area in a zoning district;
   b. Increases in the maximum allowable residential density on a lot;
   c. Reduce the minimum required separation distance between two use types;
   d. The requirements specified in a transportation impact analysis;
   e. Reductions to the standards pertaining to flood damage prevention, water supply watershed protection, ~~or riparian buffer protection~~; or
   f. Reductions to required infrastructure standards, including streets, potable water, or wastewater system requirements.
3. Development subject to a Variance shall not also be subject to an Administrative Adjustment.

B. AMOUNT OF ADJUSTMENT

An Administrative Adjustment may allow a deviation from a numeric standard in this Ordinance in accordance with the amount specified in Table 2.3.1, Maximum Adjustment Amount.

TABLE 2.3.1: MAXIMUM ADJUSTMENT AMOUNT

Location or Type of Development	Maximum Permitted Amount of Adjustment
Establishment of a new principal building on a non-conforming lot of record	50% (setbacks only)
New development or redevelopment within the Downtown zoning district	15%
Redevelopment within all zoning districts except Downtown	10%
New development within all zoning districts except Downtown	5%

C. PROCESS TYPE

Type II (see Section 2.2.3, Process Diagrams), including comment by the Technical Review Committee.

2.3.3 ANNEXATION

A. APPLICABILITY

1. The Town may review and decide voluntary Annexation petitions from:
   a. The owners of land that is contiguous with the Town's primary corporate limits; and
   b. The owners of land that is not contiguous to the primary corporate limits when the proposed satellite annexation complies with the following standards:
      i. The area must be so situated that the Town will be able to provide the same services as it provides within its primary corporate limits; and
      ii. The nearest point on the proposed satellite annexation is not more than three miles from the primary corporate limits of the Town; and
      iii. No portion of the land proposed for annexation is closer to the contiguous corporate limits of another municipality unless the land is subject to an approved annexation agreement; and
      iv. If the land proposed for annexation is part of a recorded subdivision as defined in NCGS§160D-802, all lots in the recorded subdivision are part of the annexation petition; and
      v. The area within the proposed satellite annexation, when added to the area within all other satellite annexations by the Town of Clayton, may not exceed ten percent of the area within the primary corporate limits of the Town.
2. The Town may accept voluntary Annexation petitions from landowners that do not meet the criteria in sub-section (1) above, but may not decide them until the application is consistent with sub-section (1) above.

B. APPLICATION

1. The Annexation petition shall be signed by all the owners of land proposed for annexation.
2. An Annexation petition shall include a signed statement declaring whether or not any vested right with respect to the land subject to the petition has been established under NCGS§160D-108.
3. The application shall identify the volunteer fire district where the land subject to the petition is located.
~~3.~~4. An annexation petition shall not require a neighborhood meeting to be conducted prior to submittal of the petition.

C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams), except for the following:

1. Following receipt of an Annexation petition the Town Council shall direct the Town Clerk to investigate the sufficiency of the petition.
2. The Town Clerk shall investigate and certify whether the petition is legally sufficient. Only legally sufficient petitions shall be considered by the Town.
3. The Planning Director shall review the petition and comment on the Town's ability to provide municipal services prior to consideration of the petition's legal sufficiency by the Town Council.
4. The Town shall notify the applicable fire district where the land is located.
5. Following investigation by the Town Clerk and the Planning Director, the Town Council shall determine if the petition is legally sufficient. If the petition is determined to be legally sufficient, the Town Council shall schedule a public hearing to consider the petition.
6. The Planning Board shall not review the application.
7. If the annexation petition is approved, the applicant shall be responsible for preparation of a plat suitable for recording with the Register of Deeds to document the annexation.

2.3.4 BUILDING PERMIT

A. APPLICABILITY

Unless exempted in accordance with the North Carolina General Statutes or the State Building Code(s), no construction, reconstruction, addition, alteration, repair, movement to another site, removal, demolition of any building or structure, or changes in use of an existing development triggering the need for application of a different set of building code requirements shall occur until a Building Permit is approved in accordance with the procedures and standards of this section and Chapter 150 of the Clayton Town Code of Ordinances.

B. EXEMPTIONS

The following forms of development are exempted from the requirement to obtain a Building Permit, but shall be subject to the standards in Section 2.3.31, Zoning Compliance Permit:

1. Storage and secondary buildings that serve a residential principal use, of 12 linear feet or less in length on any dimension, and do not include electrical service or running water;
2. Patios and at-grade walkways;
3. Playground equipment and play structures provided as secondary uses to an individual residential dwelling;
4. Ornamental or other pools with depths of less than 24 inches (any pools with water depths exceeding 24 inches are required to obtain a Building Permit);
5. Fences or privacy walls of six feet in height or less, except that all retaining walls shall require a Building Permit; or
6. Other development exempted from building permit requirements by the Town or by State law.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Building Permit shall be decided by the ~~Building Inspector~~ Inspections Director (or a designee) in accordance with Section 2.4.7, Staff Review and Action, and all of the following:

1. The applicable sections of the State Building Code(s);
2. The standards in NCGS§160D-1110;
3. Any applicable requirements of the Johnston County Health Department;
4. The Site Plan, if applicable;
5. The Zoning Compliance Permit;
6. All other standards or conditions of any prior, applicable permits, and development approvals; and
7. All other applicable requirements of this Ordinance, Town policy, State law, and federal law.
8. In cases where commencement or completion of development proposed in a Building Permit application requires infrastructure to be in place and such infrastructure is not in place when required, then a life/safety plan for protecting life/safety shall be filed with an application for a Building Permit.

E. SEQUENCE

A Building Permit application may be submitted simultaneously with another application but shall be processed in accordance with Section 2.4.12, Simultaneous Processing.

F. EFFECT

Approval of a Building Permit authorizes the commencement of on-site or off-site construction activities.

G. AMENDMENT

A Building Permit application may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

H. EXPIRATION

1. A building permit shall expire and become null and void if the development it authorizes is not substantially commenced within six months of the permit issuance.
2. A building permit shall expire if work is discontinued for a period of 12 months after work has commenced.

I. VESTING

1. See Section 1.11.4B, Issuance of a Building Permit.
2. In cases when a Building Permit is associated with a site-specific vesting plan, the vesting period of the Building Permit shall be the same as the development in the associated site-specific vesting plan.

J. APPEAL

An appeal of a decision on a Building Permit shall be filed with the North Carolina Commissioner of Insurance, in accordance with NCGS§160D-1127.

2.3.5 CERTIFICATE OF OCCUPANCY

A. APPLICABILITY

Except where exempted by Section 2.3.4B, Exemptions, no land, newly erected building or structure, or existing building or structure that has been moved or enlarged or changed in use shall be occupied or used until a Certificate of Occupancy certifying that the land, building, or structure, and its use complies with this Ordinance and the applicable standards of the State Building Code(s) is issued in accordance with this section and Chapter 150 of the Clayton Town Code of Ordinances.

B. EXEMPTIONS

Development exempted from a Building Permit in accordance with Section 2.3.4B, Exemptions, shall also be exempted from this section.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Certificate of Occupancy shall be decided by the ~~Building Inspector~~ Inspections Director in accordance with Section 2.4.7, Staff Review and Action, and the degree to which the land, building, structure, or proposed use complies with:

1. All relevant standards of this Ordinance;
2. Any other applicable Town requirements;
3. All applicable conditions of approval;
4. The Building Permit;
5. The applicable State Building Code(s) requirements; and
6. All applicable State and federal requirements.

E. TEMPORARY CERTIFICATE OF OCCUPANCY

1. A Temporary Certificate of Occupancy may be issued permitting occupancy for a stated period of time of either the entire building or property or of specified portions of the building if the Inspections Director finds that the building or property may safely be occupied prior to the completion of development activity.
2. A temporary Certificate of Occupancy may be issued in cases where the Town has mandated, or the applicant has requested and the Town has approved, payment of a fee-in-lieu. In no instance shall a final Certificate of Occupancy be issued by the Town in cases where payment of fee-in-lieu is required, but has not taken place.
3. The Planning Director may require the applicant to submit a Performance Guarantee (see Section 2.3.19, Performance Guarantee), in an amount necessary to ensure that any work not completed as specified in the development approval will be completed within the specified timeframe for a Certificate of Occupancy. A Performance Guarantee, submitted in accordance with Section 2.3.19, Performance Guarantee, shall be required for any incomplete infrastructure or other required site features.

F. SEQUENCE

1. Applications for a Certificate of Occupancy may not be filed until work authorized by other approvals has been completed, or an application for a Performance Guarantee has been approved.

v. Changes to the configuration of parking areas, but not the number of parking spaces and provided the parking area continues to meet Ordinance requirements for access and circulation;
vi. Changes to the configuration of landscape yards, including types of landscaping or screening materials, provided minimum width and planting requirements continue to be met;
vii. Changes to the proposed building elevation or facade, including materials, provided that the change retains the same general architectural character, remains consistent with the design parameters established in the original approval, and provided the overall height of the building is not increased; and
viii. Changes to the arrangement or location of buildings provided there is no increase in the number of buildings, size, or amount of impervious surface.

d. In no instance shall a minor modification include any changes to:
i. The range of permitted uses;
ii. The overall density of the development; or
iii. Site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.

2. MAJOR MODIFICATIONS

a. Changes that materially affect the basic configuration of the development, a condition of approval, or that exceed the scope of a minor change modification are considered major modifications.
b. Major modifications include, but are not limited to:
i. Increases in building height;
ii. Changes in uses;
iii. Changes in density or intensity;
iv. Decreases in open space;
v. Substantial changes in the location of streets (particularly if streets are to be deleted or access points to the development moved so traffic flows both inside and outside the development are affected);
vi. Changes to the location of entrances or driveways by more than 100 feet;
vii. Change in the location of any public easement; and
viii. Changes to site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.
c. Major modifications must be reviewed and considered only in accordance with the procedures and standards established for the original application approval.

P. EXPIRATION

1. Not applicable.
2. In the event the development contemplated in a Conditional Rezoning application is not substantially commenced within three years from the date of the approval, the Town Council may initiate a rezoning application to return the land to its prior or to some other appropriate zoning district designation.

Q. VESTING[3]

1. The establishment of a conditional zoning district shall run with the land, but a Concept Plan approval associated with a Type 3 Conditional Rezoning application shall not run with the land, and shall be subject to Section 1.11.4D, Site-Specific Vesting Plan.
2. Applicants seeking a longer vesting term may file an application in accordance with Section 2.3.30, Vested Rights Certificate.

[3] See STN#27

3. The decision shall be based on the legislative discretion of the Town Council, taking into consideration the recommendation of the Planning Board, citizen comments, if provided, and the standards in Section 2.4, Review Procedures.
4. In making its decision, the Town Council shall adopt a written statement of reasonableness and consistency with the Town's adopted policy guidance in accordance with NCGS§160D-605.

G. CITIZEN COMMENT

In cases where a resident or landowner submits written comments to the Town at least two business days prior to the date a decision is being made on the application, the Town staff member processing the application shall deliver the statement(s) to the Town Council.

H. APPLICATION REVISION

1. In no instance shall a Conventional Rezoning application be converted into a Conditional Rezoning application.
2. Nothing shall limit the Town Council from approving a more restrictive or less intense zoning district than requested by the applicant. In cases where the Town Council decides to approve a more restricted or less intense zoning district than requested, the application shall not require remand back to the Planning Board or any additional public notification.

I. REVIEW CRITERIA[4]

The advisability of approval of a Conventional Rezoning application is a matter committed to the legislative discretion of the Town Council, and is not controlled by any one factor. In determining whether to adopt or deny a rezoning application, the Town Council may weigh the relevance of ~~and consider~~ the following:

1. Whether the proposed rezoning advances the public health, safety, or welfare;
2. Whether and the extent to which the proposed rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the rezoning is reasonable and in the public interest; and
4. Other factors, as the Town Council may determine to be relevant.

J. DESIGNATION

1. The Planning Director shall make changes to the Official Zoning Map promptly after approval of a Conventional Rezoning application by the Town Council.
2. In cases when a rezoning application is deemed inconsistent with adopted policy guidance, but is approved by the Town Council, the future land use map shall be amended with a note referencing the rezoning application approval.

K. SEQUENCE

A Conventional Rezoning application may be filed with an Annexation petition in accordance with NCGS§§160A-31 or 160A-58.1, but no other application types shall be submitted with a rezoning application.

L. EFFECT

1. Lands subject to an approved Conventional Rezoning application shall be subject to all the applicable standards in this Ordinance, which shall be binding and shall run with the land.

[4] See STN#101

2.3.9 DETERMINATION

A. APPLICABILITY[5]

1. ENGINEERING DIRECTOR[6]

The Engineer Director shall provide determinations on the portions of this Ordinance pertaining to infrastructure (water lines, sewer lines, etc.); construction-related aspects associated with streets, sidewalks, and driveways; land disturbance; special flood hazard area standards; stormwater requirements; ~~and~~ watershed-related provisions, and the Town's Engineering Specifications and Design Manual.

2. INSPECTIONS DIRECTOR

The Inspections Director shall provide determinations on aspects related to the State Building Code or the Residential Building Code.

~~2.~~3. PLANNING DIRECTOR

The Planning Director shall determine all other aspects of this Ordinance, including boundaries on the Official Zoning Map, undefined terms, unlisted use types, prior conditions of approval, the vesting status of development.

B. DETERMINATIONS DISTINGUISHED

1. FORMAL DETERMINATIONS

a. Formal determinations shall be in writing and prepared in accordance with this section.

b. Only formal determinations are subject to appeal as an administrative decision.

2. ADVISORY OPINIONS

a. Any written or oral opinions that do not meet the strict requirements of this section are advisory opinions.

b. Advisory opinions have no binding effect and are not considered formal determinations subject to appeal.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. DECISION

1. The Planning Director or Engineering Director, as appropriate, shall provide determinations of this Ordinance or the Official Zoning Map in accordance with Section 2.4, Review Procedures.

2. Prior to rendering a determination, a Town staff member may consult with the Town Attorney or other Town officials.

E. REVIEW CRITERIA

1. OFFICIAL ZONING MAP BOUNDARIES

Interpretation of district boundaries on the Official Zoning Map shall be in accordance with the standards in Section 3.8.3, Interpretation of Map Boundaries, and consistent with the Town's adopted policy guidance.

[5] See STN#112
[6] See STN#115

2.3.11 DRIVEWAY PERMIT

A. APPLICABILITY[7]

1. All lots seeking to gain vehicular access to a Town-maintained or North Carolina Department of Transportation (NCDOT)-maintained street via a driveway shall obtain a driveway permit in accordance with this section. Lots seeking to obtain vehicular driveway access to an NCDOT-maintained street shall also obtain NCDOT approval prior to issuance of a Driveway Permit. Town staff will inform applicants of the need to contact the NCDOT for a prior NCDOT approval.
2. Lots seeking to gain vehicular access to a private street are not required to obtain a Driveway Permit from the Town, but shall obtain a Zoning Compliance Permit (see Section 2.3.31, Zoning Compliance Permit), and ~~though~~ provide proof of permission from the owner of the street ~~shall be required~~ if no public access easement is recorded or public access agreement is in place.

B. APPLICATION[8]

An application for a Driveway Permit shall be accompanied by plans or drawings prepared by a development or construction professional ~~engineer~~familiar with preparing such plans or drawings. Plans or drawings shall demonstrate compliance with all applicable requirements of this Ordinance, other Town documents, and NCDOT's Policy on Street and Driveway Access to North Carolina Highways, if applicable.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Driveway Permit shall be decided by the Engineering Director, in accordance with Section 2.4.7, Staff Review and Action, and the following:

1. The applicable requirements of the Town's Engineering Specifications and Design Manual;
2. The Town Code of Ordinances or other policy documents;
3. Any applicable requirements of this Ordinance, including but not limited to Section 6.1, Access and Circulation;
4. NCDOT's Policy on Street and Driveway Access to North Carolina Highways, if applicable; and
5. All other standards or conditions of any prior, applicable permits, and development approvals.

E. SEQUENCE

Applications for a Driveway Permit may be submitted with a Site Plan, Subdivision, or Zoning Compliance Permit, but the Driveway Permit shall be approved after these permit types.

F. INSPECTION

Inspections of the proposed driveway or driveway apron if the driveway is unpaved shall be conducted by the Engineering Director or a designee after the forms demarking the driveway are in place and again after driveway construction is complete but before the approval is finalized.

[7] See STN#107
[8] See STN# 111

2.3.16 LIMITED SUBDIVISION

A. APPLICABILITY[9]

1. The standards in this section shall apply to divisions of land meeting all the following criteria:
   a. The proposed division of land is not exempted from the subdivision standards of this Ordinance in accordance with NCGS§160D-802;
   b. The proposed division will not result in more than three lots (including any residual or "parent" parcel), with each lot meeting the applicable dimensional requirements of the zoning district where located;
   c. The area of land subject to the division shall be comprised of at least five acres under common ownership;
   d. No land included in an ~~expedited~~ limited subdivision application shall have been the subject of an ~~expedited~~ limited subdivision application approval within the preceding ten years;
   e. No extension of public infrastructure (streets, water, or sewer) is proposed; and
   f. A proposed permanent means of ingress and egress to each lot is recorded.
2. Divisions of land not meeting all these standards shall be reviewed as a Major or Minor Subdivision, as appropriate.

B. APPLICATION

1. Applications for a Limited Subdivision shall include a plat prepared by a registered land surveyor or professional engineer licensed to practice in North Carolina.
2. Applications for a Limited Subdivision served by on-site wastewater systems shall include an evaluation from the appropriate county health department indicating that an on-site wastewater system may be used on each lot included in the subdivision.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Limited Subdivision shall be decided by the Planning Director in accordance with Section 2.4.7, Staff Review and Action, and the following:

1. The Limited Subdivision plat is on a sheet or sheets suitable for recording with the Register of Deeds in the county where the subdivision is located;
2. The Limited Subdivision plat is prepared and sealed by a licensed professional land surveyor or licensed professional engineer;
3. The Limited Subdivision plat complies with all applicable standards in this Ordinance and NCGS§47-30;
4. The Limited Subdivision complies with all applicable water supply watershed protection provisions, if located within the (WPOD) Watershed Protection Overlay District;
5. The Limited Subdivision complies with all applicable requirements in Section 6.15, Stormwater;
6. The Limited Subdivision plat includes all required certifications and declarations;
7. The applicant has secured all required State and federal permit approvals;

[9] See STN#28

g. All required easements and rights-of-way are properly depicted on the Final Plat;
h. If no public wastewater service is associated with the Major Subdivision, all lots have been certified by the county Health Department (as appropriate) as capable of accommodating the wastewater generated from the proposed use;
i. The Final Plat is in substantial conformance with the associated Preliminary Plat(s);
j. The applicant has secured all required State, federal, and other applicable County permit approvals;
k. The Final Plat complies with all standards and conditions of any applicable permits and development approvals; and
l. The Final Plat complies with all other applicable requirements in this Ordinance and Town policy.

3. RECORDATION[10]

a. Once a Final Plat is approved, a signed statement by the Planning Director shall be entered on the face of the plat. The Final Plat may not be recorded without this and all other required certifications.
b. A Final Plat may not be recorded until after public infrastructure has been accepted by the Town.
c. Following certification, the applicant, or the Town staff, as appropriate, shall record the Final Plat and all associated protective covenants and deed restrictions in the office of the Register of Deeds in the county where the development is located. Failure to record the final plat in accordance with Section 2.3.17G.7, Expiration, shall render the plat null and void.
d. In cases where the applicant records the final plat, ~~T~~the applicant shall be responsible for delivering a digital copy of the recorded Final Plat to the Planning Department. Failure to deliver the digital copy in accordance with Section 2.3.17G.7, Expiration, ~~shall~~ may ~~render the plat null and void~~interfere with the Town's ability to review any subsequent development applications associated with the land identified in the Final Plat.

4. ACCEPTANCE OF PUBLIC INFRASTRUCTURE

a. Approval and recordation of a Final Plat constitutes an offer of dedication by the owner of the right-of-way of each public street and any other public infrastructure shown on the Plat.
b. Approval of the Final Plat does not constitute acceptance for maintenance responsibility of any improvements within a right-of-way or easement and the Town assumes no responsibility to open, operate, repair, or maintain any improvements until it is in the public interest to do so.
c. Improvements within rights-of-way or easements, such as streets, drainage facilities, or sidewalks may be accepted for maintenance by the Town, when deemed appropriate, in the Town's sole discretion.
d. The Town Council may, by resolution, accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes when the lands or facilities are located within the extraterritorial jurisdiction.
e. Acceptance of dedication of lands or facilities located within the extraterritorial jurisdiction but outside the corporate limits of the Town shall not place on the Town any duty to open, operate, repair or maintain any street, utility line, or other land or facility,

[10] See STN#29

2.3.19 PERFORMANCE GUARANTEE

A. PURPOSE AND INTENT

1. These standards create the additional flexibility necessary for lots in a subdivision to be conveyed or for issuance of a Building Permit to commence with development prior to completion of all required infrastructure or site improvements, subject to the prior approval of the Town, and provided funds have been reserved for completion of these features.
2. These provisions ensure that funds are available for the Town's use to complete required public infrastructure or private site features in the event an applicant is unable to do so.

B. ELIGIBLE FEATURES[11]

1. Performance Guarantees shall be configured and managed in accordance with the standards in this section. Acceptance of a Performance Guarantee is in the sole discretion of the Town, which is under no obligation to accept a request for or approve a Performance Guarantee for any feature or under any circumstance.
2. Requests for submittal of a Performance Guarantee instead of completion in advance of ~~subdivision~~ final plat approval or Building Permit issuance may be filed with the Town for any of the following public infrastructure elements or private site features:
   a. Sidewalks, multi-use paths, and greenways; **AMENDED 4.15.24 (UDOTA1-24)**
   b. The final lift of asphalt on a Town-maintained public street;
   c. Street lights and on-site exterior lighting;
   d. Active and passive recreation features located within open space set-aside;
   e. Private stormwater control measures; and
   f. Placement or replacement of required vegetation and landscaping, except when required as part of erosion control measures.

C. INELIGIBLE FEATURES[12]

The following forms of public infrastructure may not be subject to a Performance Guarantee, and shall be completed, dedicated to the Town, and inspected prior to conveyance of lots or issuance of a Certificate of Occupancy:

1. Public potable water;
2. Public sanitary sewer;
3. Functional fire protection infrastructure;
4. The base and initial courses of asphalt on a street;
5. Drainage facilities associated with a street right-of-way;
6. Public stormwater control measures;
7. Curb and gutter; ~~and~~
8. Street signs and traffic control signals;
~~8.~~9. Land disturbance features related to sedimentation or erosion control.

D. STORMWATER AND EROSION CONTROL FACILITIES

Stormwater control measures and erosion control facilities shall comply with the specific provisions for Performance Guarantees associated with these features in accordance with NCGS§160D-804 rather than the standards in this section.

[11] See STN#114
[12] See STN#114

E. FORM

1. The form of a Performance Guarantee shall take one of the following forms, at the sole discretion of the applicant:
   a. A surety bond issued by a firm licensed to operate in the State of North Carolina;
   b. A letter of credit issued by a financial institution licensed to operate in the State of North Carolina; or
   c. Cash or certified check; or
   d. Another form of guarantee that provides equivalent security to the forms listed above, as determined by the Town.
2. In cases where more than one facility or site feature is requested to be subject to a Performance Guarantee, the applicant may provide a single, consolidated Performance Guarantee for all facilities or site features. In no instance shall Performance Guarantees associated with private stormwater control mechanisms or sedimentation control be consolidated with any other Performance Guarantee.
3. If cash or other instrument is deposited in escrow with a financial institution, an agreement between the financial institution and the developer shall be filed with the Town guaranteeing the following:
   a. That the escrow account shall be held in trust until released by the Town and may not be used or pledged by the developer for any other matter during the term of the escrow;
   b. That in case of a failure on the part of the developer to complete or repair the improvements, the financial institution shall, upon notification by the Town, immediately pay the funds deemed necessary by the Town to complete or repair the improvements up to the full balance of the escrow account, or deliver to the Town any other instruments fully endorsed or otherwise made payable in full to the Town; and
   c. The financial institution holding the cash or other instrument shall indicate to the Town its notification requirements for release or payment of funds.

F. PROCESS TYPE[13]

1. Requests for provision of a Performance Guarantee shall be decided in the same manner as is used by the review authority for deciding the related application type based on the standards in Section 2.4, Review Procedures.
2. In cases where a request for a Performance Guarantee is filed after approval of a development application, or there is a request for renewal or extension, the ~~Planning Director~~Town Council shall decide the Performance Guarantee. ~~request in accordance with Section 2.4.7, Staff Review and Action, and Section 2.4, Review Procedures~~.

G. REVIEW CRITERIA

1. An application for a Performance Guarantee shall include a map or plan showing the infrastructure and site improvements to be subject to a Performance Guarantee.
2. A Performance Guarantee application may be approved if the application complies with the following:
   a. The request is for an eligible facility or site feature;
   b. The request is in the form and the amount required;
   c. The term of the guarantee is for the minimum period of time necessary; and

[13] See STN# 114

2.3.20 SIGN PERMIT

A. APPLICABILITY[14]

1. All signs except those exempted from the sign regulations in Section 6.13.3, Exemptions, shall obtain a Sign Permit in accordance with this section before being erected, replaced, relocated, or altered.
2. Alterations limited to sign copy on a lawfully-established ~~and conforming~~ sign shall not require approval of a Sign Permit.
3. Temporary signage shall be reviewed in accordance with Section 2.3.25, Temporary Permit.
4. Establishment of new outdoor advertising after January 2, 2024, shall be prohibited. Changes to existing outdoor advertising shall be considered in accordance with Section 2.3.22, Special Use Permit.
5. Establishment of new development comprised of two or more principal buildings on one or more lots are encouraged to configure signage in accordance with a Uniform Sign Plan as a part of a Sign Permit application.
6. Applicants seeking to deviate from otherwise applicable signage provisions may request consideration of deviations in accordance with Section 2.3.20K, Alternative Sign Plan.

B. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

C. REVIEW CRITERIA

Applications for a Sign Permit shall be decided by the Planning Director in accordance with Section 2.4.7, Staff Review and Action, and the following:

1. GENERALLY

a. The standards in Section 6.13, Signage;
b. The sign is located on the same lot or site as the business, product, or service being advertised;
c. The North Carolina State Building Code, including requirements for electrical service, if applicable;
d. All standards or conditions of any prior applicable permits and developments approvals; and
e. All other applicable requirements of this Ordinance.

2. UNIFORM SIGN PLANS

Uniform Sign Plans, if submitted, shall indicate each of the following:

a. A Uniform Sign Plan shall include measured drawings and details about the parameters of signage permitted by the Plan;
b. If the total amount of allowable signage in the development will be apportioned in a manner that deviates from the standards in Section 6.13, Signage, and if so, how the signage will be apportioned;
c. The maximum sign sizes by sign type, and by building type, if different;
d. The rules for signage placement on multi-tenant buildings;
e. The range of proposed unifying elements for signage in the development, including but not limited to style, illumination, color, material;

[14] See STN#31

K. ALTERNATIVE SIGN PLAN[15]

Development proposing to construct or modify existing signage in ways that do not comply with the standards in Section 6.13, Signage, shall be subject to the requirements for an alternative sign plan in accordance with this section.

1. PURPOSE

The alternative sign plan process is included to allow for creativity of sign design and configuration in ways that do not otherwise comply with the applicable standards of this Ordinance, but that are found to be in closer alignment with the Town's Adopted Policy Guidance or the provisions in Section 1.7, Purpose and Intent of Ordinance, than would result from the strict application of the signage provisions of this Ordinance.

2. APPLICABILITY

Any application for a Sign Permit may incorporate a request for an alternative sign plan configured in accordance with this section, but in no instance shall an alternative sign plan include prohibited signage identified in Section 6.13.5, Prohibited Signs.

3. CONTENTS

Requests for an Alternative Sign Plan shall be part of an application for a Sign Permit, and shall include all of the following:

- **a.** A written statement detailing the project information, the proposed alternatives being requested, and an explanation of how the proposed alternative meets the standards in Section 2.4, Review Procedures;
- **b.** The location of land subject to the Alternative Sign Plan;
- **c.** The proposed allocation of permitted sign area among tenants and any other proposed signs;
- **d.** The total allowable sign face area for the project;
- **e.** Sketches of generic sign design and appearance for each sign type provided in Pantone Matching System (PMS) colors, vinyl manufacturer and numbers, or comparable industry standard of color identification;
- **f.** Color specifications for each sign component shall be specified, including but not limited to sign face backgrounds, lettering, and the sign structure;
- **g.** A plan or other graphical depiction showing where each particular sign type is proposed;
- **h.** A written justification for the Alternative Sign Plan request, including how the proposed signage will result in a development that is in closer alignment with the Town's Adopted Policy Guidance or the standards in Section 1.7, Purpose and Intent of Ordinance; and
- **i.** Any additional information requested by the Planning Director considers necessary to measure the application's conformance with the applicable review criteria.

4. PROCEDURE

Type ~~II~~ IV (see Section 2.2.3, Process Diagrams), including comment by the Technical Review Committee.

5. REVIEW CRITERIA

An Alternative Sign Plan application shall be only approved provided on a finding the applicant demonstrates:

[15] See STN# 113

a. The contents of the Alternative Sign Plan request are consistent with the applicable requirements of this section;
b. The proposed sign design, size, color, illumination, and placement are compatible in style and character with any building to which the sign is to be attached, any surrounding structures, any adjoining signage on the site, and/or the district character or architectural character of the area in which it is located;
c. The Alternative Sign Plan proposes innovative, but appropriate, use of materials and design techniques in response to unique characteristics of the specific site, if applicable;
d. The signage envisioned by the Alternative Sign Plan application will be consistent with approved neighborhood plans, studies, or area plans; and
e. The signage anticipated by the Alternative Sign Plan signage will result in a development that is in closer alignment with the Town's Adopted Policy Guidance or the standards in Section 1.7, Purpose and Intent of Ordinance.

6. CONDITIONS OF APPROVAL

The ~~Planning Director~~Town Council may apply conditions to any approval of an Alternative Sign Plan in accordance with Section 2.3.20K.6, Conditions of Approval. Conditions may include, but are not limited to, any of the following:

a. Specification of color(s);
b. The number of signs;
c. The total amount of sign face area;
d. The location of signs;
e. The maximum height of signs;
f. Sign illumination; and
g. The types of signs allowed.

7. AMENDMENT

Amendment of an Alternative Sign Plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

3. The Engineering Director shall determine the geographic area to be included in a traffic impact analysis, which shall extend to a point the farther of:
   a. One-half mile from the edges of the development site; or
   b. Where the project traffic at build-out is less than 10% of the capacity of the roadway or intersection.
4. Traffic recorder and turning movement assessment locations may also have to be determined.

E. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams) except that a pre-application conference is mandatory, and the Town may require third-party review of a proposed Transportation Impact Analysis prior to deciding an application.

F. THIRD-PARTY REVIEW

1. Transportation impact analyses that include State roads shall require review by the NCDOT.
2. The Engineering Director may require that an independent third party be hired by the Town at the applicant's expense to perform a required Transportation Impact Analysis, or to review a Transportation Impact Analysis filed by an applicant. The third party shall be a professional engineer licensed in the State of North Carolina to prepare such analyses, and the third party's contract shall be administered solely by the Town.
3. The Town shall determine the scope of services to be performed by a third party and receive a cost estimate from the third party for such services.
4. The applicant shall provide funds to the Town for the third-party review in accordance with the Town's fee schedule.
5. Funds for third-party review are not refundable if an applicant withdraws their application prior to third-party review.

G. REVIEW CRITERIA

The Engineering Director shall ~~decide~~ accept or not accept ~~an application for~~ a Transportation Impact Analysis based on Section 2.4.7, Staff Review and Action, the findings of the third-party review (if conducted), and the following:

1. The analysis is prepared and sealed by a licensed professional engineer with expertise in traffic engineering;
2. The analysis includes a summary of findings and recommendations for mitigation based on the Town's Adopted Policy Guidance and applicable State regulations;
3. The analysis conforms with the requirements of this section and the Town's Engineering Specifications and Design Manual;
4. Full payment for all third-party review costs has been provided;
5. The analysis identifies the post-development roadway lane configurations and levels of service for signalized and unsignalized intersections within the study area;
6. The projected traffic generated by the project, combined with existing traffic, either does not exceed the desirable operating level established in the impact area as identified in Section 6.5.12, Streets, or the impacts of the project traffic are properly mitigated by on-site and off-site improvements recommended in the analysis;
7. The analysis identifies the parties responsible for any recommended improvements; and

8. The applicant is willing and able to successfully mitigate the proportional impact that the proposed development will have on the public transportation network as identified in the Transportation Impact Analysis.

H. SEQUENCE

A Transportation Impact Analysis may be filed with an application for a rezoning, subdivision, Site Plan, Special Use Permit, Zoning Compliance Permit, or Building Permit, but the Transportation Impact Analysis shall be decided before these other application types.

I. EFFECT[16]

1. An application may be denied upon the basis of the Transportation Impact Analysis even in cases where the Engineering Director accepts the analysis.

~~1.~~2. Approval of a Transportation Impact Analysis permits an applicant to file for the next kind of development approval in the sequence.

~~2.~~3. In some cases, the results of a Transportation Impact Analysis may result in an applicant amending other applications in one or more of the following ways:

a. Changes in use type or scope to reduce the projected vehicle trips per day;
b. The dedication of additional right-of-way;
c. The rerouting of traffic or modifications or additions of the internal street network or proposed access and egress points;
d. Participation in the funding of a traffic signal, intersection improvement, or other off-site transportation improvement; or
e. Other modification determined to be necessary.

J. AMENDMENT

Amendment to an approved Transportation Impact Analysis may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

K. EXPIRATION

A Traffic Impact Analysis approval shall expire in accordance with the Concept Plan, Site Plan, subdivision plat, or other approval it is associated with.

L. VESTING

In accordance with Section 1.11.4C, Statutory Vested Rights.

M. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.2, Appeal.

[16] See STN#32

2.3.29 VARIANCE

A. PURPOSE AND INTENT[17]

The purpose of this Variance procedure is to allow deviations from certain standards of this Ordinance when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes provisions for reasonable accommodation of persons with physical disabilities and variances pertaining to the Town's special flood hazard area requirements, water supply watershed protection standards, ~~riparian buffer protection provisions,~~ and stormwater provisions.

B. APPLICABILITY

1. VARIANCE

- **a.** Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.
- **b.** No Variance may be sought for uses not allowed in a zoning district.
- **c.** No Variance may be sought that increases development density (e.g., units per acre) beyond that allowed in the zoning district where located.

2. REASONABLE ACCOMMODATION

- **a.** In cases where the strict application of the standards of this Ordinance would deprive an eligible person of their right to equal opportunity to use a dwelling under the federal Fair Housing Act, the person may apply for a Reasonable Accommodation in accordance with this section.
- **b.** For the purposes of this section, an "eligible person" is a person who meets the definition of a disabled or handicapped person under federal law.
- **c.** A person recovering from substance abuse is considered a person with a disability or handicap provided they are not currently engaging in the illegal use of controlled substances.

C. VARIANCES DISTINGUISHED

1. In addition to applications for a Reasonable Accommodation, this procedure recognizes the following different forms of Variance, each of which may have unique review processes and criteria:
   - **a.** Zoning or Subdivision Variances;
   - **b.** Flood Hazard Overlay Variances;
   - **c.** Stormwater Variances; and
   - **d.** Water Supply Watershed Variances. **AMENDED 4.15.24 (UDOTA1-24)**
2. Water Supply Watershed Variances shall take the form of a Minor Variance or a Major Variance. Minor Variances pertain to a relaxation, by a factor of up to 10% of any buffer, density, or built-upon area requirement under the low-density option. Major Variances pertain to any of the following:
   - **a.** The relaxation, by a factor greater that 10%, of any management requirement under the low-density option;

[17] See STN#33

b. The relaxation, by a factor greater than five percent, of any buffer, density, or built upon area requirement under the high-density option; or

c. Any variation in the design, maintenance, or operation requirements of an approved stormwater control measure.

D. APPLICATION

1. Applications for Zoning or Subdivision Variances and Reasonable Accommodations shall be processed by the Planning Director or a designee.

2. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

3. Applications for Flood Hazard Overlay, ~~Riparian Buffer,~~ Water Supply Watershed, and Stormwater Variances shall be processed by the Floodplain Administrator or Stormwater Administrator, as appropriate.

4. An application for Reasonable Accommodation may be made by a person with a disability or handicap, or their legal representative, or by a provider of housing for persons with disabilities or handicaps. An application for Reasonable Accommodation shall also include the following:

a. The basis for the claim that the applicant or persons receiving services from the applicant is considered disabled or handicapped under federal law;

b. The Ordinance provision from which the Reasonable Accommodation is being requested; and

c. An explanation of why the Reasonable Accommodation is necessary to make specific land or development available for the applicant.

E. PROCESS TYPE

Type III (see Section 2.2.3, Process Diagrams) except that Major Water Supply Watershed ~~and Major Riparian Buffer~~ Variances shall be decided by the North Carolina Environmental Management Commission following review and recommendation by the Board of Adjustment.

F. DECISION

1. GENERALLY

a. The decision shall be based on the competent, material, and substantial evidence in the record, as supplemented by arguments presented at the evidentiary hearing, and the standards in Section 2.4, Review Procedures.

b. The decision shall be one of the following:

i. Approval of the Variance or Reasonable Accommodation as proposed;

ii. Approval of the Variance or Reasonable Accommodation with revisions; or

iii. Denial of the Variance or Reasonable Accommodation as proposed.

c. Voting shall be in accordance with Section 2.4.9C.5, Voting.

d. Each decision shall be made in writing and reflect the Board of Adjustment's determination of facts and their application to the standards in this Ordinance.

e. The written decision shall be signed by the Chair or other duly authorized member of the Board of Adjustment.

f. The decision of the Board of Adjustment shall be effective upon the filing of the written decision in the offices of the Planning Department.

2. WATER SUPPLY WATERSHED VARIANCE

a. In the case of a recommendation of approval for a Major Water Supply Watershed Variance by the Board of Adjustment, the application materials, along with the

a. Rezonings, conditional and conventional, which would establish a more dense or intense zoning district ~~or when the Town is annexing land located outside its extraterritorial jurisdiction~~;
b. Street Renaming/Closures;
c. Special Use Permits; or
d. Variances.

2. Neighborhood meetings for any other kind of application identified in Table 2.2.1, Application Types Table, are optional. However, the Town Council may, by simple majority vote on a motion during a public hearing, require a neighborhood meeting to be conducted before rendering a decision on an application they are deciding.
3. In cases of a multi-part application that includes two or more portions each requiring a neighborhood meeting, only one neighborhood meeting shall be required prior to the filing of the initial portion of the application.

C. PROCEDURE

In cases when a neighborhood meeting is conducted, it shall comply with the following procedures:

1. TIMING

a. The meeting shall start between the hours of 6PM and 8PM on a weekday.
b. The meeting shall take place prior to the application being initially filed with the Town but no more than 60 days prior to the filing of the initial application.
c. Nothing shall limit the Town Council from requiring one or more neighborhood meetings be conducted prior to the application being decided. **AMENDED 4.15.24 (UDOTA1-24)**

2. LOCATION

a. The neighborhood meeting shall take place in a location open to the general public that is as close as possible to the site where development is proposed.
b. In the event no suitable location open to the general public is available, the meeting may take place at a Town-owned or -operated site, subject to any Town requirements for its use.
c. Virtual neighborhood meetings may be conducted when conducted in a manner consistent with the Town's policies for virtual meetings.

3. NOTIFICATION

a. The applicant shall provide notification of the neighborhood meeting via first class mail to all landowners within 300 linear feet of the parcel(s) where development is proposed.
b. Mailed notice shall be provided no less than ten days prior to the date of the neighborhood meeting.
c. Landowners are advised that any required public notice of a subsequent development application will be provided in accordance with Section 2.4.8, Public Notice, which may be less than 300 feet from the parcel where development is proposed.
d. Multiple meetings may take place, but advance notification for each meeting shall be provided in accordance with this subsection.

4. INFORMATION PROVIDED

The applicant shall provide the following in the neighborhood meeting invitation:

a. The purpose of the meeting;

B. PUBLIC HEARING SCHEDULING

When a development application is subject to a public hearing, the Planning Director, or a designee, shall ensure that the public hearing is scheduled for a regular meeting, or a meeting specially called for that purpose by the review authority.

C. PUBLIC NOTIFICATION REQUIREMENTS

1. All development applications subject to public notification shall comply with the appropriate standards in NCGS§§160A-31, 160A-58, 160D-406, 160D-601, 160D-602, 160D-1005, and other applicable sections of the North Carolina General Statutes.
2. Table 2.4.8, Public Notification Requirements, summarizes the requirements for public notice, but in the event of a conflict with State law, State law shall prevail.
3. In computing the required time periods, the day the notice is published, mailed, or posted shall not be included, but the day of the hearing shall be included.

TABLE 2.4.8: PUBLIC NOTIFICATION REQUIREMENTS

Type of Development Application	Type of Public Notification Required (R=Required)		
	Published [1]	Mailed [2]	Posted [3]
Annexation	R [4]	[5]~~R~~	~~R~~
Appeal	·	R [6~~4~~]	R
Development Agreement	R	R	R
Rezoning	R [~~5~~7]	R	R
Special Use Permit	·	R	R
Street Renaming / Closure	R [~~6~~8]	R [~~7~~9]	R [~~8~~10]
Text Amendment	R	·	·
Variance	·	R	R

NOTES:
[1] Notice shall be published once a week for two successive calendar weeks with the first notice published no more than 25 day nor less than 10 days before the public hearing.
[2] Notice shall be mailed to the applicant, affected property owners, and property owners of abutting land between 10 and 25 days before the public hearing.
[3] Notice shall be posted between 10 and 25 days before the public hearing.
[4] For annexations, notice shall only be required to be published once with the notice being published at least 10 days prior to the public hearing.
[5] In cases where the area being annexed is contiguous to the corporate limtits but not served by a newspaper of general circulation, the Town shall provide posted notice in at least 3 locations within the area being annexed and 3 additional areas within the Town (a total of 6 locations).
[6] Mailed notice shall only be required in cases where the appeal pertains to a particular property.
[7~~5~~] In the case of large-scale rezonings of 50 or more different landowners, mailed notice only provided to landowners residing outside the area of published notice circulation in accordance with NCGS§160D-602(b).
[8~~6~~] Published notice for street abandonment shall be provided once per week for 4 weeks before the hearing.

3.2.3 (DTNC) DOWNTOWN CORE[18]

A. DOWNTOWN CORE (DTNC) DISTRICT PURPOSE STATEMENT

The Downtown Core (DTNC) district is the Town's central business district located on the blocks abutting Main Street in the center of Town. The district includes a wide array of allowable uses, including retail, entertainment, offices, institutional, and residential uses. Uses in the district are all served by public water and sewer and are located on small lots in close proximity to one another. The area is intended to serve residents and visitors with shopping, dining, entertainment, and recreation offerings for at least 18 hours a day. Buildings are typically two-to-four stories in height, located close to the street they front, and symmetrical in design. High quality design is used to preserve land use compatibility rather than large lots or deep landscaping buffers between different uses. The transportation network is a well-established rectilinear street grid network of uniform block sizes, through streets, and alleys. The district includes parks, sidewalks, on-street parking, and pedestrian amenities such as gathering spaces, outdoor dining and seating, and public art. The district is also the center of government and civic life with numerous public and institutional buildings. Emphasis is placed on quality development, pedestrian orientation, and human-scale development.

B. DOWNTOWN CORE (DTNC) DISTRICT PREFERRED DEVELOPMENT FORMS

The following images are provided as example forms of allowable development and site configuration. These are provided for informational purposes only, and do not constitute a standard or requirement under this Ordinance. Conflicts between images and the text of this Ordinance are addressed in accordance with Section 1.3, Conflict.



Mixed-Use Building



Live/Work Building



Commercial Building

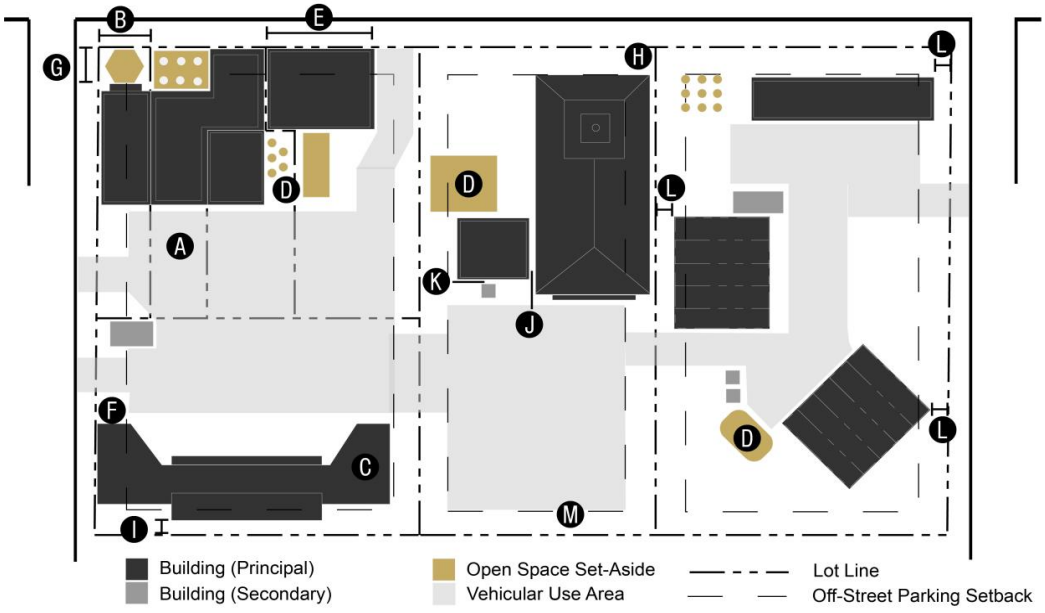
[18] See STN#35 & 37 (table note in dimensional standards table)

C. DOWNTOWN CORE (DTNC) DISTRICT DIMENSIONAL STANDARDS

	Max. Residential Density (du/ac)	30.0	F	Min. Street Setback (ft) [~~9~~8]	None
A	Min. Lot Area (sf)	None	G	Max. Street Setback (ft) [~~9~~8] [9]	0 ~~[10]~~
B	Min. Lot Width (ft) [1] [2] [3]	20	H	Side Setback (ft) (Abutting DTNC district / Abutting other district) [~~11~~10] [~~12~~11] [12~~13~~]	0/5
	Max. Lot Coverage (% of lot area)	100	I	Rear Setback (ft) (Abutting DTNC district / Abutting other district) [~~11~~10] [~~12~~11] [~~13~~12]	0/10
C	Max. Building Size (sf) [4]	30,000		Min. Spacing Between Buildings (ft) [~~11~~10]	
D	Min. Open Space Set-Aside (% of lot area) [5]	5	J	Between Principal Buildings [~~14~~13]	3
	Min. Building Height (stories) ~~[6]~~	2	K	Between Secondary and any other Building	3
	Max. Building Height (ft)	50	L	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [~~15~~14]	10
E	Min. Building Frontage (% of lot width) [~~7~~6] [~~8~~7	75	M	Min. Off-Street Parking Setback (ft)	20

NOTES:

[1] Applied to the entire development site when buildings on individual lots have shared or party walls.
[2] Measured at the interior building setback line (not the "pole" portion of a flag lot).
[3] New blocks of lots with lot widths of less than 50 feet require the provisions of alleys.
[4] Applied to new commercial buildings only. Buildings on lots over five acres in area are exempt.
[5] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[6] ~~At least two stories; but corner buildings shall maintain the same height as an adjacent building of more than two stories.~~
[~~7~~] Measured at inner edge of the street setback adjacent to the primary building facade. Only applied to the lot side adjacent to the primary building façade on corner or dual frontage lots.
[~~8~~7] Gathering areas abutting the street right-of-way are credited towards building frontage requirements.
[~~9~~8] Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[~~10~~9] Maximum street setback is applied only to the primary building façade and is zero feet. Primary building walls may be built to the edge of a gathering area located between the primary building wall and the street right-of-way.
[~~11~~10] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[~~12~~11] Not applied to lots lines adjacent to shared or party building walls.
[~~13~~12] Not applied to multi-building and unified developments.
[13~~14~~] Excludes buildings with shared or party walls.
[~~15~~14] Unified and multi-building developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.



D. DOWNTOWN CORE (DTNC) DISTRICT-SPECIFIC STANDARDS

1. MIXED-USE DEVELOPMENT[19]

Mixed-use development shall comply with the standards in Section 6.2.3, Mixed-Use Design Standards, in addition to the dimensional and district-specific standards included in this sub-section. Conflicts are addressed in accordance with Section 1.3, Conflict.

~~1.~~2. GROUND FLOOR CONFIGURATION

a. New mixed-use and non-residential structures shall be configured to comply with commercial building code requirements throughout the ground or street-level floor.

b. Except for buildings required to include ADA-accessible dwelling units, the portion of the building including the primary façade of the street-level ground floor shall be occupied by a non-residential use with a minimum depth equivalent to one-third of the building's total depth.

c. The rear two thirds of the street level floor of a building may be used for residential purposes in accordance with Section 4.2.5, Listing of Common Principal Uses.

d. In cases where a building is required to include ADA-accessible dwelling units, none of the street level floor area must be occupied by a non-residential use.

~~2.~~3. ON-STREET PARKING[20]

On-street parking shall be provided in accordance with the Town's adopted policy guidance~~, but shall be limited to one side of the street~~.

~~3.~~4. FENCES AND WALLS

Fences and walls shall comply with the applicable requirements in Section 6.3, Fences and Walls, and the following:

a. Opaque fences and walls located within the off-street parking setback or between the front building façade plane and the street it faces shall maintain a maximum height of three feet or less.

b. Semi-opaque fences and walls located within the off-street parking setback or between the front building façade plane and the street it faces shall maintain a maximum height of four feet or less.

c. Opaque and semi-opaque fences and walls may maintain a maximum height of up to six feet in locations outside of the off-street parking setback and behind the front façade plane.

~~4.~~5. STREET TREES

Street trees shall be provided in accordance with Section 6.6.15, Street Trees, except that understory trees may be utilized instead of canopy trees in any location where overhead or underground utilities may be present.

~~5.~~6. LOT ACCESS

Corner lots shall not maintain direct vehicular ingress or egress to Main Street.

~~6.~~7. ZONING DISTRICT BOUNDARY CHANGES

The zoning district designation of land within a DTNC district may only occur in accordance with the Town's adopted policy guidance for the downtown, Section 2.3.6, Conditional Rezoning, or Section 2.3.8, Conventional Rezoning, and the following:

[19] See STN#74

3.2.4 (DTNN) DOWNTOWN NEIGHBORHOOD

A. DOWNTOWN NEIGHBORHOOD (DTNN) DISTRICT PURPOSE STATEMENT[21]

The Downtown Neighborhood (DTNN) district boundary is depicted in the 2045 Comprehensive Growth Plan and includes three groups of neighborhood blocks located to the north and south of Main Street and surrounded on most sides by the Downtown Transitional (DTNT) district. The Downtown Neighborhood ~~Transitional~~ (DTNN~~T~~) district is comprised of neighborhoods with mid-century and older single-family residential dwellings on contiguous lots around the downtown area. The DTNN district standards are configured to protect and maintain the established residential character of the neighborhoods with allowance for limited amounts of neighborhood-serving non-residential and institutional development, all on public water and sewer utilities. Buildings maintain a residential character and are commonly between one and two stories in height. Privacy fences and landscaping are common methods of maintaining land use compatibility between different lots. As with the other downtown districts, sidewalks, parks, and recreation features are distributed throughout the district. The transportation network continues the well-established rectilinear street grid network of uniform block sizes, through streets, and alleys found in the downtown core and transitional area.

B. DTNN DISTRICT PREFERRED DEVELOPMENT FORMS

The following images are provided as example forms of allowable development and site configuration. These are provided for informational purposes only, and do not constitute a standard or requirement under this Ordinance. Conflicts between images and the text of this Ordinance are addressed in accordance with Section 1.3, Conflict.



Single-Family Detached Dwellings



Live/Work Building

[21] See STN#40

D. DOWNTOWN NEIGHBORHOOD (DTNN) DISTRICT-SPECIFIC STANDARDS

1. MIXED-USE DEVELOPMENT[22]

Mixed-use development shall comply with the standards in Section 6.2.3, Mixed-Use Design Standards, in addition to the dimensional and district-specific standards included in this sub-section. Conflicts are addressed in accordance with Section 1.3, Conflict.

~~1.~~2. ON-STREET PARKING

On-street parking shall be provided in accordance with the Town's adopted policy guidance, but shall be limited to one side of the street.

~~2.~~3. STREET TREES

Street trees shall be provided in accordance with Section 6.6.15, Street Trees, except that understory trees may be utilized instead of canopy trees in any location where overhead or underground utilities may be present.

~~3.~~4. ZONING DISTRICT BOUNDARY CHANGES

The zoning district designation of land within a DTNN district may only occur in accordance with the Town's adopted policy guidance for the downtown, Section 2.3.6, Conditional Rezoning, or Section 2.3.8, Conventional Rezoning, and the following:

a. Applications seeking to establish DTNN on land shall be guided by the applicable future land use category on the future land use map in the 2045 Comprehensive Growth Plan, as amended by the Downtown Master Plan.

b. Applications seeking to alter a DTNN boundary shall be limited solely to those lots that abut or are adjacent to land within the DTNN district. Applications on lands not abutting or adjacent to DTNN will be required to demonstrate how the desired rezoning is both compelling and consistent with the public interest.

c. Nothing shall limit an applicant from filing a request to establish a DTNN-CZD conditional zoning district on land anticipated to be located within the DTNN district by the Town's adopted policy guidance.

d. Establishment of a conditional zoning district designation other than CZD within the area designated as downtown in the 2045 Comprehensive Plan may be requested but is unlikely to be approved.

[22] See STN#74

D. DOWNTOWN TRANSITIONAL DISTRICT-SPECIFIC STANDARDS

1. MIXED-USE DEVELOPMENT[23]

Mixed-use development shall comply with the standards in Section 6.2.3, Mixed-Use Design Standards, in addition to the dimensional and district-specific standards included in this sub-section. Conflicts are addressed in accordance with Section 1.3, Conflict.

~~1.~~2. ON-STREET PARKING

On-street parking shall be provided in accordance with the Town's adopted policy guidance, but shall be limited to one side of the street.

~~2.~~3. STREET TREES

Street trees shall be provided in accordance with Section 6.6.15, Street Trees, except that understory trees may be utilized instead of canopy trees in any location where overhead or underground utilities may be present.

~~3.~~4. ZONING DISTRICT BOUNDARY CHANGES

The zoning district designation of land within DTNT district may only occur in accordance with the Town's adopted policy guidance for the downtown, Section 2.3.6, Conditional Rezoning, or Section 2.3.8, Conventional Rezoning, and the following:

a. Applications seeking to establish DTNT on land shall be guided by the applicable future land use category on the future land use map in the 2045 Comprehensive Growth Plan, as amended by the Downtown Master Plan.

b. Applications seeking to alter a DTNT boundary shall be limited solely to those lots that abut or are adjacent to land within the DTNT district. Applications on lands not abutting or adjacent to the DTNT will be required to demonstrate how the desired rezoning is both compelling and consistent with the public interest.

c. Nothing shall limit an applicant from filing a request to establish a DTNT-CZD conditional zoning district on land anticipated to be located within the DTNT district by the Town's adopted policy guidance.

d. Establishment of a conditional zoning district designation other than CZD within the area designated as downtown in the 2045 Comprehensive Plan may be requested but is unlikely to be approved.

[23] See STN#74

3.2.8 (MXD) MIXED-USE[24]

A. MIXED-USE (MXD) DISTRICT PURPOSE STATEMENT

The Mixed-Use (MXD) District accommodates residential, institutional, and commercial land uses on lands well-served by public utilities. MXD areas are generally located adjacent to major streets and along primary transportation corridors. The district is intended to foster functional neighborhoods where Town residents and visitors can live, work, shop, and enjoy recreation without travelling large distances between differing uses. Buildings are built close to the sidewalk and close to one another or within pedestrian-oriented campuses without suburban-style setbacks and heavy landscaping areas between them. Developments incorporate public gathering areas that create places for people to congregate and interact. Off-street parking and service areas are located to the sides and rears of buildings to help ensure a continuity of building facades along street edges and to avoid areas that are unsafe or undesirable for pedestrians. Buildings range in height from one-to-three stories. The district encourages a fine-grained network of streets and pedestrian ways that allow a wide freedom of movement and choices in transportation mode. Live/work dwellings, upper-story residential units, and a variety of other residential developments are allowed, but the district does not permit single-family detached dwellings. The district accommodates a wide variety of commercial and institutional use types, as well as low-impact industrial uses like maker space. Ground-floor non-residential is encouraged but not required provided the ground floor is configured in accordance with non-residential building code requirements, and horizontally mixed uses (a blend of different use types in adjacent detached structures) is allowable but may be subject to maximum timeframes for establishment of use mixing by the Town. Mixed-use development in the MXD district remains subject to the standards in Section 6.2.3, Mixed-Use Design Standards, and conflicts are addressed in accordance with Section 1.3, Conflict.

B. MIXED-USE (MXD) DISTRICT PREFERRED DEVELOPMENT FORMS



Horizontal Mixed-Use



Vertical Mixed-use



Horizontal Mixed-Use



Vertical Mixed-Use

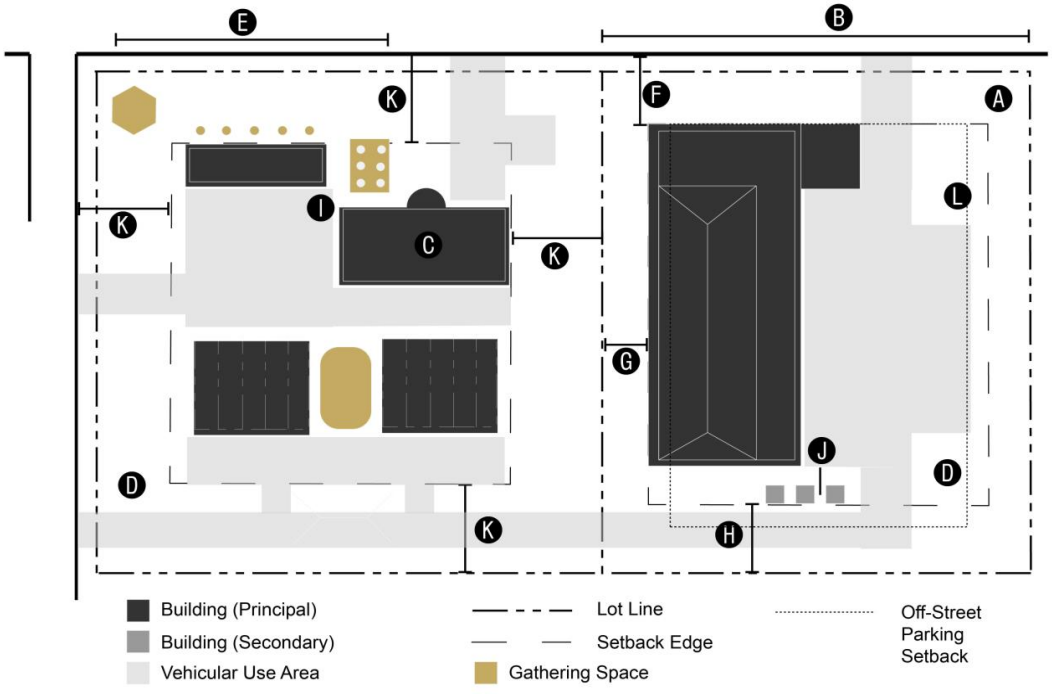
[24] See STN#24 (min./max. street setback numbers) & #74

C. MIXED-USE (MXD) DISTRICT DIMENSIONAL STANDARDS

	Max. Residential Density (du/ac)	12.0	F	~~Min~~Max. Street Setback (ft) [10] [11]	20
A	Min. Lot Area (sf) [1]	4,000		~~Max~~ Min. Street Setback (ft)	None
B	Min. Lot Width (ft) [2] [3] [4]	40	G	Side Setback (ft) [12] [13] [14]	15
	Max. Lot Coverage (% of lot area)	70	H	Rear Setback (ft) [12] [13] [14]	25
C	Max. Building Size (sf) [5]	~~1~~50,000		Min. Spacing Between Buildings (ft) [12]	
D	Min. Open Space Set-Aside (% of lot area) [6]	10	I	Between Principal Buildings	10
	Min. Building Height (stories) [7]	2	J	Between Secondary and any other Building	5
	Max. Building Height (ft)	42	K	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [15]	30
E	Min. Building Frontage (% of lot width) [8] [9]	60	L	Min. Off-Street Parking Setback (ft) [16]	20

NOTES:

[1] Plus an additional 500 sf per residential unit for developments in excess of two units.
[2] Applied to the entire development site when buildings on individual lots have shared or party walls.
[3] Measured at the interior building setback line (not the "pole" portion of a flag lot).
[4] New blocks of lots with lot widths of less than 50 feet require the provisions of alleys.
[5] Applied to the non-residential portion of a building. Buildings on lots over five acres in area are exempted.
[6] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[7] Only applied to buildings comprised of a single use type.
[8] Measured at inner edge of the street setback adjacent to the primary building facade. Only applied to the lot edge adjacent to the primary building façade on corner or dual frontage lots.
[9] Gathering areas abutting the street right-of-way are credited towards building frontage requirements.
[10] Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[11] Reduced by 50% for bungalow court and pocket neighborhood uses.
[12] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[13] Not applied to lots lines adjacent to shared or party building walls.
[14] Not applied to multi-building and unified developments.
[15] Unified and multi-building developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.
[16] Applied to off-street parking areas including two or more rows of parking spaces.



3.2.14 (RLD) RESIDENTIAL LOW DENSITY[25]

A. RESIDENTIAL LOW DENSITY (RLD) DISTRICT PURPOSE STATEMENT

The Residential Low Density (RLD) District creates opportunities for low-density suburban-style residential neighborhoods within the corporate limits and extraterritorial jurisdictional areas of the Town. Lands within the RLD district are typically served by public water and sewer, an informal curvilinear street pattern characterized by loop streets, cul-de-sacs, and single-loaded roadways. Sidewalks ~~are~~ may be provided in ~~heavily traffic areas~~areas along some streets, but much of the pedestrian movement is accommodated by greenways and trails. Lots are of moderate size, well-landscaped, and provide areas of privacy for residents. Buildings are setback from streets and may include secondary structures, though two or more principal residential dwellings are prohibited on a single lot. Residential uses include single-family detached, organized into either traditional residential neighborhood patterns or as conservation subdivisions with significant amounts of open space and homes concealed from off-site view. The district also permits a wide range of institutional uses, including religious facilities, educational uses, government-related uses, and open space. Agricultural and industrial uses are not permitted.

B. RESIDENTIAL LOW DENSITY (RLD) DISTRICT PREFERRED DEVELOPMENT FORMS



Single-Family Detached Dwelling



Conservation Subdivision



Bed and Breakfast Use

[25] See STN# 43

3.2.15 (RMD) RESIDENTIAL MEDIUM DENSITY

A. RESIDENTIAL MEDIUM DENSITY (RMD) DISTRICT PURPOSE STATEMENT

The Residential Medium Density (RMD) District is established to accommodate low-to-moderate-density residential development and ~~complimentary~~complementary uses on lots served by public utilities in the suburban portions of the Town's jurisdiction. The RMD district provides a transition between lower-density residential areas and higher intensity commercial and shopping areas along major corridors. Development in the RMD district is typically organized as a series of individual neighborhoods. The vast majority of RMD lots are around 8,000 square feet in area and contain a single-family detached dwelling located in the center of a landscaped yard. Off-street parking takes place on a driveway in front of or to the side of the dwelling. Most homes are two-to-three stories tall and around 1,000 square feet in size. While the district accommodates single-family detached homes, it also permits duplex dwellings as well as "small-lot" residential developments such as bungalow courts, pocket neighborhoods, and conservation subdivisions. It also accommodates a limited range of institutional uses but almost no commercial or industrial use types. Streets are typically organized as a modified grid with some curvilinear segments. Neighborhoods are well-served by sidewalks and greenways that permit pedestrians to access nearby institutional and commercial uses.

B. RESIDENTIAL MEDIUM DENSITY DISTRICT PREFERRED DEVELOPMENT FORMS



Single-Family Detached Dwelling

Bungalow Court





Conservation Subdivision



Pocket Neighborhood

3.2.16 (RMF) RESIDENTIAL MULTI-FAMILY

A. RESIDENTIAL MULTI-FAMILY (RMF) DISTRICT PURPOSE STATEMENT

The Residential Multi-Family (RMF) District is established to accommodate high-density forms of residential development and ~~complimentary~~complementary uses on lots served by public utilities in the urban portions of Town. The district is intended to provide a wide range of housing choices to Town residents as well as to create sufficient residential densities to support the downtown and employment centers. The district is configurated to support the establishment of functional neighborhoods that include residential, employment, and recreational uses in close proximity to one another. In addition to a wide range of residential uses, the district also permits live/work units, upper-story residential in mixed-use buildings, and neighborhood-serving low-intensity non-residential uses like offices, co-working spaces, walk-up restaurants, and micro-retail. Numerous forms of institutional use are also permitted. Land uses in the RMF district are well-connected with surrounding areas via connected streets, sidewalks, greenways, and trails. Open space set-asides may take the form of active or urban formats. Off-street parking takes place on a driveway in front of or to the side of individual dwellings and in shared surface lots for other residential uses. While the district accommodates residential densities around 12 units an acre, it also allows density bonuses for voluntary compliance with design guidelines or inclusion of sustainable development incentives. All development in the district shall be in accordance with the dimensional requirements in this section and the applicable use standards in Chapter 4, Land Uses.

B. RESIDENTIAL MULTI-FAMILY (RMF) DISTRICT PREFERRED DEVELOPMENT FORMS


Single-Family Attached Buildings


Pocket Neighborhood


Triplex Building


Multi-family Building


Live/Work Building


Single-Family Detached

shall demonstrate how the proposed development with the requested deviations will result in a development that is in closer alignment with the Town's adopted policy guidance than would otherwise result from a strict application of the standards. **AMENDED 4.15.24 (UDOTA1-24)**

b. Concept Plans shall clarify the degree to which the development depicted in the Concept Plan will or will not comply with all applicable standards in Chapter 6, Standards.

c. In cases where the application seeks a deviation from the applicable standards, the Concept Plan shall clearly identify all deviations in both narrative and graphic forms.

d. It is insufficient to simply prepare a plan that depicts a building or site configuration that deviates from the applicable standards. Deviations from standards must be clearly noted and described in terms of their scope. Language in the narrative must match or be consistent with visual representations and vice versa.

5. METHODS OF HIGHER QUALITY DEMONSTRATION[26]

In cases where a Type 3 conditional rezoning seeks a deviation or reduction in accordance with sub-section (4) above, the following are optional ways for an applicant to mitigate the deviation or demonstrate development quality or alignment with adopted policy guidance:

a. ENHANCED LANDSCAPING

While not required, enhanced landscaping is one technique that can be used by a development to exceed the development quality that would otherwise result from a strict application of the Ordinance requirements. Increasing the caliper size at time of planting of newly planted material by an amount 50 percent or greater beyond that required by Section 6.6.7, Plant Material Specifications, in combination with any of the following additional alternatives may be proposed as a means of demonstrating increased development quality:

i. Use of planted berms (trees and shrubs) as a means of establishing increased visual and acoustical separation between uses;

ii. Establishment of a minimum number of new trees and shrubs that exceeds what would have been required for a typical development;

iii. Exceed a minimum percentage requirement of evergreen planted materials or inclusion of evergreen plants where none are required;

iv. Inclusion of a greater amount of species diversity than required in Section 6.6.7E, Species Diversity;

v. Utilization of plants that create year-round visual interest, including winter flowering plants, plants that bloom more than once per year, or plants with unique leaf shapes, colors, or forms; or

vi. Other alternative configuration for consideration by the Technical Review Committee.

b. ENHANCED OFF-STREET PARKING

While not required, enhanced off-street parking that includes one or more level 2 or level 3 EV charging stations is one technique that can be used by a development to exceed the development quality that would otherwise result from a strict application of the Ordinance requirements.

c. ENHANCED TRAFFIC CONTROL DEVICES

While not required, use of metal mast arm-style traffic control signal supports, in a flat black or other neutral finish, supplemented with the ability to accommodate street lights or traffic cameras, is one technique that can be used by a development to to exceed the development quality that would otherwise result from a strict application of the Ordinance requirements.

~~5.~~6. PRINCIPAL AND SECONDARY USES

a. The Concept Plan shall include a list of proposed principal and secondary uses.

[26] See STN#104

D. EXCEPTIONS

The following features are exempted from the maximum height requirements in this Ordinance:

1. Parapet walls of less than five feet in height above the roof deck;
2. Spires, steeples, minarets, belfries, cupolas, domes, and similar architectural features not intended for human habitation;
3. Water tanks, vent housings, elevator housings, and equipment covers;
4. Chimneys, vent pipes, skylights, or mechanical equipment; and
5. Bulkheads or a single-story penthouse occupying 25 percent or less of the total roof area.

3.6.5 FLOOR AREA

Gross floor area (GFA) shall be defined as the sum in square feet of all floors of the building measured from the exterior face of the exterior walls. The gross floor area shall include or exclude areas as indicated below:

A. AREAS INCLUDED IN GROSS FLOOR AREA

1. All enclosed habitable space.
2. Elevators, hallways, and stairwells on stories containing habitable space.

B. AREAS EXCLUDED FROM GROSS FLOOR AREA

1. Unenclosed porches or decks.
2. Off-street parking areas, including the elevators, hallways, mechanical equipment, and stairwells serving structured parking.
3. Utility services areas devoted to the electric service, the potable water service, the wastewater system, the telephone service, the cable service, or to a backup generator.
4. Mechanical areas and uninhabited enclosed spaces on tops of roofs not intended for general storage.

3.6.6 LOT COVERAGE[27]

A. Lot coverage is the percentage of a lot or development site that is covered by buildings or roof structures, excluding allowed projecting eaves and balconies. Only land area located under a building or roof structure are included in lot coverage; uncovered impervious surfaces (e.g. an uncovered driveway, patio, or walkway) are not included within lot coverage.

B. Developments approved prior to January 2, 2024 subject to lot coverage or impervious surface limitations in place prior to January 2, 2024 shall continue to be subject to those prior limitations unless and until the development is subject to an approval under this Ordinance.

[27] See STN#15

TABLE 3.6.9: ALLOWABLE ENCROACHMENTS INTO REQUIRED SETBACKS

Feature	Maximum Allowable Encroachment Distance into a Required Setback [1]
Pet Shelters	Subject to the setbacks applied to principal structures
Playground Equipment Accessory to a Residential Use	When located ten or more feet from the principal structure, may be located within five feet of a side or rear lot line, but shall not be located within a required street setback
Produce Stand	May encroach into a required setback but no closer than five feet from any lot line
Retaining Walls	May encroach into a required setback
Roof Eaves, Rakes, and Overhangs	May extend up to four feet into any required setback but no closer than three feet from any lot line
Signs	May extend into any required setback in accordance with Section 6.13, Signage
Swimming Pool/Hot Tub, (including all ancillary appurtenances)	May extend into a required side or rear setback, but shall be no closer than five feet to a lot line
Tool Shed	May be located within rear yard but no closer than five feet from any lot line, and no closer than five feet to the principal structure
Underground Structures (including septic systems but excluding swimming pools)	May be located in any required setback but no closer than three feet from any lot line
Vegetation and Landscaping Features	May be located in any required setback
Vehicular Off-street Parking Area[28]	Except in the DTNC and DTNT districts, ~~M~~may be located in any required setback provided that no parking area is located within five feet of the street right-of-way No encroachment into the off-street parking setback is permitted in the DTNC or DTNT districts
Well House (functional or aesthetic)	May be located in any required setback, but shall be no closer than eight feet from a right-of-way

NOTES:
[1] Regardless o the amount of allowable encroachment, no features shall be permitted within a public utility easement.

[28] See STN#36

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
S = Permitted, subject to a Special Use Permit & applicable use standards
C =Permitted within a conditional zoning district, subject to applicable use standards
"•" = Prohibited
[#] = Table note (see end of table)

Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Outdoor Commercial Recreation	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	·	C	4.3.92
Packaging and Shipping	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	
Parking Lot	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P-	·	·	C	C	·	4.3.97
Parking Structure	·	·	·	·	·	·	·	P	S	S	·	·	·	·	·	·	·	·	·	C	C	·	4.3.98
Pawn Shop	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.99
Pharmacy	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	4.3.100
Recreational Vehicle Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.104
Repair Shop	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.107
Restaurant Indoor and Outdoor Seating	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	4.3.110
Restaurant Indoor Seating Only	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Restaurant Walk-up Service Only	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Restaurant with Drive Through	·	·	·	·	·	·	P	·	·	·	P	P	·	·	·	·	·	·	C	C	C	·	4.5.5K
Retail, General	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.111
Retail, Large Format	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	C	·	C	4.3.112
Retail, Micro	·	·	·	·	·	P	·	P	P	P	P	P	·	·	·	P	·	C	C	C	C	C	4.3.113
Sexually-Oriented Business	·	·	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	·	·	·	·	4.3.118
Storage, Indoor and Outdoor **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.124
Storage, Indoor Only **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.123
Tanning Salon	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Tattoo & Piercing Establishment	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	P	·	·	C	·	C	C	4.3.126
Theatre, Indoors	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Theatre, Outdoors	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	C	·	·	4.3.129
Tobacco, CBD, and Vapor Shop	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.130
Vehicle Painting/ Bodywork	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.136

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[#] = Table note (see end of table)

Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Vehicle Parts and Accessory Sales	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	·	·	4.3.137
Vehicle Repair and Service (no painting/ bodywork)	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	·	C	4.3.138
Vehicle Sales and Rental	·	·	·	·	·	·	·	·	·	·	·		·	·	·	·	·	·	·	C	·	C	4.3.139
Vehicle Towing ~~and~~ or Storage[29]	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.140
Vehicle Washing or Detailing	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	C	C	C	4.3.141
Veterinary Services, Large Animal	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.142
Veterinary Services, Small Animal	·	·	·	·	·	·	P	P	·	·	P	P	·	·	·	·	·	·	C	C	C	C	
INDUSTRIAL USE CLASSIFICATION																							
Asphalt or Concrete Plant	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.12
Business Incubator	·	·	·	·	·	·	P	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.24
Contractor Services Office/Yard	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.37
Cryptomining and Data Processing	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.40
Electrical, HVAC, or Plumbing Fabrication	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.42
Extractive Industry	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	
Freight Terminal	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.54
Fuel Oil/Bottled Gas Distribution	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.55
Level 2 Solar Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.122
Level 3 Solar Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.122
Major Utility	·	·	·	·	·	·	S	·	·	·	·	·	P	P	·	·	P	·	·	C	C	C	4.3.135

[29] See STN#19 – changed to address relationship between principal and new secondary use. New secondary use permits in CRM and CZC due to relocation of RV storage as a towing or storage secondary use in a non-residential district

FIGURE 4.3.23: BUNGALOW COURT CONCEPTUAL DESIGN



B. STANDARDS[30]

1. A bungalow court shall be located on a site of at least one acre, but not more than five acres in area, and shall include at least three principal dwelling units.
2. All dwellings shall be located on their own individual lots.
3. The use shall comply with the maximum density and minimum setback requirements for the bungalow court use type in the zoning district where proposed.
4. Bungalow courts shall be limited to single-family detached dwellings as the principal use, though accessory dwelling units in accordance with Section 4.5.5A, Accessory Dwelling Unit, Detached, or Section 4.5.5B Accessory Dwelling Unit, Internal, and home occupations in accordance with Section 4.5.5Q, Home Occupation, Level 1, shall be permitted.
5. All residential structures in a bungalow court shall voluntarily comply with the provisions in Section 6.2.6, Single-Family Residential Design Guidelines.
6. The bungalow court shall provide a Type ~~C~~B perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, along all lot lines outside the bungalow court that abut a residential district.
7. All driveways shall be shared by at least two, but no more than five lots.
8. Bungalow courts that incorporate off-street parking shall include a shared driveway(s) that:
   a. Is located on commonly-owned land or is the subject of a shared access easement granting access to all lots or dwellings served by the shared driveway;
   b. Comprised of concrete, brick, or pavers; and
   c. Located central to the dwellings served.

4.3.24 BUSINESS INCUBATOR

A business incubator may be provided as a principal use in its own building, as tenant space within a multi-tenant building, or as a secondary use to an existing non-residential use, subject to the following standards.

[30] See STN#48

4.3.119 SINGLE-FAMILY ATTACHED DWELLING[31]

Single-family attached dwellings shall comply with the following standards:

A. A single-family attached dwelling development of more than eight units shall be served with access from a collector or higher classification street.

B. Except in the DTNC, DTNN, or DTNT districts, ~~I~~individual single-family attached dwelling buildings with more than eight units in a single row shall be served by alleys located to the rear of the building.

~~B.~~**C.** In the DTNC, DTNN, or DTNT districts, all lots of less than 50 feet in width shall be served by alleys located to the rear of the building, regardless of the number units in a single row.

~~C.~~**D.** Each single-family attached dwelling shall have at least one party wall shared fully or partially within another single-family attached dwelling.

~~D.~~**E.** A single-family attached dwelling unit shall meet all applicable State Building Code standards for minimum room size and ceiling clearance requirements.

~~E.~~**F.** Attached garages are prohibited for one-story single-family attached dwellings.

~~F.~~**G.** Detached garages serving single-family attached dwellings shall be located behind the rear building line of the dwelling they serve, or shall be located on common land. In no instance shall a detached garage be located closer than 20 feet to the closest edge of an alley, right-of-way, vehicular travel way, or pedestrian access.

~~G.~~**H.** In no instance shall a single-family attached dwelling with off-street parking located between the front of the building and the street it faces be located closer than 25 feet from the edge of a right-of-way, sidewalk, or other pedestrian access.

~~H.~~**I.** In cases where a single-family attached dwelling is served by off-street parking located to the side or rear, the edge of the building shall be no closer than 20 feet from the closest edge of the right-of-way, vehicular travel way, or pedestrian access.

~~I.~~**J.** Principal buildings shall be setback from parking lots, private streets, and driveways on common land by at least 10 feet, as measured from back of curb or edge of pavement (if no curb is proposed).

~~J.~~**K.** All new utilities shall be located underground, and existing overhead utilities are strongly encouraged to be relocated to underground locations.

~~K.~~**L.** All single-family attached dwelling developments shall provide private common open space in accordance with Section 6.7.1D, Minimum Open Space Set-Aside Requirements, and shall include an owners' association established in accordance with Section 6.8, Owners' Associations.

~~L.~~**M.** Adequate access to all dwelling units shall be provided for firefighting equipment, service deliveries, and refuse collection.

~~M.~~**N.** A single-family attached dwelling development shall incorporate pedestrian circulation in accordance with Section 6.1, Access and Circulation.

~~N.~~**O.** A type C perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines shared with a residential district that has a lower maximum residential density.

~~O.~~**P.** Single-family attached dwelling development may take advantage of available residential density bonuses for voluntary compliance with the applicable provisions in Section 6.2.6, Single-Family Residential Design Guidelines.

~~P.~~**Q.** Single-family attached dwelling units configured as condominiums shall comply with the following standards:

[31] See STN#9

4.3.134 URGENT CARE

A. An urgent care use shall have direct access to a collector or higher classification street.

B. All activity shall take place within an enclosed structure.

C. A six-foot-high opaque fence or wall shall be erected along all lot lines shared with a residential zoning district.

D. The use shall maintain proper sharps and biohazard disposal protocols, including tamper-proof containers for these types of wastes when located outdoors in areas accessible by the public.

E. The uses shall comply with the standards in Section 6.2.5, Non-Residential Design Standards.

4.3.135 UTILITY, MAJOR

Major utilities shall comply with the standards in this section, but these standards are not applied to minor utility use types.

A. All structures, buildings, or enclosed areas used for the operation of a wastewater treatment facility shall be a minimum of 300 feet from a residentially zoned lot.

B. Equipment capable of producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residential district, unless located on a special purpose lot.

C. Security fencing, a minimum of six feet in height, shall be provided around the perimeter of the use.

D. A type C perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

4.3.136 VEHICLE PAINTING/ BODYWORK

A. The use shall be located at least 250 feet from any residential district, school (except vocational schools), or public recreation area.

B. Vehicles shall not be parked or stored as a source of parts.

C. No vehicle sales or rental shall be permitted.

D. Repair of all vehicles shall occur within an enclosed building. In no instance shall any activity that results in airborne particulates, including painting, sanding, or application of coatings, take place outdoors.

E. Temporary outdoor vehicle storage may be allowed in an outdoor storage area that is no larger than 25 percent of the buildable area of the lot, located behind or to the side of the principal structure, and fully screened by an opaque fence or wall of at least six feet in height.

4.3.137 VEHICLE PARTS AND ACCESSORY SALES

A. No vehicle sales or rental shall be permitted.

B. No vehicle repairs shall take place as part of a vehicle parts and accessory sales use.

C. No vehicles or parts shall be stored outside, and all storage shall take place within an enclosed structure.

4.3.138 VEHICLE REPAIR AND SERVICE (NO PAINTING/ BODYWORK)

A. No vehicle sales or rental shall be permitted, but sales of parts or accessories may take place as a secondary use.

B. Service bay doors shall not be oriented toward land in a residential zoning district.

C. All repair or service operations, excluding washing, shall be conducted entirely within a fully enclosed building. Nothing shall limit the opening of bay doors during hours of operation.

D. Outdoor storage of vehicles shall comply with the applicable standards in Section 6.6.13, Screening. Outdoor parking of vehicles outside of hours of operation shall be considered outdoor storage subject to applicable screening requirements.

E. There shall be no dismantling of vehicles for salvage.

F. The temporary storage of impounded vehicles is prohibited.

4.3.139 VEHICLE SALES AND RENTAL

A. Vehicle display areas shall be surfaced with concrete, asphalt, or other permanent surfacing material other than crushed stone.

B. No vehicles or other similar items shall be displayed on the top of a building.

C. Vehicle display areas shall provide landscaping in accordance with Section 6.6.11, Off-Street Parking Lot Landscaping, when abutting public or private street rights-of-way.

D. All lights and lighting shall be designed and arranged so no source of illumination is directly visible from any adjacent property.

E. Repair and service functions are permitted as an secondary use provided all repair-related activities take place entirely within an enclosed building.

F. Outdoor parking of vehicles being serviced shall only take place within an area that complies with the applicable requirements in Section 6.6.13, Screening.

4.3.140 VEHICLE TOWING ~~AND~~ OR STORAGE[32]

A. A maximum of no more than 100 vehicles at any one time shall be stored on the property.

B. All ~~towed~~ vehicles must be stored in a vehicle storage area depicted in an approved site plan.

C. All vehicles shall be operable, and no wrecked or junked vehicles shall be permitted.

D. The storage area shall be paved with asphalt, concrete, gravel, or other suitable all-weather surface to minimize dust emissions and the buildup of dirt, mud, and other debris.

E. All entrances to and from the storage area shall be secured and locked whenever an employee is not present on the property.

F. Storage of ~~motor~~ vehicles shall comply with the applicable standards in Section 6.6.13, Screening.

~~F.~~G. No recreational vehicle (RV) shall be used as a permanent residence or business.

4.3.141 VEHICLE WASHING OR DETAILING

A. Equipment capable of producing noise or sound in excess of 70 decibels, including vacuums, shall be located no closer than 200 feet to the nearest lot line shared with residentially-zoned land.

B. No vehicle washing bays shall be located within 20 feet of a side or rear lot line.

C. No outdoor display of merchandise or outdoor storage shall be permitted. Storage of chemicals in containers larger than 55 gallons shall take place entirely underground.

D. No overnight storage of vehicles shall be permitted.

E. Outdoor drying and detailing areas shall include drains or other features that prevent the accumulation of rinse water or chemicals on a street right-of-way or in a roadway's drainage system.

F. Retail sales of gasoline or vehicle-related products may be permitted as a secondary use, subject to the applicable standards in Section 4.5, Secondary Uses.

4.3.142 VETERINARY SERVICES, LARGE ANIMAL

No pens or runs shall be located within 500 feet of a lot line.

4.3.143 VETERINARY SERVICES, SMALL ANIMAL

A. All activities, except for pet rehabilitation or testing activities, shall take place entirely within an enclosed structure.

B. Outdoor activity areas shall be located to the side or rear of a structure unless such placement results in these areas having a closer proximity to a residential zoning district boundary.

[32] See STN#19

6. PROXIMITY TO A STREET[33]

a. Except on lots of two acres in area or more, ~~In no instance shall the~~ the following secondary uses or structures shall be no closer to a public street right-of-way than a principal structure on the same lot:

~~a.~~i. Accessory dwelling unit;

~~b.~~ii. Detached garage or carport;

~~c.~~iii. Ham radio antenna or equipment;

~~d.~~iv. Stables;

~~e.~~v. Tool sheds;

~~f.~~vi. Swimming pools or hot tubs;

~~g.~~vii. Storage of an inoperable vehicle; or

viii. Parking of a recreational vehicle, heavy truck, or trailer containing another vehicle, boat, or equipment.

~~h.~~b. When one of the secondary uses or structures listed in sub-section (a) above is proposed in front of a principal structure on a lot of two acres or more in area, it shall be setback at least twice the applicable street setback.

C. MAXIMUM SIZE

1. Except for in-ground swimming pools, secondary uses and structures shall be smaller in square footage, floor area, and use area than the principal structure they serve.
2. In-ground swimming pools may have a use area or volume greater than the principal structure they serve.
3. Barns, silos, green houses, and similar features serving as secondary structures to agricultural uses may exceed the total floor area or square footage of a principal single-family dwelling on the lot where the agricultural use is located.

D. ALLOWABLE HEIGHT

1. Secondary structures shall comply with the maximum building height requirements for the zoning district where located, except that secondary structures within 10 feet of a lot line shall not be taller than 15 feet.
2. Maximum height standards shall not apply to certain secondary structures in accordance with Section 3.6.4D, Exceptions.

E. COMPLIANCE WITH DESIGN STANDARDS

1. Secondary uses and structures serving principle uses that are subject to the design standards or guidelines in Section 6.2, Design Standards and Guidelines, shall comply with the design standards applied to the principal use they serve or shall employ exterior materials, colors, and architectural details that are configured to be complementary to the principal use, as determined by the Planning Director.
2. The degree to which proposed exterior materials, colors, and architectural details are configured in a complementary manner to a principal use shall be in the sole opinion of the review authority deciding the application.

F. COMPLIANCE WITH USE STANDARDS

1. Secondary uses shall only be permitted subject to all applicable standards in Section 4.5.5, Standards for Specific Secondary Uses.

[33] See STN#20

2. In cases where a use type identified in Table 4.2.5, Listing of Common Principal Uses, is proposed as a secondary use, the secondary use shall also comply with all applicable standards in Section 4.3, Standards for Specific Principal Uses.

4.5.4 LISTING OF COMMON SECONDARY USES

A. TABLE AS GUIDE

Table 4.5.4, Listing of Common Secondary Uses, is established as a guide to identify the appropriateness of the more common secondary uses in each zoning district.

B. LISTED SECONDARY USES

Table 4.5.4, Listing of Common Secondary Uses, lists what types of secondary uses, structures, and activities are allowed in each of the zoning districts.

1. If a specific secondary use is allowed by-right, subject to issuance of a Zoning Compliance Permit, and any applicable secondary use-specific standards, the cell underneath the zoning district is marked with a "P".
2. If a specific secondary use is allowed subject to a special use permit, subject to any applicable secondary use-specific standards the cell underneath the zoning district is marked with a "S".
3. If the specific secondary use or structure is not allowed in a zoning district, the cell is blank (marked with a "•").
4. In the case of conditional development districts, if a secondary use is allowable subject to any applicable secondary use-specific standards, it is marked with an "C", and the secondary use must be identified in the application or approved conditions.

TABLE 4.5.4: LISTING OF COMMON SECONDARY USES

"C" = Permitted, subject to Section 2.3.6, Conditional Rezoning, applicable secondary use-specific standards, and conditions of approval
"P" = Permitted, subject to applicable secondary use-specific standards
"S" = Permitted subject to Section 2.3.22, Special Use Permit, and applicable secondary use-specific standards
" • " (blank cell) = Not allowed or no additional secondary use-specific standards
Most secondary uses are subject to use standards in Section 4.5.5, Standards for Specific Secondary Uses

Secondary Use Type [1]	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts				
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNN	DTNT	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI
Accessory Dwelling Unit, Detached	P	P	P	P	P	•	•	P	P	P	•	•	•	•	•	•	•	C	•	•	•	•
Accessory Dwelling Unit, Internal	P	P	P	P	P	•	•	P	P	P	P	•	•	•	•	•	•	C	•	•	•	•
Amateur Ham Radio	P	P	P	P	P	P	P	P	P	P	P	P	P	•	•	P	•	C	C	C	C	C
Art Installation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Automated Teller Machine	•	•	•	•	•	•	P	P	P	P	P	P	P	•	•	P	•	•	C	C	C	•
Bus Shelter	•	•	•	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Canopy (Drive Through, Fuel, etc.)	•	•	•	P	P	P	P	•	•	•	P	P	P	P	•	P	P	C	C	C	C	C
Child Care, Incidental	P	P	P	P	P	P	P	P	P	P	P	P	P	•	•	P	P	C	C	C	C	C
Cluster Box Unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Drive Through	•	•	•	•	•	•	P	•	•	•	P	P	P	P	•	S	P	C	C	C	•	C

TABLE 4.5.4: LISTING OF COMMON SECONDARY USES

"C" = Permitted, subject to Section 2.3.6, Conditional Rezoning, applicable secondary use-specific standards, and conditions of approval
"P" = Permitted, subject to applicable secondary use-specific standards
"S" = Permitted subject to Section 2.3.22, Special Use Permit, and applicable secondary use-specific standards
" • " (blank cell) = Not allowed or no additional secondary use-specific standards
Most secondary uses are subject to use standards in Section 4.5.5, Standards for Specific Secondary Uses

Secondary Use Type [1]	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts				
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNN	DTNT	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI
Electric Vehicle Charging Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Family Health Care Structure	P	P	P	P	P	P	P	P	P	P	•	•	•	•	•	P	•	C	C	•	C	•
Flagpole	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C
Garage or Carport, Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Guard House, Shelter, or Gatehouse	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Helistop	•	•	•	•	•	•	S	•	•	•	•	•	•	S	•	•	S	•	C	C	C	C
Home Occupation, Type 1	P	P	P	P	P	•	P	P	P	P	P	P	•	•	•	•	•	C	•	•	•	•
Home Occupation, Type 2	P	S	S	S	S	•	S	P	P	P	P	P	•	•	•	•	•	C	•	•	•	•
Mobile Restaurant or Push Cart	•	•	•	•	•	•	•	P	P	P	•	P	P	P	•	•	•	•	C	C	C	C
Outdoor Dining and Seating	•	•	•	•	•	P	P	P	P	P	P	P	P	P	•	P	•	C	C	C	C	C
Outdoor Display/Sales	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	S	P	•	C	C	C	•
Outdoor Storage	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	•	P	•	•	C	C	C
Parking of Heavy Trucks or Trailers	P	•	•	•	•	•	•	•	•	•	•	P	P	P	•	•	P	•	•	C	•	C
Parking of Recreational Vehicles[34]	P	P	P	P	•	•	•	•	•	•	•	• P	• P	• P	•	•	•	C	•	• C	•	• C
Play Equipment	P	P	P	P	P	P	P	P	P	P	P	•	•	•	P	P	P	C	C	C	C	•
Private Stables	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•	•
Produce Stand	P	P	P	P	P	•	P	P	P	P	P	P	•	•	•	•	•	C	•	C	C	•
Solar Energy Conversion, Level 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Swimming Pool/Hot Tub	P	P	P	P	P	P	P	P	P	P	P	P	•	•	•	P	•	C	C	C	C	•
Tool/Storage Shed	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Underground Storage Tank	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	•	P	•	•	C	•	C
Vehicle Repair (non-commercial)	P	P	P	P	•	•	P	•	•	•	P	P	P	•	•	•	•	C	•	C	•	•
Vehicle Towing or Storage[35]	•	•	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	C	•	C

NOTES:
[1] Unlisted secondary uses may be permitted in accordance Section 4.7, Unlisted Uses.

[34] See STN#19
[35] See STN#19

S. MOBILE RESTAURANT OR PUSH CART[36]

1. LOCATION

Mobile restaurants or push carts may only be operated on private land in accordance with Section 4.5.4, Listing of Common Secondary Uses. Nothing shall limit the operation of a mobile restaurant push cart on public property provided the use takes place solely within a space designated for mobile restaurants.

2. PERMITS REQUIRED

a. The operation of a mobile restaurant shall require approval of a Zoning Compliance Permit. A Zoning Compliance Permit issued for a mobile restaurant may also be used to authorize the operation of a push cart used for food and beverage vending.

b. A Zoning Compliance Permit for the operation of a mobile restaurant or push cart shall be obtained by the landowner or landowner's agent for the site where the mobile restaurant will operate.

c. In cases where a mobile restaurant operates on two or more different lots or sites, the landowner of each lot or site where a mobile restaurant operates shall secure a separate Zoning Compliance Permit for operation of the mobile restaurant or push cart.

d. Vendors in vehicles must provide documentation of approval from the Health Department of the County in which the mobile restaurant's associated restaurant or commissary is located.

e. The County Health Permit must be displayed during hours of operation.

3. PLACEMENT DURING AND AFTER FOOD SALES

a. Mobile restaurants and push carts shall be parked on private property with the property owners' permission and shall not be parked within any public street, right-of-way, or sidewalk unless the street has been closed for a special event.

b. Mobile restaurants and push carts shall not block parking spaces, drive aisles, access to loading/service areas, or emergency access and fire lanes. Associated vending must also be positioned at least 15 feet away from fire hydrants, any fire department connection, and driveway entrances.

c. No more than two mobile restaurants are permitted as a secondary use at the same time, unless at an approved special event, market, festival, or an active construction site.

d. A mobile restaurant or push cart shall be removed after operating hours or a special event and be stored in a legally permissible location.

4. ADDITIONAL STANDARDS FOR MOBILE RESTAURANTS AND PUSH CARTS WITHIN DOWNTOWN DISTRICT

a. Mobile restaurants and push carts operating between the hours of 8 AM and 5 PM shall not be parked on the street for more than two consecutive hours unless the street has been closed for a special event.

b. In cases where a mobile restaurant or push cart is operating within an off-street parking lot, the mobile restaurant or push cart shall be located outside of loading zones, fire zones, and vehicular travelways.

c. Customer access for food sales shall be from the side of the ~~food truck~~mobile restaurant facing the sidewalk not the street.

d. Food sales shall not impede pedestrian traffic along the sidewalk.

[36] See STN#110

5. MINIMUM DISTANCE FROM CERTAIN USE TYPES[37]

~~a. No mobile restaurant shall operate within 100 feet of any school, religious institution, or cemetery.~~

~~b.~~ No mobile restaurant or push cart shall operate within 100 feet of the main entrance of a restaurant located within a principal structure during business hours, unless authorized by a restaurant.

6. OPERATION

a. The mobile restaurant or push cart owner or their designee shall be present at all times except in case of an emergency.

b. The hours of operation shall be between the hours of 7:00 AM and 12:00 AM except for special events.

c. Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be in accordance with the State Building Code.

d. Grease and wastewater must be contained and disposed of in an approved grease receptacle located at the associated restaurant or commissary.

e. The operator shall keep all areas within ten feet of the mobile restaurant or push cart clean of grease, trash, paper, cups, or cans associated with the operation. No liquid waste or grease is to be disposed into tree pits, storm drains, or onto the sidewalks, streets, or other public locations. Under no circumstances shall grease be released into or disposed of in the Town's sanitary sewer system.

f. If the vendor is operating a ~~vehicle~~ mobile restaurant after dark, the vehicle shall provide appropriate lighting.

g. A mobile restaurant ~~or vehicle~~ shall not operate as a drive-up window.

h. Mobile restaurant and push cart operators are responsible for the proper disposal of waste and trash associated with the operation. Town trash receptacles are not to be used for this purpose. Operators shall remove all waste and trash from their location at the end of each day or as needed to maintain the health and safety of the public.

i. The Planning Director may initiate enforcement action if a mobile restaurant or push cart is causing parking, traffic congestion, or litter problems either on or off the property where the use is located or such use is otherwise creating a danger to the public health or safety.

7. ASSOCIATED FEATURES

a. No tables, chairs, or other structures shall be allowed outside of the mobile restaurant or push cart.

b. Advertising consisting of business name, logo, and items available for sale may be displayed on the mobile restaurant's vehicle(s). No other form of advertising shall be permitted.

T. OUTDOOR DINING OR SEATING

Outdoor dining or seating shall comply with the following requirements:

1. GENERALLY[38]

a. Approval of a Zoning Compliance Permit shall be required for the establishment of outdoor dining or seating areas capable of accommodating up to 12 people. Site Plan

[37] See STN# 21
[38] See STN# 52

approval shall be required for outdoor dining or seating areas capable of accommodating more than 12 people.

b. Outdoor dining or seating may take place on the same lot as the principal use it serves, ~~Unless proposed within a public right-of-way, outdoor dining or seating shall be located on the same lot or tract or under the same ownership as the principal use it serves. If located~~ within a public right-of-way ~~, the outdoor dining or seating area shall be~~ directly adjacent to the lot where the principal use is located, or on an abutting lot. An outdoor dining or seating area located on a different lot from the principal use it serves shall not be credited towards open space set-aside.

c. Outdoor dining or seating areas where alcohol is served or may be consumed shall be clearly demarcated from other areas of the site or a public right-of-way with planters, fencing, roping, railing, or some other physical barrier that separates the area from its surroundings.

d. Outdoor dining or seating areas that include any form of public address system, recorded or live musical performances, or other sounds provided as part of the operation of the principal use shall be located as far as possible from adjacent residential zoning.

e. Lighting associated with outdoor dining or seating shall comply with the standards in Section 6.4, Exterior Lighting, except that exterior lighting may be located within Town right-of-way subject to all applicable Town policies.

f. Outdoor dining or seating areas shall comply with the applicable off-street parking standards in Section 6.9.4, Off-Street Parking Requirements.

g. In no instance shall an outdoor dining or seating area take place within a required landscaping, screening, or parking area or interfere with safe pedestrian or vehicular circulation on or off the site.

h. In no instance shall an outdoor dining or seating area obstruct access to an entrance or exit, emergency exit, drainage infrastructure, fire hydrant, standpipe, utility access area, ventilation, or ADA access features.

i. Outdoor dining or seating areas shall include trash receptacles and shall not result in the accumulation of litter or waste in the public right-of-way or on adjacent lots.

2. IF LOCATED WITHIN A PUBLIC RIGHT-OF-WAY

a. In cases where outdoor dining or seating areas are proposed on a public sidewalk or other public right-of-way, establishment of the secondary use shall require approval of a site plan and execution of an encroachment agreement with the Town or NCDOT in accordance with Town policy, as appropriate.

b. Outdoor dining and seating areas in a public right-of-way areas shall comply with the standards in NCGS§136-27.4, and the following:

i. All tables, chairs, and other furnishing shall be at least six linear feet from any vehicular travel lane;

ii. There shall be at least five feet of unobstructed sidewalk width maintained at all times across the frontage of a site with outdoor dining or seating areas on a public sidewalk;

iii. Awnings, umbrellas, and coverings shall maintain at least nine feet of clearance above sidewalks and shall not project out into the vehicle travelway;

iv. In no instance shall an outdoor dining or seating area be located adjacent to a street with a posted speed limit of 45 miles-per-hour or greater; and

v. No water misters, heaters, or mechanical climate control devices shall be located within the public right-of-way.

W. PARKING OF HEAVY TRUCKS OR TRAILERS

1. The parking or storage of motorized vehicles in excess of 26,000 pounds of gross vehicle weight rating as depicted on the vehicle manufacturer's emblem, or with more than two axles, shall be prohibited in accordance with Table 4.5.4, Listing of Common Secondary Uses, except for loading and unloading purposes; for emergency home service; for use in the conduct of a legal non-conforming use; for temporary construction purposes; or for bona fide agricultural purposes. **AMENDED 4.15.24 (UDOTA1-24)**
2. The parking or storage of non-motorized vehicles with more than two axles shall be prohibited in all residential districts except for loading and unloading purposes; for emergency home service; for use in the conduct of a legal non-conforming use; for temporary construction purposes; or for bona fide agricultural purposes.
3. In no instance shall a non-motorized vehicle have an overall length exceeding 22 feet not including the tongue or towing assembly.
4. No apparatus designed to be used as a motor vehicle or designed to be towed by a separate motorized unit or vehicle shall be used for the purposes of storage in any residential district.

X. PARKING OF RECREATIONAL VEHICLES

1. Parking or storage of a recreational vehicle on a lot within a residential district shall be subject to these standards. Parking or storage of a recreational vehicle on a lot in a non-residential district shall be subject to the standards in Section 4.5.5HH, Vehicle Towing or Storage.
~~1.~~2. No recreational vehicle (RV) shall be used as a permanent residence or business.
~~2.~~3. Nothing in this section shall preclude a RV owner from parking the RV on a parcel of land they own provided the RV is not used as an occupied dwelling or business.
~~3.~~4. Recreational vehicles shall meet the setbacks of a single-family dwelling in the zoning district in which it is located.
~~4.~~5. An RV shall be parked on an improved surface of asphalt, concrete, gravel, or other all-weather surface suitable for vehicular parking. RV parking areas shall comply with all applicable driveway standards in Section 6.1.4, Driveways.. **AMENDED 4.15.24 (UDOTA1-24)**
~~5.~~6. Sewer or water connections are not permitted.
~~6.~~7. Any source of electricity must be solely intended for the RV and be on the same parcel of land as the RV.
~~7.~~8. Removal of wheels of a recreational vehicle except for temporary repairs shall be prohibited.
~~8.~~9. Any RV subject to these standards must be road ready and capable of moving within 24 hours.
~~9.~~10. These standards shall not apply to RVs located within a lawfully established and operating recreational vehicle park.

Y. PLAY EQUIPMENT

1. Play equipment shall comply with the setback requirements for the zoning district where located, though it may encroach into setbacks in accordance with Section 3.6.9, Setback Encroachments.
2. In no instance shall play equipment be located between the front façade of a residential dwelling and the street it faces in cases where the lot or tract is two acres or less in area.

FF. VEHICLE REPAIR (NON-COMMERCIAL)

Up to two private vehicles may be repaired on residentially-zoned land, provided:

1. The vehicles are registered to the occupant of the residence; and
2. The repair takes place within an entirely enclosed structure or within an area meeting the standards in Section 6.6.13, Screening, and located to the interior side or rear of the principal structure.

GG. VEHICLE TOWING OR STORAGE[39]

~~2.~~ Vehicle towing or storage as a secondary use shall comply with the standards in Section 4.3.140, Vehicle Towing or Storage.

[39] See STN#19

6.1 ACCESS AND CIRCULATION

6.1.1 PURPOSE AND INTENT

The purpose of this section is to establish standards for the safe and efficient ingress into, egress from, and circulation within development sites in the Town's planning jurisdiction for vehicles, pedestrians, and bicyclists. More specifically, these standards are intended to:

A. Protect the health and safety of the Town's residents and visitors;
B. Clarify when access and circulation standards are applied to new development or redevelopment of existing sites;
C. Establish uniform methods for site access and driveway configuration;
D. Protect visibility for motorists, bicyclists, and pedestrians at intersections;
E. Facilitate pedestrian movement around development sites; and
F. Enable vehicles to travel from one parking lot to another without needing to enter a street right-of-way.

6.1.2 APPLICABILITY

A. GENERALLY

Unless otherwise expressly exempted from these standards elsewhere in this Ordinance, these access and circulation standards shall apply to all new development in the Town's planning jurisdiction.

B. REDEVELOPMENT[40]

Compliance with these standards shall also apply to redevelopment of an existing principal building, parking lot, or outdoor use that is proposed for an expansion or an increase in ~~intensity by 50 percent or more~~total floor area, use area, or number of off-street parking spaces provided by 50 percent or more.

C. REVIEW REQUIRED

Revisions to the access or on-site circulation system of a developed lot or site shall require site plan approval in accordance with Section 2.3.21, Site Plan.

6.1.3 ACCESS TO LOTS

Except where authorized in accordance with Section 6.1.4D.5, Alternative Access, all development subject to these standards shall comply with the following:

A. ACCESS REQUIRED FOR ALL LOTS[41]

1. Every lot shall abut or have driveway access to a public or private street.
2. No building or structure shall be constructed or placed on a lot that does not abut or have driveway access to a public or private street.
3. Except for lots within conservation subdivisions, lots that abut a public or private street shall maintain at least 30 linear feet of street frontage along the abutting public or private street right-of-way. ~~Lots within a conservation subdivision shall maintain a minimum street frontage of at least 20 feet. Lots that do not abut a public or private street shall receive access via a driveway configured in accordance with Section 6.1.4, Driveways.~~

[40] See STN#56
[41] See STN#57

~~3.~~4. In the case of single-family attached residential dwellings, the parent parcel or tract containing the individual single-family attached dwelling lots shall maintain a minimum width of at least 30 feet.

5. Lots within a conservation subdivision shall maintain a minimum street frontage of at least 20 feet.

6. Lots that do not abut a public or private street shall receive access via a driveway configured in accordance with Section 6.1.4, Driveways.

~~4.~~7. Driveways may be located exclusively on the same lot as the building they serve, or may cross a lot under separate ownership, in order to access a public or private street.

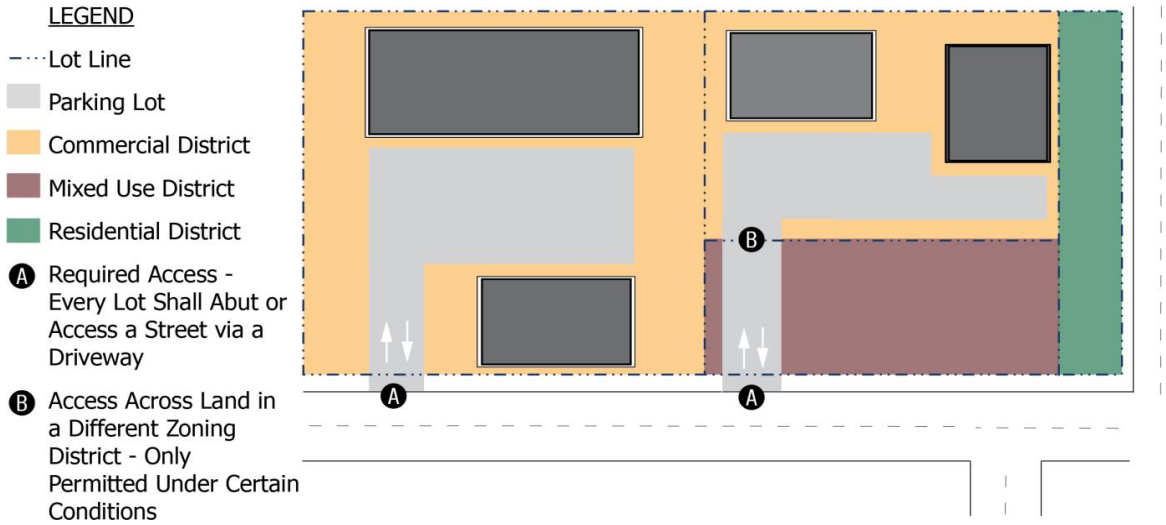
~~5.~~8. In cases where a driveway must cross a lot under separate ownership, the driveway shall be located within a recorded access easement and may not extend through or across land in a different zoning district than the lot being served by the driveway (see Figure 6.1.3, Lot Access via Driveway). This requirement is waived when the land in the different zoning district:

a. Is classified as a business or mixed-use district; or

b. Allows the use being served by the direct access; or

c. Provides the sole means of access for the lot.

FIGURE 6.1.3: LOT ACCESS VIA DRIVEWAY



B. DIRECT ACCESS TO MAJOR THOROUGHFARES

Lots serving individual residential dwelling units should generally not have direct access to a major thoroughfare street. Direct access to a major thoroughfare shall be configured in accordance with the following standards.

1. In cases where a vacant lot of record abuts a major thoroughfare and is proposed for development, access to the lot shall be obtained from a street other than the thoroughfare,

2. WIDTH AND DEPTH[42]

Table 6.1.4.D.2, Driveway Width and Depth for Residential Development, establishes the driveway width and depth requirements for residential developments (see Figure 6.1.4.D.2: Residential Driveway Width and Depth).

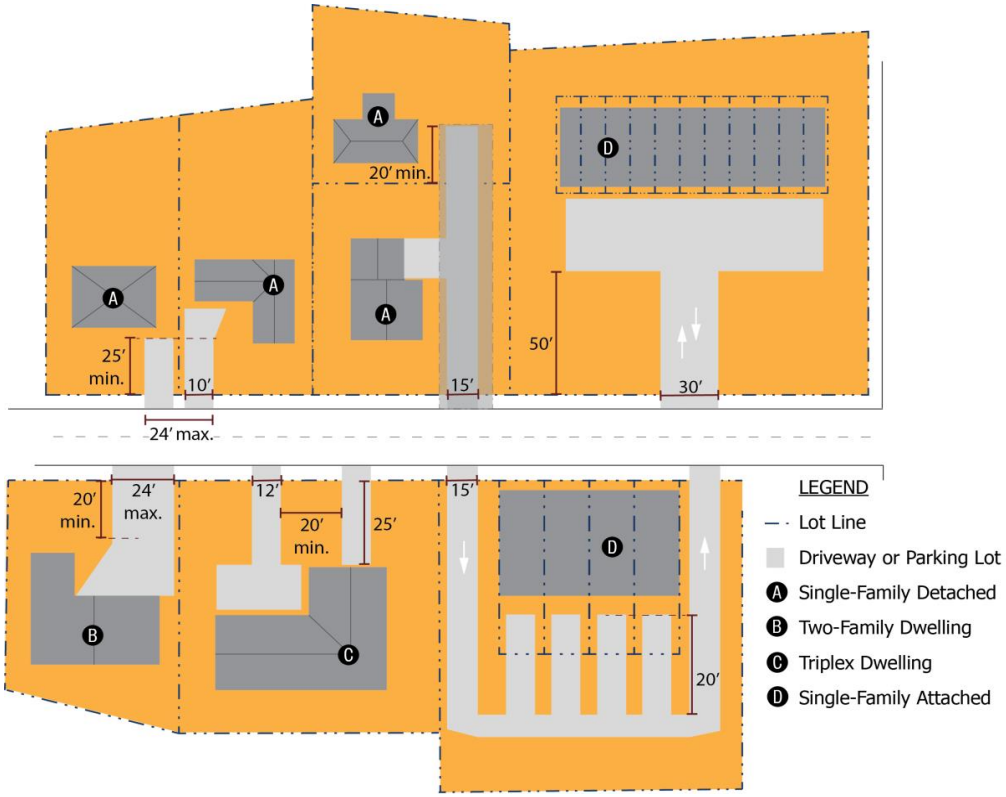
TABLE 6.1.4.D.2: DRIVEWAY WIDTH AND DEPTH FOR RESIDENTIAL DEVELOPMENT

TYPE OF DEVELOPMENT [1]	MINIMUM DRIVEWAY WIDTH (FEET)	MAXIMUM DRIVEWAY WIDTH (FEET) [2]	MINIMUM DRIVEWAY DEPTH (FEET) [3]
Single-Family Detached Home on its Own Lot	10 [4]	24 [5]	~~20~~25
Duplex Dwelling	10 [4]	24 [6]	25
Triplex/Quadplex	12	24 [6]	25
Single-Family Attached Dwelling with a Driveway on the Same Lot	10	[7]	20
Single-Family Attached Development with Shared Parking and Multi-family Development	One way: 15 Two way: 30 [8]	One way: 18 Two way: 45	[9]

NOTES:
[1] Standards for Mixed-Use, Live/Work, and Upper-story Residential are included in the corresponding table for non-residential development.
[2] Only applied within the portion of the driveway subject to the minimum depth requirement.
[3] Measured from the edge of the right-of-way inwards. All driveways shall be the minimum depth necessary to ensure that no vehicle protrudes past the edge of the lot line.
[4] Increased to 15 feet when part of a shared driveway serving two or more different lots.
[5] When two driveways abut one another, the maximum width shall not exceed 24 feet. Two driveways shall not be considered to be abutting when there is at least six feet of unpaved area between each driveway edge.
[6] Individual driveways on the same lot and located outside a required setback area shall maintain a minimum spacing of at least 20 feet from one another.
[7] Shall not exceed the lesser of: 24 feet or the lot's width.
[8] Shall increase by up to five feet with inclusion of a center median. Minimum accessway width of at least 15 feet required on each side of median.
[9] In accordance with Section 6.1.4E.4, Minimum Parking Lot Accessway Width and Depth.

FIGURE 6.1.4.D.2: RESIDENTIAL DRIVEWAY WIDTH AND DEPTH

[42] See STN#58 & 59



3. REQUIRED NUMBER

a. The maximum number of driveway access points serving an individual single-family detached, duplex, triplex, or quadplex dwelling on its own lot shall be two, but the lot shall maintain a minimum lot width of at least 80 linear feet. Lots with lot widths less than 80 feet shall be limited to a maximum of one driveway. Alley-loaded driveways are not included in the number of driveways calculation.

b. The maximum number of driveway access points serving an individual single-family attached dwelling on its own lot shall be one. Developments of up to six single-family attached dwellings may be configured to include individual driveways on commonly-owned land, provided all driveways meet the spacing requirements in this Ordinance.

c. The minimum number of driveways serving a multi-family residential development shall be:

- **i.** One for developments of 100 or fewer units;
- **ii.** Two for developments of 101 to 300 units; and
- **iii.** One additional driveway for every 100 units beyond 300.

d. The number of driveway access points serving a multi-family residential development may be restricted where it is necessary for purposes of decreasing traffic congestion or hazards. These restrictions may include required common or shared access points.

4. SPACING[43]

a. Except for developments of six or fewer single-family attached residential dwellings, residential driveways shall be spaced at least 20 feet from one another ~~when located on the same lot~~.

b. Driveways serving six or fewer single-family attached residential units where driveways are located within commonly-owned land shall be at least three feet from one another.

c. Driveways shall be no closer than 3 feet from any lot line, except where two driveways on abutting lots are intended to touch one another.

d. The minimum corner clearance from the curb line or edge of pavement of intersecting streets shall be at least 20 feet from the point of tangency of the radius curvature, or 20 feet from the intersection of right-of-way lines, whichever is greater.

e. The radius of the driveway shall not encroach on the minimum corner clearance.

5. ALTERNATIVE ACCESS

As an alternative to compliance with the other standards in this section, single-family detached and duplex dwellings may comply with one of the following alternative lot access standards (see Figure 6.1.4.D.5, Alternative Lot Access):

a. MULTIPLE RESIDENTIAL LOT DEVELOPMENT

An individual residential lot configured with a single-family detached or duplex dwelling may establish access across one or more different lots via a single shared driveway, provided the shared driveway:

i. Does not serve more than five single-family detached or duplex dwellings on the same or different lots;

ii. Is located within a recorded access easement configured in accordance with Section 6.1.4D.5.d, Access Easement; and

iii. Connects to a publicly maintained or a private street built to public street standards.

b. SINGLE-FAMILY LOT OF RECORD

A vacant single-family lot of record established prior to January 2, 2024, that does not abut a publicly maintained street may establish access across another lot provided the driveway:

i. Does not serve more than five single-family or duplex dwellings on the same or different lots;

ii. Is located within a deeded access easement configured in accordance Section 6.1.4D.5.d, Access Easement; and

iii. Connects to a publicly maintained or a private street built to public street standard.

c. DRIVEWAYS SERVING MORE THAN FOUR LOTS

Driveways serving more than four single-family detached or duplex dwelling lots shall be configured as a public or private street in accordance with the applicable standards in this Ordinance.

d. ACCESS EASEMENT[44]

i. Driveways serving development utilizing these alternative access provisions shall be located within an access easement.

ii. All new access easements shall be configured in accordance with the following:

1. The easement shall maintain a minimum width of at least 50 feet;
2. There shall be a minimum separation between the easement and any other platted access or right-of-way of at least 50 feet;

[43] See STN#105
[44] See STN#61 & 116

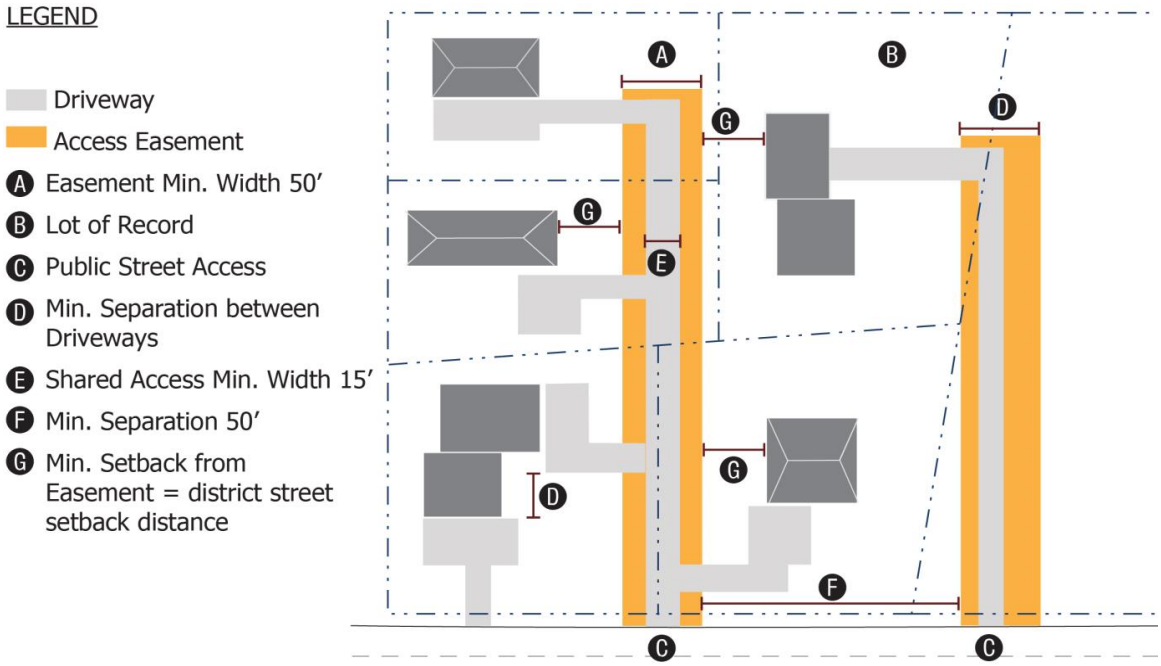
3. The location of the easement shall be recorded on a plat; ~~and~~
4. The easement shall be configured to permit safe ingress, egress, regress, and necessary utilities to serve the lot; and
5. All residential units proximate to the easement shall maintain a minimum setback from the edge of the access easement that is comparable to or greater than the minimum street setback for the zoning district where located.

~~4.~~**iii.** The 50-foot right-of-way width may be reduced to 30 feet by the Planning Director in cases where the accessway cannot be extended due to existing development, topography, or other limitations.

e. MAINTENANCE

The landowners who benefit from the access easement associated with a shared driveway shall be responsible for maintenance of the driveway and access easement. In no instance shall the Town be responsible for maintenance of driveways or access easements.

FIGURE 6.1.4.D.5: ALTERNATIVE LOT ACCESS



E. NON-RESIDENTIAL DRIVEWAYS

1. DESIGN

a. Non-residential driveway access to and from streets shall be constructed in accordance with the standards and specifications provided in *Policy on Street and Driveway Access to North Carolina Highways*, as adopted and amended by NCDOT.

b. In cases where a development includes outparcels, the outparcel shall be directly accessible from the vehicular accessways serving the larger development in addition to access from the adjacent public street network.

2. NUMBER[45]

The number of driveway access points may be restricted by the Town or NCDOT, as appropriate, where it is necessary for purposes of decreasing traffic congestion or hazards. These restrictions may include required common or shared access points.

3. SPACING

Approval of driveway access between a lot and the right-of-way at an interval less than those specified in the *Policy on Street and Driveway Access to North Carolina Highways,* manual, as adopted and amended by NCDOT, may be granted subject to the approval of the Town Engineer and NCDOT.

4. MINIMUM PARKING LOT ACCESSWAY WIDTH AND DEPTH[46]

a. Driveways serving off-street parking lots shall comply with the standards for minimum depth in Table 6.1.4.E: Parking Lot Accessway Width and Depth.

b. ~~In no instance shall a parking lot be configured to allow access to an individual off-street parking space, drive aisle, or other vehicular accessway at a point closer to the street right-of-way than the minimum parking lot accessway depth~~A parking lot accessway shall be configured to prevent a turning movement into a parking space or intersecting drive aisle until after the minimum required depth has been surpassed (see Figure 6.1.4.E: Parking Lot Accessway Depth).

c. In cases where a development is subject to a transportation impact analysis, the parking lot accessway depth specified in the transportation impact analysis shall control.

d. Nothing shall limit a parking lot accessway from having a deeper depth than specified in this subsection.

TABLE 6.1.4.E: PARKING LOT ACCESSWAY WIDTH AND DEPTH

Number of Provided Off-Street Parking Spaces in Parking Lot	Minimum Driveway Width (feet) [1]		Minimum Parking Accessway Depth (feet) [~~1~~3] [~~2~~4]	
	One-Way Traffic	Two-Way Traffic [2]	From a Town-Maintained Street	From a NCDOT-Maintained Street
10 or less	12	24	25	~~100~~ ~~100~~ ~~100~~ ~~100~~ As determined by NCDOT
11 to 50			50	
51 to 100			75	
101 to 200			100	
201 or more			As determined by the Engineering Director	

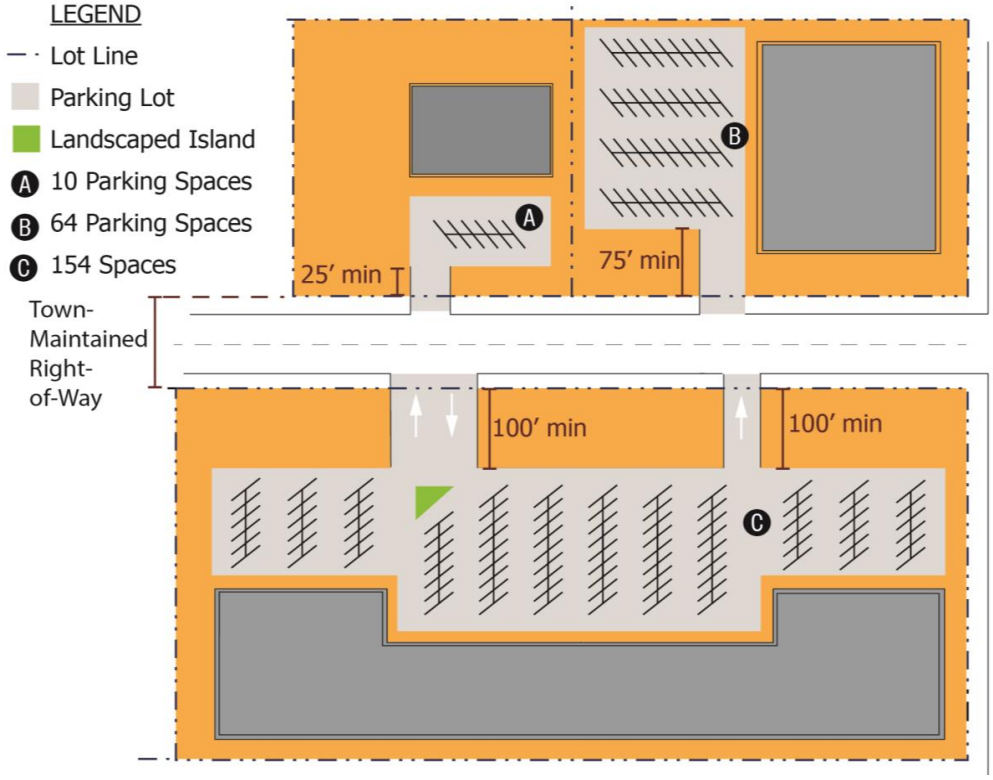
NOTES:
[1] The maximum width for a one-way parking lot accessway shall be 20 feet (excluding medians). The maximum width for a two-way parking lot accessway shall be 36 feet (excluding medians).

[45] See STN#63
[46] See STN#18, 62, 65, & 109

TABLE 6.1.4.E: PARKING LOT ACCESSWAY WIDTH AND DEPTH				
NUMBER OF PROVIDED OFF-STREET PARKING SPACES IN PARKING LOT	MINIMUM DRIVEWAY WIDTH (FEET) [1]		MINIMUM PARKING ACCESSWAY DEPTH (FEET) [~~1~~3] [~~2~~4]	
	ONE-WAY TRAFFIC	TWO-WAY TRAFFIC [2]	FROM A TOWN-MAINTAINED STREET	FROM A NCDOT-MAINTAINED STREET

[2] Travel lane widths on two-way driveways may differ when required by the Engineering Director.
[3] Measured from the edge of the right-of-way serving the parking lot.
[~~2~~4] The Engineering Director may require a planted landscaping island opposite the accessway where necessary for access management or traffic control.

FIGURE 6.1.4.E: PARKING LOT ACCESSWAY DEPTH



F. SHARED ACCESS

Shared driveways may be required between adjacent lots fronting on a thoroughfare in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots.

4. Vehicular safety factors exist or would be created including, but not limited to, unsafe turning movements or pedestrian conflicts;
5. Sufficient access already exists without need for additional parking lot connections;
6. Residential, institutional, or other incompatible land uses are present on adjacent lots;
7. Existing infrastructure obstructions; or
8. Other safety or security concerns, or topographic constraints, in the sole opinion of the Town Engineer.

D. CONFIGURATION[47]

Parking lot connections shall join parking lots on two or more different lots (see Figure 6.1.6: Parking Lot Connections) subject to these standards:

1. A parking lot connection shall be included on at least two sides of a lot except when conditions prevent connections in accordance with Section 6.1.6C, Exemptions;
2. Parking lot connections shall be paved with asphalt, concrete, or pavers and shall maintain a minimum width of 12 feet for one-way traffic and 24 feet for two-way traffic;
3. All parking lot connections shall be built to the lot line, to the maximum extent practicable; and
4. A minimum distance of ~~60~~ 50 feet shall be required between a parking lot connection and the intersection of a driveway entrance and a street. This distance may be reduced as necessary to connect with an existing cross access way on an abutting lot, in the sole discretion of the Engineering Director.

E. IMPACT ON REQUIRED SITE FEATURES

1. Where a required parking lot connection eliminates a required landscape planting area, the landscaping requirements shall be reduced to accommodate the cross-accessway and replacement landscaping shall not be required.
2. When a required parking lot connection eliminates required off-street parking spaces, replacement parking spaces shall not be required.
3. The cross-accessway may be used for off-street parking until cross access on the adjacent lot is complete and the accessway is opened to permit vehicular traffic between the two lots provided this is noted on approved Site Plans and Construction Drawings

F. EASEMENT REQUIRED

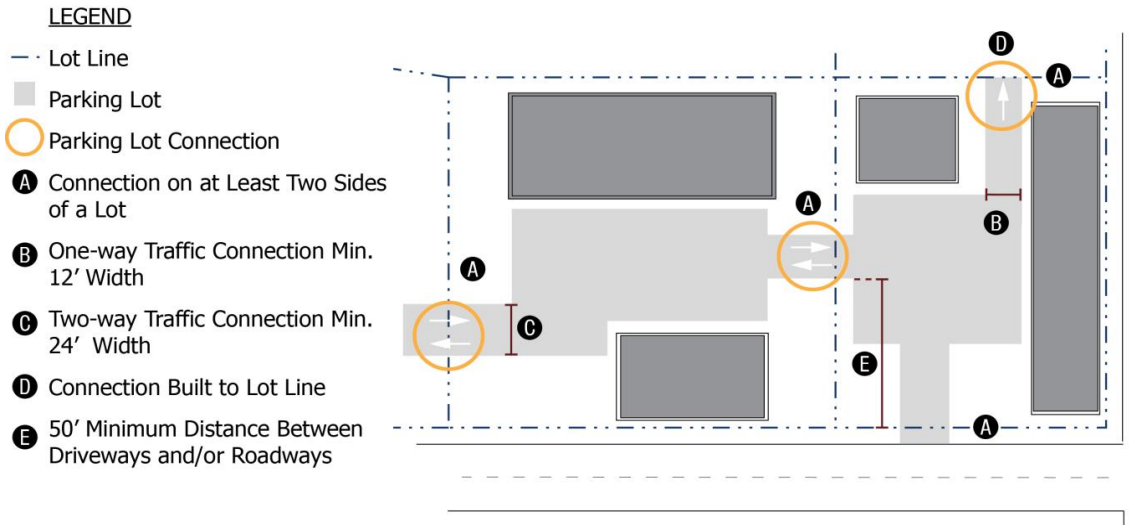
A parking lot connection easement shall be dedicated on the final plat for property involving a subdivision, or deeded by a separate recorded instrument, when no plat is proposed.

G. CONNECTION REQUIRED

Development subject to these standards shall install parking lot connections to the shared lot line. In the event development subject to these standards can not achieve a required parking lot cross-access connection, the applicant shall provide a fee-in-lieu in accordance with Section 2.3.13, Fee-in-Lieu.

FIGURE 6.1.6: PARKING LOT CONNECTIONS

[47] See STN# 66 &102



6.1.7 SIGHT DISTANCE TRIANGLES

A. SIGHT DISTANCE TRIANGLES ESTABLISHED

Corner lots and lots with driveways, alleys, or other methods of ingress/egress to a street shall include sight distance triangles to ensure visibility for drivers and pedestrians moving through or in an intersection. Required sight distance triangles shall be configured in accordance with Table 6.1.7: Sight Distance Triangle Requirements. Land within a required sight distance triangle shall comply with the standards in Section 6.1.7C, Limitations on Obstructions within Required Sight Distance Triangles.

TABLE 6.1.7: SIGHT DISTANCE TRIANGLE REQUIREMENTS

Type of Street, Intersection, or Driveway		Minimum Sight Distance Configuration Required [1] [2]
Intersections of street [3]		10/70
Driveways serving parking lots		10/70
Driveways serving individual land uses without parking lots	Single-family detached, single-family attached, Duplex, Triplex, Quadplex	None
	All other uses of land	10/70, wherever possible

NOTES:
[1] The NCDOT or the Town may require an alternative sight distance triangle configuration.
[2] AASHTO requirements shall be applied to curved or curvilinear streets.
[3] Includes all streets (State-maintained or Town-maintained).

TABLE 6.2.3.B: APPLICABILITY OF MIXED-USE DESIGN STANDARDS TO EXISTING SITES

Type of Structure or Activity	Applicability of Mixed-Use Design Standards
Interior or exterior upfit of an existing principal structure with no addition of floor space constructed prior to January 2, 2024, or not subject to the mixed-use design standards	Exempt from mixed-use design standards
Site improvement of an existing site with no changes to existing principal structure(s)	Mixed-use design standards not applicable
Construction of a new secondary structure	Secondary structures must be ~~complimentary~~complementary to the principal structure in terms of form and materials

NOTES:
[1] Activity resulting in the addition of new floor area only shall be exempted from these standards if the addition or expansion:
a. Physically touches the existing structure; and
b. Is enclosed by walls and a roof; and
c. Includes conditioned space; and
d. Allows direct access between the existing structure and the addition or expansion without having to walk outside or through unconditioned space.

6. These mixed-use design standards apply to all buildings located within a mixed-use development, whether vertically integrated in a single building or horizontally integrated in two or more side-by-side buildings on a single site.

C. EXEMPTIONS

These standards shall not be applied to the following forms of development:

1. Agriculture-related uses;
2. Renovation of existing structures in the DTNC, DTNT, or DTNN districts; and
3. Mixed-use development established prior to January 2, 2024.

D. TIMING OF REVIEW

Review for compliance with these standards shall take place during review of an associated rezoning, Site Plan, or Special Use Permit, as appropriate.

E. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1. MIXED-USE STREET NETWORK[49]

In cases where mixed-use development involves the construction of new streets or alleys, the new streets, whether public or private, shall be configured in accordance with the following standards:

[49] See STN# 70

a. Streets shall be organized into a grid pattern with block lengths that do not exceed 500 feet;
b. Streets shall be configured to a design speed of 25 miles per hour;
c. Streets shall include traffic-calming features such as roundabouts, raised pedestrian crossings, bulb-outs, speed tables, raised medians, and chicanes, but excluding speed bumps, which shall not be included;
d. Streets shall include well-defined ADA-compliant crosswalks and small turning radii at intersections;
e. Streets shall include bicycle lanes in ~~cases where the roadway is subject to size or volume constraints, such as in the downtown area~~accordance with the Town's adopted policy guidance;
f. Streets shall include sidewalks configured in accordance with Section 6.10.2, Sidewalks and Multi-Use Paths;
g. Mid-block alleys shall be included to facilitate off-street parking and to accommodate service functions; and
h. Cul-de-sacs and dead-end streets are prohibited, except where topography or natural features make them necessary.

2. MIXED-USE BUILDING ORIENTATION

a. SINGLE BUILDING DEVELOPMENT

New development consisting of a single building shall be oriented such that the long axis of the building is either parallel or perpendicular to the street right-of-way it faces. This standard may be waived when topographic constraints make compliance impractical, in the sole discretion of the Planning Director.

b. MULTIPLE BUILDING DEVELOPMENT[50]

Development comprised of multiple buildings shall be configured with two or more of the following design elements (see Figure 6.2.3.E.2, Multiple Building Development):

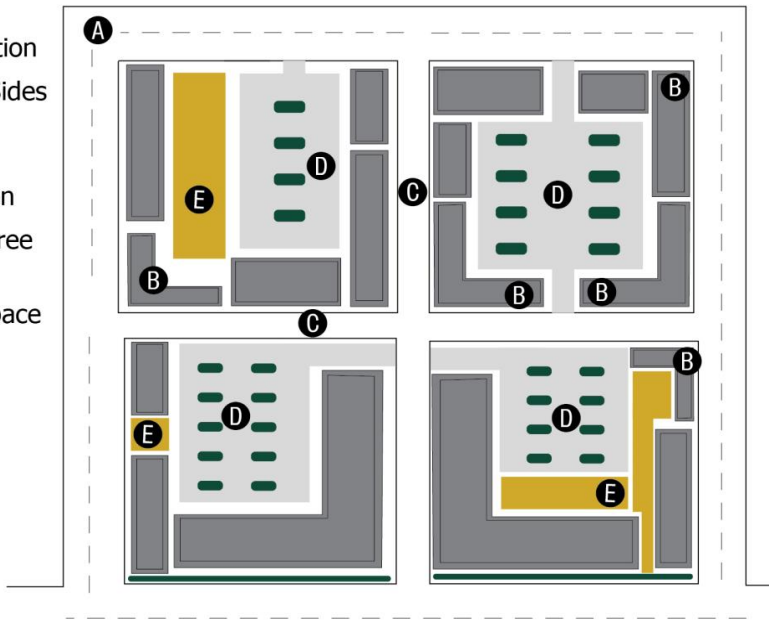
i. Site configuration as a series of smaller "blocks" defined by buildings fronting on-site streets and internal vehicle accessways, utilizing pedestrian-oriented design such as walkways, or other circulation routes and multi-modal transportation access/waiting areas when appropriate;
ii. Corner buildings designed to front both sides of an adjacent street intersection or entry point to the development in an "L" configuration;
iii. Buildings facing each other across a relatively narrow vehicular access area with pedestrian amenities in a "main street" character;
iv. Buildings enclosing at least three sides of parking areas, public spaces, or other site amenities; or
v. Buildings ~~enclosing~~ framing outdoor dining or gathering spaces for pedestrians between buildings.

[50] See STN#72

FIGURE 6.2.3.E.2: MULTI-BUILDING DEVELOPMENT

LEGEND

- Ⓐ Small "Blocks" Site Configuration
- Ⓑ Corner Buildings Front Both Sides of Street Intersection
- Ⓒ On-site Streets, Pedestrian Walkways, or Other Circulation
- Ⓓ Buildings Enclose at Least Three Sides of Parking Areas
- Ⓔ Buildings Frame Gathering Space
- Ⓕ Corner Buildings Frame Development Entry Point
- Parking Lot
- Landscaped Area
- Gathering Space



3. MIXED-USE BUILDING LOCATION[51]

a. ~~Buildings on lots bounding streets shall be built to the edge of the sidewalk.~~ In the case of double or reverse frontage lots, the building shall be located adjacent to the street providing the street address for the building.

b. When development is proposed on a corner lot, the building shall be configured to occupy the lot corner at the street intersection.

c. Nothing shall prevent a mixed-use building from exceeding a maximum street setback, provided the area between the building front and the maximum street setback is occupied by a public gathering space~~, open space set-aside,~~ or an area used for outdoor dining and seating.

[51] See STN#24 & #73

c. Nothing shall limit the rear two thirds of the street level floor from being used for residential purposes.

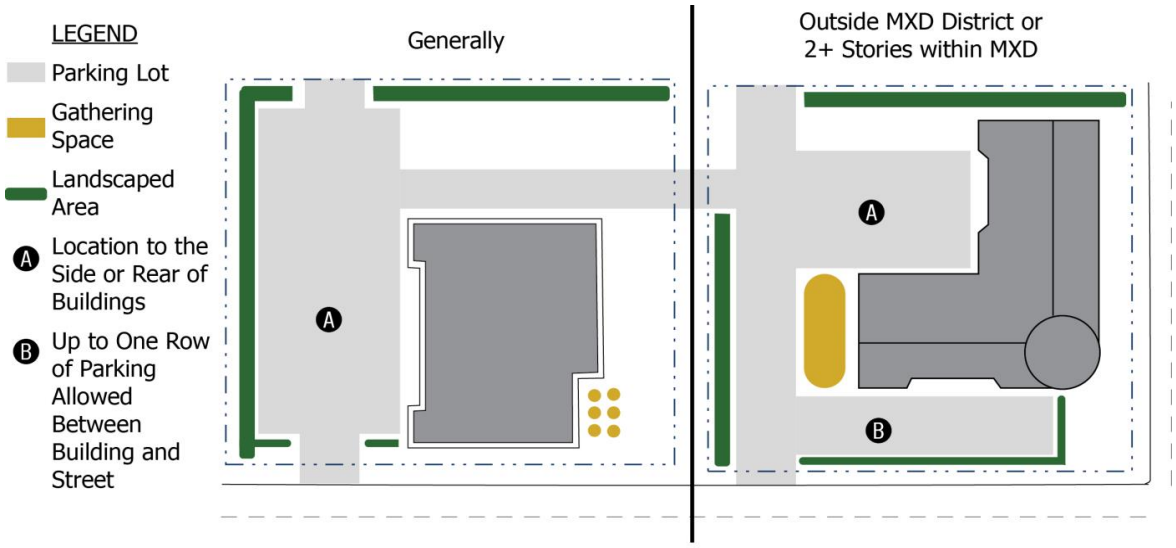
d. In cases where a building is required to include ADA-accessible dwelling units, none of the street level floor area must be occupied by a non-residential use.

6. OFF-STREET PARKING LOCATION[52]

~~a.~~ Off-street parking areas shall be located to the side or rear of buildings subject to these standards.

~~b. Mixed-use buildings located outside the MXD district and with two or more habitable stories may be configured to allow up to one row of off-street parking spaces between the building and the street it fronts (see Figure 6.2.3.E.6, Off-Street Parking Location). All other off-street parking shall be located to the side or the rear of a mixed-use building.~~

~~FIGURE 6.2.3.E.6: OFF-STREET PARKING LOCATION~~



[52] See STN# 75

7. MIXED-USE BUILDING ARTICULATION[53]

Buildings subject to these standards shall be configured so that no single facade fronting a public street shall extend for longer than 35 linear feet without inclusion of one or more of the following features (see Figure 6.2.3.E.7, Mixed-use Building Articulation):

a. The use of projections or recesses in the building façade wall with a minimum depth of 18 inches from the primary facade plane and a minimum span of eight feet;

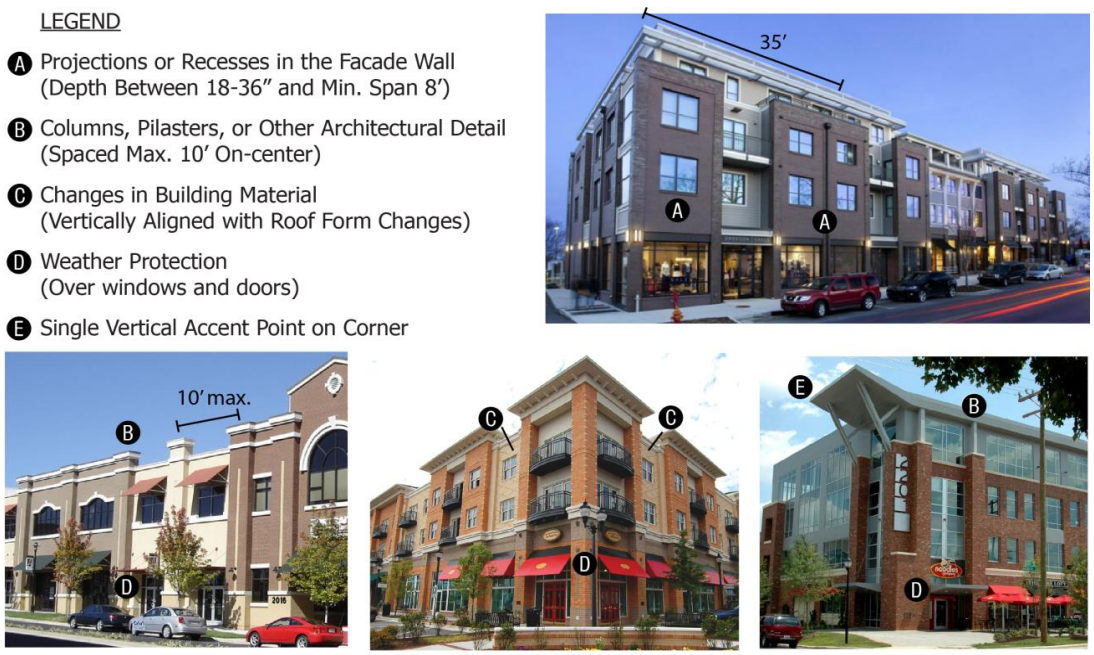
b. The use of columns, pilasters, or other architectural detail harmonious with the general design of the structure with a minimum width of eight inches and spaced no less than every ten feet on-center;

c. Distinct changes in building material that are vertically aligned with variations in roof form and parapet heights;

d. Inclusion of weather protection for pedestrians, such as awnings, canopies, or overhangs above doors and windows as found along the entire building frontage abutting a street. Weather protection shall extend outwards from the building façade at least five feet. Execution of an encroachment agreement is required in cases where weather protection features extend into the public right-of-way; or

e. A single vertical accent or focal point such as a tower feature located on a prominent building corner.

FIGURE 6.2.3.E.7: MIXED-USE BUILDING ARTICULATION



[53]

VOLUNTARY COMPLIANCE WITH MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS

The single-family attached development depicted on the attached site plan or subdivision plat is subject to the Town of Clayton's Multi-family Residential Design Standards in place at the time the application for this development was determined to be complete. I hereby voluntarily consent to the application of these design standards, the acceptance of which shall run with the land regardless of changes in ownership, and recognize that failure to comply with the applicable requirements following approval is a violation of the Clayton Unified Development Ordinance.

_____ _____

Landowner Signature Date

b. The signed statement of consent and an associated plan depicting how the development complies with these standards shall be recorded in the office of the Register of Deeds for the county where the development is located prior to issuance of a building permit.

C. TIMING OF REVIEW

Review for compliance with these standards shall take place during review of an associated type 3 Conditional Rezoning, Site Plan, or Special Use Permit, as appropriate.

D. DESIGN REQUIREMENTS

Development subject to these standards shall be designed in accordance with the following:

1. MULTI-FAMILY STREET NETWORK

a. On sites including new streets, whether public or private, an interconnected network of streets shall be provided, to the maximum extent practicable, and streets shall connect to adjacent existing streets outside of the development.

b. Vehicular driveways into a development with 10 or more dwelling units shall be at least 100 feet away from any major intersection to the maximum extent practicable.

c. Driveways shall be consolidated in order to reduce curb cuts, to the maximum extent practicable.

2. MULTI-FAMILY BUILDING ORIENTATION[54]

a. Buildings ~~that abut~~fronting and located within 100 feet of an abutting street~~s~~ shall be oriented parallel to the street they front rather than being oriented at an angle to the street.

b. On corner lots, the long axis of the building shall be parallel to the longest lot frontage unless such orientation is incompatible with adjacent, existing development along the same street (see Figure 6.2.4.D.2, Multi-family Building Orientation).

c. Buildings within multiple-building developments shall be clustered in order to define open space recreation areas and development entry points.

[54] See STN#8

4. MULTI-FAMILY BUILDING FACADES[55]

a. Buildings subject to these standards shall maintain a consistent level of architectural detailing and composition on each building façade ~~facing a street~~.

b. All ~~B~~building facades ~~facing streets~~ shall provide a minimum of three of the following architectural elements (see Figure 6.2.4.D.4, Multi-Family Building Facades):

- **i.** A covered porch or terrace;
- **ii.** ~~One~~ Two or more dormer windows or cupolas;
- **iii.** Eyebrow windows;
- **iv.** Awnings or overhangs;
- **v.** Decorative moldings;
- **vi.** Shutters on at least three quarters of the windows;
- **vii.** Pillars, posts, or pilasters;
- **viii.** ~~One~~ Two or more bay windows with a minimum twelve-inch projection from the facade plane;
- **ix.** Multiple windows with a minimum of four-inch-wide trim;
- ~~**x.** Corniced parapets;~~
- ~~**xi.**~~**x.** Eaves with a minimum of four-inch-wide trim; or
- ~~**xii.**~~**xi.** Integral planters that incorporate landscaped areas and/or places for sitting.

FIGURE 6.2.4.D.4: MULTI-FAMILY BUILDING FACADES



c. Garage entries, loading and service entries, utility rooms, stairs, elevators, or similar features shall not occupy more than 20 percent of the width of a building façade ~~facing a street~~.

d. Attached ~~street-facing~~ garages serving individual dwelling units shall be recessed at least three feet inwards from the primary first floor façade plane or be associated with an upper-story projection that exists above the garage.

[55] See STN#6 & 78

5. BUILDING FAÇADE VARIATION IN MULTI-BUILDING DEVELOPMENTS

Multi-family developments with three or more principal buildings shall provide variation between the different buildings in accordance with the following standards:

a. MINIMUM NUMBER OF VARIATION ELEMENTS TO BE INCLUDED

Multi-family development comprised of three or more principal buildings shall incorporate a minimum number of variation elements in accordance with Table 6.2.4.D.5: Multi-Family Building Variability:

TABLE 6.2.4.D.5: MULTI-FAMILY BUILDING VARIABILITY

Number of Principal Buildings in the Multi-Family Development	Minimum Number of Variation Elements to Include [1] [2]
Three to Five	Two
Six to Eight	Three
Nine to Eleven	Four
Twelve or More	Five

NOTES:
1] Variation elements must be provided on each different building. All or the majority of the features may not be located on a single building.
[2] The menu of different variation elements are listed in Section 6.2.4D.5.b, Menu of Variation Elements.

b. MENU OF VARIATION ELEMENTS[56]

Multi-family developments comprised of three or more principal buildings shall provide the minimum number of the following variation elements in accordance with Table 6.2.4.D.5, Multi-Family Building Variability. Nothing shall prevent a development from including more than the minimum number of required building variation elements.

i. One or more principal buildings has a maximum height of one or more stories either greater than or less than average number of stories of the other principal buildings.

ii. One or more of the principal buildings has a footprint that differs in square footage by 25 percent or more than the average principal building footprints of the other principal buildings.

iii. One or more of the principal buildings has a different primary exterior color than the other principal buildings.

~~iv. One or more of the principal buildings incorporates required architectural elements from Section 6.2.4D.4, Multi-Family Building Facades, on building facades that do not face streets.~~

~~v.~~iv. One or more principal buildings has a different primary exterior material than the other principal buildings (use of the same material with a different color is insufficient). Use of brick as a primary material on all principal buildings shall be credited as compliance with this element.

~~vi.~~v. One of more of the principal buildings has a different roof style (gabled, shed, flat, hip, etc.) than the other principal buildings (use of the same combination of roof forms on each principal building is insufficient).

[56] See STN#6

7. MULTI-FAMILY BUILDING ARTICULATION[57]

a. ~~Street-facing b~~Building facades shall be articulated with wall offsets, in the form of recesses or projections from the primary façade plane, of at least two feet for every 35 linear feet of facade frontage (see Figure 6.2.4.D.7, Multi-family Façade Articulation).

b. Projections or recesses shall occupy at least one building floor, and may extend downwards to the grade or upwards beyond the primary roof line.

FIGURE 6.2.4.D.7: MULTI-FAMILY FAÇADE ARTICULATION

LEGEND

- A Primary (street-facing) Facade
- B Minimum 2' Articulation Every 35 Linear Feet
- C Projections Extend Beyond Primary Roof Line
- D Entry Feature



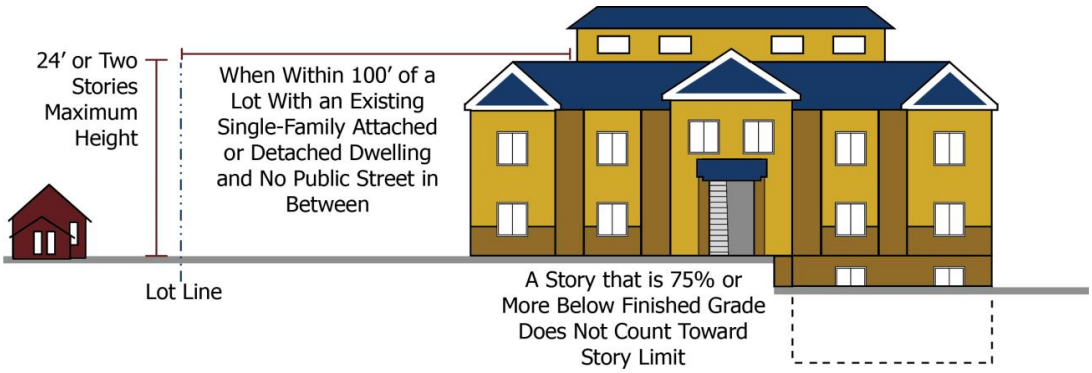
8. MULTI-FAMILY BUILDING HEIGHT[58]

a. Buildings subject to the standards of this section shall have a maximum height that is the lesser of two stories or ~~18~~ 24 feet, when within 100 feet of a lot with an existing single-family detached or existing single-family attached residential dwelling, without an intervening street. This standard shall apply regardless of any incentives, administrative adjustments, or conditional rezoning conditions (see Figure 6.2.4.D.8, Multi-family Building Height).

b. Building stories that are 75 percent or more below the finished grade at the front of the lot shall not be counted towards the number of allowable stories.

FIGURE 6.2.4.D.8: MULTI-FAMILY BUILDING HEIGHT

[57] See STN#6
[58] See STN#103



9. MULTI-FAMILY ROOF FORM

a. New multi-family development shall incorporate roof pitches between 3:12 and 12:12, or shall incorporate parapet walls with a dimensional cornice around a flat roof.

b. Alternative roof forms or pitches are encouraged for small roof sections over porches, entryways, or similar features.

c. Buildings with eaves shall be configured such that no single horizontal eave continues for more than 60 linear feet without being broken up by a gable, building projection, or articulation feature.

d. Overhanging eaves and roof rakes shall extend at least six inches beyond supporting walls.

10. MULTI-FAMILY BUILDING MATERIALS AND COLORS

a. CONFIGURATION

i. Buildings subject to these standards shall include at least two primary exterior materials on any single building.

ii. Changes in colors and materials shall take place at internal corners or in logical locations, such as: building wings, bays, bump-outs, or recesses (see Figure 6.2.4.D.10, Multi-family Building Materials). In no instance shall exterior materials or colors change at outside corners.

iii. Heavier or more bulky exterior materials shall be located beneath or below lighter materials.

b. PROHIBITED MATERIALS

The following materials shall be prohibited on any façade facing a street, open space, or district intended primarily for single-family detached development:

i. Vinyl, asphalt, or aluminum siding;

ii. Smooth-faced concrete block;

iii. Corrugated metal siding; or

iv. Synthetic stucco within two feet of the grade.

FIGURE 6.2.4.D.10: MULTI-FAMILY BUILDING MATERIALS

LEGEND

Ⓐ Minimum Two Primary Exterior Materials on Each Building

Ⓑ Material Changes at Logical Locations (Internal Corners, Wings, Bays, Bump-outs, or Recesses)

Ⓒ Heavier Materials Below Lighter Materials







11. MULTI-FAMILY SECONDARY STRUCTURES

In addition to the standards in Section 4.5, Secondary Uses, secondary uses and structures associated with a development subject to these standards shall comply with the following:

- **a.** Street-facing detached garages on corner lots shall be located to the side or rear of buildings;
- **b.** Access to secondary structures (such as garages, carports, storage areas, etc.) shall be provided from alleys or secondary streets to the maximum extent practicable;
- **c.** Secondary buildings shall include exterior materials, colors, and roof form designed to be consistent with the principal structure;
- **d.** Secondary structures shall not physically obstruct pedestrian entrances; and
- **e.** Centralized refuse collection containers, if provided, shall be in an enclosed area located to the rear of principal buildings.

12. MULTI-FAMILY SITE FEATURES[59]

- **a.** Multi-family development accessed by a public street, private street, or a driveway shall not include a gate or obstruction that blocks access to the site for vehicles. ~~Multi-family development accessed via a private street or driveway may include a vehicular gate in accordance with Section 6.5.12L, Vehicular Gates~~.
- **b.** Off-street parking serving guests shall be evenly distributed throughout the development.
- **c.** Shared refuse collection containers shall be evenly distributed throughout the development or be centrally located.
- **d.** Detached garages or carports shall not be located between the principal building and the street it faces.

[59] See STN#7

4. EXPANSIONS AND ADDITIONS TO EXISTING USE TYPES[60]

The demolition, addition, or expansion of existing structures identified in this section in accordance with the following table:

TABLE 6.2.5.B.4: APPLICABILITY OF NON-RESIDENTIAL DESIGN STANDARDS TO EXISTING SITES

TYPE OF STRUCTURE OR ACTIVITY	APPLICABILITY OF MIXED-USE DESIGN STANDARDS
New principal structure(s) on a vacant site	Full compliance required
Construction of a new principal structure following removal of an existing principal structure	Full compliance required
Addition or expansion to an existing principal structure already subject to the non-residential design standards	Full compliance required
Addition or expansion to an existing principal structure constructed prior January 2, 2024, or not subject to the non-residential design standards [1]	Exempt from non-residential design standards
Interior or exterior upfit of an existing principal structure with no addition of floor space constructed prior to January 2, 2024, or not subject to the non-residential design standards	Exempt from non-residential design standards
Site improvement of an existing site with no changes to existing principal structure(s)	Non-residential design standards not applicable
Construction of a new detached secondary structure	Detached ~~S~~secondary structures must be ~~complimentary~~complementary to the principal structure in terms of form and materials
Secondary structures, like walk-in colors, storage rooms, equipment areas, or similar structures that are attached to and accessed from within the principal structure are considered an addition or expansion	If the principal structure is already subject to the non-residential design standards, then full compliance required; if the principal structure is exempted from the non-residential design standards, then these secondary structures must be complementary to the principal structure in terms of form and materials
NOTES:	

[60] See STN#12

4. NON-RESIDENTIAL BUILDING ARTICULATION

Building walls subject to these standards shall include articulation features in accordance with the following standards (see Section 6.2.5E, Non-Residential Building Walls Distinguished).

a. NUMBER OF ARTICULATION FEATURES REQUIRED[61]

The minimum number of articulation features to be provided on any single building wall depends upon whether the wall is a primary, secondary, or a tertiary wall. Nothing shall limit a building wall from providing more articulation features than the minimum number required by this section. In no instance shall an articulation feature provided along one building wall be credited as an articulation feature on a different wall.

i. PRIMARY BUILDING WALLS

Primary building walls shall be configured to provide at least two types of building articulation listed in Section 6.2.5F.4.b, Types of Building Articulation.

ii. SECONDARY BUILDING WALLS

Secondary building walls shall provide at least one of the building articulation types identified in Section 6.2.5F.4.b, Types of Building Articulation.

iii. TERTIARY BUILDING WALLS

Tertiary building walls shall not be required to provide any building articulation features.

b. TYPES OF BUILDING ARTICULATION

Each of the following seven features shall qualify as one type of building articulation for the purposes of Section 6.2.5F.4.a, Number of Articulation Features Required:

i. HORIZONTAL FACADE MODULATION

1. Horizontal façade modulation is the projection or recesses of building floor area either forward of primary wall plane or inwards from the primary wall plane.
2. Each individual projection or recess shall have a minimum depth of five feet either beyond or inwards from the primary wall plane.
3. Each individual projection or recess shall have a minimum span of at least 20 percent of the façade's total length.
4. At least 40 percent of the façade's total length shall be occupied by a projection or recess.
5. Individual projections or recesses along a wall shall be separated from one another by at least two linear feet.
6. In the case of multi-story buildings, horizontal façade modulation shall be required only on the first floor for two-story buildings and on the first and second floors for three- or more-story buildings.

ii. VERTICAL FAÇADE MODULATION

Vertical façade modulation consists of architectural building elements such as columns, pilasters, posts, bays, fins, ribs, moldings, pediments, arcades, or similar features that extend outwards or recess inwards from the primary wall plan for a minimum distance of two feet. Vertical façade modulation shall extend from the grade to the top of the façade and shall maintain regular spacing across at least 50 percent of the facade.

iii. BOW OR CURVILINEAR FEATURE

1. Inclusion of a convex or concave bow or other curvilinear wall feature with a minimum depth or projection of at least ten feet relative to the primary façade plane.
2. Bows or curvilinear features shall occupy at least 50 percent of the total facade length.

[61] See STN# 117

iv. Inclusion of a series of awnings or overhangs that mimics how such features would be configured if windows were included on the building facade.

9. NON-RESIDENTIAL AWNINGS

a. No awning shall extend outwards from the building wall more than the width of the sidewalk or ten feet, whichever is less.
b. Awnings must be self-supporting from the building wall.
c. No supports shall rest on or interfere with the use of pedestrian walkways or streets.
d. In no case shall any awning extend beyond the street curb or interfere with street trees or public utilities.

10. NON-RESIDENTIAL OUTPARCELS[62]

Development on outparcels or pad sites associated with a commercial development shall comply with the following requirements (see Figure 6.2.5.F.10: Outparcel Development):

a. Buildings on outparcels or pad sites shall incorporate materials that are similar to and compatible with those used on the primary buildings in the development. Corporate or prototypical architecture shall be reconfigured as necessary in order to comply with this standard.
b. Building walls associated with development on an outparcel or pad site shall be configured solely in accordance with the articulation and fenestration provisions for primary or secondary walls, as appropriate, for the main buildings in the development.
c. Spaces between buildings on outparcels or pad sites shall include pedestrian amenities such as plazas, seating areas, and gathering places in addition to off-street parking spaces.
d. Outparcel buildings on lots at street corners shall be located and configured to define the corner through a combination of two or more of the following features:
   i. Locating the building as close to the rights-of-way as is practicable;
   ii. Limiting surface parking between the building and the streets;
   iii. Providing a public gathering space adjacent to the corner; and
   iv. Use of distinctive roof form or other pedestrian features such as porches, canopies, or arcades.

[62]

b. FENESTRATION[63]

Building walls on large format retail uses shall incorporate fenestration features in accordance with the following standards (see Figure 6.2.5.G, Large Retail Building Fenestration):

i. PRIMARY BUILDING WALLS

Primary building walls shall be configured so that at least 10 percent of the first-floor portion of the primary wall is occupied by visually transparent windows or doors; and no more than 50 percent of any single window or door is obstructed by a window sign or other opaque display.

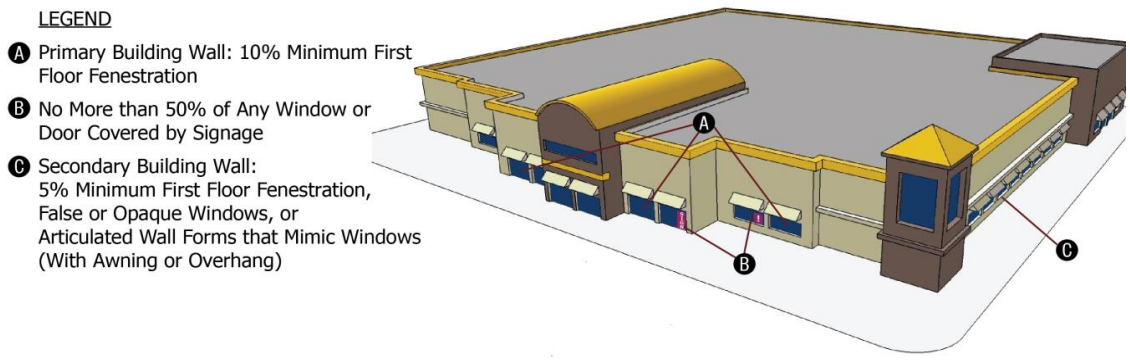
ii. SECONDARY BUILDING WALLS

Secondary building walls shall be configured so that at least five percent of the ground floor façade is occupied by visually transparent windows or doors; false or opaque windows; or articulated wall forms designed to mimic window openings that also include an overhang or awning.

iii. ALTERNATIVES

Large retail buildings may utilize the fenestration alternatives in Section 6.2.5F.8.c, Alternatives to Visually Transparent Windows and Doors, to comply with these requirements.

FIGURE 6.2.5.G: LARGE RETAIL BUILDING FENESTRATION



c. OFF-STREET PARKING LOCATION

i. Sites comprised of large format retail uses subject to these design standards shall be configured such that no more than 75 percent of the provided off-street parking shall be located between a building's primary building façade and the street it faces.

ii. Off-street parking serving large format retail development located within a Gateway Overlay District shall be configured in accordance with the applicable requirements in Section 3.7.3, GTOD Gateway Overlay District.

[63] See STN#83

6.2.6 SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES

A. PURPOSE AND INTENT[64]

These residential design guidelines are proposed as ways to ensure that new single-family detached, ~~and~~ duplex, triplex, and quadplex housing is high quality, aesthetically pleasing, and provides a wide variety of living options for Town residents. More specifically, these guidelines are intended to:

1. Ensure single-family detached, ~~and~~ duplex, triplex, and quadplex homes maintain consistent exterior materials and architectural treatments on the front and sides of buildings;
2. Establish guidance regarding changes of exterior finishes and materials on individual facades;
3. Avoid garage-dominated street fronts in residential neighborhoods;
4. Encourage duplex structures to appear as single-family homes; and
5. Ensure an adequate level of variability in ~~single-family~~ home design so as to avoid monotonous streetscapes where every dwelling appears identical or very similar to its neighboring dwellings.

B. APPLICABILITY

1. Single-family detached, duplex, triplex, and quadplex dwellings shall comply with these guidelines in the following instances:
   a. When proposed development is subject to a signed statement of consent in accordance with Section 6.2.6C, Statement of Consent; and
   b. When compliance with these guidelines is included as a condition of approval associated with a type 3 Conditional Rezoning (see Section 2.3.6, Conditional Rezoning).
2. Single-family detached, duplex, triplex, and quadplex dwellings not subject to a statement of consent are not required to comply with these guidelines, though conformance is strongly encouraged.

C. STATEMENT OF CONSENT

1. Compliance with the design guidelines in this section is voluntary and at the discretion of the applicant. In cases where an applicant chooses to comply with the guidelines in this section, the landowner shall sign the following statement of consent and include it with the application for a Preliminary Plat, Final, Plat Special Use Permit, Site Plan, or Building Permit, as appropriate.

VOLUNTARY COMPLIANCE WITH RESIDENTIAL DESIGN GUIDELINES

The single-family detached, duplex, triplex, or quadplex depicted on the attached site plan, subdivision plat, or other development approval is subject to the Town of Clayton's Single-Family Residential Design Guidelines in place at the time the application for this development was determined to be complete. I hereby voluntarily consent to the application of these design guidelines, this acceptance of which shall run with the land regardless of changes in ownership, and recognize that failure to comply with the applicable guidelines following approval is a violation of the Clayton Unified Development Ordinance.

[64] See STN#85

Landowner Signature _____ Date _____

2. The signed statement of consent and the development approval shall be recorded in the office of the Register of Deeds for the county where the development is located prior to issuance of a Building Permit.
3. When the guidelines are to be applied to lots within a subdivision, the Final Plat shall include a disclosure statement that all lots shown on the plat shall be subject to these guidelines.

D. DESIGN FEATURES

1. SIDE AND REAR FACADES

a. Although the front facade of a principal building is expected to be the primary focal point in terms of architectural character and features, all sides of a building shall incorporate architectural detailing and windows that complement the front facade and provide visual interest.

b. Blank walls void of windows and architectural detailing are prohibited when adjacent to a street.

2. FOUNDATION MATERIALS [65]

a. Poured concrete foundations, concrete block foundations, or smooth-faced concrete masonry unit foundations shall be covered by decks, porches, or be clad in face brick, stone, stucco, or some other masonry material accurately imitating these materials. ~~In no instance shall poured concrete, concrete block, or smooth-faced concrete masonry unit foundations be visible on a front or street-facing facade.~~

b. In cases where a dwelling includes a finished or unfinished basement, the exterior basement walls on the rear or on sides not visible from streets are exempted from these standards.

3. MATERIAL CHANGES

a. Exterior materials on the front façade shall not change at outside corners, but shall continue along side or rear facades for a minimum distance of at least five feet. Wherever possible, materials shall continue to a logical termination point such as a change in roof line or where a separate wing meets the main body of the dwelling (see Figure 6.2.6.D.3, Exterior Material Changes).

b. Exterior material changes shall take place along a horizontal line where two forms meet, such as the wall and the foundation, the first and second stories, or the wall and roof. It is acceptable for material changes to be configured as architectural accents in areas around windows, doors, cornices, at corners, or in a repeating pattern across a façade.

c. Where two or more exterior materials meet or are combined, the heavier or more massive material shall be located below the lighter element(s). For example, brick below wood siding, stone below brick, wood siding below stucco, etc.

d. It is acceptable for heavier materials to be used as accents around doors, windows, and corners.

[65] See STN#87

b. For the purposes of this section, "distinctly different" shall mean that a dwelling must differ from other adjacent and opposing dwellings in at least ~~six~~ four of the following ways (see Figure 6.2.6.D.9: Distinction Options):

- **i.** A discernable exterior primary color variation, not a slight variation of a similar hue, such as beige or pastel;
- **ii.** Variation in exterior materials;
- **iii.** Use of two or more distinct variations in roof forms (e.g., gable, hip, shed, mansard, gambrel, flat, or other);
- **iv.** Variations in the number of building stories of at least one story;
- **v.** Variation in the amount of habitable space by 400 square feet or more;
- **vi.** A change in the depth of the setback from the street which gives the dwelling its street address by 15 feet or more;
- **vii.** Changes in the type and color of roofing material on structures with pitched roofs;
- **viii.** The orientation of the longest building axis to the street the dwelling faces, whether parallel, perpendicular, or at an angle; or
- **ix.** The orientation of primary roof ridgeline to the street the dwelling faces, whether parallel, perpendicular, or at an angle.

FIGURE 6.2.6.D.9: DISTINCTION OPTIONS



C. PROFESSIONAL PREPARATION~~CERTIFICATION REQUIRED~~[67]

~~Certification~~ A lighting plan shall be prepared by a professional who is qualified to prepare such documents~~must be provided by the person preparing a lighting plan that the proposed development complies with the exterior lighting standards of this section~~.

6.4.6 EXTERIOR LIGHTING STANDARDS

All exterior lighting fixtures on any portion of a site shall meet the following requirements:

A. APPEARANCE

1. Exterior lighting fixtures shall be designed as an integral element that complements the design of the project through compatible style, material, and color.
2. Exterior lighting fixtures shall be designed in a consistent and coordinated manner for the entire site.
3. Light poles, bases, and housings shall be matte or low-gloss finish to minimize glare from the light source.

B. ARCHITECTURAL LIGHTING

1. Shielded floodlights, spotlights, or any other similar lighting may be used to accent architectural elements but shall not be used to illuminate entire building facades.
2. Only lighting used to accent architectural features, landscaping, flags, or art may be directed upwards; however, such uplighting shall be shielded, directed away from off-site view, and shall be limited to a light source of 50 watts or less.

C. FIXTURE HEIGHT

1. Lighting fixtures shall be a maximum of 25 feet in height within a parking lot and shall be a maximum of 16 feet in height within non-vehicular pedestrian areas.
2. Except within the Downtown District, no exterior light fixtures, where pole-mounted or building mounted, located within 50 feet of any single-family detached or duplex dwelling shall exceed 16 feet in height.

D. LAMP TYPE

1. Incandescent, florescent, metal halide, light-emitting diode (LED), or color corrected high-pressure sodium lamps are permitted. Other lamp types are allowed when the color emitted is similar to the permitted lamp types.
2. Low-pressure sodium, non-color-corrected high-pressure sodium, and mercury vapor light sources are prohibited.
3. The same lamp type must be used for the same or similar types of lighting throughout a development.

E. MAXIMUM ILLUMINATION LEVELS

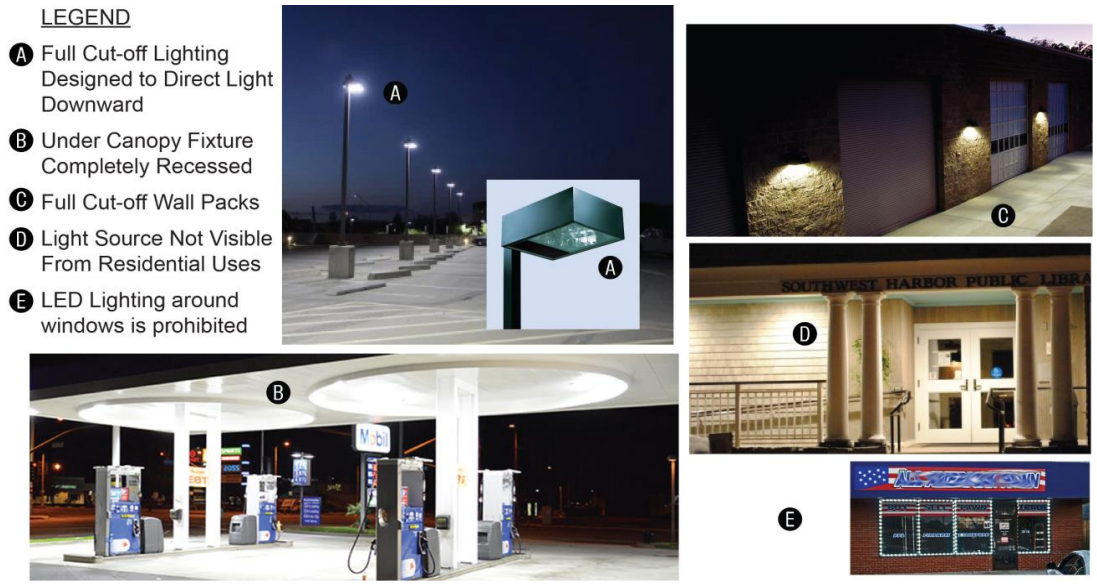
New development subject to these standards shall be configured so that the maximum illumination level at the lot lines of the new development complies with the limitations as specified in Table 6.4.6, Maximum Illumination Levels.

[67] See STN#91

G. SHIELDING

1. Overhead lighting fixtures shall be designed to prevent light from emitting upwards towards the sky (see Figure 6.4.6.G: Light Shielding).
2. Under canopy lighting fixtures shall be recessed within the canopy so that no source of illumination is visible except from directly underneath the light fixture.
3. Wall packs and floodlights and shall be shielded (e.g., true full cut-off type bulb or light source not visible from off-site) and configured to direct light downwards rather than outwards.

FIGURE 6.4.6.G: LIGHT SHIELDING



6.4.7 STANDARDS FOR SPECIFIC SITE FEATURES AND USES

A. BUILDING ENTRANCES AND GATHERING AREAS

Entrances to buildings and outdoor gathering spaces available for use by the general public after dusk shall be illuminated to provide safety and security, subject to Section 6.4.6, Exterior Lighting Standards.

B. OUTDOOR RECREATION AND PERFORMANCE USES

Exterior lighting of outdoor recreation, sports areas, athletic fields and courts, and outdoor performance areas shall comply with the following standards:

1. GLARE CONTROL PACKAGE

All lighting fixtures subject to these standards shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and be aimed so that their beams are directed and fall solely within the designated playing or performance areas.

2. The Town shall not be responsible for any private or commonly-held subdivision drainage infrastructure connected to publicly-maintained drainage facilities, streams, or other outlets having constant flow.

E. TIMING

1. All required drainage facilities shall be constructed prior to approval of a Final Plat (see Section 2.3.17G, Stage 3, Final Plat), or a Certificate of Occupancy (see Section 2.3.5, Certificate of Occupancy).
2. In the case of phased development, drainage facilities shall be completed for the active phase of development unless an alternative configuration is warranted in accordance with Section 2.4.13, Phased Development.

6.5.7 EASEMENTS

Easements for infrastructure shall be required when infrastructure is located outside a public street right-of-way or land owned by the Town. Easements, where required, shall be configured in accordance with the following standards:

A. GENERALLY

1. EASEMENTS DISTINGUISHED

a. Easements shall take one of the following forms:
   i. An access easement;
   ii. A drainage easement;
   iii. A maintenance easement;
   iv. A public utility easement; or
   v. A roadway slope easement.

b. All easements shall be either public easements or private easements. Public easements are granted in favor of the Town, the NCDOT, or some other governmental entity. Private easements are granted in favor of an owners' association or to one or more individual landowners.

2. ALLOWABLE FEATURES

a. No landscaping, signage, fences, walls, patios, decks, or secondary structures shall be located within a public utility easement or a drainage easement.

b. Greenways, configured in accordance with Section 6.10.1A.1, Greenways, may be located within a public utility easement.

c. Parking lots, driveways, and vehicular accessways may be located within any type of easement provided the purpose and function of the easement are not interrupted and provided the Town may access utility features, such as valves or manholes, at all times.

3. AUTHORIZATION FOR ENCROACHMENT INTO EASEMENT

Placement of a building, structure, use, or activity within an easement by a party other than an easement holder shall require the prior permission of the easement holder.

~~3.~~4. AUTHORIZATION FOR REMOVAL OF FEATURES IN EASEMENT

a. In the event landscaping or other structure located within a public easement must be removed in order to gain access or conduct maintenance, the Town may remove such features at the owner's expense and shall not be required to replace any removed landscaping or other structures located within a designated public easement.

ensure that the development will be able to comply with the water supply system requirements of this Ordinance.

B. CONNECTION TO PUBLIC POTABLE WATER SYSTEM

1. WITHIN THE CORPORATE LIMITS[68]

a. Each new development and each lot in all major subdivisions within the Town's corporate limits, and each development and lot in all major subdivisions in the extraterritorial jurisdiction located within a specified distance of an existing or approved but not yet constructed public potable water system shall be connected, at the developer's expense to the Town's potable water system. Mandatory connections to the public potable water system shall be in accordance with Table 6.5.10, Mandatory Water System Connection Required.

TABLE 6.5.10: MANDATORY WATER SYSTEM CONNECTION REQUIRED

Type of Development	Maximum Distance From Existing Public Water System Before Water System Connection is No Longer Required (feet) [1]
Single-Family Detached Residential Subdivision (by # of lots) AMENDED 4.15.24 (UDOTA1-24)	
6-20	300
21-50	500
51-100	1,000
More than 100	Connection is mandatory regardless of distance
All Other Residential Subdivisions, Non-Residential Development, and Mixed-Use Development AMENDED 4.15.24 (UDOTA1-24)	
1 or more lots	1,000 [2]
NOTES: AMENDED 4.15.24 (UDOTA1-24) [1] Measured in a straight line from closest point of proposed development to the existing or approved but not yet constructed public potable water system. [2] If connection to a public potable water system is required, connection to the public sewer system is also required.	

b. In the event a single-family detached residential subdivision has 100 or fewer lots and is farther from an existing water system water supply source than the maximum distance required in Table 6.5.10, Mandatory Water System Connection Required, the applicant may choose to connect the development to the public potable water supply system, but such connection is voluntary and is not required. **AMENDED 4.15.24 (UDOTA1-24)**

c. In the event a subdivision other than one devoted to single family detached residential development, a non-residential development, or a mixed-use development is farther from an existing water system water supply source than the maximum distance required in Table 6.5.10, Mandatory Water System Connection Required, the applicant may choose to connect the development to the public potable water supply system, but such connection is voluntary and is not required. **AMENDED 4.15.24 (UDOTA1-24)**

[68] See STN#97

I. STREET NAMES

1. All street names, including names for private streets, shall be in accordance with the County's street naming ordinance, and shall require approval by Johnston County prior to recordation of a Final Plat.
2. Where proposed streets are extensions of existing streets, or are in obvious alignment with existing streets, the existing street names shall be used except where a new name can reasonably be used to avoid further street name duplication.
3. Proposed street names shall not duplicate or phonetically approximate the name of any street anywhere within Clayton or unincorporated Johnston County.

J. STREET SIGNS

1. The subdivider or developer shall install street signs as part of new development.
2. All streets within a development shall be marked with a street name sign of a design specification and location in accordance with Town requirements.
3. Decorative street signs shall be approved as to form and configuration by the Town or NCDOT, as appropriate, prior to installation.
4. In cases where decorative street signs are proposed, the developer or subdivider shall be responsible for the cost of the decorative street signs.
5. Street signs shall be configured as break away signs in the event of collision with a vehicle.
6. All street name signs shall conform to Town and NCDOT standards.
7. Street name signs shall be installed free of visual obstruction.

K. TRAFFIC CONTROL DEVICES

1. If deemed necessary by the Town or by NCDOT, signals shall be installed by the developer at each street intersection within the subdivision and at each intersection of a subdivision street and a state-maintained road or access road.
2. Signs and signals shall comply with NCDOT regulations with regards to size, shape, color, location, and information contained thereon.
3. At least two or more traffic-control signs shall be placed at each four-way street intersection and at least one at each "T" street intersection.
4. Signs and signals shall be installed free of visual obstruction.

L. VEHICULAR GATES[69]

1. In no instance shall vehicular gates be placed across public street rights-of-way.
2. Except for private driveways or site accessway serving a multi-family development, ~~N~~nothing shall prohibit the installation of vehicular gates across a private driveway or site accessway that is not a public street.
3. Gates on a non-residential~~,~~ or mixed-use, ~~or multi-family~~ site shall:
   a. Conform to Town requirements for emergency access;
   b. Be located no closer than 50 feet to the street right-of-way;
   c. Be served by a vehicular turnaround; and
   d. Be reviewed and approved by the Technical Review Committee.

AMENDED 4.15.24 (UDOTA1-24)

[69] See STN#7

6.5.13 WASTEWATER

All development connected to a potable water supply shall include a wastewater treatment system configured to comply with the following standards:

A. WASTEWATER TREATMENT SYSTEM REQUIRED

1. Every development, building lot, and manufactured home space shall be served by a wastewater treatment or disposal system that is adequate to accommodate the reasonable needs of the use(s) or lot(s) and complies with all applicable Town, County, and State requirements.
2. All materials and pipes shall be provided by the subdivider and shall meet or exceed the requirements established by a State, Town, or utility service provider requirements for wastewater.
3. The Town may, before issuing any approval under this Ordinance, make the investigation and require the developer to submit the information as appears reasonably necessary to ensure that the development will be able to comply with the wastewater treatment or disposal system requirements of this Ordinance.

B. CONNECTION TO PUBLIC WASTEWATER TREATMENT SYSTEM

1. WITHIN THE CORPORATE LIMITS[70]

a. Each new development and each lot in all major subdivisions within the Town's corporate limits, and each development and lot in all major subdivisions in the extraterritorial jurisdiction located within a specified distance of an existing or approved but not yet constructed gravity-fed public wastewater treatment line shall be connected, at the developer's expense to the Town's wastewater treatment system. Mandatory connections to public sanitary sewer service shall be in accordance with Table 6.5.13.B, Mandatory Sewer System Connection Required.

TABLE 6.5.13.B: MANDATORY SEWER SYSTEM CONNECTION REQUIRED

Type of Development	Maximum Distance From Existing Public Sewer System Before Sewer System Connection is No Longer Required (feet) [1]
Single-Family Detached Residential Subdivision (by # of Lots) AMENDED 4.15.24 (UDOTA1-24)	
6-20	300
21-50	500
51-100	1, 000
More than 100	Connection is mandatory within 5,000 linear feet
All Other Residential Subdivisions, Non-Residential Development, and Mixed-Use Development AMENDED 4.15.24 (UDOTA1-24)	
1 or more lots	1,000 [2]

NOTES:
AMENDED 4.15.24 (UDOTA1-24)
[1] Measured in a straight line from closest point of proposed development to the existing or approved but not yet constructed public sewer system.

[70] See STN#97

C. PHASED DEVELOPMENT

Development subject to these standards that is planned in phases may submit a landscape plan for the entire development, or separate landscape plans for each phase, which shall be approved as part of development of that phase.

6.6.5 LANDSCAPING TIMING

A. A Certificate of Occupancy shall not be issued, until all required landscaping and screening have been placed in accordance with the approved Site Plan, Subdivision Plat, or other approval, and requirements of this section.

B. A temporary Certificate of Occupancy may be issued by the ~~Building Inspector~~ Inspections Director for a period of up to 30 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon approval of the request to the Planning Director.

C. In cases where a temporary Certificate of Occupancy is requested, the applicant shall furnish the following:

1. A signed contract for the installation of all required landscape materials; and
2. A performance guarantee for the amount of the contract configured in accordance with the standards in Section 2.3.19, Performance Guarantee.

6.6.6 MAINTENANCE AND INSPECTION REQUIRED

A. RESPONSIBILITY

1. The responsibility for maintenance of required landscaping areas shall remain with the landowner, their successors, heirs, assignees, or any consenting grantee.
2. Maintenance is required in order to ensure the proper functioning of landscaping and screening material.
3. Failure to adequately maintain required landscaping or screening material is a violation of this Ordinance subject to the remedies and penalties in Chapter 7, Violations.

B. MAINTENANCE

1. All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to: watering, mulching, fertilizing, pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
2. Necessary pruning and trimming shall be accomplished in accordance with the Tree Care Industry Association (TCIA) Standards for the Professional Arborist, and shall not include:
   a. The topping of trees;
   b. Removal of 30 percent or more of the crown material in one calendar year;
   c. Removal of the central leader; or
   d. Any other similarly severe procedures that may cause irreparable harm to the natural form of the tree.
3. Dead or diseased plantings shall be removed. Unless specifically exempted (such as understory trees shaded by canopy trees), replacement plantings shall be provided for any dead, diseased, or removed vegetation when such replacement plantings are necessary to meet the standards or this Ordinance or maintain the screening objective of the landscaping material.
4. Landscape structural features such as walls, fences, berms, or water features shall be maintained in a structurally safe and attractive condition.

6.6.11 OFF-STREET PARKING LOT LANDSCAPING

All off-street parking lots with five or more spaces serving multi-family, single-family attached residential, mixed-use, and non-residential developments shall comply with the following parking lot landscaping standards:

A. INTERIOR PLANTINGS

1. AREA TO BE LANDSCAPED

For the purposes of this section, the interior of a parking lot shall be all of the area within the outer boundary of the parking lot including interior and corner landscape islands intended to fulfill the interior parking lot landscaping requirements, but not including landscaping planted around the perimeter of the parking lot (see Figure 6.6.11.A, Parking Lot Interior Plantings).

2. LANDSCAPING ISLANDS AND STRIPS[71]

A parking aisle with 12 or more vehicle spaces in a single row shall provide and maintain landscaping islands at each end of the row as well as a landscaping island located every 12 spaces, in accordance with the following standards:

- **a.** Islands shall have no minimum dimension less than nine feet and a minimum area of 180 square feet, including the curb (if curbing is provided);
- **b.** Landscape islands that do not contain canopy trees shall contain three or more shrubs and also may contain understory trees;
- **c.** Off-street parking lots of 100 or more spaces shall include at least one landscaping strip for every six rows of parking spaces; and
- **d.** Landscaping strips, when required, shall maintain a minimum width of nine feet and run the full length of a row of parking spaces. Landscape strips shall include shrubs and a pedestrian walkway of at least four feet in width and configured to comply with applicable ADA requirements, and may include trees and parking lot lighting, provided tree trunks are at least five feet from the pedestrian accessway.

3. PROTECTION OF LANDSCAPE ISLANDS

- **a.** Landscape islands shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods.
- **b.** The placement of plant material within landscape islands shall allow for a two-and-one-half-foot vehicle overhang from the face of the curb or wheel stop.

4. PROTECTION FROM PEDESTRIAN WALKWAYS

In cases where a pedestrian walkway must be located within five feet of a tree trunk, wooden walkways, pervious pavers, or other methods shall be used to ensure the required tree is not damaged by the walkway.

5. STORMWATER MANAGEMENT

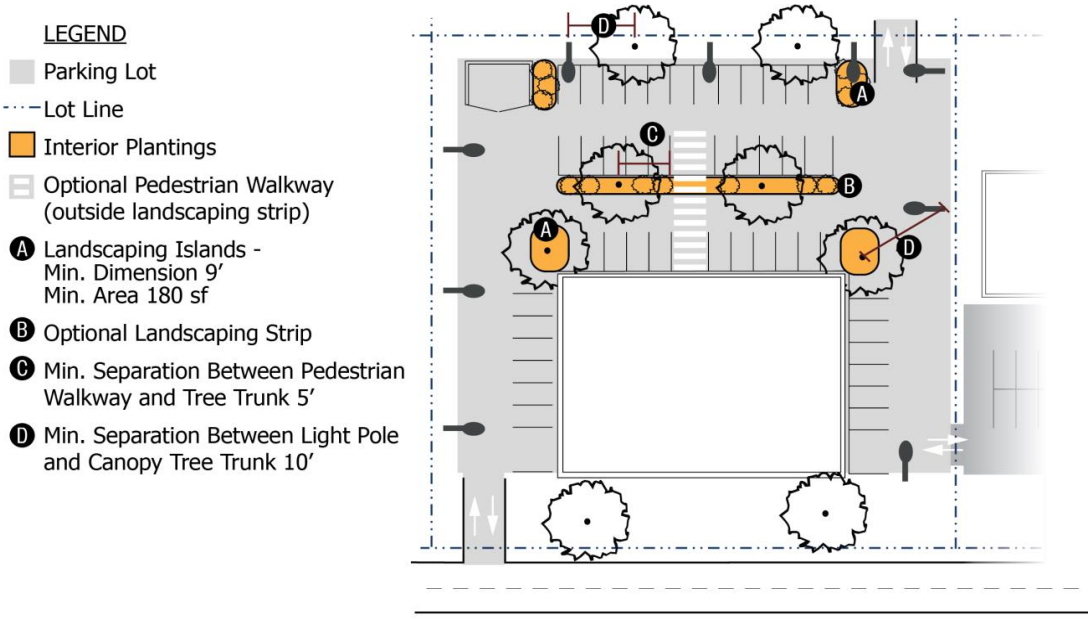
A landscape island may be designed to function as a stormwater control measure, provided its landscaping performance function is maintained.

[71] See STN#11

6. STRUCTURAL SOIL REQUIRED

Landscaping islands and strips located within a parking lot shall be comprised of properly-prepared structural soil that has been amended and cultivated to support healthy vegetation.

FIGURE 6.6.11.A: PARKING LOT INTERIOR PLANTINGS



B. PERIMETER PLANTINGS

1. INTENT

Parking lot perimeter landscaping shall be designed to soften the view of the parking lot from an abutting street or development and to filter spillover light from vehicle headlights. Required plant material shall be planted in such a way as to best achieve this intent.

2. LOCATION

Required plant material shall be placed adjacent to the perimeter of the parking lot. Landscaping material located within the boundaries of the parking lot paving shall not be credited towards these perimeter planting requirements.

3. PLANTING RATE

Parking lot perimeter landscaping shall consist of a single continuous row of evergreen shrubs planted no greater than three feet on-center and within five feet of the parking lot edge.

TABLE 6.6.13.E: SCREENING METHODS [1]
LEVEL OF SCREENING
Requirements
C. SCREENING LEVEL 3 CHAIN LINK FENCE WITH SEMI-OPAQUE SLATS/FABRIC

i. Fencing must be configured in accordance with Section 6.3, Fences and Walls. ii. All fencing shall remain subject to maximum fence or wall height standards for the district where located. iii. Fencing shall be at least 60 percent opaque, when viewed from a distance of 10 feet or more. iv. All gates shall maintain a ~~complimentary~~complementary level of opacity excluding gaps for mounting hardware, latches, and hinges. v. Slats or fabric shall extend downwards to the grade level. vi. The fence and screening material shall be comprised of consistent materials and shall maintain a single color. vii. Slats may be plastic or wood and shall be promptly repaired if damaged in any way.
D. SCREENING LEVEL 4 CHAIN LINK FENCE WITH FULLY OPAQUE SLATS/FABRIC

i. Fencing must be configured in accordance with Section 6.3, Fences and Walls. ii. All fencing shall maintain a minimum height of six feet above adjacent grade, but shall not exceed the maximum fence height standards for the district where located. iii. Fencing shall be 100 percent opaque, when viewed from a distance of 10 feet or more. iv. All gates shall maintain a ~~complimentary~~complementary level of opacity excluding gaps for mounting hardware, latches, and hinges. v. Slats or fabric shall extend downwards to the grade level. vi. The fence and screening material shall be comprised of consistent materials and shall maintain a single color. vii. Slats may be plastic or wood and shall be promptly repaired if damaged in any way.

TABLE 6.6.13.E: SCREENING METHODS [1]
LEVEL OF SCREENING
Requirements
E. SCREENING LEVEL 5 WOODEN OPAQUE FENCE

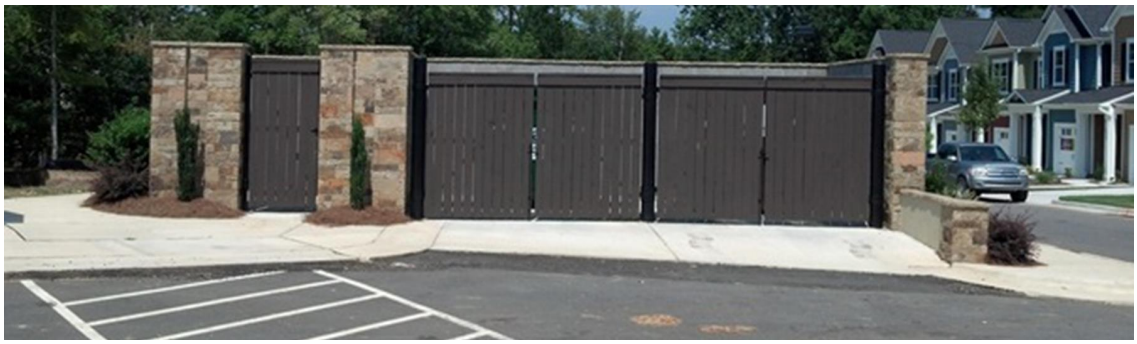
i. Fencing shall be configured in accordance with Section 6.3, Fences and Walls, and the North Carolina Building Code. ii. All fencing shall maintain the minimum height necessary to fully screen the site feature or activity, but shall not exceed a maximum height of 10 feet. iii. All gates shall maintain a ~~complimentary~~complementary level of opacity excluding gaps for mounting hardware, latches, and hinges. iv. The fence shall be comprised of consistent materials and colors. v. Enclosures for refuse and recycling containers shall meet all applicable Town requirements for such enclosures. vi. Screening material shall be promptly repaired if damaged in any way.
F. SCREENING LEVEL 6 OPAQUE MASONRY WALL

i. Walls shall be configured in accordance with Section 6.3, Fences and Walls. ii. All walls shall maintain the minimum height necessary to fully screen the site feature or activity, but shall not exceed a maximum height of 10 feet. iii. The wall shall be comprised of consistent materials and colors to those used on the principal structure. iv. Masonry walls may incorporate louvers or similar features, provided the screening function is maintained. v. All gates shall be comprised of a ~~complimentary~~complementary material and be opaque, excluding gaps for mounting hardware, latches, and hinges. vi. Support columns may exceed the maximum height as necessary for wall construction. vii. Enclosures for refuse and recycling containers shall meet all applicable Town requirements for such enclosures. viii. Screening material shall be promptly aired if damaged in a manner that reduces the screening function.

TABLE 6.7.1.D: OPEN SPACE SET-ASIDE TYPE	
ZONING DISTRICT WHERE LOCATED [1]	TYPE OF OPEN SPACE SET-ASIDE REQUIRED [2]
[2] See Section 6.7.1E, Open Space Set-Aside Configuration, on allowable forms of development and configuration. [3] Development may provide some or all of the required open space set-aside as active open space or gathering space, at the discretion of the applicant. [4] Development may provide some or all of the required open space set-aside as active open space. [5] Development may provide some or all of the required open space set-aside as gathering space. [6] The remainder of required open space set-aside may be configured as active open space, gathering space, or passive open space.	

b. In cases where development must configure open space set-aside with active recreation features, it shall be configured in accordance with Section 6.7.1E.2, Active Open Space Set-Aside.

c. In cases where open space set-aside shall be configured as gathering space, it shall be configured in accordance with Section 6.7.1E.3, Gathering Spaces.

E. OPEN SPACE SET-ASIDE CONFIGURATION

Open space set-asides shall be configured in accordance with the following standards.

1. PASSIVE OPEN SPACE SET-ASIDE

Passive open space set-asides are intended to provide land area that is undeveloped, or that is developed with low-intensity recreational features (such as those for walking or sitting), landscaping, replacement trees, or stormwater control measures that are configured as a site amenity (see Figure 6.7.1.E.2, Types of Open Space).

a. ALLOWABLE FEATURES

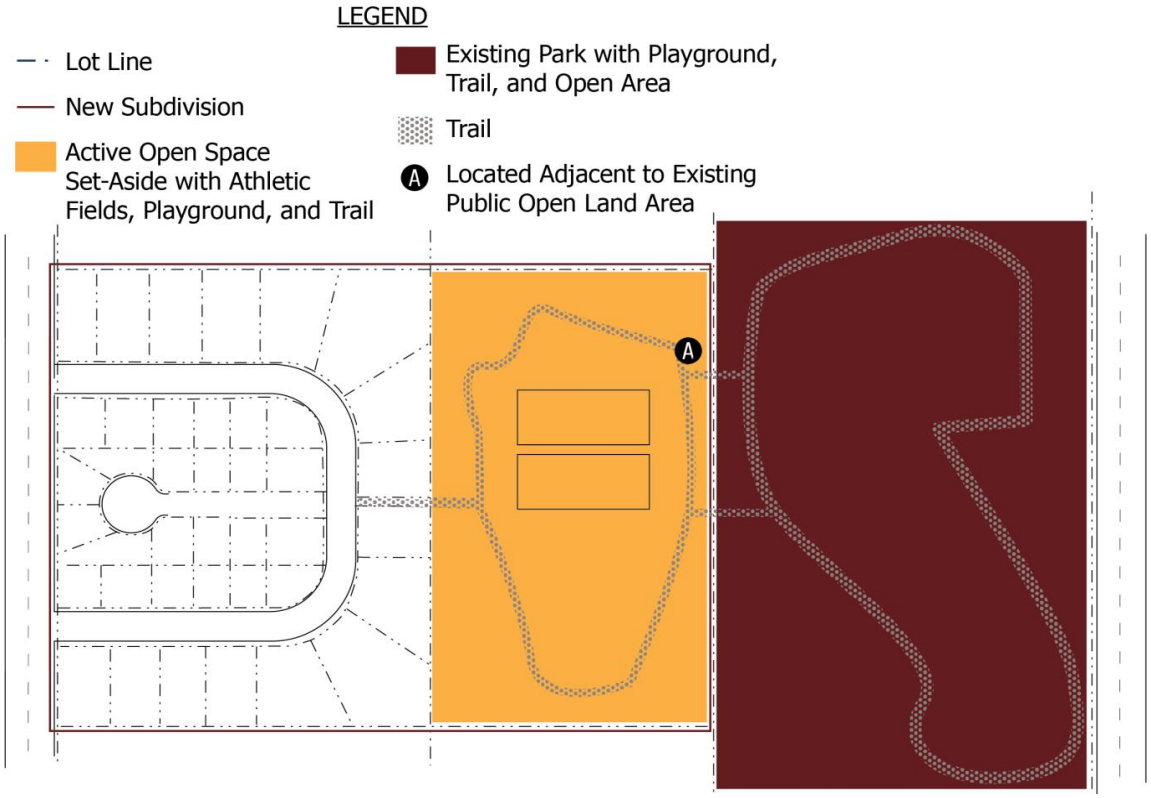
The land area occupied by any of the following types of features is credited towards required passive open space set-aside:

i. Walking, bicycling, and equestrian trails outside of greenways;
ii. Boardwalks outside of greenways;
iii. Gardens;
iv. Benches and seating areas;
v. Tables, grills, and related picnicking facilities;
vi. Lawn areas and community greens;
vii. Lakes, ponds, wetlands, swamps, canals, and streams;
viii. Areas occupied by trees and undisturbed vegetation;
ix. Piers and docks for fishing or viewing wildlife;
~~ix.~~x. Easements for access, drainage, maintenance, or public utilities; and
~~x.~~xi. Undisturbed land subject to a deed restriction or conservation easement.

b. SITE FEATURES CREDITED TOWARDS PASSIVE OPEN SPACE SET-ASIDE REQUIREMENTS

i. The following site features shall be credited towards passive open space set-aside requirements:

FIGURE 6.7.1.E.1: OPEN SPACE CONTINUATION



b. ALLOWABLE FEATURES

The following types of features are allowable in and credited towards active open space set-asides:

i. Lands dedicated for public parks or greenways;
ii. Swimming pools, splash pads, and areas devoted to water play for children;
iii. Athletic fields and courts;
iv. Boat launches and swimming platforms;
v. Club houses and shelters;
vi. Playgrounds and play structures for children; ~~and~~
vii. Obstacle courses and exercise trails; and
~~vii.~~viii. Easements for access, drainage, maintenance, or public utilities.

3. GATHERING SPACES

Gathering spaces are open space set-asides that provide formal or informal gathering areas for people or locations for vegetation or stormwater uptake within urbanized portions of the Town's planning jurisdiction. Gathering spaces can include outdoor dining areas, outdoor seating areas, performance spaces, building atriums with plants and seating, or green roofs (see Figure 6.7.1.E.2, Types of Open Space).

a. ALLOWABLE FEATURES

TABLE 6.9.4: MINIMUM OFF-STREET PARKING SPACES REQUIRED
[#] = Notes at the end of the table

USE TYPE	MINIMUM NUMBER OF REQUIRE OFF-STREET PARKING SPACES [1] [2]
Vehicle Parts and Accessory Sales	1 per every 200 sf
Vehicle Towing ~~and~~ or Storage	1 per employee on the largest shift
Vehicle Washing or Detailing	1 + 1 per employee on largest shift
Veterinary Services, Large Animal	1 + 1 per doctor or care provider
Veterinary Services, Small Animal	1 per every 200 sf
INDUSTRIAL USE CLASSIFICATION	
Asphalt or Concrete Plant	2 per every 3 employees on major shift
Business Incubator	1 per every 450 sf
Contractor Services/Yard	Greater of: 1 per every 300 sf or 1 per every 1,000 sf of outdoor area
Cryptomining and Data Processing	1 per employee on the largest shift
Electrical, HVAC, or Plumbing Fabrication	2 per every 3 employees on largest shift
Extractive Industry	1 + 1 per employee on largest shift
Freight Terminal	2 per every 3 employees on largest shift
Fuel Oil/Bottled Gas Distributor	1 per every 200 sf used by public + 1 per employee on largest shift
Level 2 Solar Energy Conversion	None
Level 3 Solar Energy Conversion	None
Makerspace	1 per every 400 sf
Manufacturing, Heavy, Light, or Medium	2 per every 3 employees on largest shift
Metal Fabrication	2 per every 3 employees on largest shift
Transfer Station	10 + 1 per employee on the largest shift
Recycling Center	1 per every 1,000 sf (min. of 2 spaces)
Research and Development	1 per every 300 sf of office area + 1 per every 500 sf of other floor area
Salvage or Junkyard	3+ 1 per employee on the largest shift
Utility, Major	1 per employee on largest shift
Utility, Minor	None
Warehouse, Distribution/Storage	2 per every 3 employees on largest shift
Wholesale Sales, Indoor Only	1 per every 900 sf
Wholesale Sales, Indoor and Outdoor	1 per every 900 sf + 1, per every 5,000 sf of outdoor area
Wind Energy Conversion	None

H. MARKINGS

1. All parking spaces and lanes in parking lots shall be clearly delineated with paint lines, curbs, or other treatment.
2. All pavement markings shall be maintained to be distinguishable. Failure to maintain required markings shall be a violation of this Ordinance.

I. MINIMUM PARKING LOT STEM LENGTH

All vehicular accessways serving off-street parking lots shall comply with the standards in Section 6.1.4E, Non-residential Driveways.

J. PARKING SPACE ACCESS

1. All off-street parking spaces shall be accessed directly from drive aisles or private driveways and not directly from arterial or collector streets.
2. All off-street parking areas shall be designed with an appropriate means of vehicular access to a street or alley in a manner that allows for safe vehicular movements.

K. PEDESTRIAN WALKWAYS

Pedestrian walkways between the principal buildings on a development site and a sidewalk or other pedestrian way (like a greenway trail) shall be provided in accordance with Section 6.1, Access and Circulation.

L. SEPARATION FROM FIRE PROTECTION FACILITIES

1. No required off-street parking space shall be located within 15 feet of a fire hydrant or other fire protection facility.
2. Parking shall not take place within designated fire lanes or other areas demarcated for fire protection.

M. SURFACE MATERIALS[72]

1. All off-street parking spaces, accessible parking spaces, drive aisles, and vehicular use areas shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights (see Figure 6.9.7.M, Parking Lot Surface Materials).
2. The use of pervious or semi-pervious materials may be approved as part of an alternative parking plan (see Section 6.9.8, Parking Flexibility), provided it is demonstrated that the materials will function in a similar fashion as required materials.
3. Gravel may be used as a surface material for off-street parking spaces following review and approval of a Site Plan in accordance with Section 2.3.21, Site Plan, subject to the following requirements:
   a. The off-street parking space or lot is within or directly abutting a NCRR railroad corridor; and
   b. The gravel portion of a parking lot is located behind the front building façade line; and
   c. Except when proposed in the Public Facilities (PUB) district, a gravel parking lot or area shall not be located on a vacant lot; and
   d. The parking lot includes a wheel stop for each designated parking space; and
   e. Each side of each individual parking stall is visibly demarcated; and
   f. The parking lot maintains positive drainage; and

[72] See STN#16

g. The gravel is:

i. Aggregate base course (ABC) of a minimum depth of six inches; or

ii. Number 57 stone, laid over a geotextile fabric, to a minimum depth of four inches in accordance with NCGS§143-214.7; or

iii. An alternative type and depth configuration, as specified by the Engineering Director; and

~~2.~~h. The landowner files a maintenance agreement for the gravel parking lot clarifying how the parking lot will be maintained annually.

~~3.~~4. Configuration of parking lots in accordance with low impact development practices (see Section 6.17.6, Menu of Sustainable Development Practices) is encouraged.

~~4.~~5. Parking lots shall not drain onto or across public sidewalks, or into adjacent property except into a natural watercourse or a drainage easement unless alternative provisions for drainage are proposed and accepted by the Engineering Director.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
AGRICULTURAL LAND	Land, including water areas, engaged in the production of crops, plants, livestock, or other agricultural commodities. Agricultural land does not include land used for processing or altering agricultural products.
AGRICULTURAL PACKAGING AND PROCESSING	A commercial establishment engaged in the preparation, processing, and packaging of agricultural products.
AGRICULTURAL STORAGE AND DISTRIBUTION	Commercial establishments devoted to the assembly, storage, and shipment of produce and agricultural products. Such uses do not include farms or places of production.
AGRICULTURE (AGRICULTURAL ACTIVITY)	A commercial establishment engaged in farming, including cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products for trade or re-sale.
AGRI-TOURISM	Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.
ALLEY	See 'Street, Alley."
ALLEY, MID-BLOCK	See "Mid-Block Alley."
ALL-WEATHER SURFACE	Paving or surface treatment to a walkway or vehicular use area that is capable of withstanding adverse weather while still maintaining is regular or typical surface characteristics.
ALTERATION OF A WATERCOURSE	For the purposes of the Flood Protection Overlay District standards, a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard, or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.
ALTERNATIVE FORM OF COMPLIANCE	Use or a different approach, configuration, set of materials, or other means of complying with a particular standard in this Ordinance that has been considered and approved by the Town.
ALTERNATIVE LANDSCAPE PLAN	See "Plan, Alternative Landscape."
ALTERNATIVE PARKING PLAN	See "Plan, Alternative Parking."

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
MECHANICAL EQUIPMENT	Equipment and fixtures used for HVAC, fabrication, assembly, or production purposes.
METAL FABRICATION	A commercial establishment engaged in the alteration or modification of metal goods, building supplies, tools, or other products comprised primarily of metal. Such uses may include welding, folding, shaping, assembly, coating, or other activity associated with raw forms of metal, but metal fabrication uses are not involved in the creation of metal products from raw materials.
METAL HALIDE	A method of providing illumination by a bulb filled with gas or vapor that provides illumination when an electrical current is passed through it.
MICRO BREWERY, MICRO DISTILLERY, OR MICRO WINERY	An establishment engaged in the production and packaging of malt beverages, wine or spirits for distribution, retail, or wholesale both on and off-premises. A micro brewery is a facility that produces less than 15,000 barrels of beer per year and sells the majority of the beer it produces for off-site resale and consumption. A micro winery produces less than 100,000 gallons of wine per year. A micro distillery produces less than 15,000 gallons of alcoholic spirits per year. Secondary uses may include a taproom, seating areas, ancillary sales of related merchandise, event space, and warehouse space for stored product.
MICRO RETAIL	See "Retail, Micro."
MID-BLOCK ALLEY[73]	A street, whether public or private, meeting the specifications and configuration of an alley street that transects a single block of lots approximately mid-way along the block face. Mid-block alleys connect streets or connect a street with another alley.
MINOR MODIFICATION	An insignificant deviation in an application, proposed development, or portion of a development that does not impact the operation, appearance, function, value, or compatibility of proposed development.
MINOR SUBDIVISION	See "Subdivision, Minor."
MINOR UTILITY	See "Utility, Minor."
MINOR VARIANCE (WATERSHED)	A variance from the minimum statewide watershed protection rules that results in a relaxation by a factor of up to 10 percent of any management requirements.
MIXED-USE DEVELOPMENT	A format that includes some combination of integrated residential, commercial, industrial, or institutional use types in one single building or within one single development that is planned, built, themed, or operated in a unified manner. Mixed use development may include different use types within the same building or different use types within the same development that is comprised of multiple buildings.

[73] See STN#71

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
VEHICLE REPAIR AND SERVICE (NO PAINTING/ BODYWORK)	General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, not including bodywork, framework, welding, and major painting service provided as a principal use or a secondary use to a non-residential establishment.
VEHICLE SALES AND RENTAL	Premises on which new or used passenger automobiles, trailers, recreational vehicles, or light trucks in operating condition are displayed for sale, lease, or rental.
VEHICLE TOWING AND STORAGE[74]	An establishment operated for the purpose of temporary storage on-site of operable or inoperable vehicles. Vehicle and towing storage uses include fleet vehicle and recreational vehicle storage establishments. If an establishment~~,~~ stacks vehicles or portions of stored vehicles are dismantled or removed for sale, it shall be considered a salvage and junkyard.
VEHICLE TRIP	For the purposes of calculating transportation impacts, a vehicle trip is a one-way journey taken from an origin to a destination in an automobile or similar private vehicle.
VEHICLE WASHING OR DETAILING	An establishment providing the exterior washing of vehicles where vehicles are manually driven or pulled by a conveyor through a system of rollers and/or brushes. Interior cleaning and/or drying may be conducted manually by vehicle operator or on-site attendants. Incidental sales of automobile-related accessories may take place.
VEHICULAR USE AREA	An off-street parking space or parking lot along with associated drive aisles and means on ingress or egress.
VELOCITY	For the purposes of Soil Erosion and Sedimentation, the speed of flow through a cross section perpendicular to the direction of the main channel at the peak flow of the storm of interest but not exceeding bank full flows.
VENDOR	A person who hawks, peddles, sells, or offers products, including food or beverages for sale.
VERTICAL FAÇADE MODULATION	The organization of an individual building façade into a base, middle, and cap configuration where there are discernable differences in exterior materials, building wall planes, or architectural detailing along the façade from the grade to the top of the building.
VESTED RIGHT	The right to undertake and complete the development and use of property under the terms and conditions of an approval secured as specified in NCGS§ 160D-108, or under common law.
VESTED RIGHTS CERTIFICATE	An authorization granted by Town Council to an approved site-specific development plan that protects the development from the need to comply with some (but not all) regulatory changes that are adopted by the Town during the period which the development is vested.
VETERINARY SERVICES, LARGE ANIMAL	A facility for the care and treatment of large animals, including livestock, domesticated, and exotic animals. Such facilities may be entirely indoors or may have both indoor and outdoor components.

[74] See STN#13, #19

9.1.4 CERTIFICATE OF EXEMPTION

Plats deemed to be exempt from the provisions of this ordinance shall contain the following statement.

The plat is exempt from the provisions of the Town of Clayton Unified Development Ordinance and may be recorded with the Office of the Johnston County Register of Deeds.

_____ _____
Planning Director Date

9.1.5 CERTIFICATE OF FAMILY SUBDIVISION[75]

Plats deemed to be a family subdivision shall contain the following statement. Any certificate for a Family Subdivision shall also include a certificate of exemption or other certification, as appropriate as well as the Review Officer's Certificate.

LANDOWNER ATTESTATION

I acknowledge that this plat creating up to one additional lot from the parent tract was approved under the provisions of a Family Subdivision as described in Table 2.2.2 and as defined in the Clayton Unified Development Ordinance, and is solely for the purpose for one immediate family member to homestead on the newly created lot.

_____ _____
Owner/Subdivider Date

NOTARY PUBLIC CERTIFICATION

I, _____, a Notary Public for said County and State, do hereby certify that

_____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the _____ day of

_____, 20_____

Notary

My commission expires _____ (Seal)
_____, 20__

[75] See STN#22

9.2 INFORMATION REQUIRED WITH APPLICATIONS

9.2.1 APPLICATION MATERIALS[76]

A. Submission of all applications filed under this Ordinance shall contain the following information, as appropriate.

B. An "X" in a cell in the table below indicates that the noted information is required on the particular type of plan or plat.

C. A "•" symbol in a cell in the table below indicates that the noted information is not required on the particular type of plan or plat.

D. Failure to include one or more required elements indicated with an "X" may result in the application being considered incomplete.

E. Additional materials may be required in order to determine if an application is complete.

F. The Planning Director may waive required items listed in the table below if they are determined to not be necessary to complete the review, in the sole discretion of the Planning Director.

TABLE 9.2: TABLE OF REQUIRED APPLICATION MATERIALS

"X" = Required
"•" = Not Required

Required Information	Concept Plan	Site Plan	Family Sub.	Limited Sub.	Minor Plat	Preliminary Plat	Construction Drawings	Final Plat
Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person	•	X	X	X	X	X	X	X
Certifications from the appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development and that all necessary easements have been provided	•	X	X	•	•	•	X	X
Detailed descriptions of recreational facilities to be provided	•	X	•	•	•	X	•	•
Legal documentation establishing owners' associations or other legal entities responsible for control over required common areas and private infrastructure	•	X	•	•	•	•	•	X
Bonds, letters of credit, or other performance guarantees	•	X	•	X	X	•	•	X

[76] STN#23& 30

TABLE 9.2: TABLE OF REQUIRED APPLICATION MATERIALS

"X" = Required
"•" = Not Required

Required Information	Concept Plan	Site Plan	Family Sub.	Limited Sub.	Minor Plat	Preliminary Plat	Construction Drawings	Final Plat
A transportation impact analysis performed and prepared by a qualified transportation or traffic engineer	X	X	•	•	•	X	•	•
Time schedules for the completion of phases in staged development	•	X	•	•	X	X	X	•
The environmental impact of a development, including its effect on historically significant or ecologically fragile or important areas and its impact on pedestrian or traffic safety or congestion	X	X	•	•	X	X	•	X
If any road is proposed to intersect with a state-maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulation	•	•	X	•	•	•	X	X
Proposed deed restrictions or covenants to be imposed upon newly created lots	•	X	X	X	X	X	•	X
Documentation of submission of an Erosion Control Plan, if disturbing more land area than the maximum permitted without such plan	•	•	•	•	•	•	X	•
Documentation of approval of an Erosion Control Plan, if disturbing more land area than the maximum permitted without such plan	•	•	•	•	•	•	X	•
Evidence of notification to U.S. Army Corps of Engineers of earth-disturbing activities in jurisdictional wetlands, if applicable	•	X	X	X	X	X	X	•
Clarify that the lot may not be sold for a period of at least three years following approval of the plat	•	•	X	•	•	•	•	•

9.2.2 REQUIRED INFORMATION FOR PLANS AND/OR PLATS

A. All plans and plats filed under this Ordinance shall contain the following information.

B. Failure to include one or more required elements may result in the application being considered incomplete.

C. An "X" in a cell in the table below indicates that the noted information is required on the particular type of plan or plat.

Consistency Statements Sheet

The Town Council may choose from one of the four suggested motions below.

Staff Recommends the Option in Red Bold Text

Option 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to approve the Unified Development Ordinance Text Amendments based on consistency with the adopted 2045 Comprehensive Growth Plan, in that:

- **GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.**
- **Policy LU 1.1 Manages future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.**
- **Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.**

This action is reasonable and in the public interest, in that:

- **The 2045 Comprehensive Growth Plan encourages an up-to-date Unified Development Ordinance.**
- **The request is compatible with providing a relevant and community-reflective land use regulatory framework.**

Option 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan4

I make a motion to approve the Unified Development Ordinance Text Amendments. While the request is inconsistent with the adopted 2045 Comprehensive Growth Plan, in that:

- GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 Manages future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.
- Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.

This action is reasonable and in the public interest, in that:

- The 2045 Comprehensive Growth Plan encourages an up-to-date Unified Development Ordinance.
- The request is compatible with providing a relevant and community-reflective land use regulatory framework.

Option 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to deny the Unified Development Ordinance Text Amendments, while the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 Manages future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.
- Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.

This action is reasonable and in the public interest, in that:

- The 2045 Comprehensive Growth Plan does not encourage an up-to-date Unified Development Ordinance.
- The request is incompatible with providing a relevant and community-reflective land use regulatory framework.

Option 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to deny the Unified Development Ordinance Text Amendments based on inconsistency with the adopted 2045 Comprehensive Growth Plan, in that:

- GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 Manages future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.
- Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.

This action is reasonable and in the public interest, in that:

- The 2045 Comprehensive Growth Plan does not encourage an up-to-date Unified Development Ordinance.

- The request is incompatible with providing a relevant and community-reflective land use regulatory framework.

Ordinance #2024-09-02

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE (UDOTA 2-24) OF THE TOWN OF CLAYTON, NORTH CAROLINA

WHEREAS, the Town of Clayton 2045 Comprehensive Growth Plan ("Growth Plan"), adopted by Town Council on November 15, 2021, calls for updates to the Town's Unified Development Code ("UDC"), now terms as the Unified Development Ordinance ("UDO"); and,

WHEREAS, on August 26, 2024, the Planning Board of the Town of Clayton reviewed the proposed change(s) and made a recommendation to approve the Unified Development Ordinance Text Amendments; and

WHEREAS, the requested Text Amendment was advertised in accordance with all requirements of the law; and

WHEREAS, the said public hearing was actually conducted at 6:00 p.m. on September 16, 2024, 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; and

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

SECTION 1. That the Town of Clayton Unified Development Ordinance will be amended in accordance with the attached amendments (UDOTA 2-24).

SECTION 2. That all ordinances or parts of ordinances inconsistent or in conflict with this ordinance and is hereby repealed.

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 this 16th day of September 2024, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC and NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

CODIFY

CLAYTON

UDOTA 2-24

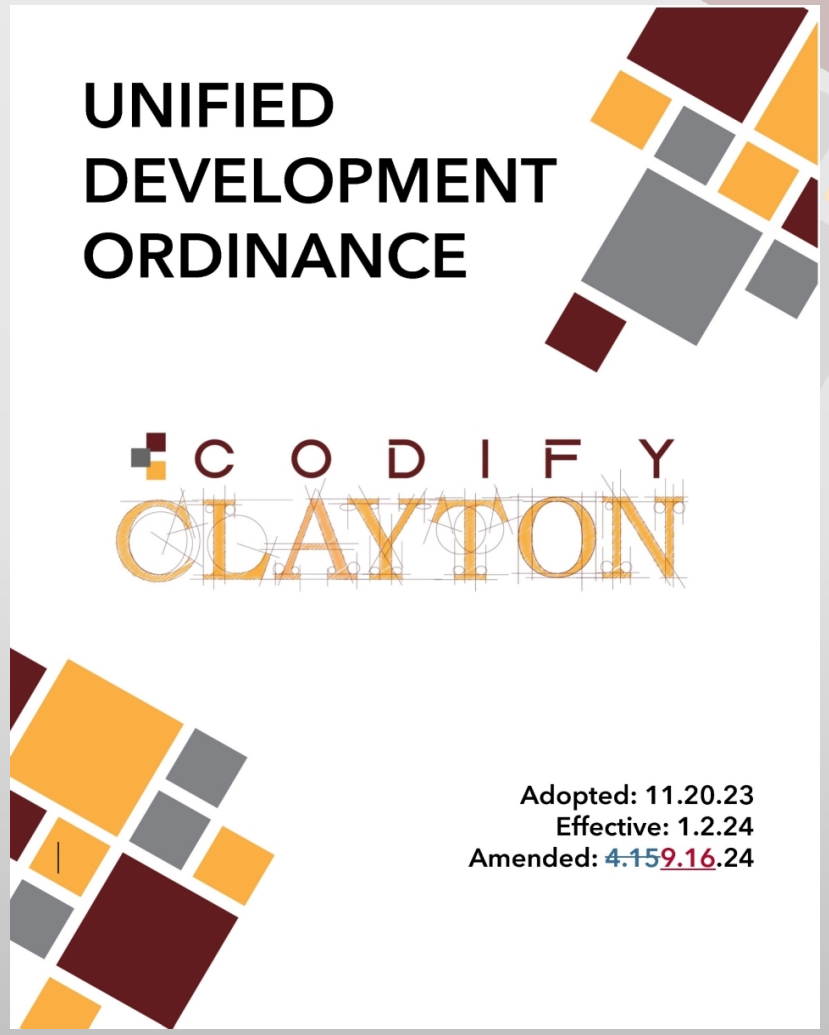
Town Council Public Hearing

9.16.24

CodeWright

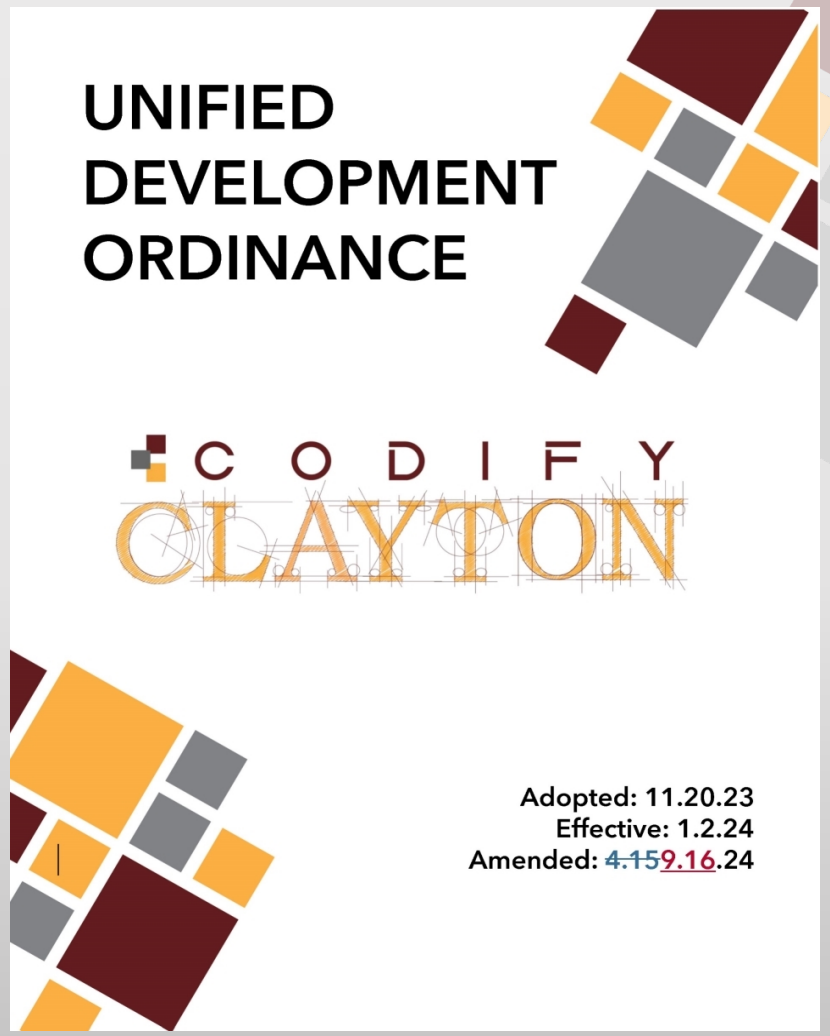
Tonight's Objective

- Summarize the amendments in UDOTA 2-24
- Discuss Planning Board (8/26/24) and Town Council Work Session (9/3/24) meeting recommendations
- Overview 4 minor amendments proposed after 9/3/24
- Approve the amendments, subsequent to any further revisions



UDOTA 2-24

- 112 Changes
- Organized into 7 groups
  1. Administrative/ Non-Substantive (5 types)
  2. Procedures (9 types)
  3. Districts (8 types)
  4. Uses (9 types)
  5. Infrastructure (3)
  6. Development Standards (26)
  7. Definitions (3)



UDOTA 2-24 – Administrative/Non-substantive

1. ‘Building Inspector’ to ‘Inspections Director’
   pp. 34, 37, 48, 63, 65, 516

2. Remove references to riparian buffer procedures
   pp. 54, 145, 146

3. ‘Compl**i**mentary’ to ‘compl**e**mentary’
   pp. 214, 218, 430, 539, 540

4. Typos, Missing Words, Extra Words
   pp. 76, 99, 116, 186, 345

5. Updated Images (to properly reflect codified text)
   pp. 417, 425, 480, 527

UDOTA 2-24 – Procedures

1. Determination – Adds Inspections Director
   pp. 48, 78

2. Land Disturbance Permit – Pre-app optional
   pp. 48

3. Alternative Sign Plan – Town Council decided, not Planning Director
   pp. 50, 118, 119

4. Driveway Permit – Not required for access to a private road, but does require zoning compliance permit + allows a construction professional to prepare application instead of PE
   pp. 83

UDOTA 2-24 – Procedures

5. Final Plat Recordation – Allows staff or applicant to record + caveat about failure to provide recorded copy to staff
   pp. 106

6. Performance Guarantees – Adds landscaping to eligible features, adds sedimentation/erosion control in ineligible features, clarifies Town Council decides post-approval applications
   pp. 111, 112

7. TIA – Engineering Director ‘accept’ or ‘not accept’ instead of ‘decide’ + can still deny application based on TIA
   pp. 139, 140

8. Family Subdivision Certification Statement
   pp. 800

UDOTA 2-24 – Procedures

9. Family Subdivision, Limited Subdivision, Minor Plat – added to application requirements table
   pp. 806, 807

UDOTA 2-24 – Districts

1. Type 3 Conditional Rezoning – Concept plan subject to vesting; does not run with the land
   pp. 71

2. DTNC – Removed height provision for corner buildings
   pp. 183

3. Mixed-use Development must comply with Mixed-Use Design Standards in Ch. 6 (DTNC, DTNN, DTNT, MXD)
   pp. 184, 188, 191, 196

4. MXD District – There is a maximum street setback, not a minimum street setback
   pp. 197

UDOTA 2-24 – Districts

5. RLD District – Sidewalks may be required in certain areas
   pp. 211

6. Methods of Demonstrating Higher Quality Development for Type 3 Conditional Rezonings (landscaping, parking, traffic lights)
   pp. 227

7. Lot Coverage - Only areas under buildings or roofs = lot coverage; prior approvals subject to rules in effect when approved
   pp. 243

8. Off-Street Parking – May encroach into setbacks except in DTNC and DTNT
   pp. 251

UDOTA 2-24 – Uses

1. Parking and Shipping Uses – permitted by-right in PUB
   pp. 284

2. Vehicle Towing or Storage – Allowed in CZC
   pp. 285

3. Bungalow Court – Requires Type B (not Type C buffer)
   pp. 295

4. Single-Family Attached – All lots in Downtown districts less than 50-feet-wide must be rear loaded
   pp. 325

UDOTA 2-24 – Uses

5. Secondary Structures – some permitted in front of principal dwelling when lot is 2 acres in size or more; requires doubled front setback
   pp. 354

6. Push carts added to mobile restaurants; removes separation from schools, churches, cemeteries
   pp. 356, 364, 365

7. RV Parking – Removed from CRM, LID, HID, CZC, CZI
   pp. 356

8. Vehicle Towing or Storage – Added as a secondary use, subject to same standards applied to principal use
   pp. 356, 361, 372

UDOTA 2-24 – Uses

9. Outdoor dining may take place on an adjacent lot, but if so, not credited towards open space set-aside standards
   pp. 366

UDOTA 2-24 – Infrastructure

1. Placement of features within an easement requires prior approval from easement holder
   pp. 490

2. Easements are permitted features in passive and active open space set-asides
   pp. 553, 555

3. Potable water & sanitary sewer minimum connection distances are measured as straight lines from point-to-point
   pp. 495, 510

UDOTA 2-24 – Development Standards

1. Clarifies applicability of access & circulation standards for redevelopment (increase by 50% or more of floor area, use area, provided parking)
   pp. 411

2. Single-Family Attached – 'Parent' parcel must be at least 30-feet-wide
   pp. 412

3. Increase min. driveway depth for single-family detached from 20 to 25 feet
   pp. 416

4. Driveway spacing – Must be 20 feet, whether on same or different lots
   pp. 418

UDOTA 2-24 – Development Standards

5. Setbacks from Alternative Access are same as street setback; Engineering Director may allow alternative accessway of 30 feet (down from 50')
   pp. 419

6. Driveways – Town or NCDOT can restrict #; Added driveway width (12/24); Driveway depth from NCDOT street determined by NCDOT
   pp. 420

7. Parking Lot Cross-Access – Separation from driveway or street reduced from 60 feet to 50 feet; Engineering Director may reduce further
   pp. 424

8. Mixed Use standards applied to all principal buildings in a mixed-use development
   pp. 430

UDOTA 2-24 – Development Standards

9. Bike Lanes in Mixed-Use developments – provided in accordance with Adopted Policy Guidance
   pp. 431

10. Mixed-Use parking location – limited to the side or rear
    pp. 434

11. Mixed-Use weather protection – only required over windows/doors; max. projection of 5 feet
    pp. 435

12. Multi-family buildings must be parallel to street when within 100 feet of street
    pp. 439

UDOTA 2-24 – Development Standards

13. Multi-Family Building Façade elements – applied to all building facades, not just those fronting streets; 2 or more dormers; shutters on at least ¾ of windows; 2+ bay windows; removed cornice
    pp. 441, 442

14. Multi-family building articulation required on all sides, not just street facing
    pp. 444

15. Clarifies max. multi-building height (18') within 100' of single-family detached or attached dwellings
    pp. 444

16. Limits use of gates across accessways serving multi-family
    pp. 446, 509

UDOTA 2-24 – Development Standards

17. Clarifies non-residential design standards apply to attached structures added to an existing building
    pp. 449

18. Non-residential building articulation features only counted on the wall where located
    pp. 453

19. Non-residential outparcels on street corners must include at least 2 of 4 required design features
    pp. 459

20. Large format retail structures may utilize allowable alternatives to transparent windows and doors
    pp. 462

UDOTA 2-24 – Development Standards

21. Residential design guidelines apply to triplexes & quadplexes
    pp. 463

22. Removes limits on concrete foundations
    pp. 464

23. Distinctly different requirements for SFD reduced from 6 to 4
    pp. 468

24. Lighting plans shall be prepared a lighting professional
    pp. 478

UDOTA 2-24 – Development Standards

25. Allows gravel to be used for surface parking when within or next to railroad ROW, subject to specific standards
    pp. 579, 580

UDOTA 1-24 – Definitions

- Mid-block Alley - 745
- Vehicle Towing or Storage – 792 (its or, not and)

Updates to UDOTA 2-24

Based on Planning Board Meeting (8/26/24) and Town Council Work Session (9/3/24):

- Revise the maximum height of multi-family buildings within 100’ of an existing single-family detached or attached residence to be two stories or up to 24 feet (up from 18 feet) in height
- Continue to integrate “enhancements” guidance language for Type 3 conditional rezonings in UDOTA3-24
- Explore further limits to driveway entrances for developing lots along arterial streets in UDOTA3-24 (to protect road capacity)

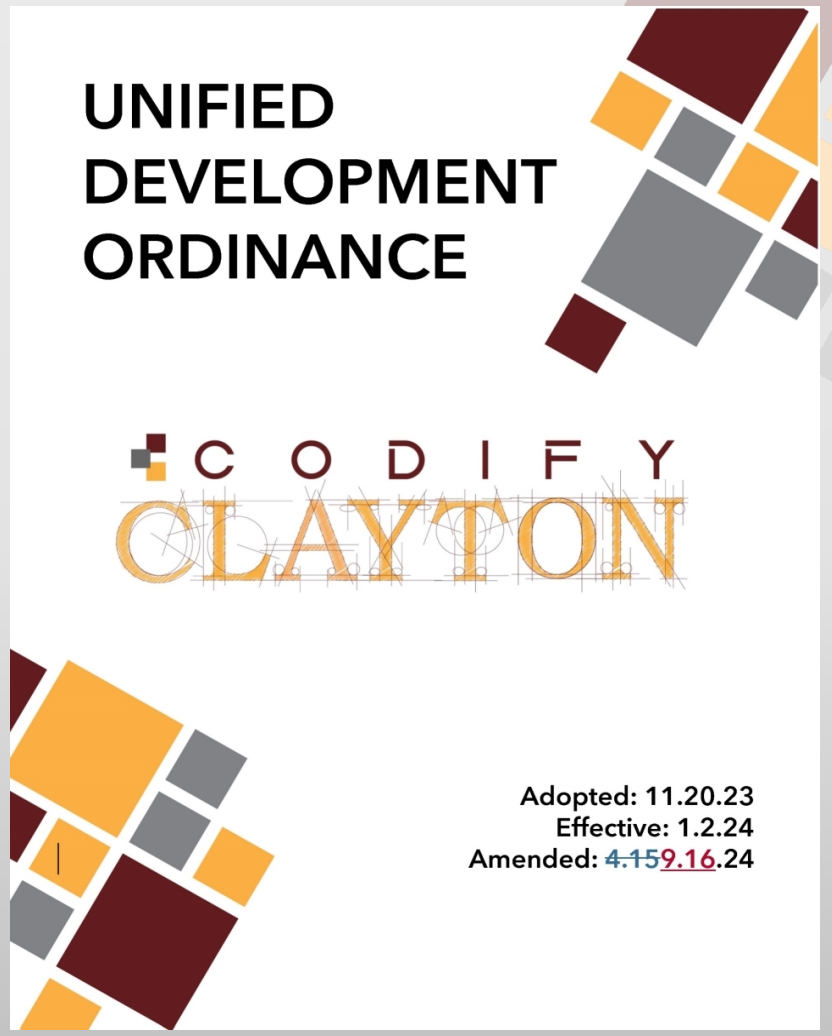
Updates to UDOTA 2-24

Additional amendments proposed after 9/3/24:

- Clarify that neighborhood meetings, when required, must be conducted no more than 60 days prior to application submittal
- Clarify that annexation petitions do not require neighborhood meetings (though Town Council may still require one if they desire)
- Clarify the rules for public notice regarding annexation petitions (such requests do not require mailed notice)
- Additional adjustments to gravel parking lot surfacing changes that also permit Aggregate Base Course (ABC) gravel or other configuration as an alternative to 4 inches of #57 stone (subject to Engineering Director approval)

Steps

- Town Council Hearing 9/16/24
- Revise UDO to reflect UDOTA 2-24
- Post Updated UDO
- Continue work on UDOTA 3-24



Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
September 16, 2024	PUBLIC HEARINGS

Item Title

Town of Clayton Downtown Plan

Presenter(s)

Conrad Olmedo, Planning Director Dan Lambert, McAdam's LLC

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☒ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☒ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Special Mailing
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☐ None Required

Summary

The Town initiated the “Town of Clayton Downtown Plan” beginning in the summer of 2022 and after a collaborative and comprehensive effort of Clayton residents, business owners, stakeholders, and staff is now ready for adoption.

Recommendation

The Planning department recommends approval of the "Town of Clayton Downtown Plan".

Funding Source

N/A

Corresponding Documentation

TC Staff Report - Clayton Downtown Plan

_2024-08-15 - Clayton Downtown Plan - PB Draft - Reduced

Consistency Statements Sheet - Town Council - Clayton Downtown Plan

Ordinance - Clayton Downtown Plan

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Rich Cappola, Town Manager	Approved - Sep 11 2024
Heidi Holland, Town Clerk	Approved - Sep 12 2024

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

Town Council: September 16, 2024

STAFF REPORT

Project Name: Town of Clayton Downtown Plan

OVERVIEW:

The Town initiated the "Town of Clayton Downtown Plan" beginning in the summer of 2022 and after a collaborative and comprehensive effort of Clayton residents, business owners, stakeholders, and staff is now ready for adoption in the summer of 2024. The Town entered into contract with McAdams LLC to develop the "Town of Clayton Downtown Plan". The "Town of Clayton Downtown Plan" develops a vision for Clayton's Downtown after having acquired an understanding of existing conditions and hearing and processing the public's input, expressed values, and interests. This project includes a unique vision for Downtown Clayton that sets a path forward for redevelopment while keeping true to Clayton's historic core and small-town character and feel.

Development of the Town of Clayton Downtown Plan include recent presentations to Town Council, the Planning Board, and the Downtown Development Advisory Board:

- Town Council Work Session on March 4, 2024
- Town Council Work Session on June 3, 2024
- Joint Planning Board and Downtown Development Advisory Board on June 24, 2024
- Downtown Development Advisory Board on July 8, 2024
- Planning Board on August 26, 2024
- Town Council Work Session on September 3, 2024

From these meetings, the consultant team and Town staff have modified and adjusted the plan to accurately reflect the input from these boards. This provided direction in which the most recent version of the plan was presented and unanimously approved by the Downtown Development Advisory Board at their August 12, 2024 meeting. The board approved the plan subject to the following recommendations to be included:

- Removal of TPPK 22, which called for the removal of the Barbour St. on-street parking;

- Inclusion of language/examples that highlight the possibility for additional parking with partnerships with developers regarding residential and non-residential parking (examples); and
- Removal of specific development plans as shown in the appendix.

The consultant also noted that the following changes would occur as well in the revised plan:

- Include additional images to reference to Vertical Rail/Underpass and Grade Separations; and
- Additional text to be added regarding the Locally Administered Projects Program (LAPP).

The current version of the Town of Clayton Downtown Plan reflects the aforementioned changes and includes consideration of discussion that occurred at the August 26, 2024 Planning Board meeting. At this meeting, the Planning Board brought forth points regarding density and how this may affect public transit (e.g., commuter rail) and the data sets found in the Appendix portion of the plan. After discussion, the Planning Board recommended to approve the Plan via Option 1, per the Consistency Statements Sheet, with 5 votes in favor and 1 vote against.

At the Town Council Work Session held on September 3, 2024, there was discussion amongst Council again regarding the density of downtown and how that may relate to public transit and investment opportunities. The plan does not contain any substantive changes following this presentation to Council and is presented at the September 16, 2024 Town Council in its final adoptable-ready form.

CONSIDERATIONS:

- The Town Council shall make a final decision regarding the adoption of the Town of Clayton Downtown Plan.
- If approved, the Town of Clayton Downtown Plan will be an adopted plan that will help facilitate the development and growth of Clayton's Downtown.

STAFF RECOMMENDATION:

Staff is recommending that the Town of Clayton Downtown Plan be approved by Town Council based on consistency statement Option 1 from the Consistency Statement Sheet provided as attached, which reads:

I make a motion to approve the Town of Clayton Downtown Plan based on consistency with the adopted 2045 Comprehensive Growth Plan, in that:

- *Chapter 3: Think Downtown, provides goals, policies, and strategies that are supported in the proposed Town of Clayton Downtown Plan.*

- *Chapter 9: Action, as an implementation step for Goal DT1, calls for updating the existing Town of Clayton Downtown Plan.*

This action is reasonable and in the public interest, in that:

- *The Comprehensive Growth Plan calls for an update of the Town of Clayton Downtown Plan as an implementation step.*
- *The Town of Clayton Downtown Plan supports the goals, policies, and strategies found in Chapter 3 of the Comprehensive Growth Plan.*

ATTACHMENTS:

1) Staff Report
2) Town of Clayton Downtown Plan
3) Consistency Statements Sheet
4) Ordinance



DRAFT - AUGUST 15, 2024

ANTICIPATED ADOPTION (SEPTEMBER 16, 2024)

CLAYTON DOWNTOWN PLAN

Clayton, North Carolina

ACKNOWLEDGMENTS

TOWN OF CLAYTON

Mayor + Town Council

Jody McLeod, Mayor
Michael Sims, Mayor Pro Tem
Ruth Anderson, Council Member
Andria Archer, Council Member
Gretchen Williams, Council Member
Porter Casey, Council Member

Planning Board

James Moore, Chair
Ronald WIlliams
Derrick Applewhite
Daniel Gleason
Anita Bland
Jodie Dupree, Vice Chair
Kevin Lee
James Lipscomb
Mike Surasky
Jeffrey R. Spence (Alternate)

Downtown Development Advisory Board

Christi Thompson, Chair
Dan Barbour
John David Millican
Greg Adamson
Katie Spalding
Marty Kornegay
Matthew Kagel, Vice Chair
Erin Belcher
Paul Auclair
Lila Rieber
Joel Tew
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Steven Langston, Cultural Arts Director
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Town of Clayton Advisory Boards

Parks and Recreation Advisory Board
Hocutt-Ellington Memorial Library Advisory Board
Public Art Advisory Board
Fire Advisory Board

Special Thanks to North Carolina Railroad

ACKNOWLEDGMENTS

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Dan Douglas, Director of Urban Design, Benchmark Planning -
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Kathleen Rose, CCIM, CRE, President + CEO, Rose Associates Southeast - Market Analysis
Daniel Bellot, Data Analyst, Rose Associates Southeast - Market Analysis
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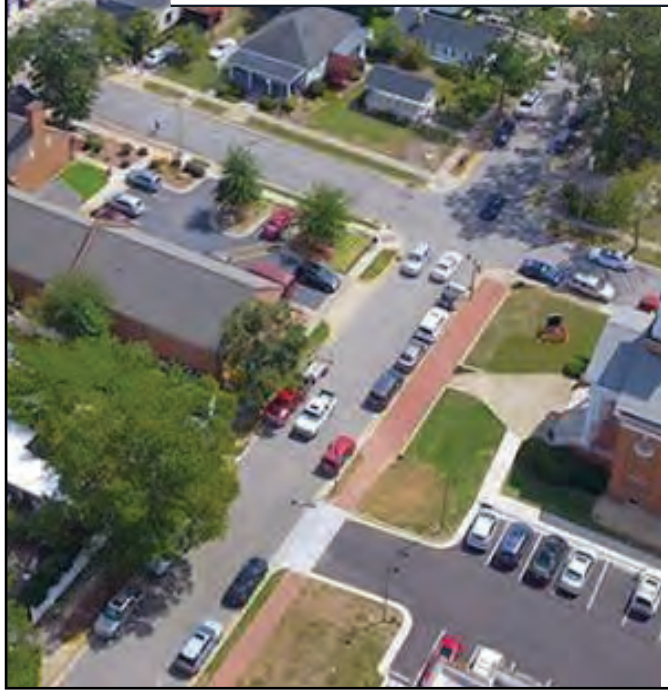
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MARKET + REAL ESTATE STUDY

HISTORIC RESOURCES STUDY







01 INTRODUCTION

IN THIS CHAPTER

PROJECT INITIATION + PURPOSE

PLAN PROCESS

PREVIOUS PLANS

PROJECT INITIATION + PURPOSE

This plan represents a comprehensive and collaborative effort between the Town of Clayton residents, business owners, stakeholders, Town staff, and elected officials. The purpose and intention of this Comprehensive Master Plan is to direct the growth and design of the Downtown Clayton commercial district in a way that fosters future redevelopment, preserves critical historic and cultural resources, emphasizes activity and amenity, and works to improve the quality of life for residents and visiitors alike. The proposed Plan is in compliance with the Town's newly established Unified Development Code ("UDO") and the previously adopted Clayton 2045 Comprehensive Growth Plan, making recommendations that work to accomplish the positive aims of this plan. The Downtown Master Plan identifies public projects that will enhance the Downtown area as it is developed to meet future predicted growth and considers and takes advantage of several trends that create more favorable urban living areas, resulting in a more vibrant Downtown core. The Plan identifies existing conditions, cultural resources, market analysis, current and future policy measures, opportunities, and constraints. Paired with a comprehensive public engagement focus, the priorities of Clayton's residents and Downtown stakeholders have emerged and are the basis informing the direction of this Master Plan and the action items that will bring the vision herein to fruition. The public engagement efforts taken led to many great conversations and revelations that reinforce that each measure in the Master Plan reflects the values and visions of the Town and its residents. This Downtown Master Plan reflects continued positive leveraging of the innovation and momentum for positive change that Clayton has been cultivating in recent years. This plan helps guide the Town of Clayton in managing change well and in positioning Downtown for continued success.

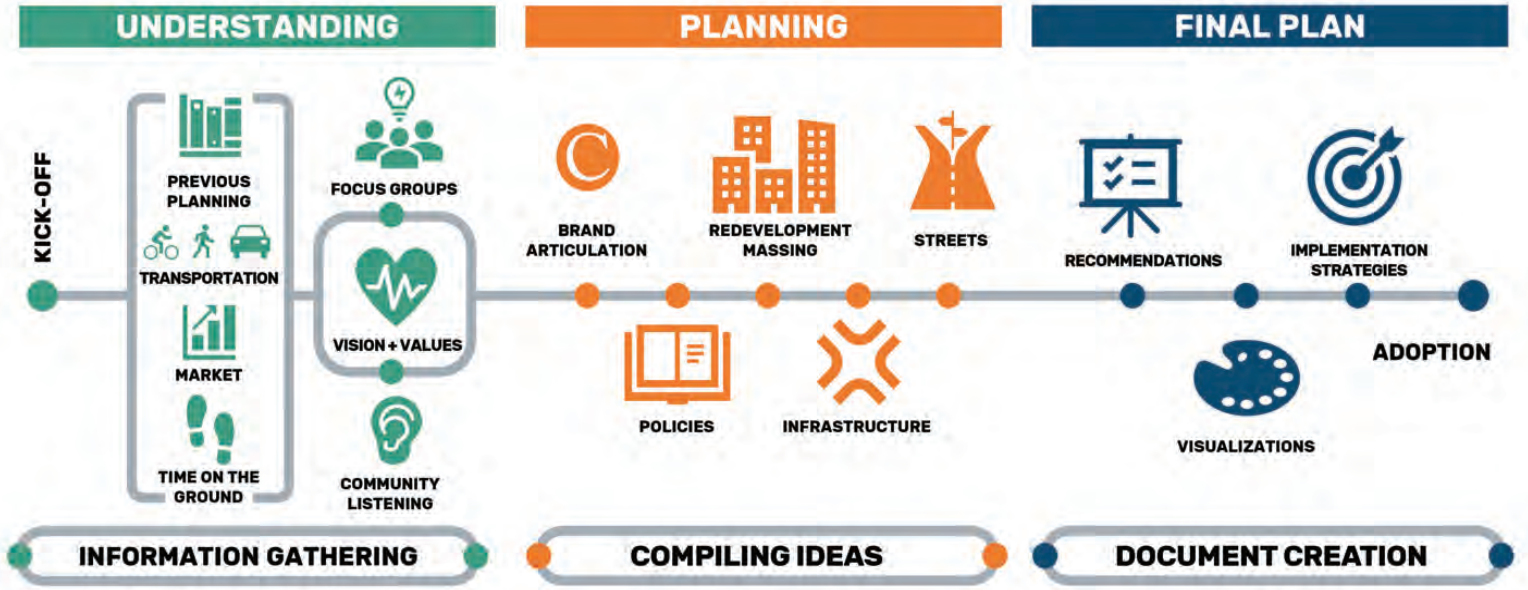
The Clayton Banking Company Building (1920 + 2024)
Source: Town of Clayton





PROJECT PROCESS

This plan reflects a collection of efforts and the recommendations and implementation strategies that were derived as a result. The process that was followed to get to the creation of this document is graphically outl;ined below:



PREVIOUS PLANS

Over the years, the Town of Clayton's Planning Department has been responsible for numerous guiding documents that help to manage land use, zoning, and infrastructure as Clayton grew in population and complexity. The department has been responsible for developing zoning ordinances, comprehensive plans, master plans and small area plans, transportation + parking plans, and historic preservation plans amongst others.

For this Downtown Master Plan process, the project team began by conducting a review of the most recent of these plans including the following reports which considered the downtown, economic development and land use:

- Downtown Master Plan (2010)
- Johnston County Transportation Plan (2011)
- Parks + Recreation Comprehensive Plan (2013)
- Clayton Economic Development Strategic Plan (2020)
- Think Clayton – 2045 Comprehensive Growth Plan (2021)
- Clayton Pedestrian Plan (2022)
- Downtown Strategic Vision (2023)
- Clayton On the Move: Comprehensive Transportation Plan (2024)

PROGRESS

Critical information from each of these plans has informed the Downtown Master Plan update and can be found throughout this document in the areas where they relate to the context of the Downtown Master Plan. Here are a few highlights of understanding gleaned from the review of these prior plans:

- Downtown Clayton has worked diligently to incorporate design guideline criteria in new developments and to foster adaptive reuse of historic properties.
- Several policy and economic development goals of the prior Downtown Master Plan have been achieved and implemented over the last 13 years.
- Efforts at Public/Private Partnerships have been fruitful but renewed connections are advisable.
- Progress with the Railroad has been difficult and has slowed due to recent changes in staff and leadership at both organizations. Efforts by Town representatives at cooperative outreach continue.
- Parks + Recreation has made significant investment into downtown active open space and greenway connections.
- Transportation recommendations including improved parking lots, improvements along the railroad corridor on Front Street, structured parking, and pedestrian cross access improvements such as pedestrian alleyways and improved crossings using different materials such as pavers, have all been slow in implementation, but progress has been made in changing traffic patterns.
- The proposed realignment at Central Street remains unacted upon.
- Design for streetscape improvements has been acquired but remains unacted upon
- New sidewalk construction has been limited to areas where damage or underground excavation required replacement.
- Gateway signage has been installed at the east end of Main Street but not in other Downtown approach locations.
- Economic investments have been strong and commercial vacancy is down significantly.

2010 DOWNTOWN MASTER PLAN

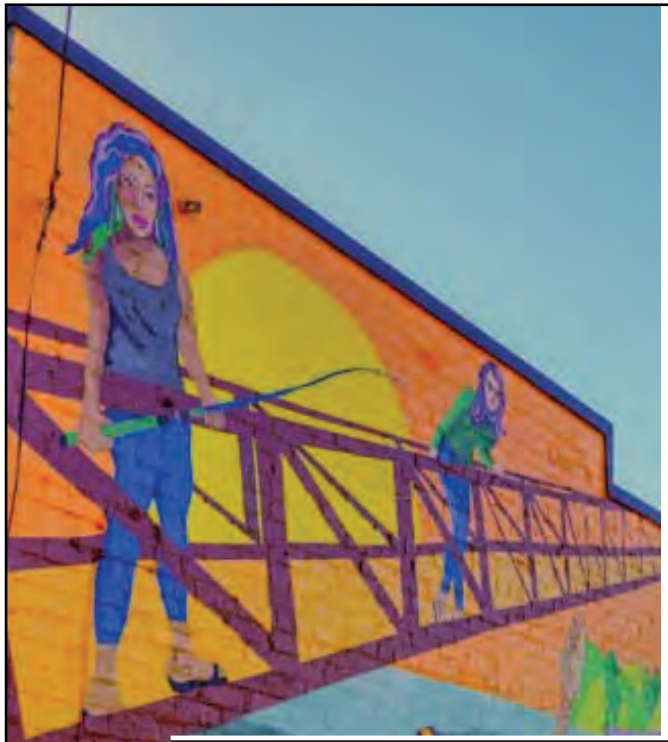
The 2010 Downtown Master Plan was an aggressive plan in many ways, recommending the demolition and redevelopment of significant number of existing building and empty lots as the adaptive reuse of several other existing buildings, however, key elements of the 2010 Clayton Downtown Master Plan's recommendations have come to fruition including:

- Reached Goals of Downtown Vacancy Reduction
- Establishment of Improved Ordinance Text - Newly Adopted Unified Development Ordinance (UDO)
- Establishment of a Downtown Overlay District
- Incorporation of Public Art Programs
- Expanded Festival and Event Programming
- Branding and Marketing Campaigns (Think Clayton)
- Redevelopment Partnerships to Get New Businesses Off the Ground and Established.

While many of the suggested redevelopment options, parking consolidation, gateway features, and other recommended physical elements of the 2010 plan were not implemented, the establishment of design guidelines, restrictive code language, and the efforts of the Downtown Development Advisory



2010 Downtown Master Plan Map / *Town of Clayton and OBS*





02
DOWNTOWN PLAN

IN THIS CHAPTER

VISION STATEMENT
COMMUNITY VALUES
THE DOWNTOWN PLAN
DOWNTOWN PLAN HIGHLIGHTS
RECOMMENDATIONS

VISION STATEMENT

DOWNTOWN CLAYTON IS OUR PLACE

It's where we make memories, share our cultures, and dare to be creative. It's where we celebrate our history and where we find opportunity to grow **TOGETHER.**

COMMUNITY VALUES

Recent trends in the direction of Downtown Clayton paired with the sentiments of stakeholders and the public led to the development of a series of guiding values for this Downtown Plan.

ENRICH QUALITY OF LIFE + CREATE MEMORABLE EXPERIENCES

CELEBRATE CULTURE + CREATIVITY

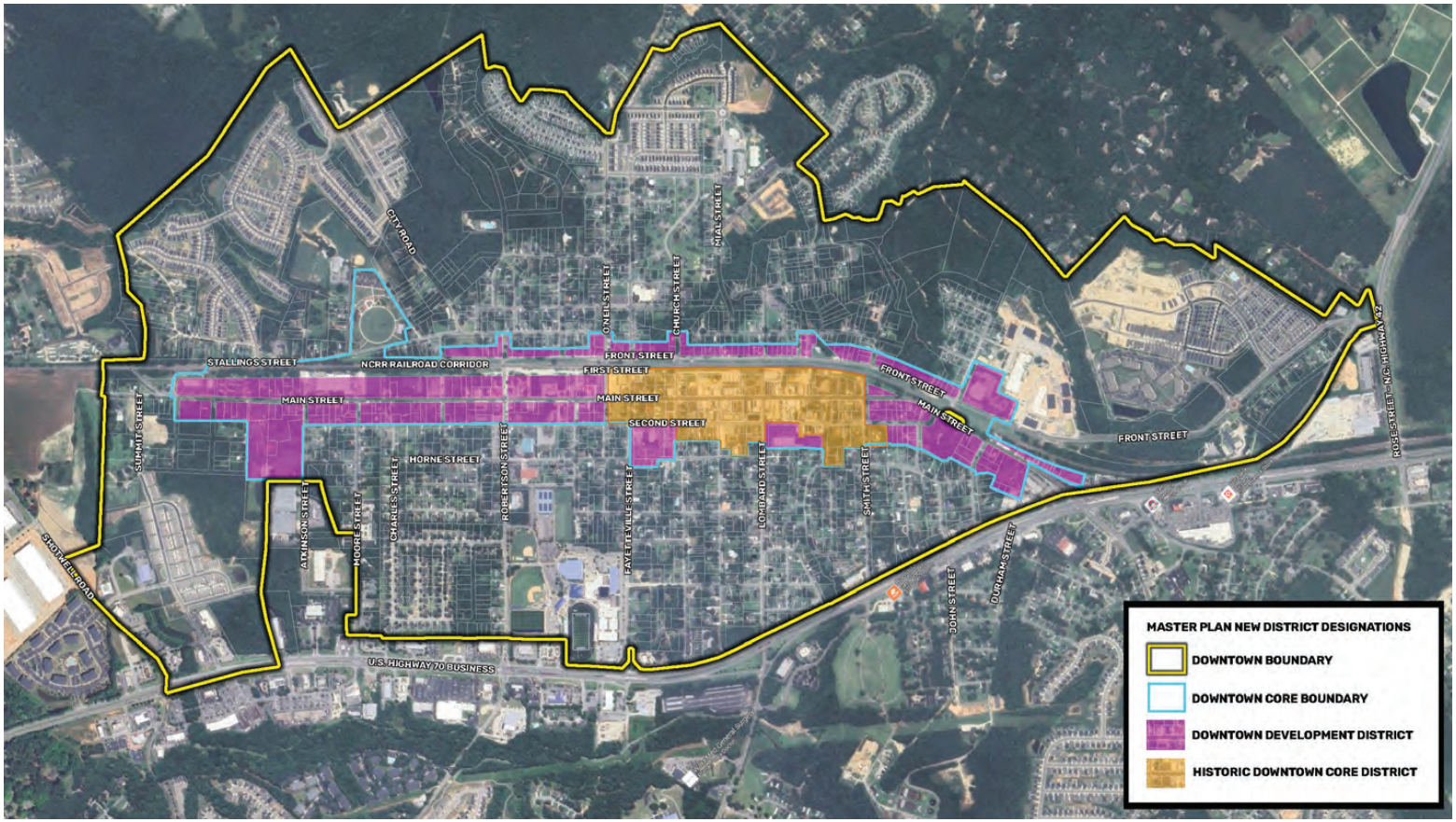
PRESERVE + CELEBRATE HISTORIC RESOURCES

ENHANCE THE LOCAL ECONOMY

Each of the conclusions and recommendations of this Downtown plan have one or more of these values at their core. Implementation strategies, action items, future policies and standards will be more successful if they maintain these values as their driving principles..

THE DOWNTOWN PLAN

After developing a thorough understanding of existing conditions, hearing and processing the public's input, expressed values, and vision for Downtown Clayton, a Plan for the Downtown Core has taken shape. In this section, we delve in to what that Downtown Plan entails, from Future Land Use and Zoning, to the understanding of Opportunity Sites for development or redevelopment, to a review of the ordinance language recently adopted as a part of the Town's Unified Development Ordinance (UDO). The result is an ability to put form into the summary, recommendations, and proposed implementation strategies to bring these plan elements into fruition.



DOWNTOWN PLAN HIGHLIGHTS - A summary of the primary elements of the Downtown Plan that will be highlighted in the recommendations to follow.

REVISED FUTURE LAND USE MAP

RECOMMENDED REVISIONS TO THE 2045 LAND USE GROWTH PLAN

TRAFFIC, TRANSPORTATION + PARKING

RECOMMENDATIONS FOR REVISED TRAFFIC PATTERNS, ROAD DIETS + MULTI-MODAL TRANSPORTATION + PARKING

BICYCLE + PEDESTRIAN IMPROVEMENTS

ACTIVE TRANSPORTATION + STREETSCAPE ENHANCEMENTS FOR MAIN, FIRST AND SECOND STREETS + CONNECTING ROADS

DOWNTOWN EVENTS + PROGRAMMING

RECOMMENDED EXPANSIONS TO THE SLATE OF DOWNTOWN EVENTS + PROGRAMMING OF PUBLIC SPACES

INFRASTRUCTURE IMPROVEMENTS

RECOMMENDED IMPROVEMENTS TO DOWNTOWN SERVICES + INFRASTRUCTURE

RECOMMENDED UNIFIED DEVELOPMENT ORDINANCE TEXT

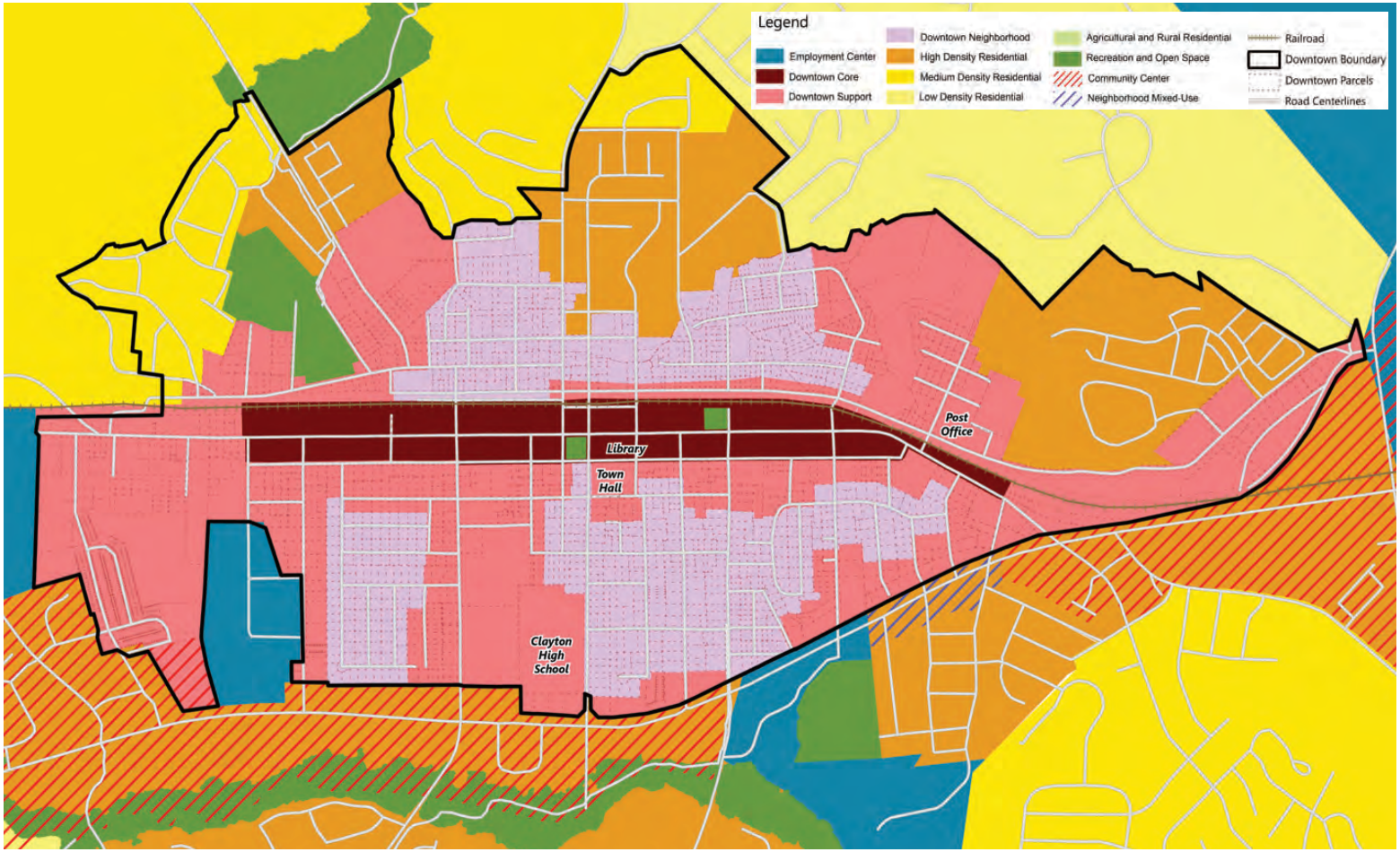
RECOMMENDED POLICY REVISIONS FOR INCLUSION IN THE PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT

DOWNTOWN MANAGEMENT + FUNDING

RECOMMENDATIONS FOR CONTINUED DOWNTOWN MANAGEMENT + POSSIBLE ADDITONAL FUNDING SOURCES

2045 FUTURE LAND USE MAP (AS ADOPTED)

Represented below is the 2045 Future Land Use Map from the Think Clayton - 2045 Comprehensive Growth Plan adopted in November of 2021. A simplification of zoning classifications and a revised downtown boundary were both incorporated as a part of the recently completed and adopted Unified Development Ordinance (UDO).





FUTURE LAND USE + ZONING

INTRODUCTION

As the Downtown Plan was being prepared, the Town was in the process of preparing an overhaul to its Unified Development Ordinance (UDO) called Codify Clayton. The Codify Clayton initiative was undertaken to modernize and simplify the Town's current development code. The UDO was adopted by the Town in April of 2024 and is the basic set of laws used by the Town to protect public health and safety, property values, and sensitive environmental resources. In addition, the UDO addressed recommendations from the 2045 Comprehensive Growth Plan. The 2045 Future Land Use Map and Codify Clayton code updates were evaluated as part of the Downtown Plan process.

2045 Future Land Use Map

The 2045 Future Land Use Map (FLUM) identifies five different future land use categories within the downtown study area. The categories include the following; Downtown Core, Downtown Support, Downtown Neighborhood, Employment Center, and Recreation/Open Space. Also, the downtown study area is surrounded by land designated as High Density Residential, Medium Density Residential, Low Density Residential, and Community Center future land uses. The summary of each category is outlined below.

Downtown Core (DC)

The Downtown Core applies to the area where the highest-density commercial, employment, residential and other uses are located. It fosters an urban environment characterized by a sensitive blending of carefully preserved older structures, high quality and context-sensitive new construction, and public spaces all working together and integrated with surrounding neighborhoods. The Downtown Core includes a variety of uses including commercial services (restaurants, retail, professional services, and entertainment), office, high-density residential, upper-story apartments, and older homes renovated to accommodate commercial uses. This area provides a connected grid-style street network with alley access, future transit opportunities and pedestrian friendly sidewalks, safe crossings and streets with on-street parking and slow speeds

Downtown Support (DS)

The Downtown Support area provides for housing options and non-residential uses located in close proximity to the Downtown Core, often providing a transition to the



Downtown Neighborhood or other lower intensity character areas. The Downtown Support category is designed to allow a variety of medium to higher-density housing types in tandem with smaller-scale retail and office uses that support and foster growth of the Downtown Core. Higher-density development should be directly bordering the Downtown Core, along 2nd Street, or along US 70. The Downtown area should have a connected street network with short block lengths, a grid-style street system, access via alleys between public streets, and wide sidewalks.

Downtown Neighborhood (DN)

The Downtown Neighborhood area is comprised of primarily single-family residential uses with some house-scale multifamily and townhomes permitted. The Downtown Neighborhood category is designed to retain established downtown neighborhoods and maintain their historic character while allowing some flexibility of housing types. Downtown Neighborhood districts are found adjacent to Downtown Support areas. In the Downtown Neighborhood, streets are connected and have pedestrian facilities.

Employment Center (EC)

Clayton's Employment Center Areas are designated on the Future Land Use Map to provide locations for primary employment and economic development opportunities. The Employment Centers are located along a major transportation corridor, and have adequate levels of infrastructure along with access to rail and parcels large enough to accommodate future employment growth. Uses encouraged in Employment Centers include but are not limited to, industrial, warehouse, office, research and development, tech-flex, hospital, renewable energy, recycling, fabrication, assembly, and technology. Employment Center land uses may also include a limited amount of supporting commercial uses, such as restaurants and convenience retailers to serve employees. However, these uses should only be situated where not in conflict with existing employment land uses and should not be built in such a way as to jeopardize the use of those lands most suitable for office or industrial development.



Recreation and Open Space (ROS)

The Recreation and Open Space designation applies to parks, public recreational areas, conservation areas and floodplains. Uses include active and passive recreation (including trails and greenways), wildlife management, environmental restoration/ mitigation/preservation, and educational uses. Structures that support or are associated with the intended uses shall be permitted. The primary use of land shown under this designation should be recreation, open space, or conservation.

High Density Residential (HDR)

The High Density Residential area provides for housing near major transportation corridors, existing commercial areas, and Downtown. These areas have a connected street network, adequate pedestrian and bicycle facilities, and are served by public water and sewer. High Density Residential includes all housing types while providing higher-density development than the other residential categories. In some places, HDR serves as a transition between commercial uses and lower-density residential uses. In other instances, it accompanies neighborhood commercial uses such as a grocery store or services in established or growing areas of Town.

Medium Density Residential (MDR)

The Medium Density Residential area is comprised predominantly of neighborhoods with housing units that are more urban in character and in closer proximity to commercial services and centers. This area provides a transition from the more suburban areas of the Town to more developed areas. The density of development in this area will vary based on the presence of utilities, topography and environmental features. This designation is applied to land which is developed, or is to be developed, at a density that is generally between three and five units per acre.

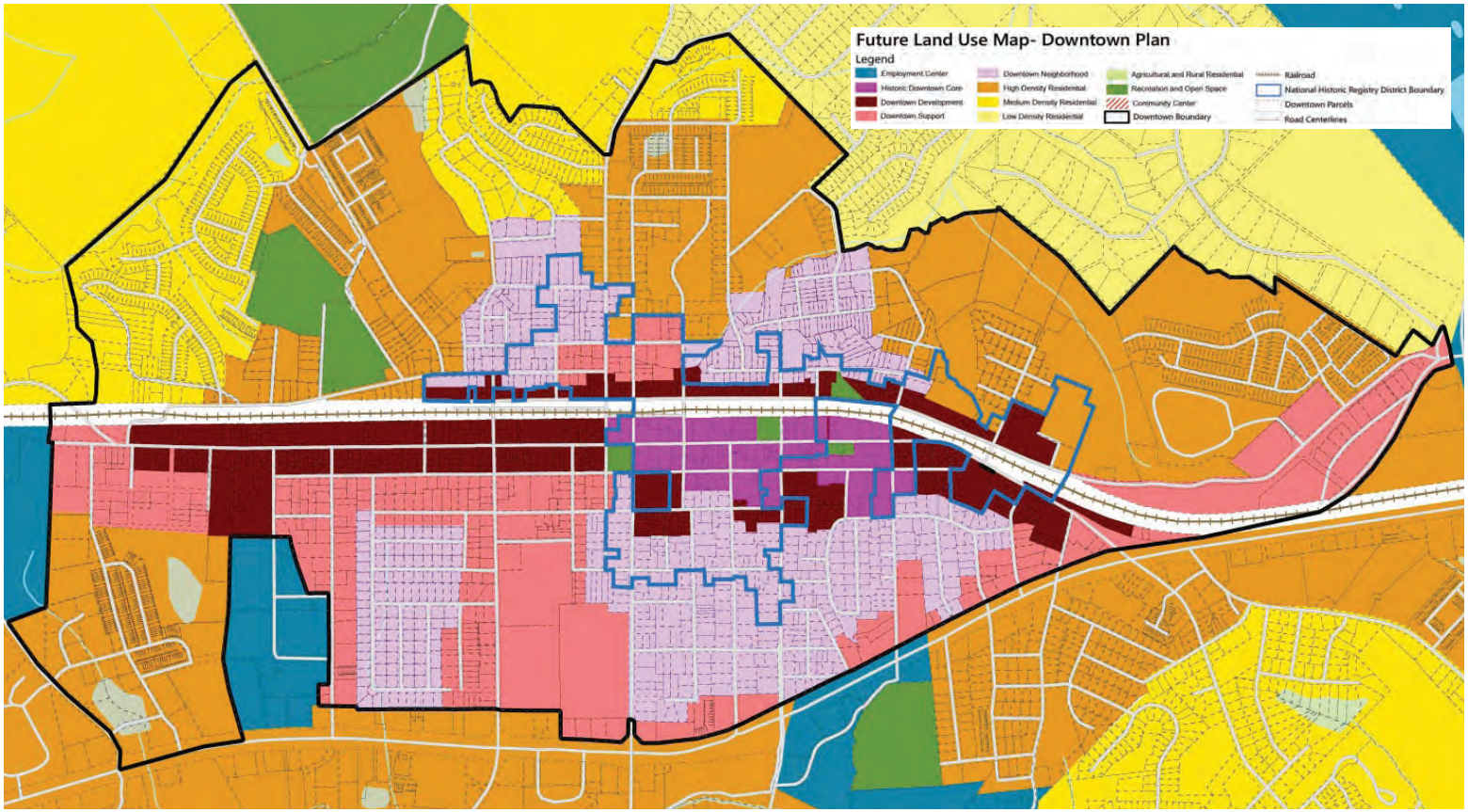
Low Density Residential (LDR)

Areas designated as Low-Density Residential are intended to remain predominantly suburban in character and provide for low-density, single-family residential development on smaller lots than those in Rural Residential areas. However, a mix of residential housing types may occur under a conditional zoning district to support conservation of open space, as long as a gross density of 3 units per acre is not exceeded.

FUTURE LAND USE MAP RECOMMENDATIONS

Based on the market research and input received during the planning process, a number of changes are recommended for the 2045 Future Land Use Map. The changes are intended to provide more focus on expanding the Downtown Core while protecting the treasured character of the current heart of downtown. The recommendations include:

- **FLUM - 01.** Revisit and refine areas designated as Downtown Support
- **FLUM - 02.** Expand Downtown Core area
- **FLUM - 03.** Replace the Downtown Core designation with a new pair of designations; the Historic Downtown Core and Downtown Development



ZONING MAP RECOMMENDATIONS

As noted in the background research, the core of downtown was mostly zoned B-1 (Central Business). However, there are a number of other districts in the study area that include; O-1 (Office-Institutional), B-2 (Neighborhood Business) B-3 (Highway Business), Single Family Residential (various), and Planned Development – Residential. In addition to these base zoning districts, a downtown overlay zoning district was in place that covered a significant portion of the study area.

The Codify Clayton effort identified three new zoning districts and applied them to portions of the downtown study area. The new zoning districts include the Downtown Core (DTNC), Downtown Transitional (DTNT), and Downtown Neighborhood (DTNN). The Downtown Core district (DTNC) was implemented as part of the code updating and adoption process. The DTNC replaced the B-1 district, while the Downtown Overlay was eliminated.

Downtown Plan recommendations for zoning changes include:

- **ZONM - 01.** Expand the area considered to be the Downtown Core
- **ZONM - 02.** Replace the Downtown Core (DTNC) zoning district, dividing it into the Downtown Development District (DTDD) and the Historic Downtown Core District (HDCD) per the Downtown Plan

The new zoning districts shall be applied in a way to align with the recommended changes to the 2045 FLUM future land use category for the Downtown Core. This will ensure that future development in this area will conform with the vision of strengthening the core of downtown Clayton. Definitions for these new districts can be found below:

Historic Downtown Core

The western boundary of the Downtown Core is recommended to be extended as shown in the Downtown Plan graphic at the start of this section, converting portions of the Downtown Support and Downtown Neighborhood future land use categories all the way to the eastern boundary at Stallings Street/Irondale Drive. This western expansion would change the 2045 FLUM designation from Downtown Support and Downtown Neighborhood to a new classification of Downtown Development disctrict (See description in this section). A number of properties in this western area of Downtown are continuing to change ownership and are being used for commercial, office, multifamily, and some remaining single family uses. The areas are well connected and are becoming more aligned with the central downtown core and offer opportunity for densifying Downtown over time without compromising the character of the Historic Downtown Core district.

The Historic Downtown Core district is the central focus and the heart of Clayton as we know it today. The intention of this district is to preserve the historic small town character of Downtown Clayton through the addition of protective language to the UDO for existing properties of historic significance and the establishment of architectural guidelines for new development and redevelopment within the district. It is recommended this district is to be applied to areas bounded by O'Neil Street to the west, First Street to the north, Smith Street to the east, and the northern half of lots fronting Second Street from O'Neil Street to Smith Street and the southern half of lots fronting Second Street between Church Street and Lombard Street, and from Smith Street to the grocery lot (Compare Foods) halfway betweeen Lombard Street and Hardee Street. The intent of establishment of this district is to preserve the character of the area to the extent possible through incentivizing adaptive re-use of existing historic buildings, restrictions on new construction or redevelopment to a maximum height of three stories with a preference for two-story or three-story vertical mixed-use with the traditional mix of residential or office over commercial retail, restaurant, bar or entertainment uses at street level. Architectural standards are recommended along with code language amendments to the UDO to establish an architectural review process specific to the Historic Downtown Core district with the intent of new development fitting the vernacular and character of the existing architecture in the district. It is also recommended that a program of branding, distinct signage, and marketing of the Historic Downtown Core district become a priority for economic development functions within the Town.

Downtown Development

The Downtown Development district is the remainder of the expanded Downtown Core outside of the Historic Downtown Core district. The intention of this district is to concentrate density in new development within Dowtntown to minimize the gentrification impact on surrounding neighborhoods. Also, just as with the Historic Downtown Core, establishment of architectural guidelines helps to keep the character of Downtown Clayton intact while adapting to future growth pressures. It is recommended to be applied to areas from Irondale Drive and West Stallings Street to the west, along West Stallings Street and Front Street to the north including Municipal Park and parcels fronting Front Street from its north-south running segment to the west to Mill Street at its eastern end including the U.S. Postal building at the intersection of Central Street and East Front Street complete with its associated parking lots. It is also recommended to include parcels south of the railroad corridor along East Main Street up to and including the current Robinson Animal Hospital parcel on the north side of East Main and including parcels from Durham Street to Smith Street along the south frontage of East Main Street including parcels fronting Second Street between Smith Street and Main Street. It is recommended to also encompass the grocery parcel at the intersection of Second Street and Lombard Street as well as the Town Hall complex at

Second Street between Fayetteville Street and Church Street. It is recommended that the eastern stretch include parcels fronting Main Street on both sides from O'Neil Street to Stallings Street/Irondale Drive as well as parcels fronting Second Street on its north side for that same length.

The Downtown Development district is recommended to allow significantly more density and maximum building heights than the Historic Downtown Core or adjacent High-Density Residential, Downtown Support and Downtown Neighborhood designations. It is recommended to allow maximum building heights that can reach six stories and to write language in the code to incentivize three-story to six story vertical mixed-use and/or residential development. The intent is to accommodate the anticipated growth in population looking for a more urbanized setting while being closer to the character of Clayton that makes it so unique and desirable. By allowing this "concave" development pattern of higher-density urban mixed-use surrounding a lower-density Historic Downtown Core essentially protects that character while allowing for the volume of new residents that will help Downtown to continue to thrive into the future.

Downtown Support

As described above, areas of Downtown Support are recommended for conversion to higher-density Downtown Development district. In addition to those converted areas, the Downtown Support category is recommended to be reduced and replaced with High Density Residential in three areas within the downtown study boundary. One area is located south of West Main Street encompassing Cameron Crossing and adjacent area. The area, while it provides support to downtown, is not likely to include very many non-residential uses and is more closely aligned with the High Density Residential (HDR) future land use classification. Although there is an area adjoining the Cameron Crossing that is more aligned with Highway 70. This area should be converted to Community Center on the 2045 FLUM.

High Density Residential is also recommended for two areas that are located northeast of the railroad. One of the areas is north of Stallings Street adjoining the Municipal Park. This area will most likely remain residential. The other area across the railroad includes the residential areas surrounding the post office and the post office itself. The area is best suited for residential growth, and while the post office serves the community and supports downtown, designating that parcel as downtown support may not be the most suitable long-term designation.

Another area of Downtown Support future land use extends along East Front Street. This stretch of Downtown Support is recommended to be converted to the Downtown Neighborhood category except for parcels immediately fronting Front Street which are recommended to become a part of the Downtown Development district.
It is also recommended that sections of the Downtown Support category to the west and east of the Downtown Core Character District be converted to Downtown Development designation to encompass areas that are expected to continue supporting downtown through more intensive uses, and are already considered by many to be in downtown. These areas include businesses such as the Deep River Brewing Company to the west and Vinson's Pub and Eatery to the east. It is important that strong pedestrian connections, visual connections, and other linkages be made to these areas as they are vital to supporting the Downtown Core. As described in subsequent recommendations, these areas are a significant part of downtown's overall identity.

The final area northeast of the railroad that is recommended for Downtown Support expansion is the area adjacent to Front Street, which includes its intersections with O'Neil Street and Fayetteville Street. The area extends northeast to Whitaker Street and

the northeastern edge of the High Density Residential area along Hinton Street. The area is also bounded by Kildee Street and Church Street. Northeast of the railroad, this area has the greatest opportunity to influence downtown in the long-term with its stronger connectivity and physical characteristics. Areas along the eastern road frontage and southeast of Central Street on East Main Street are also recommended for conversion from Downtown Core to Downtown Support on the 2045 FLUM. While this area is a part of the overall downtown, it is not envisioned as part of the Downtown Core future land use category.

TRAFFIC TRANSPORTATION + PARKING

INTRODUCTION

Ease of travel through a community can make residents and visitors feel more connected. If it is simple to travel from point A to point B within a community, people are more likely to visit an area, which leads to more success for local businesses and events. A successful transportation network should provide multiple modes of transportation, like biking and walking, to make shorter trips more convenient without the need to get into a car. Additionally, travelers should feel safe during their trip, whether in a vehicle or on foot. The recommendations below strive to create a successful and safe transportation network in downtown Clayton. Any significant parking losses created by recommendations in this plan will be offset by added parking included within other plan recommendations.

VEHICULAR TRAFFIC

Based on the traffic counts collected in January 2023, some intersections have enough turning volumes to warrant the construction of turn lanes. Due to the existing development and on-street parking, in most of these instances there is not enough room along Main Street to construct turn lanes without sacrificing on-street parking or displacing businesses. Some turn lanes can be provided, recommendations for which are indicated below:

- **TTPK - 01.** Add a 75-foot eastbound left-turn lane on Main Street at Robertson Street
- **TTPK - 02.** Add a 100-foot westbound left-turn lane on Main Street at Robertson Street
- **TTPK - 03.** Add a 125-foot eastbound left-turn lane on Main Street at O'Neil Street
- **TTPK - 04.** Add a 125-foot westbound right-turn lane on Main Street at O'Neil Street
- **TTPK - 05.** Add a 50-foot westbound left-turn lane on Main Street at Smith Street

These turn lane storage lengths are based exclusively on traffic volumes and do not take queuing into consideration. It is recommended the Town staff analyze the queuing at intersections downtown to confirm the recommended storage lengths will accommodate the queuing seen during peak hours.

The existing two-lane cross section on the roads downtown will help to foster the close-knit community feel residents want to maintain for downtown Clayton. Additionally, the two-lane cross section allows for shorter crosswalk distances, which means pedestrians will have shorter distances to travel when crossing the roads in downtown Clayton. For these reasons, the following is recommended:

- **TTPK - 06.** Do **NOT** widen the roads in downtown Clayton in the future.

The Downtown Core would see indirect vehicular transportation improvements by turning Main Street into a more complete street. Also, the posted speed limit on Main Street is currently 25 miles per hour (mph) from Robertson Street to US 70 Business. With the recent development of West End and with added residences in the vicinity, the following is recommended:

- **TTPK - 07.** Reduce the speed on Main Street to 25 mph from Stallings Street to Robertson Street, especially once sidewalk is constructed. The reduced speed limit will help with creating a sense of arriving in Downtown Clayton and slower vehicle speeds will give drivers more reaction time to stop for pedestrians who are crossing the road.
- **TTPK - 08.** Incorporate a four-way stop to the intersection of Main Street and Moore Street following speed limit reduction and addition of sidewalks to the intersection.
- **TTPK - 09.** Develop Main Street into more of a 'Complete Street'

The Downtown Core is bisected by the North Carolina Railroad (NCRR), an active rail corridor for both freight and passenger rail service. There are currently six (6) at-grade vehicular crossings of the rail and one grade-separated underpass crossing. Conversations with NCRR have indicated that they would be willing to enter into agreement for certain Town improvements along and within their right-of-way in exchange for a reduced number of at-grade rail crossings. Of the six (6) at-grade crossings (Stallings Street, Robertson Street, O'Neil Street, Fayetteville Street, Church Street and Central Street), three happen within 725 feet of each other (O'Neil Street, Fayetteville Street, and Church Street) and of those three streets, only one continues farther north than a third of a mile before terminating. That street is O'Neil Street. For those reasons, the following is recommended:

- **TTPK - 10.** Realign the western end of Stallings Street keeping the entirety of the downtown stretch north of the railroad corridor. Close the North Carolina Railroad crossing at Stallings Street as a part of the Stallings realignment.
- **TTPK - 11.** Close the North Carolina Railroad crossing at Church Street.

TRANSIT

GoTriangle has studied the feasibility of providing commuter rail on existing railroads from Durham to Garner. An extension of the commuter rail corridor east of Garner to Clayton and Selma was considered. However, the commuter rail will receive funding as part of a tax approved in Durham and Wake Counties, so the extension to Selma was analyzed, but is not funded since this portion is in Johnston County. The Town staff and residents have expressed support for an extension of commuter rail service to Clayton. If commuter rail comes through Clayton, a study should be contracted to determine the best location for that commuter rail station whether that be downtown or just outside of downtown. The following is recommended in preparation for that possibility:

- **TTPK - 12.** Hire commuter rail planning consultants to study best possible location(s) for a commuter rail station in or near downtown Clayton.

As part of the Wake Bus Rapid Transit (BRT) improvements, the Southern Corridor is proposed to travel from NC 42 at US 70 Business into downtown Raleigh. BRT operates with similar travel times and reliability as light rail but can travel with the flexibility of a bus, since the BRT is not confined to a rail track. The BRT Southern Corridor would provide a transit option from Clayton, traveling through Garner, to downtown Raleigh. To facilitate the widest variety of options and possibilities for multi-modal transportation in Downtown, the following is recommended:

- **TTPK - 13.** Continue to pursue BRT opportunities on US 70 BUS as well as bike/ped connectivity to downtown.

Within the Clayton on the Move 2024 Transportation Plan, a specific study of possible dedicated microtransit routes, above and beyond the existing JCATS route were studied. The following reccomendation was made as a result:

- TTPK - 14. Establish a three route network of microtransit including the Green Route (Barber Mill + North O'Neil), Gold Route (US 70, and Pink Route (NC 42).

PARKING

For the purpose of this plan, options for possible parking solutions have been studied. While the recommendations in this section primarily focus on Town driven solutions, it has also been discussed that future private development within the downtown can make arrangements to build structured parking as a part of their development or redevelopment, and can then lease spaces and/or periods of use back to the Town. Also, there is a possibility to create language within the Unified Development Ordinance under the new Downtown Development land use category where incentives can be offered to a developer in exchange for dedicated public spaces within their privately constructed parking.

The location and design of parking areas should create a safe and convenient network for vehicle circulation and parking. On-street parking can negatively impact pedestrian and driver safety by blocking the view of pedestrians who may be crossing the road and by introducing drivers who may stop suddenly or pull out into traffic from a parking space. Removing the on-street parking from one side of Main Street would likely improve pedestrian and driver safety on Main Street, however, that direct business access parking is perceived as critical to local business owners because of its high convenience. Any streetscape design that showed improved sidewalk widths would by necessity also include recommendations for certain segments of Main Street parking to be removed. **Whatever solution the future presents, any parking lost to streetscape improvements shall be replaced within a reasonable walking distance from the original locations**. With all of these factors in play and with the sensitivity to the issue of business access parking on Main Street, it is recommended to:

- TTPK - 15. Perform a formal Downtown Parking Study using projections derived from the land use and development patterns recommended in this Downtown Plan.

If a portion of the on-street parking is removed from Main Street, it needs to be replaced elsewhere. A potential location to place off-street parking is along First Street and secondarily along Front Street, which are both within the railroad right of way. The Town is seeking to create an agreement with the North Carolina Railroad (NCRR) and Norfolk Southern (NS) to pave First Street to utilize for parking and to allow a more temporary parking solution on portions of Front Street. It is recommended to:

- TTPK - 16. Establish agreement with NCRR to allow First Street and Front Street parking and pedestrian improvements.
- TTPK - 17. Design + construct First Street and Front Street parking and pedestrian improvements.

While parking improvements along First Street and Front Street offer a temporary solution for parking near Main Street and the downtown core, any improvements within the railroad right-of-way are subject to a command to vacate by the railroad at any point in the future. Maintaining the parking in this corridor is by no means a guarantee. With that in mind, there are two more permanent solutions to accommodate the needed parking to serve downtown. One would be to develop publically accessible surface parking in several locations along the length of Main Street through downtown no more than two or three blocks from Main in either direction to minimize walk times to reach downtown destinations. The second is to develop parking structures at strategic locations to facilitate the same or greater volume of parking with walk times to downtown destinations carefully considered and kept within a determined maximum distance and/or walk time. Both options need to be studied to determine the timing for implementing and the required volume of spaces to make each feasible. Given those parameters, it is recommended to:

- **TTPK - 18.** Contract a need and feasibility study for surface and structure parking to identify possible sites, triggers for development of each and cost factors for implementing each.
- **TTPK - 19.** Add funding line item to budget and Capital Improvements Plan to begin accruing necessary funds to implement either solution.
- **TTPK - 20.** Acquire property for implementation of recommended solution based on need and feasibility study.
- **TTPK - 21.** Design + construct preferred parking solution (Surface or Structure).

BICYCLE + PEDESTRIAN IMPROVEMENTS

INTRODUCTION

The 2022 Town of Clayton Pedestrian Plan identified numerous opportunities and challenges in the Downtown bicycle + pedestrian environment. Those same concepts were bolstered through the Downtown Plan process and its findings. Based on the public engagement, there is a strong desire to improve facilities for pedestrians and cyclists in downtown Clayton. Currently, the roads in downtown Clayton are more focused on vehicular traffic and can be improved to better balance vehicle, pedestrian, and bicycle traffic.

BICYCLE + PEDSTRIAN IMPROVEMENTS RECOMMENDATIONS

Pedestrian facilities, like sidewalks and crosswalks, should connect all modes of transportation since the start and end of most trips are completed on foot. If possible, sidewalks should be provided on both sides of roads to make walking convenient and safe. There should be no gaps in sidewalk and pedestrian facilities. These facilities should provide continuous access to the full extent of downtown Clayton. The existing sidewalk gaps in downtown Clayton should be filled to provide dedicated pedestrian facilities on Main Street from Stallings Street to US 70 Business. Other roads providing access to Main Street should also provide continuous sidewalk access. Sidewalks are missing from 2nd Street, Ellington Street (which is blocked by parking spaces), Robertson Street, and Stallings Street.

Intersection designs can be pedestrian oriented by providing pedestrian corners at street crossings (see example pictures below). Pedestrian refuges can also be provided at crosswalks if parallel parking is limited to one side; with the current pavement allotment there is not enough room for parking on both sides plus a center refuge.

To improve pedestrian safety further at signalized intersections, pedestrian signal heads should be installed at all signalized intersections. Additionally, the Town should request all traffic signals allow for a Leading Pedestrian Interval (LPI). This will allow push activated pedestrian signal heads to give a walk indication for four seconds before vehicles have a green signal, which will give pedestrians a head start to cross the road before potential vehicle conflicts are introduced. A formal request to add an LPI at signalized intersections would need to be sent to NCDOT.

Recommendations in the pedestrian plan that apply to downtown Clayton include, but are not limited to:

- **BKPD - 01.** Parking Lane/Enhancement Zone: curb extensions, parklets, bicycle corrals, etc. can be constructed in the pavement width typically used for on-street parallel parking.
- **BKPD - 02.** Pedestrians at Signalized Intersections: install pedestrian signal heads, provide adequate pedestrian crossing time.
- **BKPD - 03.** Priority Project #2: Main Street Pedestrian Improvements from Moore Street to Central Street.
- **BKPD - 04.** Priority Project #7: East Coast Greenway Complete Downtown Clayton Feasibility Study



South Bend, IN Traffic Calming Bump Outs
Image Courtesy of Kara M. Young Boyles



Salisbury Main Street Master Plan - Intersection Bump Out/ *McAdams*

Pedestrian connections from major parking areas to Main Street should be provided. Below is a list of connections to consider, as opportunities arise:

- **BKPD - 05.** Connecting First Street to Main Street, between Fayetteville Street and Church Street
- **BKPD - 06.** Connecting First Street to Main Street, between Church Street and Horne Square
- **BKPD - 07.** Improve signage identifying parking at the Clayton Center and the route to Main Street
- **BKPD - 08.** Connecting Second Street to Main Street, between Lombard Street and Smith Street

Additional recommendations to improve the Downtown pedestrian and bicycle environment include:

- **BKPD - 09.** Pedestrian railroad crossings should also be improved, particularly at Robertson Street, O'Neil Street and Central Street. Based on the September 24, 2020 traffic counts at the railroad crossings in conjunction with the recommendation to close the Church Street crossing, these intersections are the most used by pedestrians.
- **BKPD - 10.** Ahead of constructing a greenway tunnel under the railroad, pedestrian facilities should be constructed to connect the tunnel to the existing sidewalk on Main Street at Robertson Street.
- **BKPD - 11.** A grade separated pedestrian rail crossing, which has been analyzed in the past by the Town, should also be considered at Lombard Street adjacent to Horne Square. There is potential and desire to construct a greenway tunnel to connect Main Street to the East Coast Greenway, which would create a designated rail crossing for greenway traffic.

Municipal Park has been a wonderful addition to the public space of Downtown Clayton but currently lacks ease of pedestrian access from areas south of the rail corridor. The following is recommended to improve access to Municipal Park:

- **BKPD - 12.** Plan, prioritize, design + construct consistent greenway scale walkway access along the length of the rail corridor through Downtown Clayton making connections to all pedestrian crossings of the rail corridor and improving access to Municipal Park from all parts of the Downtown Core.

The Capital Area Metropolitan Planning Organization (CAMPO) has a Locally Administrered Projects Program (LAPP) which includes projects to be funded with federal funds directly allocated to the CAMPO. Clayton has been fortunate in having projects included in the program. Here are the two that need to be addressed for completion:

- **BKPD - 13.** Design + Construct East Main Street Sidewalk Connector from Central Street to US 70 Business.
- **BKPD - 14.** Design + Construct the Mountain to Sea (MTS) Greenway Trail, also known as the Cross-Clayton Connector. This is included in the Move Clayton Transportation Plan as Priority Project #1: Robertson Street Sidewalk Gaps and Crossing Improvements from Clayton High School to Main Street.

Clayton on the Move: 2024 Clayton Comprehensive Transportation Plan
Town of Clayton



When providing bicycle and pedestrian facilities, access to major destinations should be considered. Some of the main walking attractions in Clayton are:

- Downtown Clayton (Main Street)
- Clayton High School
- Town Hall and The Clayton Center
- Hocutt-Ellington Library
- US Post Office on Front Street
- Municipal Park
- Town Square
- Horne Square
- Donald "Clyde" Sinclair Park



Horne Square: Harvest Festival - *Town of Clayton*



Clayton Municipal Park - *Town of Clayton*

It is recommended that:

- **BKPD - 15.** Consistent sidewalk access should be provided to each of these destinations above, as well as other main attractions in Clayton that are within walking distance of the public parking provided downtown.
- **BKPD - 16.** Opportunities to close sidewalk gaps should be explored as funding becomes available. For example, the sidewalk gap on Stallings Street from Crawford Parkway to McCullers Street is approximately 900 feet long, and if funding becomes available for sidewalk construction, closing this gap would provide a more direct connection to the residents on Crawford Parkway to Municipal Park.

The following pedestrian environment recommendations are recommended to be advanced within the Downtown Main Street streetscape specifically:

MAIN STREET STREETSCAPE:

NEAR TERM

- **MSNT - 01.** Implement Pedestrian Intersection Guidance at Signalized Intersections
- **MSNT - 02.** Implement Pedestrian Traffic Signal Enhancements
- **MSNT - 03.** Study Main Street Corridor for Potential to Incorporate Mid Block Crossings under the NCDOT Action Plan

LONG TERM:

- **MSLT - 01.** Implement Parking Lane / Enhancement Zone Concept Throuhgout Downtown Core Area

OTHER DOWNTOWN PEDESTRIAN / STREETSCAPE IMPROVEMENTS:

NEAR TERM

- **ODNT - 01.** Incorporate Funding for Sidewalk Gap Closures + Crossing Improvements
- **ODNT - 02.** Establish Priority List of Sidewalk Gap Closures + Crossing Improvements
- **ODNT - 03.** Seek Alternative Funding Sources for On-Street Connections such as bike lanes or shared lane markings to Area Greenways + East Coast Greenway Completion through Downtown Greenway Completion
- **ODNT - 04.** Form Active Transportation Advisory Committee (ATAC) + Include Downtown Representation
- **ODNT - 05.** Become Designated as a Walk Friendly Community
- **ODNT - 06.** Contract Planning + Design Services for an Integrated Branding, Signage + Wayfinding System
- **ODNT - 07.** Erect Decorative / Protective Fencing Along Rail Corridor Along First Street + Front Street for Full Length of Downtown Corridor from Atkinson Steet to Central Street Restricting Crossings
- **ODNT - 08.** Improve Pedestrian Facilities at Railroad Crossings Including Controlled Access Control Measures

LONG TERM:

- **ODLT - 01.** Implement + Construct Integrated Branding, Signage + Wayfinding System

DOWNTOWN EVENTS + PROGRAMMING

INTRODUCTION

The Downtown Plan process repeatedly unearthed, from differing sources, the indisputable fact that Clayton's residents and visitors alike LOVE the variety of festivals, events, and Downtown programming available. It is an area where Clayton has excelled. There is one issue at hand in this category and that is, given the success of existing programs, of course, the people want more! Here are some areas where Downtown events + programming can be enhanced to draw more people even more often.

DOWNTOWN IMPROVEMENTS (GENERAL)

Clayton's programming is currently limited by areas that can be assigned to various events and some of the missing facilities to improve the quality and likelihood of events being hosted Downtown. Recommendations for Downtown that improve possibility for, quantity + quality of Downtown events and programming are as follows:

NEAR TERM

- **DENT - 01.** Identify Preferred Location for Construction of a Permanent Public Restroom Building for Year-Round Event and Public Use
- **DENT - 02.** Add Funding Line Item to Annual Budget to Reserve Funds for Construction, Maintenance, and Security Patrol of Permanent Public Restroom Building and Related Infrastructure

LONG TERM

- **DELT - 01.** Contract, Plan, Design + Construct Permanent Public Restroom Building + Related Infrastructure

FARMERS' MARKET

Clayton's Farmers' Market has seen success with the one complaint being its susceptibility to weather and its restricted access to power and light which could expand its offerings and hours. Recommendations for improvement of the Farners' Market are below:

NEAR TERM

- **DENT - 03.** Identify Preferred Location for Permanent Pavilion Structure(s) for Year-Round Market Use
- **DENT - 04.** Add Funding Line Item to Annual Budget to Reserve Funds for Construction of Permanent Pavilion Structure(s) and Infrastructure
- **DENT - 05.** Study Vendors from Current + Prior Farmers' Markets and Identify Gaps in Offerings to Customers

LONG TERM

- **DELT - 02.** Actively Seek a Variety of Vendors, Craftsmen, Artisans + Artists to Contract Spaces at the Farmers' Market
- **DELT - 03.** Contract, Plan, Design + Construct Farmers' Market Pavilion Structure(s) + Infrastructure

CLAYTON CONCERT SERIES + FAMILY MOVIE NIGHT

The Clayton Concert series has become a regular draw for visitors and currently has a slate of four shows running from May 17th through the summer with the last show scheduled for September 6th. The concerts are slated between other events on a calendar showing 18 events in total on 17 separate weeks. That means that 34 weeks of the year have no event scheduled. This allows for a greatly expanded schedule of concerts to be planned. Recommendations for expansion of the Clayton Concert Series and setting the environment in which artists would like to participate and make a stop in Clayton a part of their touring can be found below:

NEAR TERM

- **DENT - 06.** Identify Preferred Location for Construction of Permanent Stage/Bandshell Structure for Year-Round Performance Event Use
- **DENT - 07.** Add Funding Line Item to Annual Budget to Begin Reserving Funds for Construction of Permanent Stage/Bandshell Structure and Related Infrastructure
- **DENT - 08.** Identify Available Location for Expanded Concert Series Including Different Venues at Different Scales
- **DENT - 09.** Work with Other Series Such As Family Movie Night to Fill Empty Slots in Schedule with Regular Functions
- **DENT - 10.** Work with Cultural Arts Department and The Clayton Center to Book Complimentary Performance Events

LONG TERM:

- **DELT - 04.** Actively Seek Larger and More Frequent Events through Targeted Mareketing Campaigns
- **DELT - 05.** Create a new position or empower an existing position to coordinate downtown events and their planning.

INFRASTRUCTURE IMPROVEMENTS

INTRODUCTION

The review of Downtown Clayton's infrastructure took a good look at what current capacities and levels of service are available as well as any short term anticipated improvements to existing infrastructure. Fortunately, the Town has done a good job of inventorying their existing infrastructure and, therefore, have the information necessary for a series of studies that should be undertaken in cooperation with the recommendations of this plan. Anticipating growth rates as shown in the market research, and in keeping with the possible maximium buildout of the downtown core area, here are the recommendations for the Town to undertake where utilities and infrastructure are concerned:

NEAR TERM

- **INFR - 01.** Utilizing the Downtown Stormwater Analysis Study (anticipated completion in late 2024), identify capacity needed and trigger points at which expansion of the needed capacity would occur at anticpated plan growth rates.
- **INFR - 02.** Contract a Water and Wastewater Analysis Study to identify capacity needed and identify need for new treatment facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticpated plan growth rates.
- **INFR - 03.** Contract an Electrical Service Capacity Analysis Study to identify capacity needed and identify need for new supply and transmission facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticpated plan growth rates.

LONG TERM:

- **INFR - 04.** Establish plan and funding for integrated utility network information to be created, populated, and updated in a format that works well with design firms working within the Town (such as a BIM system) as well as unification and consolidation of GIS data.
- **INFR - 05.** Pursue utilty conversion from overhead to underground to alleviate visual clutter and to reduce conflicts.

RECOMMENDED UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT

INTRODUCTION

The recently adopted Codify Clayton: Unified Development Ordinance (UDO) was developed concurrently to this Downtown Plan but made it to the finish line sooner, being adopted in November of 2023 and being implemented January 2, 2024. As a result, the recommendations of this Downtown Plan have not been fully incorporated into the UDO regulatory and guidance text. A series of amendments will have to be crafted, reviewed, and voted upon for adoption to codify the proposed regulatory, policy, and guidance changes recommended in the Downtown Plan. The following sections of UDO text will require revising to meet the recommendations in this plan:

1.8 REVIEW AUTHORITIES

To establish authority for enforcement of architectural guidelines in the Historic Downtown Core District (HDTC), a review board and its review authority and process needs to be established within section 1.8.

1.11 VESTED RIGHTS

For properties entitled to lesser densities, particularly in the newly established Downtown Development

2.2 APPLICATION SUMMARY TABLES

Include new district classifications in all application process language including any variation specific to the new districts and their criteria

2.3 APPLICATION TYPES

Include new application type for Historic Downtown Core Architectural Review including procedures, policies, forms and fees

2.4 REVIEW PROCEDURES

Include review procedure(s) for Historic Downtown Core Architectural Review

3.2 CONVENTIONAL ZONING DISTRICTS

Add language for two new zoning dictricts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts.

3.4 GENERAL DIMENSIONAL STANDARDS

Add language for two new zoning dictricts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts.

3.8 ZONING MAP

Revise Zoning Map to reflect Future Land Use Map recommendations from the Downtown Plan including two new classifications.

RECOMMENDED UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT
[CONTINUED]

CHAPTER 5 NONCONFORMITIES
Revise each section within this chapter to reflect the restrictive requirements of the new Historic Downtown Core District (HDTC) such that it incentivizes the redevelopment of properties that do not match the intended preserved and enhanced character of the district.

6.2 DESIGN STANDARDS + GUIDELINES
Add a new subsection establishing the architectural and design standards and guidelines for the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)

6.3 THROUGH 6.18
Revise each section's language to establish the design standards and guidelines for these elements in the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)

CHAPTER 7 VIOLATIONS
Revise the sections in this chapter to add significant disincentives to nonconformance within the Downtown as well as to establish preferred paths of transition to new zoning through enforcement of declared violations.

ARCHITECTURAL GUIDELINES [ADD FOR HISTORIC DOWNTOWN CORE DISTRICT + DOWNTOWN DEVELOPMENT DISTRICT]
Add to the Unified Development Ordinance a set of enforcable architectural design standards for new construction, redevelopment, and adaptive re-use to establish design styles and architectural elements as well as to establish maximum heights of architectural elements, structures, placement and treatments for utilities and preipheral items, and to define a process for review, public input, approval or denial, and for appeal of decisions.

Examples of what the buildings at different heights might look like have been incorporated in the page that follows as a starting point for what the result of those guidelines might look like.

EXAMPLE BUILDING ARCHITECTURAL STYLES AT PROPOSED ALLOWED HEIGHTS (BY STORY)

HISTORIC DOWNTOWN CORE DISTRICT

The Historic Downtown Core District is intended to maintain the core character of Clayton's historic downtown and as such will only allow buildings of mixed-use or residential use to be two (2) to three (3) stories high and in an architectural style that speaks to the current vernacular and architectural fabric of the district. Examples of what new buildings within the district might look like are available below:





DOWNTOWN DEVELOPMENT DISTRICT

The Downtown Development District is intended to allow higher density of residential and commercial deveopment than the Hisoric Downtown Core but without compromising the character of Clayton's historic downtown and as such will allow buildings of mixed-use or residential use to be four (4) to six (6) stories high and in an architectural style that speaks to the current vernacular and architectural fabric of downtown Clayton. Examples of what new buildings within the district might look like are available below:







03
IMPLEMENTATION

IN THIS CHAPTER

IMPLEMENTATION STRATEGIES
IMPLEMENTATION MATRIX - ACTION ITEMS

IMPLEMENTATION

This plan's vision and recommendations result directly from an extensive information gathering process involving community input, staff input, analysis of existing conditions. An implementation plan with prioritized action items is the final step in bringing the master plan vision to reality. Implementation is not a linear process but an ongoing iterative process that will rely on funding investments. Feasibility studies, master plans, phasing plans, and business plans are some of the intermediate steps the Town will have to assume to understand the full order of magnitude costs. In addition, effective implementation strategies are based on highly collaborative processes that span across the various Town Departments, community leaders, strategic partners, and elected officials.

Action items are prioritized as short-term, mid-term, long-term or ongoing. Action items receiving higher priority are those supported by significant community input or are items that have been delayed or postponed in the past but have significant bearing on accomplishing the recommendations of this plan. Each action item indicates a responsible party to foster accountability within the Department. Furthermore, priority projects may change or evolve into new possibilities over the ten-year planning horizon based on community needs or other related opportunities. For this reason, additional prioritization criteria has been established and is described in the appendix, which the staff can use to evaluate for implementation.



IMPLEMENTATION MATRIX - ACTION ITEMS

Each of the reviewed implementation strategies for Downtown Clayton was evaluated for how it fits into the focuses of Branding + Marketing, Policy + Investment, and Development Focus + Opportunities. It is important to consider all of the Plan's recommendations moving forward; however, over the next five years, the following priorities should be the focus. The Implementation Matrix that follows further defines the recommended strategies.

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Future Land Use Map													
FLUM-01	Revisit and refine areas designated as Downtown Support	18	$	O	Public		X					X	
FLUM-02	Expand Downtown Core Area	18	$	O	Public		X					X	
FLUM-03	Replace the Downtown Core with a pair of new designations; Historic Downtown Core (HDCD) + Downtown Development District (DTDD)	18	$	O	Public		X					X	
Zoning													
ZONM-01	Expand the area considered to be the Downtown Core	19	$	O	Public		X					X	
ZONM-02	Replace the Downtown Core zoning district with a pair of new designations; Historic Downtown Core (HDCD) + Downtown Development District (DTDD)	19	$	O	Public		X					X	

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Traffic, Transportation + Parking													
TTPK-01	Add a 75-foot eastbound left-turn lane on Main Street at Robertson Street	23	$$$	O + C	Public			X					
TTPK-02	Add a 100-foot westbound left-turn lane on Main Street at Robertson Street	23	$$$	O + C	Public			X					
TTPK-03	Add a 125-foot eastbound left-turn lane on Main Street at O'Neil Street	23	$$$	O + C	Public		X						
TTPK-04	Add a 125-foot westbound right-turn lane on Main Street at O'Neil Street	23	$$$	O + C	Public		X						
TTPK-05	Add a 50-foot westbound left-turn lane on Main Street at Smith Street	23	$$$	O + C	Public			X					
TTPK-06	To better maintain pedestrian focus, do NOT widen streets within Downtown Clayton	23	$	O	Public	X	X					X	
TTPK-07	Reduce the Speed Limit to 25 mph on Main Street from Stallings Street to Robertson Street	24	$	O + C	Public		X						
TTPK-08	Incorporate a four-way stop at the intersection of Main Street + Moore Street	24	$	O + C	Public		X						
TTPK-09	Develop Main Street into more of a 'Complete Street'	24	$$$$	O + C	Public				X				

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Traffic, Transportation + Parking													
TTPK-10	Realign Stallings Street to North of Railroad Corridor, Closing the railroad crossing at Stallings Street	24	$$$$	O + C	Public		X	X					
TTPK-11	Close the North Carolina Railroad crossing at Church Street	24	$$	O + C	Public		X						
TTPK-12	Hire commuter rail planning consultants to study best possible location(s) for a commuter rail station in or near downtown Clayton	24	$$	O + C	Public		X						X
TTPK-13	Continue to pursue BRT opportunities on US 70 BUS as well as bike/ped connectivity to downtown	24	$$	O + C	Public	X	X						X
TTPK-14	Establish a three route network of microtransit including the Green Route (Barber Mill + North O'Neil), Gold Route (US 70, and Pink Route (NC 42)	25	$$$	O + C	Public		X	X					
	From 2024 Clayton on the Move Transportation Plan												
TTPK-15	Perform a formal Downtown Parking Study using projections derived from the land use and development patterns recommended in this Downtown Plan	25	$$	O + C	Public		X						X

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Traffic, Transportation + Parking													
TTPK-16	Establish agreement with NCRR to allow First Street and Front Street parking and pedestrian improvements	25	$	O	Public		X						
TTPK-17	Design + construct First Street and Front Street parking and pedestrian improvements	25	$$$$	O + C	Public		X						
TTPK-18	Contract a need and feasibility study for surface and structure parking to identify possible sites, triggers for development of each and cost factors for implementing each	26	$$	O + C	Public		X						X
TTPK-19	Add funding line item to budget and Capital Improvements Plan to begin accruing necessary funds to implement either parking solution	26	$	O	Public	X	X					X	
TTPK-20	Acquire property for implementation of recommended solution based on need and feasibility study	26	$$$$$	O + C	Public			X	X				
TTPK-21	Design + construct preferred parking solution (Surface or Structure)	26	$$$$$$	O + C	Public				X	X			X

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements													
BKPD-01	Construct Parking Lane/ Enhancement Zone improvements including curb extensions, parklets, bicycle corrals, etc. in the pavement width typically used for on-street parallel parking.	27	$$$$$	O + C	Public			X		X			
	From 2022 Clayton Pedestrian Plan												
BKPD-02	Pedestrians at Signalized Intersections: install pedestrian signal heads, provide adequate pedestrian crossing time	27	$$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												
BKPD-03	Design + Construct Priority Project #2: Main Street Pedestrian Improvements from Moore Street to Central Street	27	$$$$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												
BKPD-04	Design + Construct Priority Project #7: East Coast Greenway Completion: Downtown Clayton Feasibility Study	27	$$	O + C	Public		X						X
	From 2022 Clayton Pedestrian Plan												

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements													
BKPD-05	Design + Construct Sidewalks Connecting First Street to Main Street, between Fayetteville Street and Church Street	27	$$$$$	O + C	Public			X					
	From 2022 Clayton Pedestrian Plan												
BKPD-06	Design + Construct Sidewalks Connecting First Street to Main Street, between Church Street and Horne Square	27	$$$	O + C	Public			X					
	From 2022 Clayton Pedestrian Plan												
BKPD-07	Improve signage identifying parking at the Clayton Center and the route to Main Street	27	$$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												
BKPD-08	Design + Construct Sidewalks Connecting Second Street to Main Street, between Lombard Street and Smith Street	27	$$$$	O + C	Public				X				
	From 2022 Clayton Pedestrian Plan												

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements													
BKPD-09	Improve Pedestrian railroad crossings at Robertson Street, O'Neil Street, and Central Street. Based on the September 24, 2020 traffic counts at the railroad crossings, these intersections are the most used by pedestrians.	28	$$$$	O + C	Public			X					
BKPD-10	Study, Design + Construct pedestrian facility connections from Main Street at Robertson Street to the proposed greenway tunnel under the railroad, connecting the tunnel to the existing sidewalk on Main Street at Robertson Street	28	$$$$	O + C	Public			X					X
BKPD-11	Study, Design + Construct a grade separated pedestrian rail crossing including a greenway tunnel at Lombard Street to connect Main Street to the East Coast Greenway, creating a designated rail crossing for greenway traffic	28	$$$$	O + C	Public		X						X

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements													
BKPD-12	Plan, prioritize, design + construct consistent greenway scale walkway access along the length of the rail corridor through Downtown Clayton making connections to all pedestrian crossings of the rail corridor and improving access to Municipal Park from all parts of the Downtown Core	28	$$$$	O + C	Public		X						
BKPD-13	Design + Construct East Main Street Sidewalk Connector from Central Street to US 70 Business.	28	$$$$	O + C	Public		X						
	From 2023 CAMPO LAPP												
BKPD-14	Design + Construct the Mountain to Sea (MTS) Greenway Trail, also known as the Cross-Clayton Connector. This is included in the Move Clayton Transportation Plan as Priority Project #1: Robertson Street Sidewalk Gaps and Crossing Improvements from Clayton High School to Main Street	28	$$$$	O + C	Public		X						
	From 2023 CAMPO LAPP												

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements													
BKPD-15	Plan, Prioritize, Design + Construct Consistent sidewalk access to primary destinations + main attractions in Clayton that are within walking distance of the public parking provided downtown including Downtown Clayton (Main Street), Clayton High School, Town Hall and The Clayton Center, Hocutt-Ellington Library, and the US Post Office on Front Street.	29	$$$$	O + C	Public				X				
BKPD-16	Close approximately 900 foot long sidewalk gap on Stallings Street from Crawford Parkway to McCullers Street to provide a more direct connection to the residents on Crawford Parkway to Municipal Park	29	$$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements [Main Street]													
MSNT-01	Implement Pedestrian Intersection Guidance at Signalized Intersections	29	$$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												
MSNT-02	Implement Pedestrian Traffic Signal Enhancements	29	$$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												
MSNT-03	Study Main Street Corridor for Potential to Incorporate Mid-Block Crossings under the NCDOT Action Plan	29	$$	O + C	Public		X						X
MSLT-01	Implement Parking Lane / Enhancement Zone Concept throughout Downtown Core Area	29	$$$$$	O + C	Public				X				
Bicycle + Pedestrian Improvements [Other Downtown]													
ODNT-01	Incorporate Funding for Sidewalk Gap Closures + Crossing Improvements	30	$$	O + C	Public	X	X						
ODNT-02	Establish Priority List of Sidewalk Gap Closures + Crossing Improvements	30	$	O + C	Public		X						
ODNT-03	Seek Alternative Funding Sources for On-Street Connections such as bike lanes or shared lane markings to Area Greenways + East Coast Greenway Completion through Downtown Greenway Completion	30	$	O	Public		X						

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Bicycle + Pedestrian Improvements [Other Downtown]													
ODNT-04	Form Active Transportation Advisory Committee (ATAC) + Include Downtown Representation	30	$	O	Public		X					X	
	From 2022 Clayton Pedestrian Plan												
ODNT-05	Become Designated as a Walk Friendly Community	30	$	O	Public		X						X
	From 2022 Clayton Pedestrian Plan												
ODNT-06	Contract Planning + Design Services for an Integrated Branding, Signage + Wayfinding System	30	$$	O + C	Public		X						
	From 2022 Clayton Pedestrian Plan												
ODNT-07	Erect Decorative / Protective Fencing Along Rail Corridor Along First Street + Front Street for Full Length of Downtown Corridor from Atkinson Steet to Central Street Restricting Crossings	30	$$$	O + C	Public		X						
ODNT-08	Improve Pedestrian Facilities at Railroad Crossings Including Controlled Access Control Measures	30	$$	O + C	Public		X						
ODLT-01	Implement + Construct Integrated Branding, Signage + Wayfinding System	30	$$$	O	Public		X						

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Downtown Events + Programming													
DENT-01	Identify Preferred Location for Construction of a Permanent Public Restroom Building for Year-Round Event and Public Use	31	$$	O + C	Public		X						X
DENT-02	Add Funding Line Item to Annual Budget to Reserve Funds for Construction, Maintenance, and Security Patrol of Permanent Public Restroom Building and Related Infrastructure	31	$$$$$	O + C	Public	X	X						
DENT-03	Identify Preferred Location for Permanent Pavilion Structure(s) for Year-Round Market Use	31	$$	O + C	Public		X	X					X
DENT-04	Add Funding Line Item to Annual Budget to Reserve Funds for Construction of Permanent Pavilion Structure(s) and Infrastructure	31	$$$$$	O + C	Public	X	X						
DENT-05	Study Vendors from Current + Prior Farmers' Markets and Identify Gaps in Offerings to Customers	31	$$	O	Private		X						X

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Downtown Events + Programming													
DENT-06	Study if Downtown events involving performances can be moved to Municipal Park or if a new stage should be constructed elsewhere.	32	$$	O	Public		X						X
DENT-07	Identify Available Location for Expanded Concert Series Including Different Venues at Different Scales	32	$	O	Public		X						X
DENT-08	Work with Other Series Such As Family Movie Night to Fill Empty Slots in Schedule with Regular Functions	32	$	O	Public		X						X
DENT-09	Work with Cultural Arts Department and The Clayton Center to Book Complimentary Performance Events	32	$	O	Public		X						X
DELT-01	Contract, Plan, Design + Construct Permanent Public Restroom Building + Related Infrastructure	31	$$$$$$	O + C	Public				X				
DELT-02	Actively Seek a Variety of Vendors, Craftsmen, Artisans + Artists to Contract Spaces at the Farmers' Market	31	$$	O	Private		X						X
DELT-03	Contract, Plan, Design + Construct Farmers' Market Pavilion Structure(s) + Infrastructure	31	$$$$$	O	Public			X					

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Downtown Events + Programming													
DELT-04	Actively Seek Larger and More Frequent Events through Targeted Marketing Campaigns	32	$$	O + C	Public / Private			X					X
DELT-05	Create a new position or empower an existing position to coordinate downtown events and their planning	32	$	O + C	Public		X					X	
Infrastructure Improvements													
INFR-01	Utilizing the Downtown Stormwater Analysis Study (anticipated completion in late 2024), identify capacity needed and trigger points at which expansion of the needed capacity would occur at anticpated plan growth rates.	33	$$$	O + C	Public		X						X
INFR-02	Contract a Water and Wastewater Analysis Study to identify capacity needed and identify need for new treatment facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates	33	$$$	O + C	Public		X						X

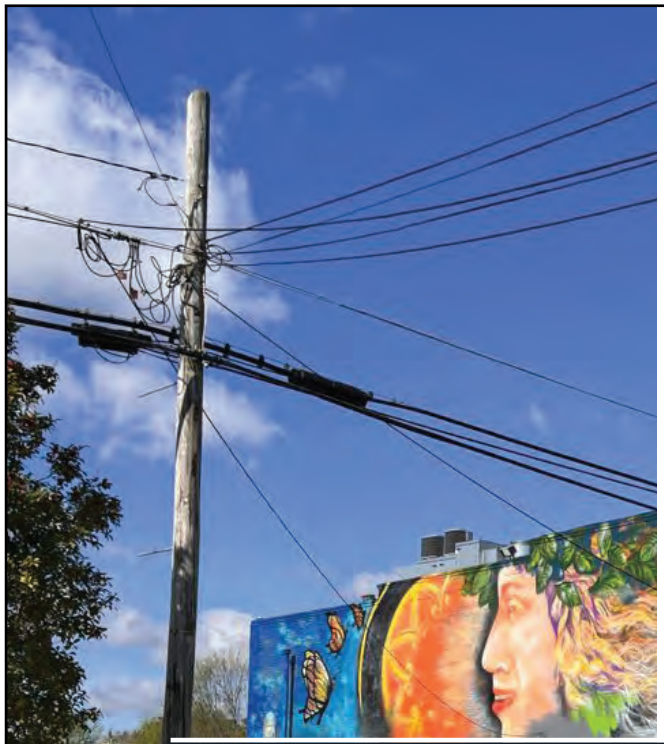
	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Infrastructure Improvements													
INFR-03	Contract an Electrical Service Capacity Analysis Study to identify capacity needed and identify need for new supply and transmission facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates	33	$$$	O + C	Public		X						X
INFR-04	Establish plan and funding for integrated utility network information to be created, populated, and updated in a format that works well with design firms working within the Town (such as a BIM system) as well as unification and consolidation of GIS data.	33	$$$$$	O + C	Public	X	X						X
INFR-05	Pursue utilty conversion from overhead to underground to alleviate visual clutter and to reduce conflicts.	33	$$$$$	O + C	Public	X							X

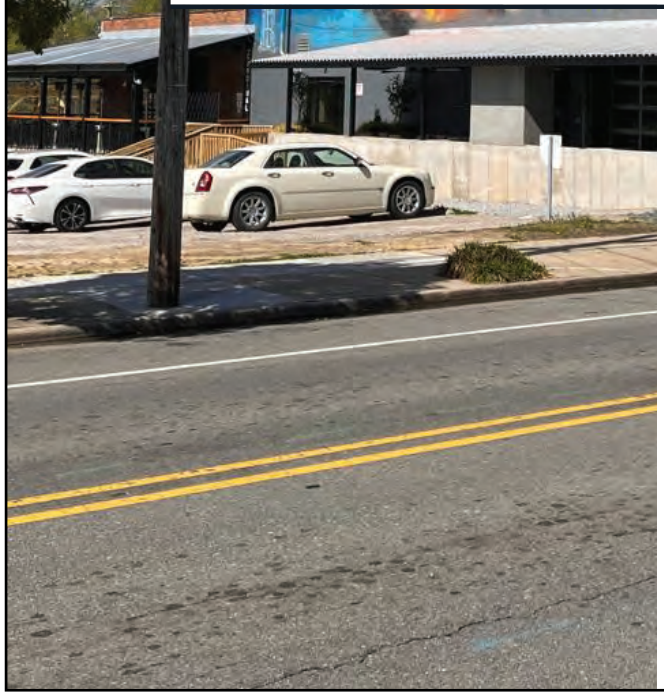
	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Recommended Unified Development Ordinance (UDO) Text Revisions													
Section 1.8	REVIEW AUTHORITIES To establish authority for enforcement of architectural guidelines in the Historic Downtown Core District (HDTC), a review board and its review authority and process needs to be established within section 1.8	34	$	0	Public		X					X	
Section 1.11	VESTED RIGHTS For properties entitled to lesser densities, particularly in the newly established Downtown Development	34	$	0	Public		X					X	
Section 2.2	APPLICATION SUMMARY TABLES Include new district classifications in all application process language including any variation specific to the new districts and their criteria	34	$	0	Public		X					X	
Section 2.3	APPLICATION TYPES Include new application type for Historic Downtown Core Architectural Review including procedures, policies, forms and fees	34	$	0	Public		X					X	

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Recommended Unified Development Ordinance (UDO) Text Revisions													
Section 2.3	APPLICATION TYPES Include new application type for Historic Downtown Core Architectural Review including procedures, policies, forms and fees	34	$	0	Public		X					X	
Section 2.4	REVIEW PROCEDURES Include review procedure(s) for Historic Downtown Core Architectural Review	34	$	0	Public		X					X	
Section 3.2	CONVENTIONAL ZONING DISTRICTS Add language for two new zoning dictricts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts	34	$	0	Public		X					X	
Section 3.4	GENERAL DIMENSIONAL STANDARDS Add language for two new zoning dictricts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts	34	$	0	Public		X					X	

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Recommended Unified Development Ordinance (UDO) Text Revisions													
Section 3.8	ZONING MAP Revise Zoning Map to reflect Future Land Use Map recommendations from the Downtown Plan including two new classifications	34	$	O	Public		X					X	
Chapter 5	NONCONFORMITIES Revise each section within this chapter to reflect the restrictive requirements of the new Historic Downtown Core District (HDTC) such that it incentivizes the redevelopment of properties that do not match the intended preserved and enhanced character of the district	35	$	O	Public		X					X	
Section 6.2	DESIGN STANDARDS + GUIDELINES Contract development of architectural and design standards and guidelines for the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)	35	$$	O + C	Public		X						X

	Project / Task	Page	Level of Funding Required	Operating or Capital Expenditure	Private or Non-City Expenditure	On-Going	Year 1-5	Year 6-10	Year 11-15	Year 16-20	Year 20+	Code / Policy	Program / Study
Recommended Unified Development Ordinance (UDO) Text Revisions													
Section 6.2	DESIGN STANDARDS + GUIDELINES Add a new subsection establishing the architectural and design standards and guidelines for the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)	35	$	0	Public		X					X	
Sections 6.3 - 6.18	DESIGN STANDARDS + GUIDELINES Revise each section's language to establish the design standards and guidelines for these elements in the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)	35	$	0	Public		X					X	
Chapter 7	VIOLATIONS Revise the sections in this chapter to add significant disincentives to nonconformance within the Downtown as well as to establish preferred paths of transition to new zoning through enforcement of declared violations	35	$	0	Public		X					X	





04
APPENDIX

IN THIS CHAPTER

TOWN HISTORY

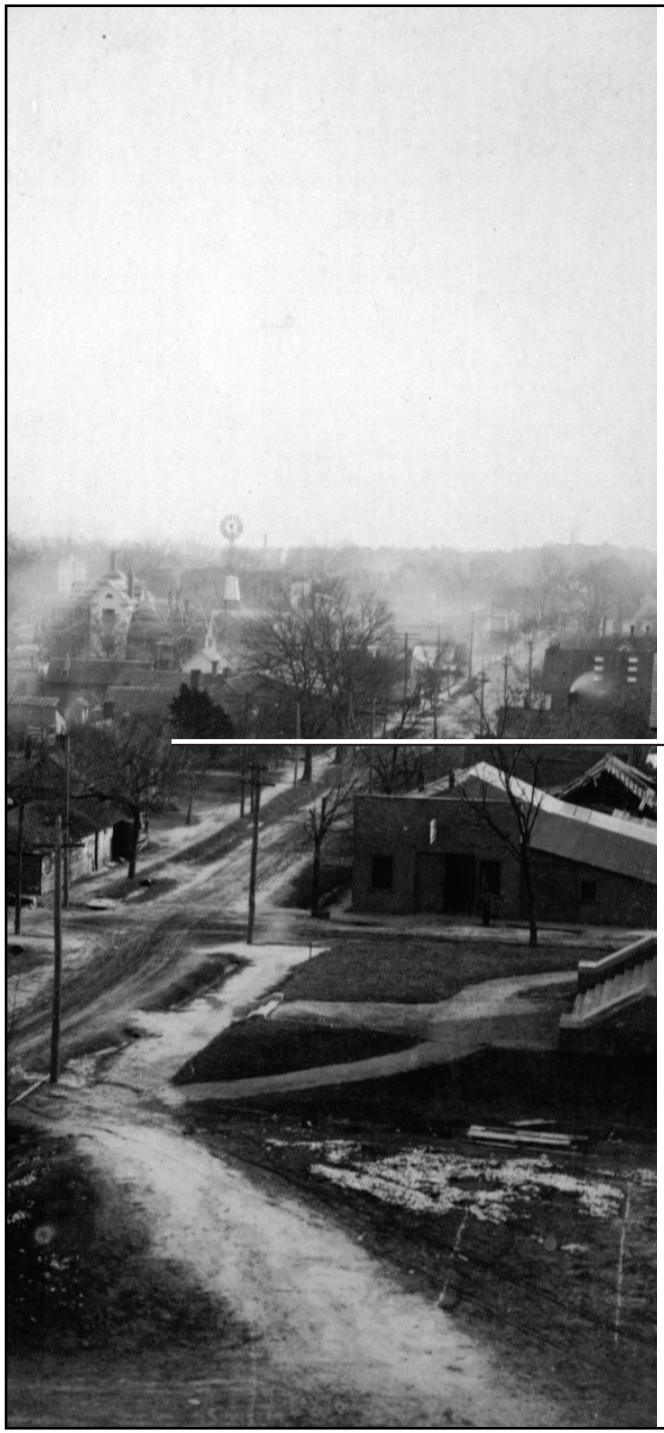
INVENTORY + ANALYSIS

TRASPORTATION + TRAFFIC - TURNING MOVEMENT VOLUMES

COMMUNITY ENGAGEMENT - STAFF + STAKEHOLDER MEETING NOTES

MARKET + REAL ESTATE STUDY

HISTORIC RESOURCES STUDY



04-A
TOWN HISTORY

IN THIS SECTION

TOWN HISTORY

HISTORY

Clayton, North Carolina, is a culturally significant town with a rich history that dates to the early 18th century. Its story is marked by growth, change, and a deep sense of community.

The area that is now Clayton was originally inhabited by indigenous peoples, including the Tuscarora and Saponi tribes. In the early 1700s, European settlers began to establish themselves in the region. The Town was established based on the roads cut by North Carolina royal Governor William Tryon's troops around 1770 as they marched from New Bern to Hillsborough against the Regulator Movement. The Regulators were a group of North Carolina colonists who were frustrated with issues like corrupt local officials, high taxes, and a lack of representation in colonial government. In 1770, tensions came to a head at the Battle of Alamance, where Tryon's forces clashed with the Regulators. Tryon emerged victorious, and many Regulator leaders were arrested or executed. This event marked a significant moment in pre-Revolutionary American history and highlighted the growing discontent with British colonial rule in the lead-up to the American Revolution. Prior to its incorporation, the area was known as "Stallings' Station" due to the creation of a railroad depot in 1853 along the North Carolina Railroad. The depot was located within the home of local resident Mrs. Sarah Stallings and, thus, "Stallings' Station." At the time, Stallings' Station consisted of several small stores which served the area.



Main Street (1916) / *Town of Clayton*

The Town of Clayton was incorporated in 1869. The town is believed to have been named after a prominent local family, that of John Clayton, who was an active and respected North Carolina politician in the late 18th century.

Clayton's early economy was primarily agricultural, with tobacco and cotton farming being significant industries. The arrival of the railroad in the late 1800s played a pivotal role in the town's growth, connecting it to larger markets and facilitating trade. This transportation link led to the establishment of a bustling depot, which became a focal point for commerce and social activities. Businesses that flourished in the Town included: lumber mills, a brick kiln, a cotton gin, a gristmill, a sawmill, tobacco warehouse, cotton mills and a turpentine distillery. In the early 1900's, Clayton became a major market for cotton, watermelon, and tobacco. Notably, Clayton was cited as the best cotton market in North Carolina.

Throughout the 20th century, Clayton continued to grow and evolve. It was officially incorporated as a town in 1869, and by the mid-20th century, it had become a thriving community with a diverse range of businesses and services. The town's proximity to Raleigh, the state capital, also contributed to its growth as people sought a quieter lifestyle while still being accessible to urban amenities.

However, financial losses were felt in the Town of Clayton as well as the rest of the United States when the Great Depression occurred, and this greatly impacted the Town's economy. As this was happening, Clayton was in the middle of and experiencing a 40-year decline in population, i.e., from approximately 1910 to 1950. Three of Clayton's cotton mills eventually closed in the early 1960s as the need for cotton's was reduced. In the mid-1970's, farming in the area was also starting to be phased out as an economic force in Clayton due to the area's shift from agriculture to industrial work and towards a more service and trades-oriented economy. In that same era, Clayton saw significant expansion in residential and commercial development. The construction of major

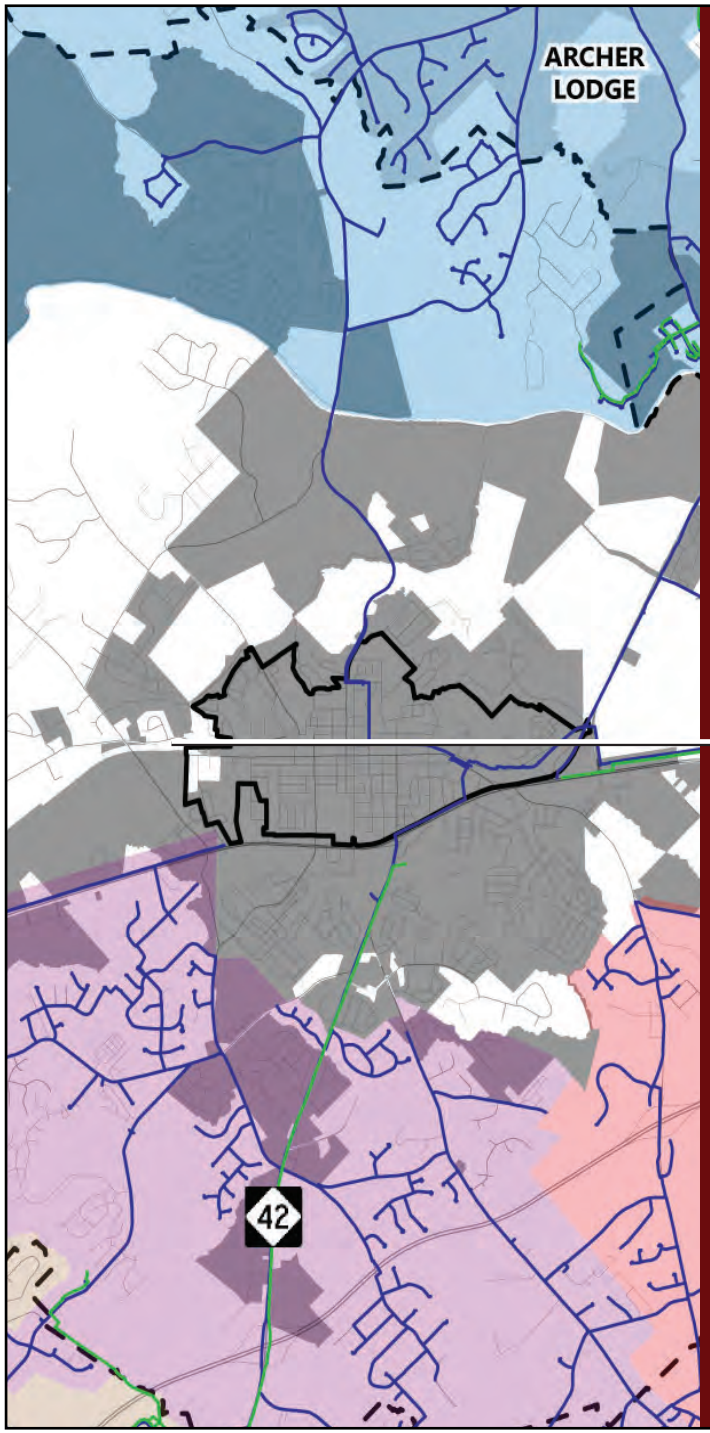
highways, such as Interstate 40 and US Route 70, had made the town even more accessible and attractive to newcomers. The population steadily increased, and Clayton transformed into a suburban community while retaining its small-town charm.

Today, Clayton is known for its vibrant community spirit, excellent schools, and a thriving arts scene. The town hosts numerous events and festivals throughout the year, fostering a strong sense of belonging among its residents. Clayton's historic downtown district has been revitalized, preserving its architectural heritage while offering modern amenities and a welcoming atmosphere for visitors and residents alike. Many of the historic buildings and neighborhoods within the Clayton Historic district are on the National Register of Historic Places, and include the:

- Clayton Banking Company Building
- Clayton Graded School and Clayton Grammar School-Municipal Auditorium
- Clayton Historic District
- Cleveland School
- Ellington-Ellis Farm
- Walter R. and Eliza Smith Moore House
- Sanders-Hairr House
- Stallings-Carpenter House

Clayton has a history that reflects the broader trends of growth and change in the American South. From its agricultural roots and railroad-driven development to its modern identity as a thriving suburban community, Clayton's history is a testament to its resilience and adaptability. As it continues to grow and evolve, Clayton remains a place where the past and the present coexist harmoniously, creating a unique and vibrant town for generations to come.





04-B
INVENTORY + ANALYSIS

IN THIS CHAPTER

EXISTING PLANS + DEVELOPMENT ORDINANCE
EXISTING LAND USE
EXISTING BUILDING INVENTORY
ZONING
REAL ESTATE AND MARKET
TRAFFIC, TRANSPORTATION + PARKING
PUBLIC SPACES + STREETSCAPES
ENVIRONMENTAL CONSTRAINTS
COMMUNITY SERVICES
ENGAGEMENT
KEY TRENDS

PREVIOUS PLANS

Over the years, the Town of Clayton's Planning Department has been responsible for numerous guiding documents that help to manage land use, zoning, and infrastructure as Clayton grew in population and complexity. The department has been responsible for developing zoning ordinances, comprehensive plans, master plans and small area plans, transportation + parking plans, and historic preservation plans amongst others.



For this Downtown Master Plan process, the project team began by conducting a review of the most recent of these prior plans including the following reports which considered the downtown, economic development and land use:

- Downtown Master Plan (2010)
- Johnston County Transportation Plan (2011)
- Parks + Recreation Comprehensive Plan (2013)
- Clayton Economic Development Strategic Plan (2020)
- Think Clayton – 2045 Comprehensive Growth Plan (2021)
- Clayton Pedestrian Plan (2022)
- Downtown Strategic Vision (2023)

Critical information from each of these plans has informed the Downtown Master Plan update and can be found throughout this document in the areas where they relate to the context of the Downtown Master Plan. Here are a few highlights of understanding gleaned from the review of these prior plans:

- Downtown Clayton has worked diligently to incorporate design guideline criteria in new developments and to foster adaptive reuse of historic properties.
- Many goals of the prior Downtown Master Plan have been achieved and implemented over the last 12 years.
- Efforts at Public/Private Partnerships have been fruitful but renewed connections are advisable.
- Progress with the Railroad has been difficult but recent changes in their leadership
- different materials such as pavers, have all been slow in implementation, but progress has been made in changing traffic patterns.
- The proposed realignment at Central Street remains unacted upon.
- Design for streetscape improvements has been acquired but remains unacted upon
- New sidewalk construction has been limited to areas where damage or underground excavation required replacement.
- Gateway signage has been installed at the east end of Main Street but not in other Downtown approach locations.
- Economic investments have been strong and commercial vacancy is down significantly.

2010 DOWNTOWN MASTER PLAN MAP

Elements of the 2010 Clayton Downtown Master Plan have come to fruition including goals of downtown vacancy reduction, establishment of improved ordinance text, establishment of a Downtown Overlay District, incorporation of public art programs and expanded festival and event programming, branding and marketing campaigns, and a couple of redevelopment partnerships to get new businesses off the ground and established.

While many of the suggested redevelopment options, parking consolidation, gateway features, and other recommended physical elements of the 2010 plan were not implemented, the establishment of design guidelines, restrictive code language, and the efforts of the Downtown Development Advisory Board have created an environment that has a strong economic impact and has been able to maintain a familiar character for Downtown that aids in establishing Downtown Clayton as a desirable place to live, work, recreate, and to do business.

2010 Downtown Master Plan Map / *Town of Clayton and OBS*



- and efforts by Town representatives at cooperative outreach may help.
- Parks + Recreation has made significant investment into downtown active open space and greenway connections.
- Transportation recommendations including improved parking lots, improvements along the railroad corridor on Front Street, structured parking, and pedestrian cross access improvements such as pedestrian alleyways and improved crossings using

2010 Downtown Master Plan (Partial) / *Town of Clayton*



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INVENTORY + ANALYSIS

This chapter provides an overview of the existing physical conditions in and around Downtown Clayton. By analyzing existing land uses, transportation conditions, environmental constraints, and community services, we can better understand how each of these factors has shaped, and will continue to shape downtown Clayton over the next 20 years. While the majority of this chapter focuses on Downtown Clayton, several elements have been highlighted outside the downtown boundary or further focused in on the downtown core.

Clayton Downtown Main Street / *Town of Clayton*



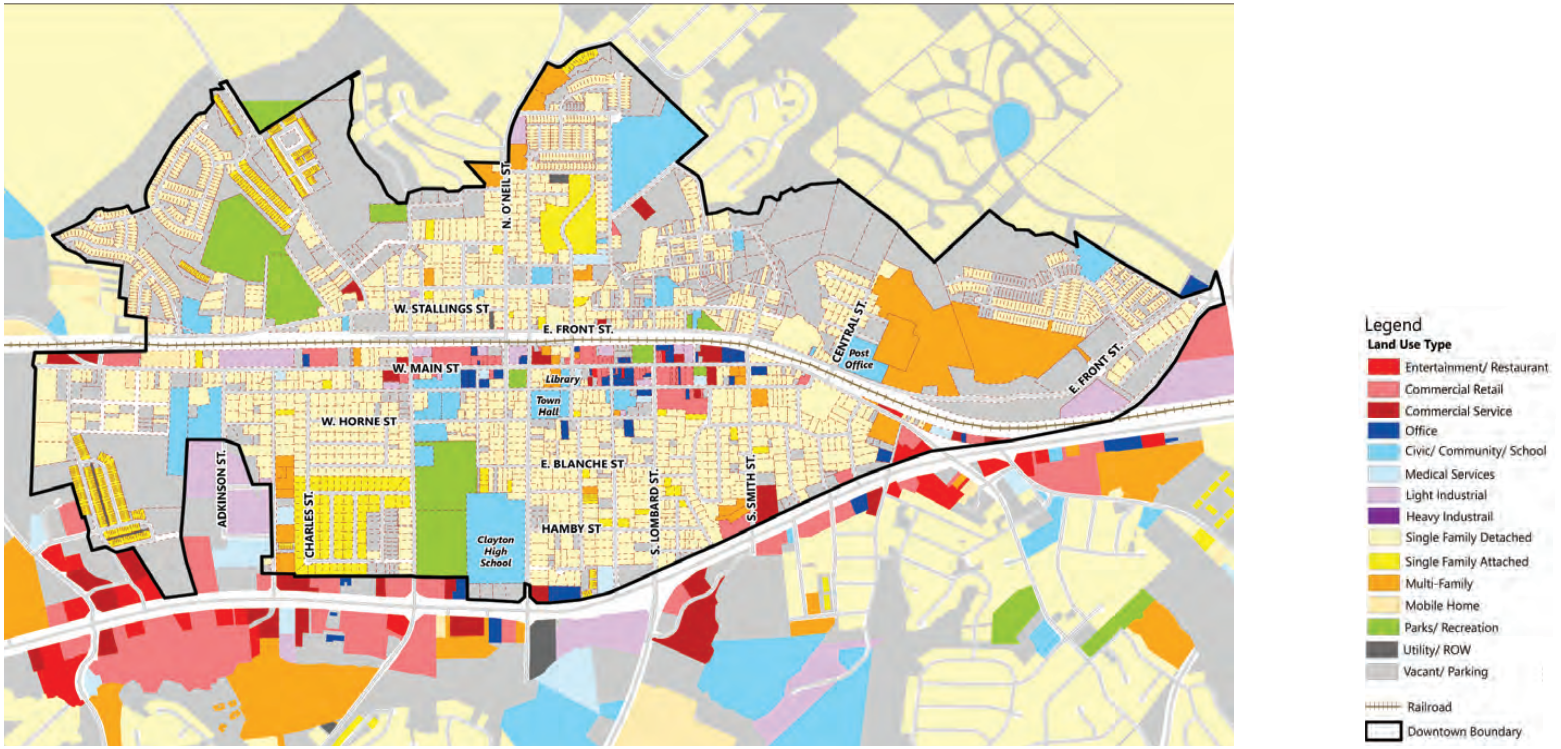
LAND USE

This section of the assessment is focused around the use of land within the downtown study area. Land uses include parking, specific land use typologies (commercial, residential, etc.), and current zoning.

EXISTING LAND USE

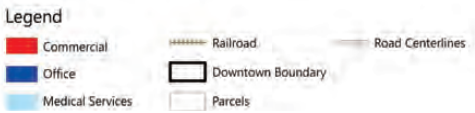
The map illustrates the existing land use of parcels downtown in their current state. This assessment showed that 38% of the land in Downtown can be classified as unoccupied/ vacant. This includes parcels dedicated to parking but do not contain any structure. 30% of the area in Downtown is occupied by Single Family Detached Homes. Only 6,.6% of the land area in Downtown Clayton is occupied by Civic, Community, or Institutional Uses. The commercial, industrial, and office uses in Downtown are mostly concentrated along Main Street, with another commercial concentration along Business 70. Residential and vacant properties consume the edges of Downtown. The breakout of the individual land use typologies are illustrated on the following pages.

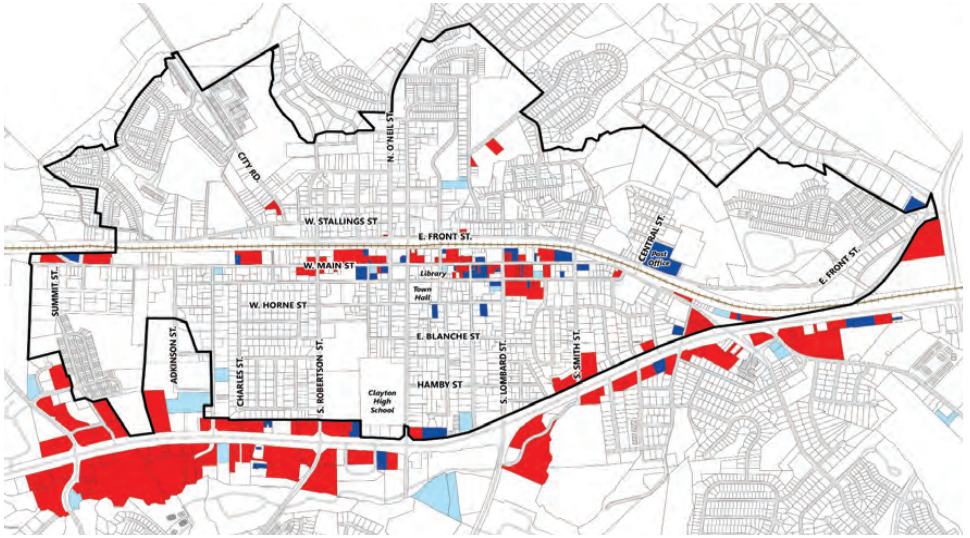
Existing Land Use



COMMERCIAL ORIENTED USES

Commercial oriented uses includes buildings that are not public, civic, or residential. This includes retail stores, restaurants, offices, service industries, and medical offices. Commercial business are shown in red, office uses in blue, and medical services in light blue.

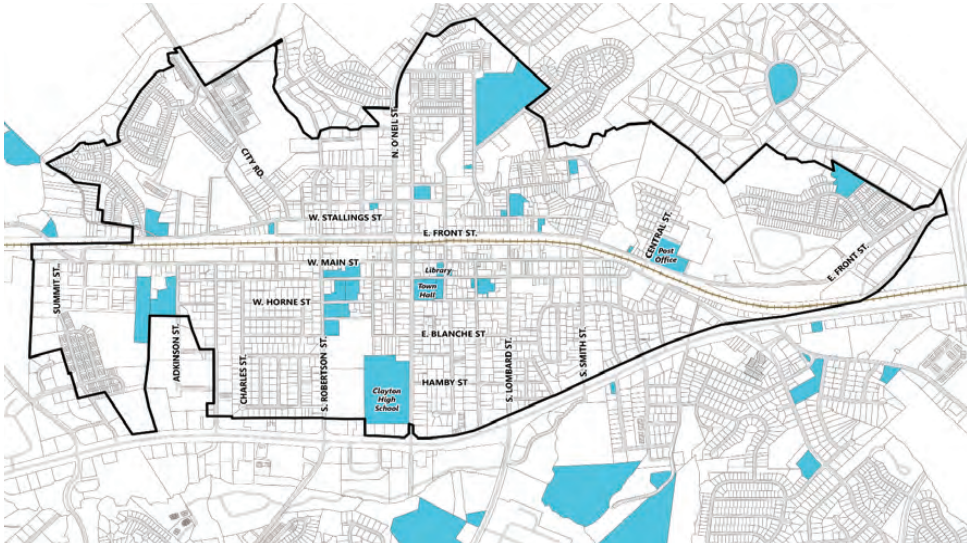




CIVIC AND INSTITUTIONAL LAND USES

Civic and Institutional land uses are buildings and parcels that have a public or organizational uses. These uses include government buildings, churches, community centers, clubs/organizations, and schools (public and private). Within Downtown Clayton there are several civic/institutional land uses spread out. Large concentrations of these uses include the blocks containing the fire department, emergency medical services building, and the high school as well as the blocks with the Town Hall and Library properties.

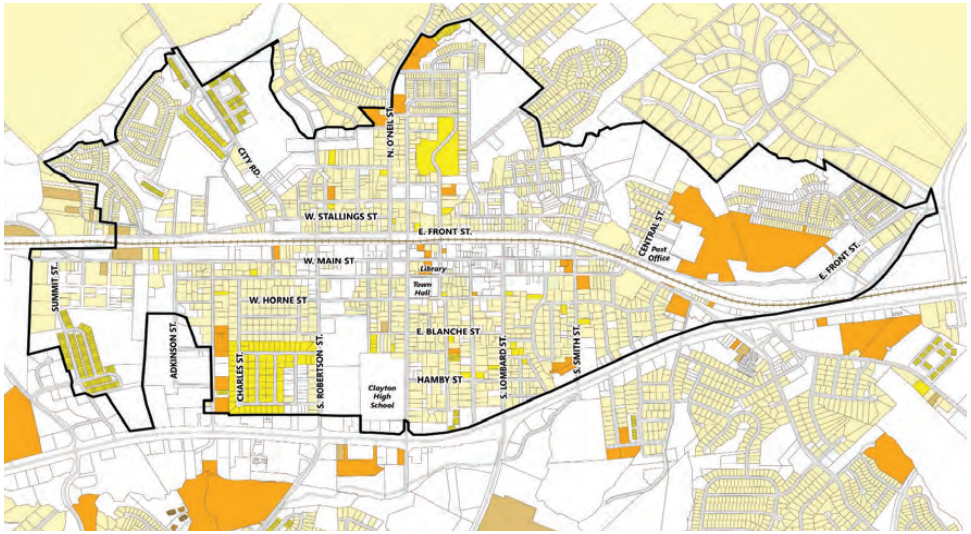




RESIDENTIAL LAND USES

As mentioned above, residential is the primary land use in Downtown Clayton outside of vacant parcels. While residential properties in downtown are smaller and have higher density levels, single family detached is still the majority housing typology in Downtown. Other residential land uses listed in order of their frequency in downtown include single family attached (duplex, town-home), multi-family residential (condos and apartments) and mobile homes.

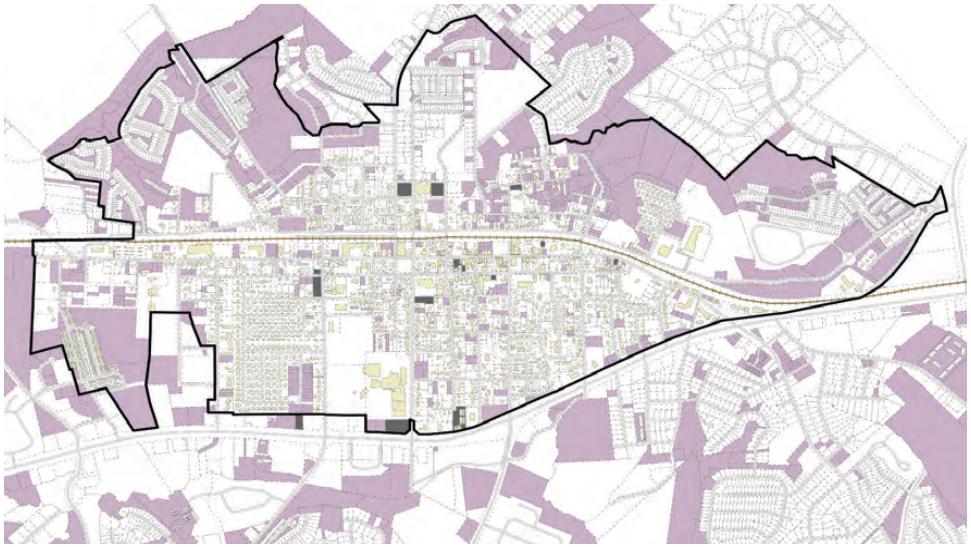




VACANT AND PARKING LAND USES

The parcels highlighted as vacant or parking do not contain any buildings. The darker gray parcels on the map denote parcels that are occupied by impervious parking lots. The lighter gray parcels are either undeveloped, vacant, or contain a gravel or dirt parking lot. There are many additional parking lots within Downtown that are not included in this map as they are on parcels that also contain a building or other structure and therefore parking is not the primary land use.





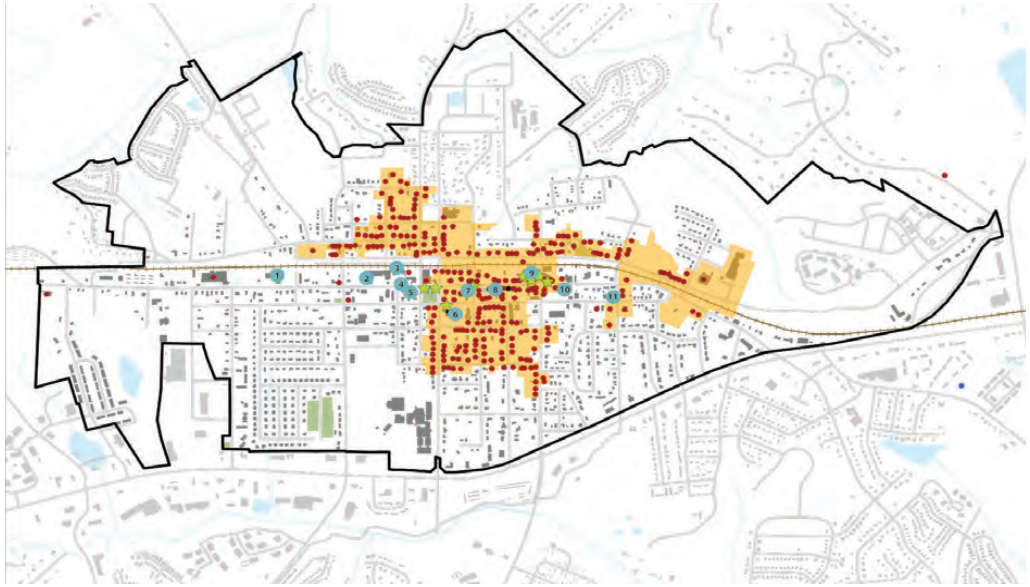
EXISTING BUILDING INVENTORY + ANALYSIS

HISTORIC AND CULTURAL SITES

The central portion of Downtown Clayton is within a historic district. The Historic district includes portions of the downtown commercial core as well as some of the residential neighborhoods to the north and south of the railroad. The historic district serves to help preserve the history and architecture of buildings while promoting their continued use. The Clayton Historic District is listed as part of the National Register of Historic Places as of 2010.

The map to the right illustrates historic structures based on their status on the National Register of Historic Places. There are more than 300 buildings and sites within Downtown Clayton which are considered historic.

The map also highlights cultural and arts facilities within Downtown Clayton which help sustain the history, culture, and vibrancy of downtown.



Historic and Cultural Sites

Legend

Historic Resources Status
- National Register Building
- Surveyed Building
- Determined Eligible
- Historic District

Arts and Entertainment
1. *Clayton School of Dance*
2. *Monster Batting Cages*
3. *Raglond Productions*
4. *Right Angles Framing and Art*
5. *Epic Axe*
6. *The Clayton Center*
7. *Hocutt-Ellington Memorial Library*
8. *Brick and Mortar Events*
9. *Clayton Farm and Community Garden*
10. *Clayton School of Creative Arts*
11. *Heart 2 Hands Art Gallery*

ZONING

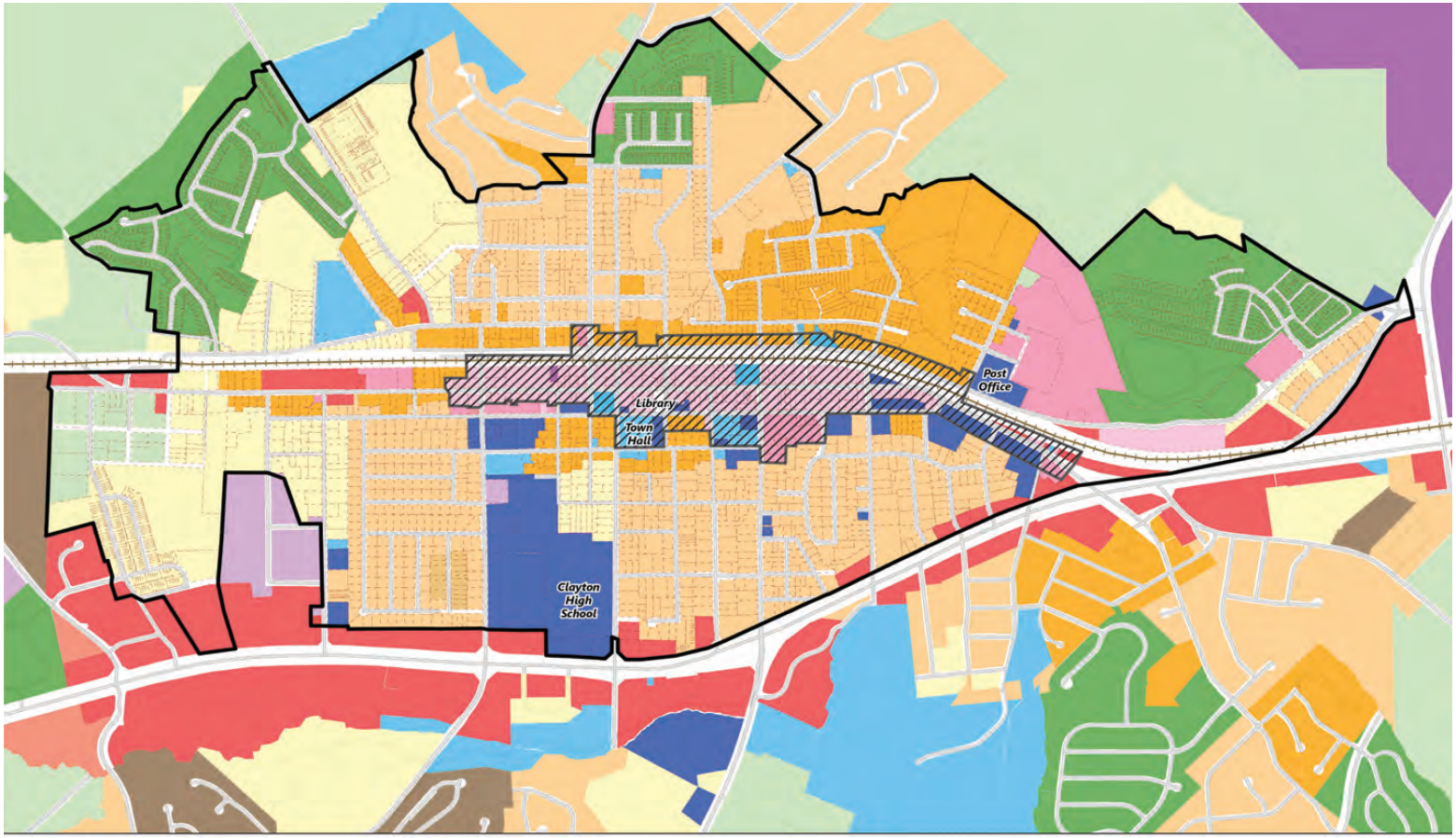
There are various zoning classifications in and around Downtown Clayton which reflects the diverse land uses within the same area. The mix of allowable uses has helped to shape the growth of Downtown. Main Street is largely zoned B-1 : Central-Business which comprises the core of downtown. This district is intended to create a central business district and town center by allowing a range of commercial, retail. service, office, institutional, public, cultural, and entertainment uses. Downtown Clayton also has zone B-2: Neighborhood Business which partially surrounds the B-1 district and emphasizes more small scale commercial and service. B-3: Highway Business is largely concentrated around Business 70 and a few parcels along the edges of the B-1 district.

As represented in the existing land use analysis, the majority of land in Downtown outside of the central business district is single family residential. There are three residential districts within the downtown area, R-8 which is the primary designation at 31% of the land in Downtown, consists of 8,000 sq ft lots. 20% of land is zoned R-6 with slightly smaller lot sizes at 6,00sqft. And 17% of the total downtown land is zoned R-10, which also covers the north western side of Downtown. As you move away from Downtown there are more R-E zoned parcels which define the lowest density residential developments which are intended to provide for a more rural character with more open space.

Office and Institutional zoning is the next highest zoning category covering 10% of land in Downtown. The majority of the land within this category is part of Clayton High school property. The O-I zone is intended to be located along major roadways and serve as a buffer between commercial and residential uses.

There are only a couple industrially zoned parcels in Downtown Clayton: I-1: Industrial Light and I-2: Industrial Heavy. I-1 uses include warehouses and wholesaling industries that do not provide a nuisance to nearby residents and businesses. While I-2 does include a broader range of industrial uses, the only parcel zone for this is adjacent to the railroad.

The PF: Public Facilities zone applies to the publicly owned and operated land such as government administration, public parks, public libraries, and recreation areas. These uses are generally concentrated around the central business district or within residential areas. The Town of Clayton has used to have Planned Development Districts as well (PD-C, PD-MU, PD-R). However, these have since been transferred to Conditional Zoning Districts with the previous use begin considered grandfathered. None of these districts are within the Downtown Clayton Boundary.



Zoning Map

Legend

PUB
DTN
NCM
CC
LID
HID
OFI
PD-C
PD-MU
PD-R
RHD
RMD
RLD
RLL
Railroad
Downtown Boundary
Downtown Parcels
Road Centerlines
Downtown District

0 500 1,000 2,000 Feet

DEVELOPMENT OPPORTUNITIES

There are several factors that contribute to the development and redevelopment potential of a site: land value as a total percentage of the parcel, property ownership, tax exemptions, and current projects. These base analysis can provide insight to the Town and developers to quickly identify which properties or assemblage of properties will meet the project goals.

LAND VALUE AS A PERCENTAGE OF THE TOTAL VALUE

This analysis, sometimes called a resistance to change analysis, identifies properties where the land is significantly more valuable than any building or improvement on the site. Parcels marked in dark green have a land value that is 100% of the total value which typically indicates vacant land or a parking lot. These properties often provide the greatest opportunity for new development.



Land Value Percentage

GOVERNMENT OWNERSHIP

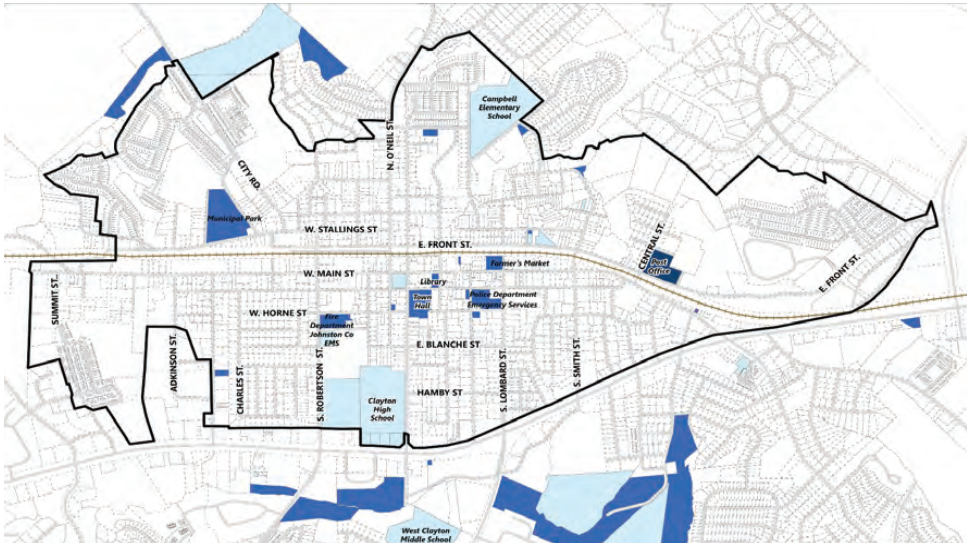
There are several parcels within downtown Clayton which are owned by a government entity. The land uses that are associated with these properties include: public schools, public hospitals, town hall and government offices, emergency services (EMS, Fire, Police), and municipal and county owned parks. The government owned properties are fairly concentrated in the south-central of downtown.

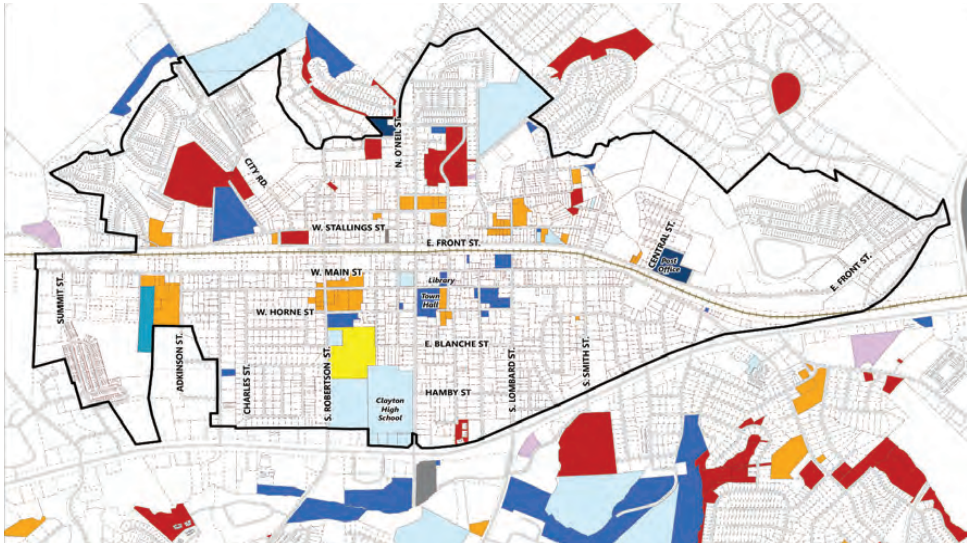


TAX EXEMPTIONS

The parcels highlighted in this map have some form of the following tax exemption: government, religious, charitable, educational, utility, or other. Religious tax exemptions are the most prevalent within downtown Clayton followed by governmental exemptions. Tax exemptions can be an important tool for incentivizing development in downtown, but they also impact the tax base available for public improvements.





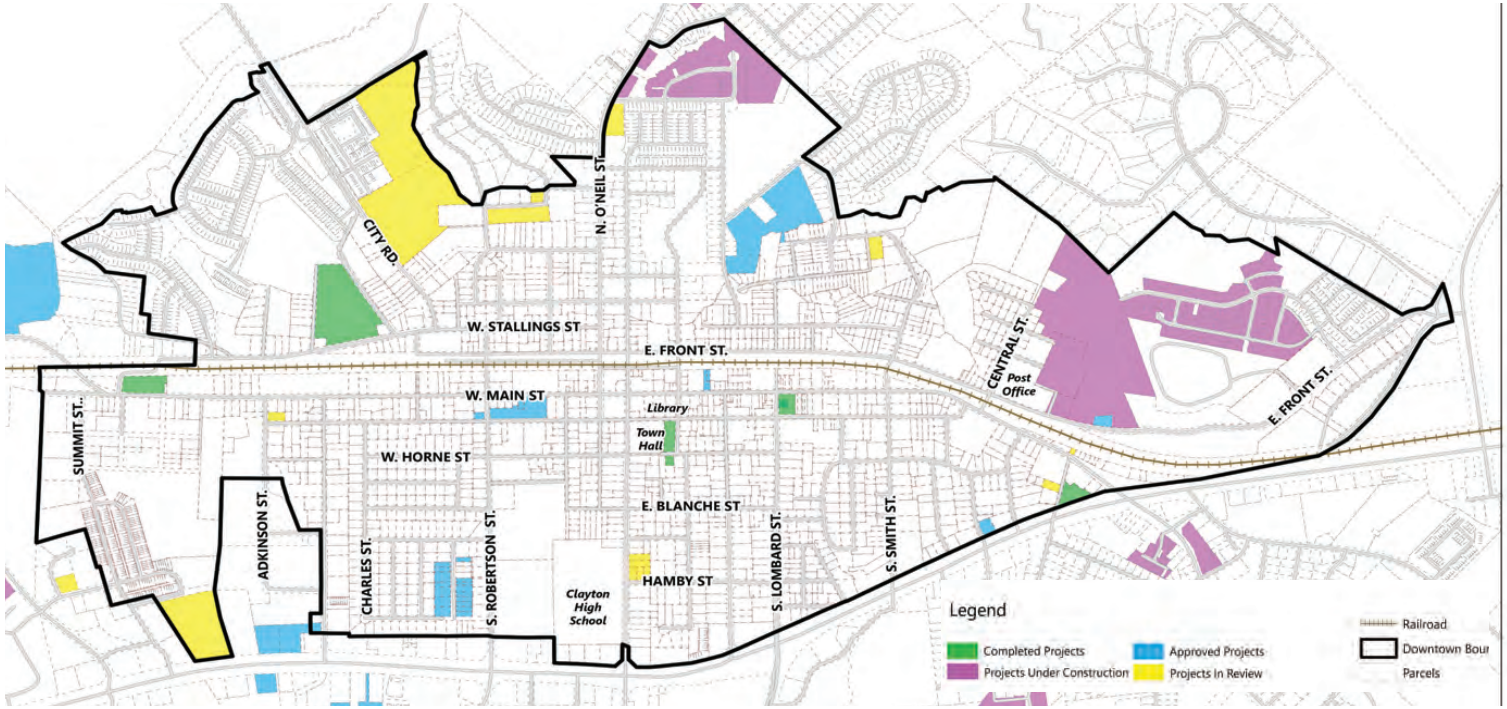


CURRENT PROJECTS

There are several ongoing development project in and around Downtown Clayton. The colors used on the map correspond to the stage of development that each project is within: In Review, Approved, Under Construction, and Completed. The most recently completed projects include the Clayton municipal park, West End mixed use development, Horne Memorial UMC Expansion and playground, remodel of 401 E. Main Street, and renovation of Smithfield's Chick and BBQ.

Most of the larger development projects are occurring on the outer edges of downtown. These projects are largely multi-family housing development projects such as the Spinning Mill Apartments to the east and Academy Pointe to the north of Downtown.
Within downtown there are also several multi-family town-home development projects approved and in the review phase. Some of these projects are Candlewood Town-homes (30 duplexes), Ridgecrest Townes (128 units), and Camel Street Town-homes (62 units). These projects will bring additional density into downtown and foster further development pressure.

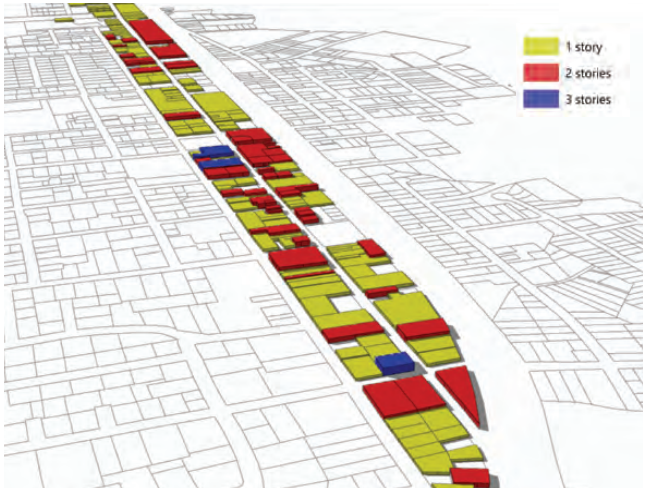
Current Projects



BUILDING HEIGHTS

When analyzing development and land use downtown, another factor to consider is density. Density can be looked at from both a building footprint to lot ratio as well as building height. The graphic on the right illustrates building heights along the Main Street corridor. Yellow parcels indicate where buildings are only 1 story tall, red parcels represent 2 story structures and blue represents 3 stories. Although the tallest buildings along Main are 3 stores, the majority of structures are only 1 story tall. One way in which density along the core of downtown could be increased is through encouraging more development and redevelopment to be 3 stories. This would maintain the small town feel of downtown while providing more opportunities for growth.

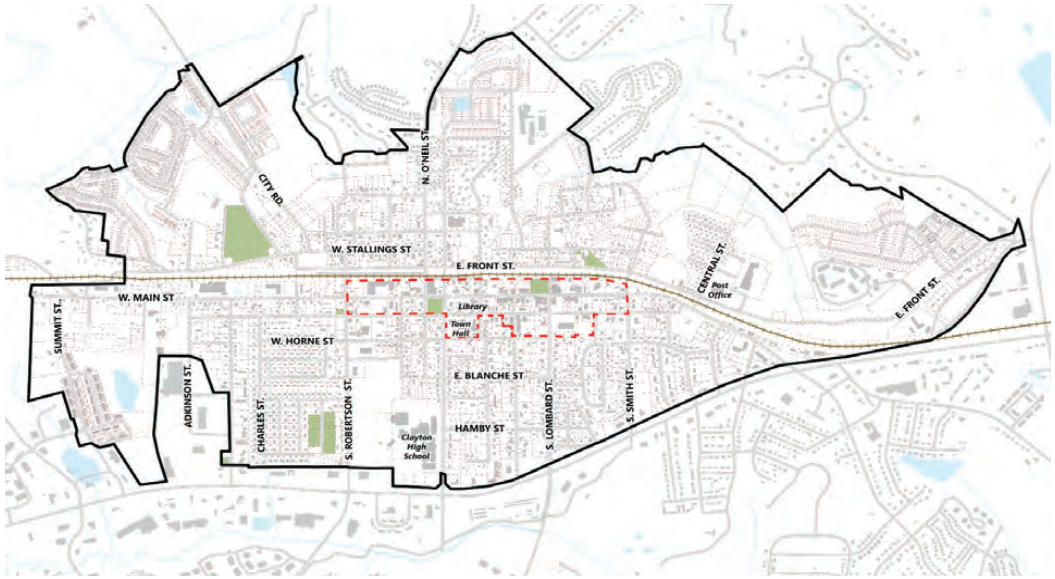
Building Height



PRIMARY FIRE DISTRICT

The town of Clayton currently has a primary fire district within the downtown core, stretching from South Robertson St to S. Smith St and from the railroad to Horne Street. Within this district there are additional development regulations which prohibit wood frame structures from being built, altered, or repaired without an additional permit. This limits new wood frame projects to areas outside of the primary fire district boundary.

Primary Fire District



TRANSPORTATION

While the Town of Clayton has appropriate ordinances related to transportation that support growth and maintain the character of Downtown, the ordinance listed below could be revised to better prepare for the future growth of Downtown Clayton.

§155.401.B.8

"In the downtown overlay district, there shall be no off-street parking requirements for non-residential development as specified in this section."

Although there seems to be plenty of parking available now, based on the type of development the Town is looking to attract to Downtown Clayton, this ordinance could lead to a parking shortage. It may be advantageous to consider adding a fee in lieu requirement, based on the land uses parking demand The fee collected could help the Town fund the construction and maintenance of new designated parking and way-finding, such as new parking lots along Front Street and signage to point out parking areas.

REAL ESTATE AND MARKET ANALYSIS

Rose Associates partnered with the McAdams team to provide real estate and economic development analysis to support land use in completing the Clayton Downtown Master Plan. The Plan is intended to provide a comprehensive vision for long-term success and provide strategies that will form a resilient foundation through short-term disruptions and market cycles.

The plan includes strategies that are not intended to be rigid and inflexible. Markets evolve and change over time and faster than ever. Our analyses and forecasting of market data includes demographic, economic, employment, tourism, and real estate. It is both art and science. It is crafted by an experienced team of experts with a long track record of successful projects. Our work is designed to accommodate a range of market driven opportunities for housing and commercial uses in the downtown over the next 10+ years.

Simultaneously to the Master Plan effort, a Downtown Strategic Vision report was compiled by Downtown Strategies to provide short-term revitalization strategies over the next five years.



APPROACH

The approach includes evaluating the current realities of the downtown environment in the context of local and regional market dynamics and identifying future real estate and economic development opportunities. Finally, metrics are included to track progress, to determine if both short-term and long-term strategies are successfully moving in the right direction.

The community is informed on the underlying cause and effect of location decisions on real estate markets and economic development. A combination of methodologies is utilized in developing an understanding of the current market dynamics utilizing a variety of public and proprietary resources in our analysis. These include:

Economic Base Analysis is used to understand the regional economy and determine real estate demand. The underlying theme suggests that for every (basic) job that is created, a multiplier effect increases overall employment (both basic and non-basic), thus increasing both population and income within an area benefiting from such job growth. The corresponding growth (or decline) in jobs, population and income drive demand for commercial and residential uses of real estate.

Central Place Theory (CPT) is utilized to evaluate land use feasibility and identify trade areas. The underlying theme of CPT is that the location decision of commercial establishments is driven by maximizing forces. CPT suggests that certain locations are more desirable than others, primarily due to the location of existing establishments that are already attracting business activity. This means that there are central places with varying degrees of magnitude that attract customers. It can also be used for certain types of non-traditional housing, such as senior or student housing, whose locations are dependent upon central places, such as a university or hospital. The fundamental theme of CPT is that commercial locations are spatially interdependent.

Highest & Best Use is used to determine the most appropriate use of land, given the underlying economic base. It is site specific for targeted new development opportunities. Highest & Best Use, as defined in The Dictionary of Real Estate Appraisal, is:
The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria Highest & Best Use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.

Measuring Success. Understanding market dynamics begins with current reality, leading to strategies for success. The goal of any plan should be action and implementation, measured to determine when and where to allocate funding for future Capital Improvement Projects (CIP). Key Performance Indicators (KPI) and Return On Investment (ROI) are measurement tools to gauge how successful the Plan has been in achieving specific goals and objectives.

KPIs are a forward-looking predictor of end performance, whereas ROI is used as a backward-looking informer of future budget allocation decisions. ROI is a long-term game. While KPIs are incredibly important to help gauge short-term performance and optimization decisions, they shouldn't be confused with ROI. Consider KPI metrics vs. ROI measurement in terms of reading a book. KPIs tell you what happens after each chapter, whereas ROI tells you what happened after the conclusion of the entire story.
Data Sources:

- US Census Bureau
- US Bureau of Economic Analysis
- US Housing + Urban Development (HUD)
- CCIM Site To Do Business
- ESRI
- CoStar
- Triangle Realtors Association
- Redfin
- Rent Café
- VisitNC

PREVIOUS PLANS

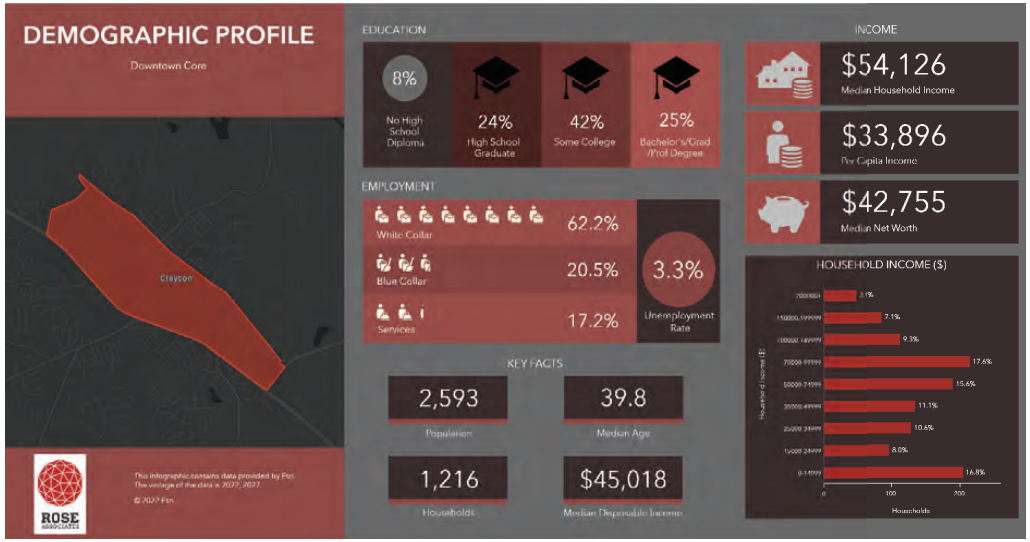
We began by conducting a review of the prior plans including the following reports which considered the downtown, economic development and land use:

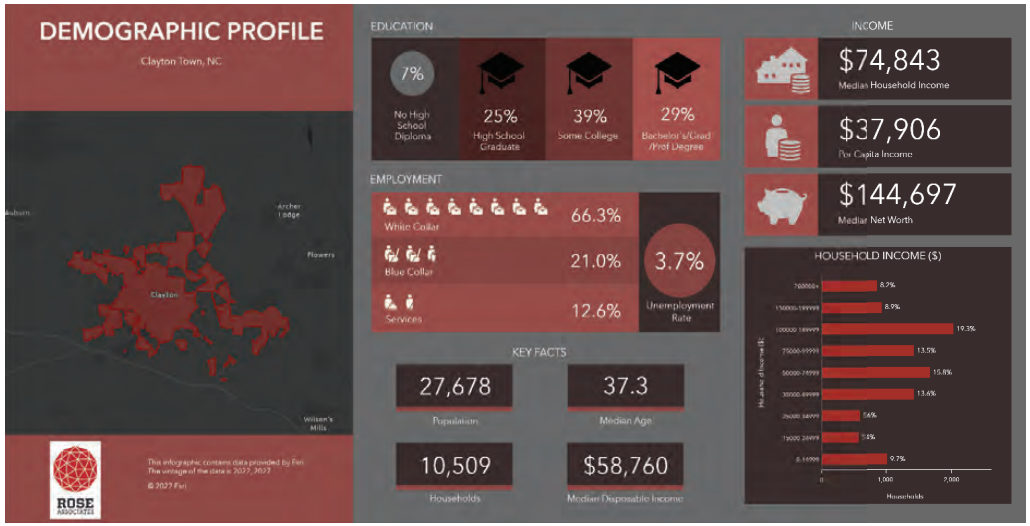
- Downtown Master Plan (2010)
- Clayton Economic Development Strategic Plan (2020)
- Think Clayton – 2045 Comprehensive Growth Plan (2021)

DEMOGRAPHIC + ECONOMIC DATA

According to the 2020 US Census, Johnston County is the fastest growing county in NC over the last decade. It ranked 12th in population among 100 NC Counties. It grew by 27.9% from 2010 to 2020 (215,999). Since then, the population has grown by another 13,475, or 6.24%. Johnston County and Clayton is part of the fast-growing Raleigh metropolitan area, the second largest metropolitan area in North Carolina, according to the state's office of management and budget.

The profile of the Town of Clayton indicates a balanced mix of socioeconomic factors that make up its population. And when comparing this data with the downtown, some differences began to emerge. We discover that Clayton is a fast growing and strong market playing a key supporting role in the Raleigh metro story. Downtown is older, more diverse, less affluent, and slower growing than the overall Town and surrounding areas. This is largely due to the neighborhoods of older and/or historic homes in and around the downtown, and the limited new development that has occurred in the downtown compared to the surrounding areas.





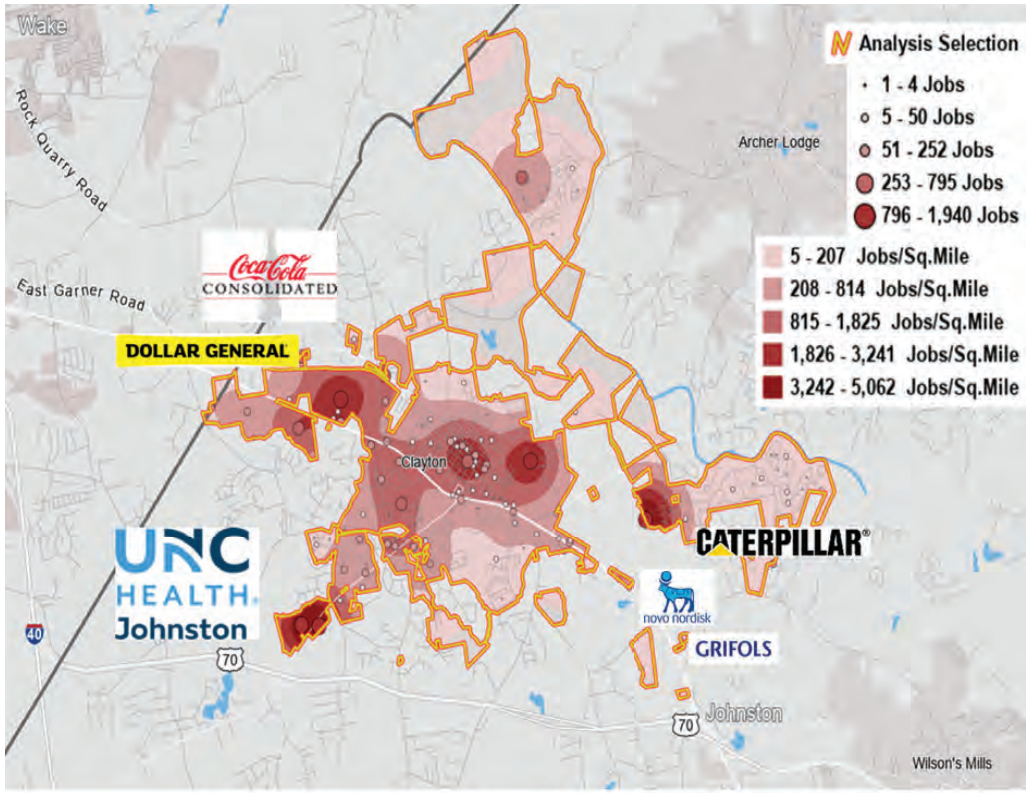
Geography	2010 Population	2022 Population	% Growth
Johnston County	168,874	229,474	36%
Town of Clayton	17,385	27,678	117%
Downtown Clayton	1,711	2,593	52%

Population Growth / Source: US Census; ESRI

Since 2010, downtown Clayton has made great strides in creating a place that includes The Clayton Center entertainment and event venue, and a sculpture trail making Clayton a cultural center within Johnston County. Clayton is also now a manufacturing and healthcare hub. The concentration of employment in and around the downtown and along the Highway 70 corridor, include the UNC Health hospital and major employers such as Coca-Cola, Caterpillar and biomedical company Novo-Nordisk.

This job growth together with other employment in the Raleigh region has resulted in the evolution of Clayton from a bedroom community of commuters to a center of commerce, with primary central activity centers. Therefore, Clayton is evolving in a new way and must create its own identity within the county and compete with other fast-growing communities around the Raleigh metro region.

Job Concentration



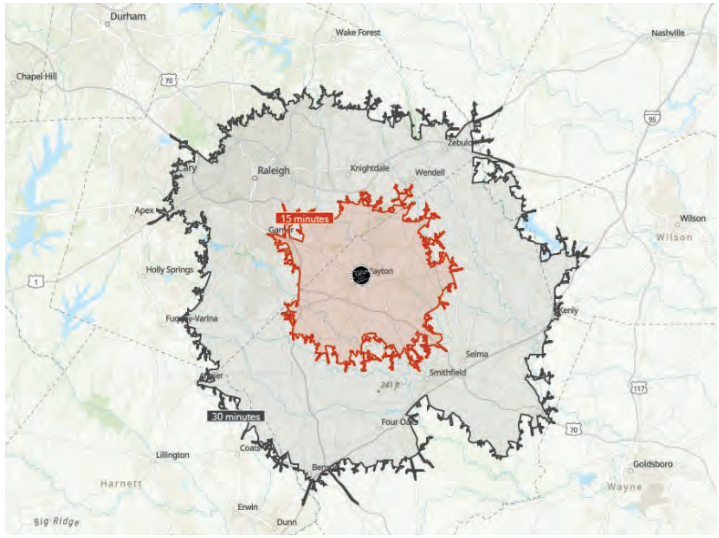
Source: Bureau of Labor Statistics; Rose Associates

The centers of influence in Clayton and the Raleigh metro assist in determining the primary and secondary trade areas for downtown. Rather than a radius around a point or a cell phone cluster around a popular shopping destination – the decision for most activities of daily life center around mobility and the time it takes to travel there. In rethinking mobility options, once must consider car, train or air travel, in addition to walking, biking or some other form of micro wheeled mobility. For most local trips this includes up to a 15-minute drive, while longer trips are the focus for commuting to work, shopping for larger consumer goods or attending regional sports/entertainment venues.

Whether for local trips or commuting to work, Clayton's reach includes a large and affluent population. Aside from housing and shelter, the top annual consumer spending categories per household in Clayton include:

- Healthcare
- Food at Home
- Food away from Home
- Entertainment/Recreation

Each of these top-ranking categories were close to, or on par with, national averages.



Population by Commute Distance

2022 DATA	15-MINUTE DRIVE	30-MINUTE DRIVE*
Population	127,685	788,624
Daytime Population	127,685	788,624
Median Age	36.8	35.7
Median HH Income	$82,204	$72,674
Average HH Income	$105,266	$99,145
Average spent Healthcare	$7,150	$6,656
Average spent Food @ Home	$6,079	$5,868
Average spent Food away from Home	$4,334	$4,175
Average spent Entertainment/Recreation	$3,669	$3,449

*Average Commute Time

REAL ESTATE ASSESSMENT

Review of real estate inventory highlights the current conditions within the market, which are reflective of both past trends and present market cycles.

COMMERCIAL SUPPLY

Data from Costar includes office, retail and multifamily housing (4+ units). As of September 2022, the data indicates a robust multifamily apartment market throughout the region, with smaller inventories of vacant available office and retail space in Johnston County and Clayton. When compared to Johnston County and two other adjacent submarkets in the Raleigh Region, Clayton's competitive position becomes apparent as an affordable option for an apartment or commercial space.

Since the time of this September 2022 study, office demand has dropped sharply to roughly 40% of pre-COVID demand. Hybrid or fully-remote work situations have become commonplace indicating that this trend will become a long-term factor if not a permanent one. It is recommended that 40% reduction in demand be taken into consideration when determining mix of uses in vertical mixed-use recommendations.

Real Estate Inventory

METRICS	JOHNSTON COUNTY SUBMARKET	SOUTHEAST/ SOUTH SUBMARKET	NORTHEAST/EAST SUBMARKET	CLAYTON SUBMARKET	COSTAR RALEIGH MARKET
Multifamily Inventory	3,400 units	5,438 units	5,865 units	2,934 units (+4.5%)	112,463 units
Multifamily Vacancy	6.7% (+2.3%)	4%{+1.1%)	8.4% (+6.5%)	4.6% (+0.2%)	6.5% (+1.5%)
Multifamily Market Rent	$1,426 (+6.9%)	$1,467 (+8.0%)	$1,571 (+13.1%)	$1,351 (+6.5%)	$1,574/unit (+9.2%)
Office Inventory	2,470,000 SF	2,048,000 SF	1,239,000 SF	971,000 SF (1.3+)	77,210,000 SF (+1.1%)
Office Vacancy	2.2% (-2.1%)	2.2% (+0.1%)	2.7% (+0.2%)	1.0% (-5.3%)	8.5% (+0.1%)
Office Market Rent	$20.74 (+1.9%)	$23.76 (+2.8%)	$23.66 (+2.7%)	$22.81 (+2.7%)	$28.16 (+3.0%)
Retail Inventory	8,833,000 SF	5,594,000 SF	6,300,000 SF	2,300,000 SF (+7.3%)	77,159,000 SF (+1.0%)
Retail Vacancy	2% (-0.4%)	1.0% (-3.7%)	4.1% (+0.7%)	1.2% (-0.7%)	2.6% (-0.9%)
Retail Market Rent	19.19 (+8.6%)	$23.06 (+9.0%)	$19 (+9.3%)	$19.93 (+7.9%)	$24.35 (+9.7%)

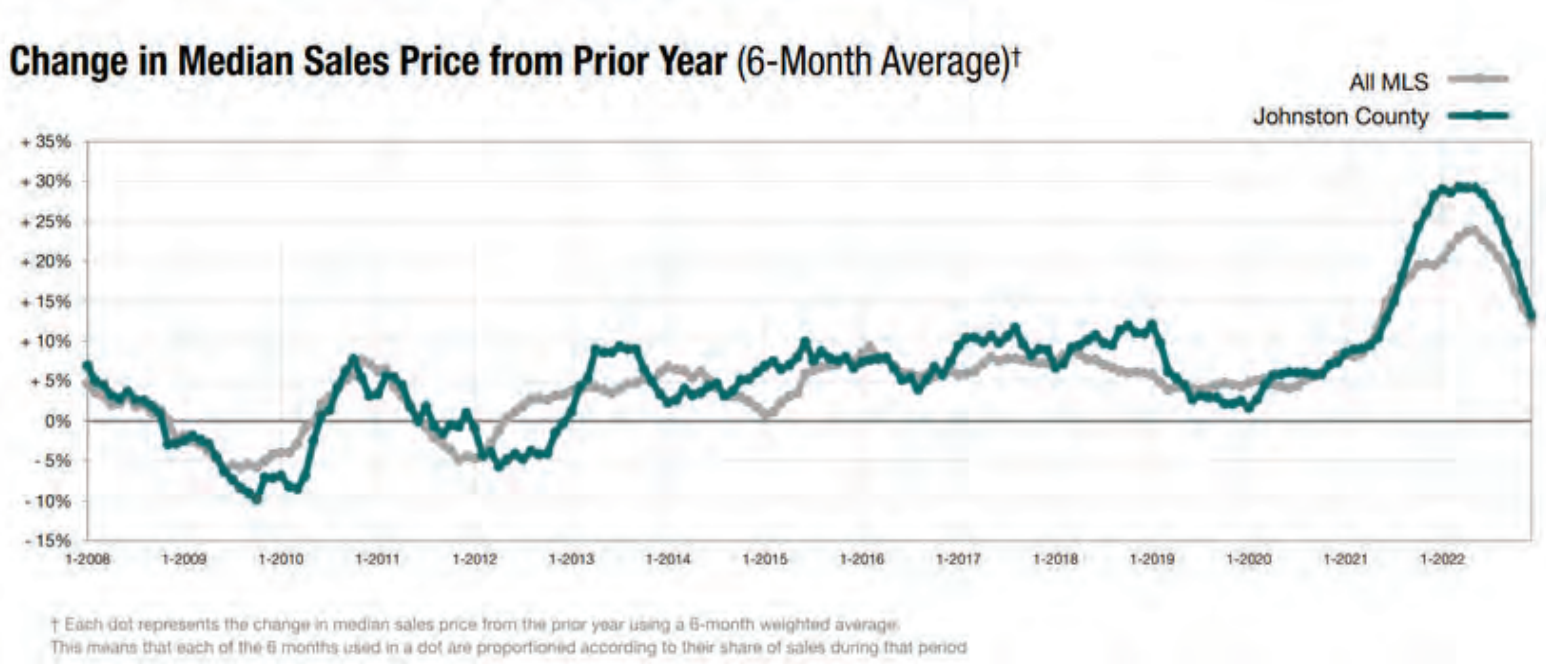
HOUSING SUPPLY

As of July 2022, US Census estimates that 56,753 new privately owned housing units had been approved in North Carolina at an estimated value of $13.4 million, second behind only Florida for the entire Southeast region. Johnston county is one of 31 Counties in North Carolina to enjoy strong housing growth, influenced by the strong Raleigh triangle region. However, during last quarter of 2022, home sales and prices began to decline due to rising interest rates and a looming threat of recession.

JOHNSTON COUNTY

According to the U.S. Department of Housing and Urban Development (HUD), there were 2,080 new single-family permits issued in Johnston County from January through August 2022. Sales of existing single-family homes totaled 3,698 for the same period.

According to the Triangle Realtor Association MLS (multiple listing service), the median home sales price for Johnston County in August was $370,950, up 27.2% year over year. By December, prices declined to $364,900.



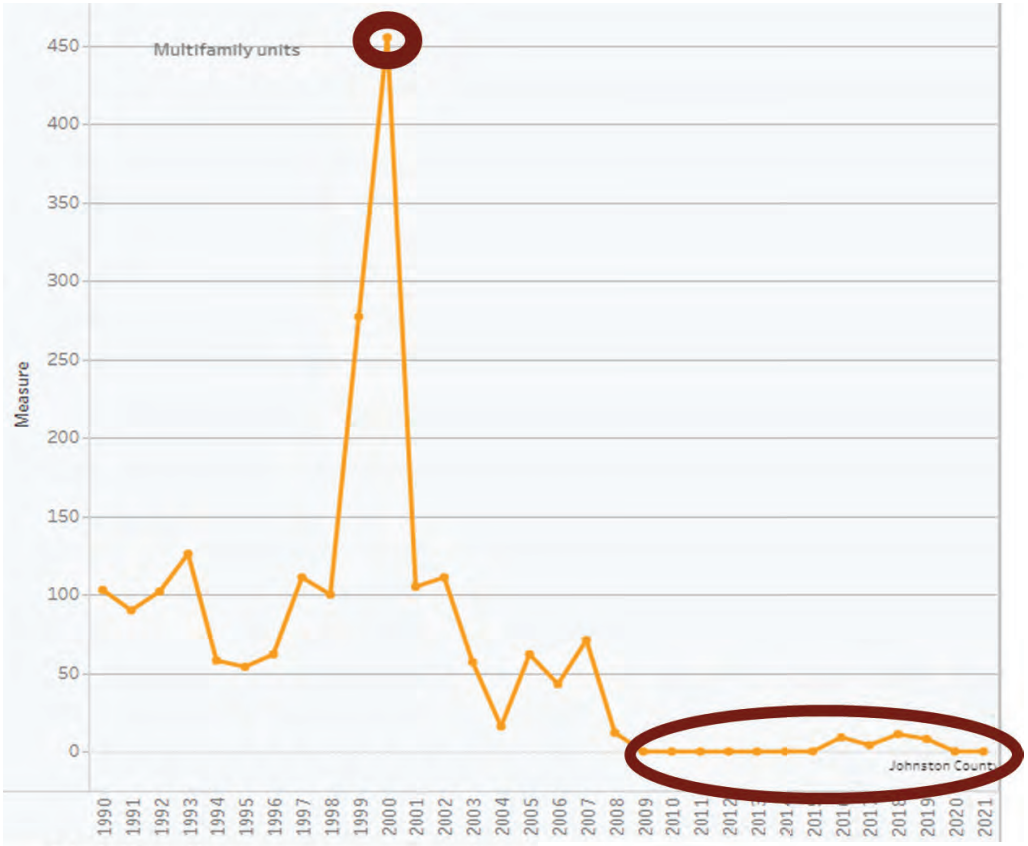
CLAYTON HOUSING MARKET TRENDS

According to Redfin, in December 2022, Clayton home prices were up 8.0% compared to last year, selling for a median price of $343K. On average, homes in Clayton sell after 46 days on the market compared to 39 days last year. There were 60 homes sold in December this year, down from 117 last year.

And after their peak in 2000, apartment construction fell flat in 2008, just prior to the recession. There were no multifamily projects permitted in Johnston County in 2022 according to HUD.

According to Rent Café, the average rent for an apartment in Clayton is $1,563, with an average size of 1,057 square feet. This compares to an average rate in Raleigh of $1,630. The cost of rent varies depending on several factors, including location, size, and quality.

While there was little permitting activity in the multi-family sector, since the last data point on this associated study data (2021), multi-family construction starts have sharply risen in the vicinty of the downtown core. Demand for apartments in the region is at an all-time high indicating that a larger demand for multi-family residential should be a consideration for recommendations from the Downtown Master Plan.



Multifamily apartment permits



Clayton Apartment Rents – Rent Café 2022

FUTURE MARKET DEMAND

Based on estimated growth, Clayton's current market share and a recommended downtown capture rate within the county, product demand over a 10-year period is estimated:

POPULATION GROWTH + EMPLOYMENT GROWTH X MARKET SHARE + CAPTURE = DEMAND

Geography	2010 Population	2022 Population	% Growth
Johnston County	168,874	229,474	36%
Town of Clayton	17,385	37,678	117%
Downtown Clayton	1,711	2,593	**52%**

Type of Development Demand	Estimated Market Capacity	Targeted Capture (Johnston County)
Residential	50-100 units/year	10%
Retail/F & B	160,769 s.f.	25%
Office/Medical	77,260 s.f.	25%
Lodging	50 rooms	20%
Note: assumes impacts on parking, road improvements and parks/open space		

CREATING EXPERIENCES

CURRENT SITUATION

Experiencing downtown involves both getting there and being there. Adding to the experience are the design elements noted in providing attractive gateways, streetscapes and building façade and signage detail. Not only should it be a visually appealing and an inviting trip from a design perspective, downtown also must have places to visit and events to attend. Getting people to downtown is a marketing and tourism proposition.

The tourism industry is comprised of various sectors that house, feed, transport, and entertain visitors. There are five primary sectors within the tourism industry: 1) lodging; 2) transportation; 3) entertainment, recreation and activities; 4) food & beverage; and 5) retail. Each sector covers a broad range of fields, providing a distinct variety of goods and services. While separate from one another, they can often overlap and work in conjunction to create one complete and comprehensive hospitality experience.

According to the 2021 annual report by VisitNC, Johnston County ranked 28th in total spending among the 100 North Carolina Counties. Spending in the county grew 40.5% year over year, led by food & beverage ($90.98m) followed by transportation ($55.87m), lodging ($51.96m),



recreation ($33.39m) and retail ($23.26m) for total spending of $255.47 million dollars. There are fifteen outdoor and recreational attractions in the county and Clayton leads several of the top tourism attraction categories.

The success of the lodging market is dependent on demand drivers, which include attractions, events, and large employers, including hospitals and universities. One area of note are the cultural and historic features of the downtown. The Clayton Center provides events and cultural experiences for all ages. The Sculpture Trail highlights works of art along a guided walk. The county has partnered with OutdoorNC as 2023 is marked as "The Year of Trails" and promotes several theme-based trail packages. Often these activities result in multi-day/ weekend stays which increases the visitor dollars spent per guest. In addition, downtown's historic features of both commercial and residential structures have broad historical appeal. The local brewery, Deep River Brewing attracts hundreds of visitors each week. And there are farms and several wedding venues in and around Clayton that provide additional economic benefit to the downtown. Collectively, Clayton attracts over 100,000 visitors annually.

There are five area hotels that include "Clayton" in their marketing to attract these visitors, however, only one limited-service hotel is physically located in the town of Clayton, along with a Bed & Breakfast in the downtown.

OPPORTUNITIES

- Create a Marketing Plan (Every 5 years). A collective effort to market Clayton's attractions, events, shops and restaurants in downtown would help elevate the number and length of visits leading to demand for additional lodging facilities. This may include traditional hotels, Bed & Breakfast inns and local homes via short term rentals such as VRBO and AirBnB. This will also help with the long-term stability of local shops and restaurants, by attracting a fluctuating stream of visitors.
- Create a Visitor Guide (Annually). Through



the marketing plan, create a budget to fund projects such as a digital and print visitor guide that can be distributed through the Chamber of Commerce, City Hall and local hotels and businesses.

- Complete Legislation to collect Local Room Tax (Annually). Johnston County collects a 3% rooms tax and many of the local municipalities collect a 2% room tax, which are redistributed at the local level to fund tourism, marketing and some limited projects. Clayton does not receive the benefit of a local room tax, as approval by the local elected officials. The next step in the collection of the local 2% room tax has yet to be introduced into legislation. Given the level of economic impact that these visitors create, the additional revenue from this source is currently forfeited.
- Consider a Lodging Market Study. Whether contracted with the town, or in collaboration with local developers, a lodging market study would provide insights into the current and future opportunities for adding additional lodging in downtown Clayton.
- Create a Geocaching Trail. What is geocaching? Geocaching is a modern outdoor treasure hunting adventure, where participants use a set of coordinates and GPS or mobile device to locate containers known colloquially as "caches" hidden all over the world. Each cache contains, at a minimum, a logbook for players to sign, but more exciting are the swag and tradable materials concealed within. Objects of equal or greater value can be traded, trackable items tagged, and/or collectibles awarded in special circumstances (i.e., first to find, completing a GeoTour, etc.). For more information and where to download the app, visit Geocaching 101.

LOCAL IMPACTS

Tourism is an important economic development pillar that supports employment in the five sectors above, increases the wealth of an area through spending, and leads to investments in the community through shopping, dining and recreation. The result is additional jobs and tax revenue for the community.

Job Creation. Tourism provides an economic stimulus by allowing for diversification and expansion of employment in all five tourism sectors and improves local income potential.

Property Tax Revenue. Supporting the addition of retail and restaurant space, creates additional property tax revenue for renovation, redevelopment and new development projects.

Local Room Tax Revenue. If legislation is passed to collect a local room tax, a hotel demand study would provide insight into how much of this revenue may be captured for Clayton. It could provide a source of funding for downtown staff and/or projects.

Sales Tax Revenue. The addition of visitors increases sales for local merchants and restaurants, thus raising the local sales tax revenue generated.

Land Uses/Real Estate Product Types include Retail + Restaurants, Lodging (Hotels, Inns + Short Term Rentals), and Entertainment / Recreation.

RECLAIMING ASSETS

CURRENT SITUATION

Downtown includes some buildings and places that are neglected, obsolete or demand attention. These include buildings whose future highest and best use may no longer include the current use. These assets (land + buildings) are reflected in the opportunity sites identified within the downtown Master Plan.
Johnston County's focus on economic development is primarily dedicated to manufacturing and other large-scale employment. Clayton enjoys strong educational attainment and income to attract investment.

Short-term revitalization and long-term asset management requires both intellectual and financial capital brought by local and regional entrepreneurs. Entrepreneurism can be cultivated in several forms.
There are currently 388 business and approximately 3,003 employees working in the downtown, compared to a population of 2,593 who live there. Downtown retail and restaurant businesses are dependent upon a minimum threshold of both residents and the daytime population of visitors and employees to be successful.
According to a 2022 study by Regus, it highlights "five things that the stats can't ignore

EMPLOYMENT TO RESIDENT HOUSING SUMMARY	JOHNSTON COUNTY	DOWNTWON CORE
Total Businesses	5,957	388
Total Employees	52,285	3,003
Total Resident Population	229,474	2,593
Employee/Resident Population Ratio	0.23	1.16
Annual Estimated Average Employment Growth	2,044	117
Average Annual Estimaged Housing Demand	1,635	**94**

ESTIMATED POPULATION GROWTH TO RESIDENT HOUSING	JOHNSTON COUNTY	DOWNTWON CORE
2022 Total Population	229,474	2,593
2027 Estimated Total Population	250,964	3,142
Projected Added Population	21,490	549
2022-2027 Average HH Size	2.71	2.13
Estimaged Housing Unit Demand (2022-2027)	7,930	258
Average Annual Estimaged Housing Demand	1,586	**52**

coming out of the pandemic":

- 88% of employees want to embrace hybrid working
- Over 50% of digital nomads are in need of reliable Wi-Fi
- 80% of our workforce is in danger of burning out
- Automation can free managers up to focus on what matters, reducing workloads by 69%
- Over 75% say cutting commuting is the key to sustainability

The majority of these workers are white collar jobs that work in office or retail environments – or work from home. Clayton residents are predominantly employed in white collar jobs, and as noted many of these employees commute to jobs in other areas of the region.

The dynamics of "work from home" (WFH) as a result of the pandemic have changed the face of the office market. However, a vibrant entrepreneurial ecosystem results in demand for workspaces that support new business ventures. These are supported by small office and retail space.

OPPORTUNITIES

- Add Office Product (1-10 years). Based on the growth and supply projections from 2022, a 10-year estimate of office space demand totals approximately 77,000 square feet of new office space, suggested as a target to capture county demand. Given previously mentioned COVID era factors on office demand, a more realistic number is a 40% reduction from that total coming to a more measured 46,200 square feet of office space takedoen in that 10-year time frame. Offering alternative shared/flexible space and live-work environments, along with reliable broadband access will be important considerations to bring new residents and employees to downtown. Together they would support restaurants and business to create an environment from "coffee to cocktails" supporting an "18-hour" place.
- Renovation vs. New Construction (1-10 years). The space offerings in and around the downtown area are currently limited. The cost to construct and finish new space will result in lease rates that may be significantly higher than current market lease rates within the downtown. The most competitive strategy would be to create policies and incentives that support renovations of existing buildings to keep costs consistent with market rents and build rental rates over time to subsequently support additional new construction. Older and unique buildings provide the differentiating space that entrepreneurs are looking for.
- Continue to invest in making Wi-Fi available in your Downtown to all citizens. Downtown Clayton has access to multiple provides of high-speed internet including 1 Gbps options. Downtown also has complete 5G Ultra Capacity coverage for mobile internet services. Making access to these services affordable for all citizens is of critical importance for long-term growth and stability.

LOCAL IMPACTS

Small business and entrepreneurship is an important economic development pillar that supports employment, increases the wealth of an area, leads to improvements and investment in the community. The result is additional jobs, per capita income, and tax revenue for the community.

Job Creation. Small business provides an economic stimulus by allowing for diversification and expansion of employment in the technology and professional services sectors and improves local income potential.

Property Tax Revenue. Supporting the addition of office space creates additional property tax revenue.

Local Room Tax Revenue. A growing entrepreneur ecosystem provides growth of small business that often leads to visitors attending meetings, seminars and capital funding events.

Sales Tax Revenue. The addition of employees and their visitors increases sales for local merchants and restaurants, thus raising the local sales tax revenue generated.

Land Uses/Real Estate Product Types include Office / Flex Space, Restaurants, and Lodging (Hotels, Inns + Short Term Rentals).

ATTAINABLE HOUSING

CURRENT SITUATION

The town of Clayton has approximately 11,246 housing units, according to 2022 US Census estimates. Of the housing units, 66.4% area owner occupied and 27% are renter occupied, leaving approximately 6.6% vacant/seasonal. The average household size in 2022 in Clayton was 2.62 persons.

According to the American Community Survey (ACS) data 2016-2020, the downtown core has 1,076 housing units. 58.1% of homes are single family detached homes, with only 5.9% detached townhomes. Other housing types include duplexes (11.3%) and small multifamily complexes (23.3%) of up to 50 units. The housing stock is aging with 77% of the homes built prior to 2000, including historic homes, and 23% built since 2000.

With the estimated increasing growth in local employment and population, additional demand for housing has resulted in several new subdivisions in Clayton. Many of these subdivisions have filled the void for middle income or "missing middle" households. Housing is the first and most expensive annual household consumer spending category, followed by food.

The long-term challenge, as housing costs continue to rise in the region, is providing attainable housing for the majority of residents in lower income brackets in service related employment (retail, restaurants, lodging) who are priced out of the home buying or rental market due to fluctuating/rising interest rates, and economic or employment cycles.

OPPORTUNITIES

- Add New Housing Product (1-10 years). Housing demand is driven by two dynamics: employment growth and population growth – which will continue to increase with more migration to the Carolinas. Annual demand ranges between 52-94 housing units per year. Providing incentives for adding supply for downtown housing above retail and historic renovations in surrounding neighborhoods will assist in maintaining affordability. Incorporating mandated percentages of affordable housing as a part of new residential and mixed-use development through language in the UDO is a means to guarantee some level of affordable, workforce housing is a part of future growth within the Downtown.
- Target Markets for all Generations (1-10 years). Encourage opportunities to provide housing that attracts all generations, including young professionals, families, empty nesters and seniors who seek a walkable downtown environment, or who wish to live close to their business. They often seek similar product types apart from growing families who desire larger homes and lots, and seniors who may need a care setting from independent living to skilled nursing care. recent projects in the area (The Walk and Carolina Overlook) have provided some of this type of housing but more will be needed as a percentage of the overall new residential development in the region to maintain availability options for all generations.
- Diversification of Housing Product/Price (1-10 years). A competitive advantage of the downtown is its existing inventory of historic homes in the surrounding neighborhoods. Housing supply could be expanded to include product types to meet today's consumer demands for walkable neighborhoods close to downtowns, smaller homes, limited maintenance and access to public open space. In addition to single family homes, also include incentives and policies for townhomes, patio homes, accessory dwelling units (ADUs) and lofts/ apartments to provide a wider range of

sizes, styles and needs to accommodate a variety of target markets.

LOCAL IMPACTS

Housing is the result of economic development efforts which create demand for new product to support new employees, many of whom are first introduced to Clayton as a visitor. Added housing increases the wealth of an area, through additional per capita income for spending locally and added property tax revenue.

Job Creation. Housing provides both construction employment and service employment such as retail and professional services to service new households.

Property Tax Revenue. Supporting the addition of new housing, creates additional property tax revenue.

Local Room Tax Revenue. As families move into the area, they are often visited by traveling family members and friends, who enjoy introducing them in their new town.

Sales Tax Revenue. The addition of these new residents and their visitors increases sales for local merchants and restaurants, thus raising the local sales tax revenue generated.

Land Uses/Real Estate Product Types include Housing, Retail, and Office.

LIVE-WORK CONNECTION

CURRENT SITUATION

As noted above, the result of the pandemic has changed commuting patterns as employees demand flexible work schedules to include both home and office options. Educational resources for job training and workforce development are critical for those changing career paths. And as a result, many are focused on opportunities to provide a work-life balance.

Quality of Life is a subjective term, depending on each perspective. For major employers, it includes an educated workforce that can find the desired housing and lifestyle within a reasonable commuting distance. For existing or relocating residents, this includes childcare and education, access to parks and recreation facilities, accessible shopping and dining, and a vibrant arts, culture and entertainment scene. Altogether these make up the culture of a community and such experience that a place creates, all of which promotes health and well-being. Many of these qualities should be integrated into a seamless experience for those living, working and visiting the downtown. Connecting people and places are what create a resilient environment.

- Economic Prosperity
- Health + Well Being
- Education + Opportunity
- Arts + Culture

The desire for additional shopping, dining and entertainment experiences was overwhelmingly communicated by participants in the public engagement process. A retail gap analysis completed within the *2023 Downtown Strategic Vision* identified categories of retail, including food and dining opportunities.

Aside from housing and healthcare, the top three consumer spending categories for 2022 in Clayton were:

- Food at Home - $62,021,640
- Food away from Home - $43,737,597
- Entertainment & Recreation- $37,227,487

OPPORTUNITIES

Add Additional Retail and Restaurant Space (1-10 years). Based upon estimated job and employment growth, adding to consumer spending, estimated demand for an additional 160,769 s.f. of retail/dining space could be added in the downtown over the next ten years. While grocery stores were identified, there are few opportunities to provide the typical prototype with parking in the downtown core. However, specialty food tenants such as a butcher shop, baker and small provisions

company could fill the niche for this category, in a unique downtown setting.

Add Additional Parking. This is more specifically addressed by the transportation experts on the Master Plan team. However, adequate and accessible parking for both employees and customers is a common complaint and a critical component to a successful downtown. Creative management and shared parking between uses with different peak hours reduces the need for vast parking lots and monolithic garages, however, a parking study should be undertaken to determine the future date range in which consolidation of parking into one or more structured options should be considered and for which the Town can begin to plan for in budget and land acquisition.

Make connections to parks and greenways. We learned from the pandemic the importance of the outdoors and open space. This is true for both residents and employees who wish to have access to fresh air, sunshine and the benefits of exercise. In keeping with the 2022 Pedestrian Plan, sidewalks, trails, and greenways should all be improved and the network expanded to provide the best and most options for residents and visitors to utilixze multi-modal options including bike and ped.

LOCAL IMPACTS

Quality of Life and the Live-Work connection



is qualifying factor for housing and job growth. This is the boast that makes efforts in real estate and economic development a differentiating position. Added economic activity from each of these key market trend efforts increases the wealth of an area, through additional household income for families, talent attraction for employers and added revenue to the town's fiscal budget.

Land Uses/Real Estate Product Types include Housing, Retail, Office, Entertainment, Civic Uses, and Public Open Space.



TRANSPORTATION ANALYSIS

Transportation analysis is essential to understanding how people, goods, and services move in and around the Town of Clayton. Within this section we analyzed traffic volumes, vehicular safety, roadway ownership and maintenance, trucking routes, and pedestrian and bicycle connectivity.

Roadway Facilities

Main Street is the main roadway through downtown Clayton. Main Street is approximately two miles long and extends from west of Old US 70 to US 70 Business. There are many roadway choices to enter downtown Clayton from the greater regional area, including US 70 Business, Robertson Street, O'Neil Street, Fayetteville Street, Lombard Street, and Old US 70. These are the roadways that are expected to have higher traffic volumes because they provide connections to the surrounding areas and neighborhoods. Many of the roads in the study area allow for on-street parking, with one lane of travel per direction. Most of the intersections in the study area do not provide exclusive turn lanes.

The North Carolina Railroad (NCRR) bisects the north and south portions of Clayton's Downtown. There are six at-grade crossings within the study area, a large number in a short distance. A study of the traffic utilizing each of these crossings was not undertaken as a part of the Downtown Master Plan update process but it is highly recommended to undertake one in the near future in the aim of identifying the least used at-grade rail crossings for consideration of closing one or more of these crossings.

Citywide Traffic

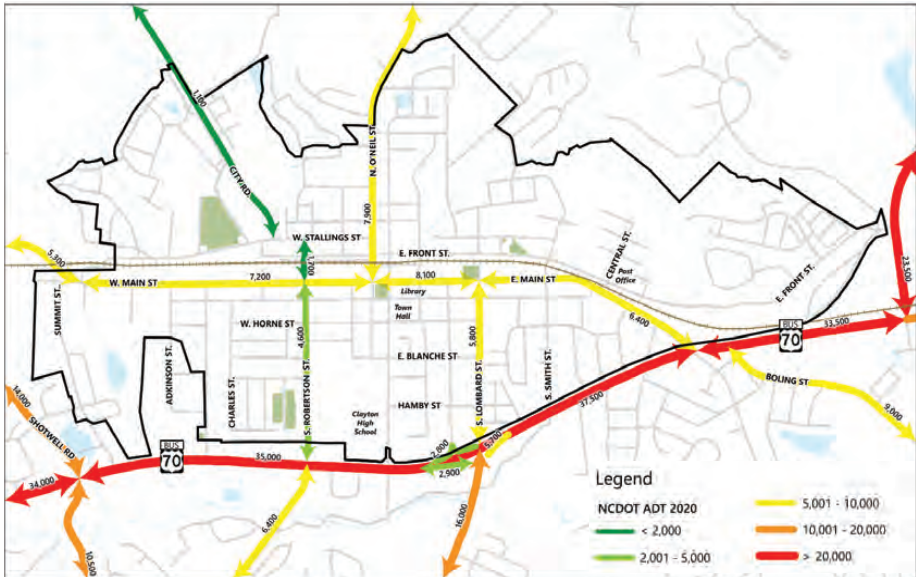


EXISTING TRAFFIC VOLUMES

DAILY TRAFFIC

Interstate 40, US 70, US 70 Business, and NC 42 are the primary highways providing regional access to the Town of Clayton. The North Carolina Department of Transportation (NCDOT) reported Interstate 40 carried between 60,000 and 92,000 vehicles a day between Wake County and Johnston County in 2021. US 70 and US 70 Business carry between 20,000 and 42,000 vehicles a day east of Interstate 40, near Clayton. NC 42 carried approximately 26,000 vehicles per day, and provides access from Clayton to the eastern portions of Johnston County and Wilson. While Interstate 40 and US 70 do not provide direct access to Downtown Clayton, they are both within a ten-minute drive of downtown and provide regional access to Clayton for residents and businesses.

Daily traffic volumes in Downtown Clayton were examined, based on NCDOT 2021 data. This data shows Main Street carries up to 9,900 vehicles per day. Other roads in downtown have lower reported volumes, with North O'Neil Street carrying approximately 8,700 vehicles per day, South Lombard Street carrying approximately 6,400 vehicles per day, and South Robertson Street carrying approximately 5,000 vehicles per day. Based on this information, the existing two-lane cross section on the roads in Downtown Clayton is adequate to handle average daily traffic.



Average Daily Traffic for Downtown Clayton

PEAK HOUR TRAFFIC DATA

Turning movement data was collected at seven intersections on Main Street in downtown Clayton on January 10, 2023. Below is the list of the study intersections that had traffic counted from 6:00 AM – 7:00 PM:

- Main Street and Robertson Street
- Main Street and O'Neil Street
- Main Street and Fayetteville Street
- Main Street and Church Street
- Main Street and Barbour Street
- Main Street and Lombard Street
- Main Street and Smith Street

The traffic data was collected for 13 hours to capture both peak hours. This included counting all vehicles, trucks, bicycles, and pedestrians that passed through the intersections during the data collection. The morning peak hour was observed to be from 7:00 – 8:00 AM and the afternoon peak hour to be from 4:45 – 5:45 PM. A figure of the turning movement volumes is included in the Appendix.

The most heavily traveled intersection according to the data collected is the

intersection of Main Street and O'Neil Street. This is likely because O'Neil Street is one of the main roadways leading to communities northeast of Clayton such as Archer Lodge.

TRANSIT

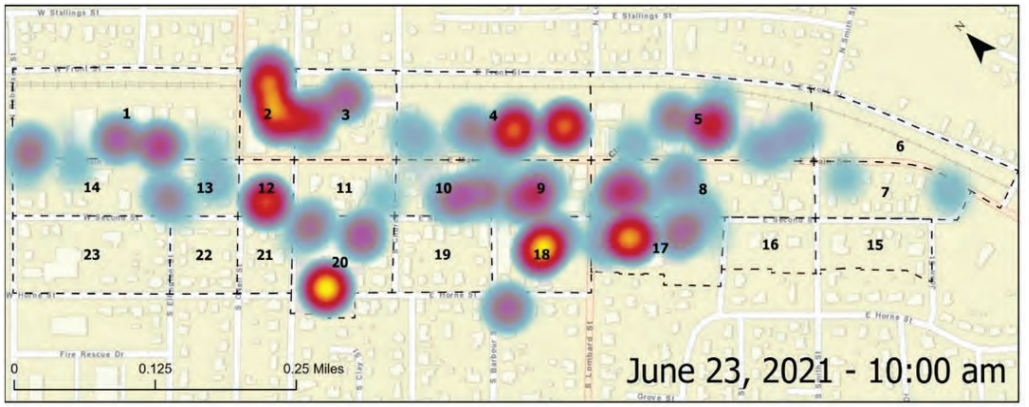
Previously, Clayton had a Clayton-Raleigh Express (CLX) bus route operated by GoTriangle. The CLX route was provided to mitigate traffic congestion during Phase II of the "Fortify" I-40-440 widening project. Since completion of the widening project, no further funding has been provided for the CLX bus route, so the route was eliminated. Although a fixed transit route is not available in Clayton, Johnston County Area Transit (JCATS) offers on demand transit for a minimal cost.

A Bus Rapid Transit (BRT) system from Garner to Clayton is currently being studied for feasibility as is a commuter rail that would include a stop at a new platform or station in Downtown Clayton. Rail transit is already a part of the landscape in Clayton as an Amtrak service passenger train passes through on the NCRR rails multiple times each day. The jump to a commuter rail option for Clayton is not a far one.

PARKING

In downtown Clayton, there are a few options for residents and visitors to park their vehicles. Free on-street parking is permitted along most of Main Street from Robertson Street to Second Street and along most other roads in the study area. According to a parking inventory completed by the Town in 2021, there are approximately 300 off-street public parking spaces available within downtown Clayton. In addition to the public parking, multiple businesses provide private parking lots that can be used by their customers. Based on the 2021 parking inventory, the most popular parking areas are between O'Neil Street and Fayetteville Street and between Church Street and Lombard Street. The main driver of the popularity of these locations is the gravel parking lots along First Street, as well as the paved parking lot at Horne Square. Recent agreements with private property owners have resulted in a strong shared-use parking lease environment.



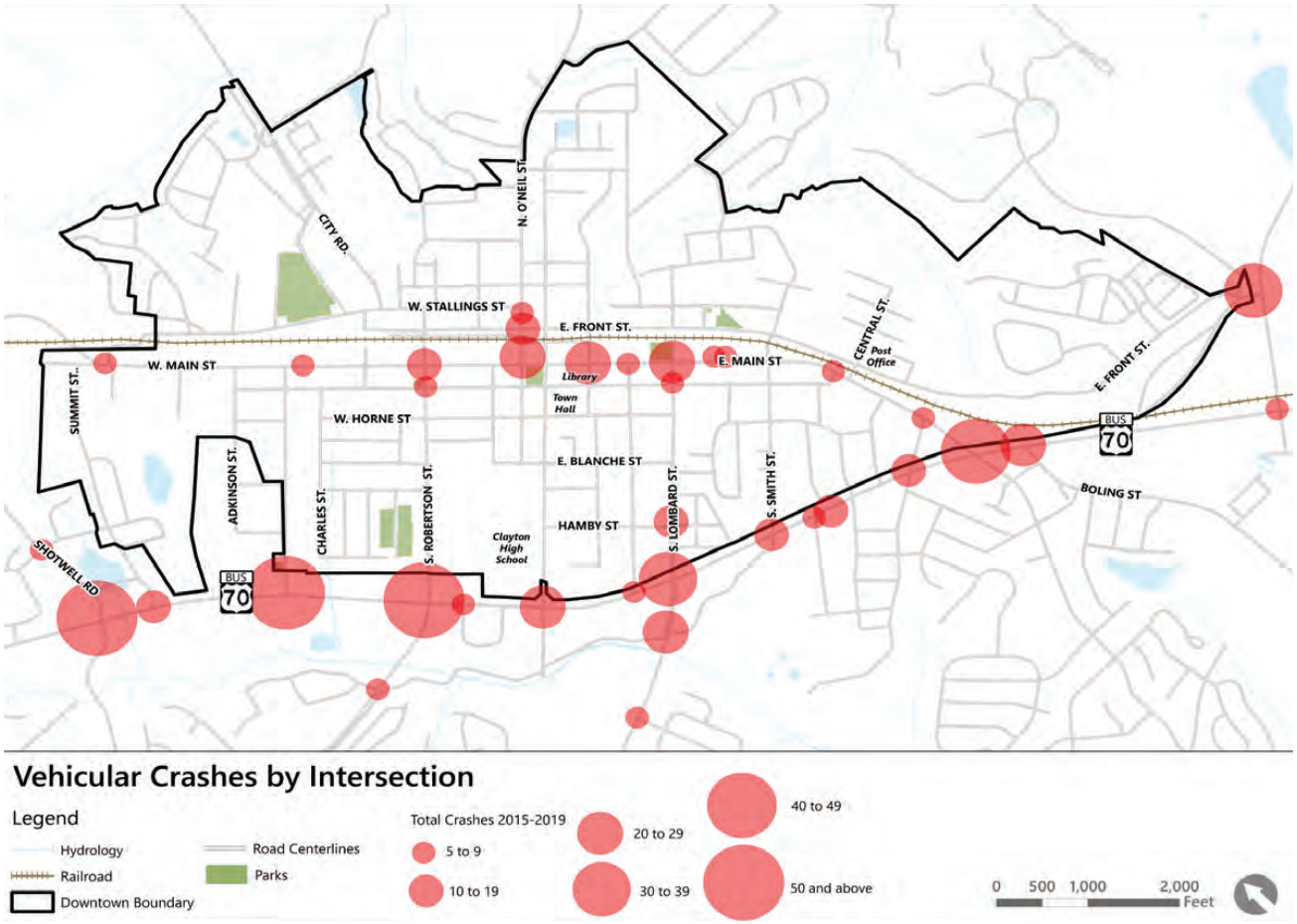


Total Cars in Parking Lots: 532

Parking Utilization Heat Map/ Source: Town of Clayton

VEHICULAR CRASHES

From January 1, 2017 through December 31, 2021, a total of 61 crashes were reported at the intersection of US 70 Business and Main Street. None of these crashes were fatal, and approximately 77% of the total crashes were property damage only. This is the intersection in the study area with the most reported crashes. The intersection with the next most reported crashes is Main Street and O'Neil Street, with 37 reported crashes, none of which were fatal and approximately 81% involved property damage only. No fatal accidents have been reported within or near the study area in the past ten years.



BICYCLE + PEDESTRIAN FACILITIES

Although downtown Clayton draws a lot of foot traffic, the existing sidewalks are not continuous on Main Street from Robertson Street to US 70 Business. If pedestrians travel off Main Street, there are not always sidewalks provided on both sides of the road. For example, some blocks of Second Street do not offer sidewalk on both sides of the road. Other blocks, like Robertson Street between Second Street and Main Street, offer no sidewalks, even though pedestrian counts indicate the intersection of Robertson Street and Main Street is highly traveled by pedestrians. There are also limited options for pedestrians to cross the railroad tracks that parallel Main Street through downtown Clayton. There are sidewalks crossing the railroad on O'Neil Street, Fayetteville Street, Church Street, and Central Street, although some of these pedestrian rail crossings are in need of improvement and do not meet Americans with Disabilities Act (ADA) design standards. The Town currently has an NCDOT sponsored Complete Streets project underway that will upgrade multiple sidewalk ramps within the Town limits.

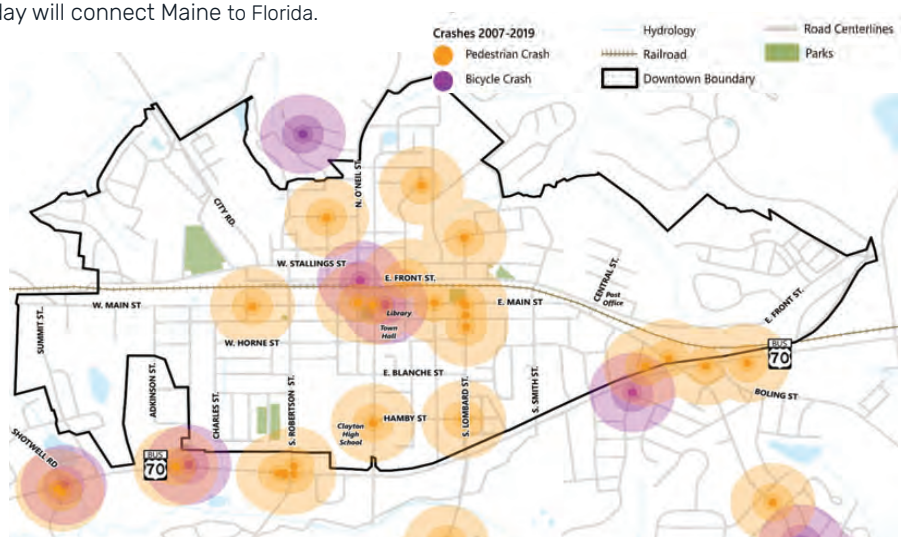
There are no dedicated on-street bicycle facilities through downtown Clayton. Nearby, there is a greenway that offers bicycle and pedestrian access as well as a connector trail that brings greenway riders into Downtown, the Cross Clayton Connector. Sam's Branch Greenway can be accessed from City Road or N. O'Neil Street and provides access to over 30 miles of trail from Clayton to Falls Lake Dam in Raleigh, including the Clayton River Walk on the Neuse River. Main Street is also currently part of the East Coast Greenway, which connects Main to Florida. The recently completed Pedestrian Plan shows an alternative routing for the East Coast Greenway on Front Street, rather than utilizing Main Street.

Sam's Branch Greenway connects downtown to the Clayton River Walk on the Neuse River. This trail is park of the North Carolina Mountain to Sea Trail which connects Clayton to Raleigh. Clayton's section of trail is also part of the 2,500 mile East Coast Greenway which one day will connect Maine to Florida.



BIKE AND PEDESTRIAN CRASHES

From January 1, 2017 through December 31, 2021, a total of three pedestrian crashes were reported within the project study area. One of the pedestrian crashes occurred at the intersection of Main Street and Lombard Street where the motorist turned left, hitting a pedestrian crossing the other street. The other crashes involved a pedestrian who darted out into the road and one unknown cause.



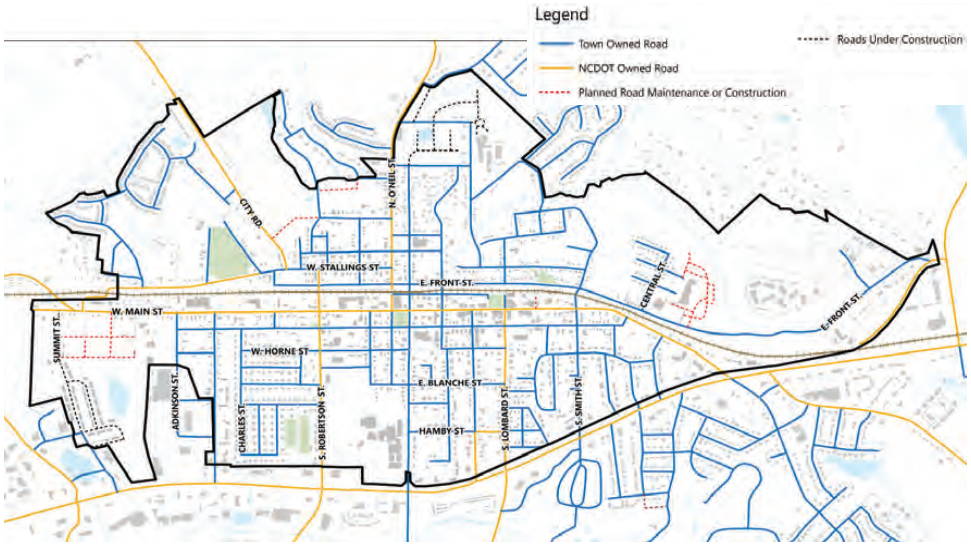
STREET OWNERSHIP

Street Ownership is important to consider as it impacts which entity is responsible for maintaining, improving, funding, and regulating roads within Downtown. Roads highlighted in blue on the map are owned by the Town of Clayton. It is easiest to make streetscape improvements along these roads as they are not required to meet NCDOT standards, such as for signage. However, roads that are maintained by NCDOT (in orange) may have additional funding sources.

There are several roads shown on the map that are currently under construction or have planned maintenance . These include the Cameron Crossing subdivision, extension of West 2nd Street and West Horne Street to Summit Street, a new connection between City Road and West Barnes Street, and between Starmount Road and Gordon Street, Academy Pointe roads, and a new road behind the Clayton Spinning Mill.

TRUCK ROUTES

The map to the right illustrates major trucking routes in relation to Downtown Clayton. Within Downtown, trucking is listed as prohibited on major roadways. However, proximity to US 70 and Interstate 40 are attractive to businesses that require trucking.





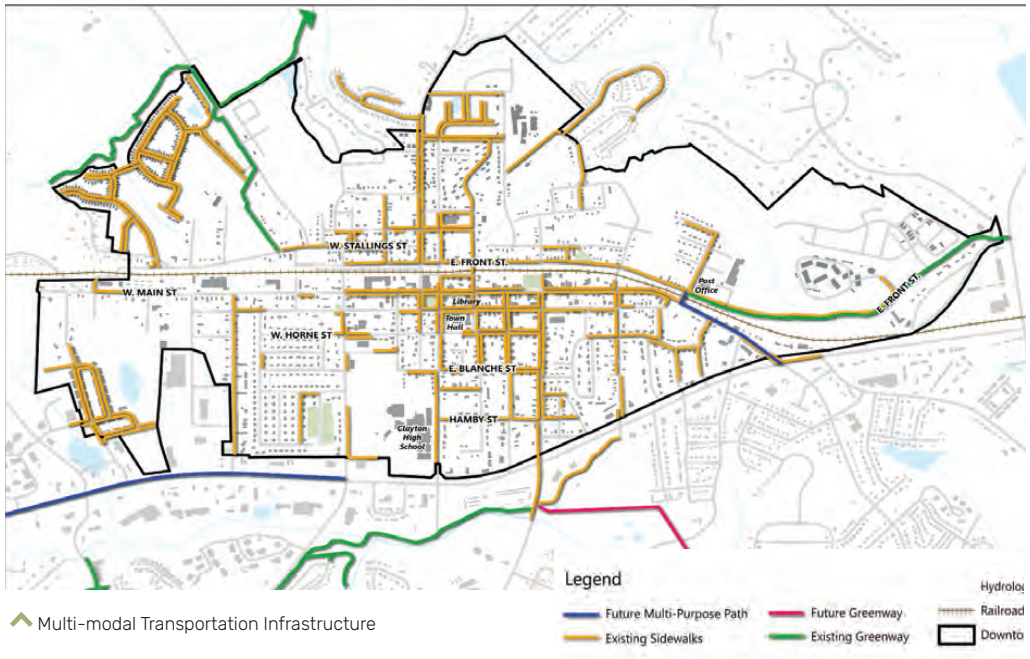


MULTI-MODAL TRANSPORTATION ROUTES

In keeping with the 2022 Clayton Pedestrian Plan, there are several improvements that could be made in regards to pedestrian and bicycle infrastructure in order to improve connectivity and safety. Sam's Branch Greenway runs north from City Rd with connections down into the Municipal park and another greenway runs south along Little Creek. The Cross Clayton Connector connects the two greenways to downtown.

Downtown Clayton has a fairly expansive sidewalk network with a higher concentration around the central core and eastern side of downtown. Especially along Main Street which serves as the commercial core of downtown, gaps in the sidewalk network should be filled.

There are no designated bike lanes or paths within downtown outside of the greenways. Bicycle infrastructure should be considered along the heaviest trafficked routes or on key connectivity routes to ensure that it is a safe mode of travel.



Multi-modal Transportation Infrastructure

STREETSCAPE ANALYSIS

The primary streets that serve Downtown Clayton are Main Street, First Street, and Second Street, where Town Hall, the Library, and several other civic and neighborhood commercial uses can be found. These streets travel primarily along a northwest to southeast axis. Opposite the railroad from the core of downtown, Front Street serves as the primary route of travel and access to railroad crossing streets. A 2019 study looked at the Main Street streetscape in downtown for possible improvements to enhance the pedestrian environment and to reduce pedestrian and vehicular conflicts. It included recommendations such as chicaning of the road and widening of sidewalks to allow outdooor dining.



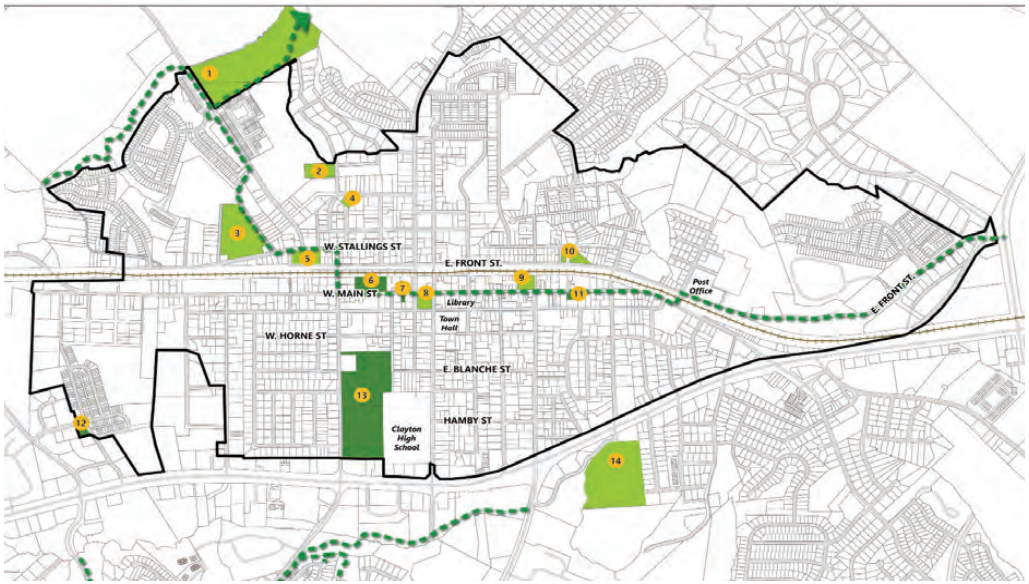


PUBLIC SPACES + STREETSCAPES

PARKS + RECREATION

There are several parks and recreational facilities located in Downtown Clayton. The properties identified on the map include both private and public recreational facilities which are called out by the color of the parcel. Private facilities include gyms and commercial recreational facilities such as the Clayton Spinning Mill. Public facilities include community parks such as the recently opened Clayton Municipal Park and recently renovated Donald "Clyde" Sinclair Park, cemeteries, and greenways. Although they are not designed for recreation, cemeteries have been noted on this map as they occupy preserved open space within and around the Downtown. When analyzing parks and recreational facilities is it important to identify not only what areas exist but also what gaps are present. As illustrated on the map, the greenway sits on both the northern and southern ends of town and connects to Downtonwn via the Cross Clayton Connector. Greenways can provide safe access routes between neighborhoods and local parks as well as serve to connect the community.

Clayton Parks and Recreation Department offers opportunities for youth and adult sports leagues, special events, and year round programming for all age groups.



Parks + Recreation / Source: Town of Clayton

STREETSCAPE ANALYSIS

The primary streets that serve Downtown Clayton are Main Street, First Street, and Second Street, where Town Hall, the Library, and several other civic and neighborhood commercial uses can be found. These streets travel primarily along a northwest to southeast axis. Opposite the railroad from the core of downtown, Front Street serves as the primary route of travel and access to railroad crossing streets.

A 2019 study looked at the Main Street streetscape in downtown for possible improvements to enhance the pedestrian environment and to reduce pedestrian and vehicular conflicts. It included recommendations such as chicaning of the roadway to create significant pockets of widened sidewalk space, relocation, and concentration of portions of the on-street parking, and enhanced connections and improvements to both First and Second Streets that would work in conjunction with the changes on Main Street. The recommendations were a result of observations of existing conditions on Main Street in the categories of Pedestrian Safety, Pedestrian Comfort, Downtown Business Needs, and Town Needs. The majority of the issues present in the 2019 plan still exist today and still need to be addressed.

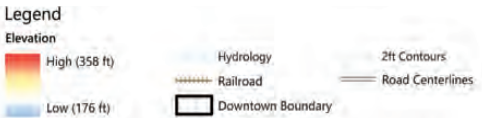
Existing Main Street Streetscap

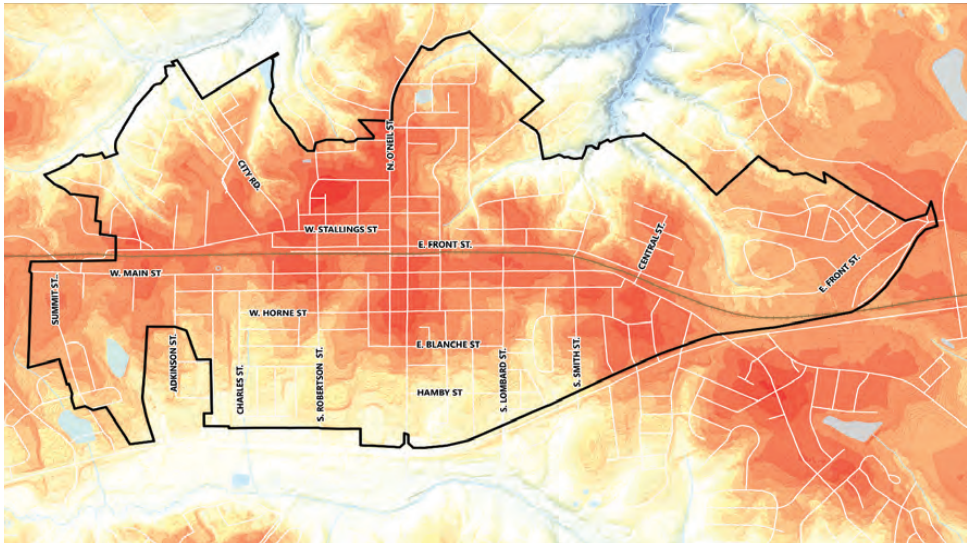


ENVIRONMENTAL CONSTRAINTS

TOPOGRAPHY

Downtown Clayton is fairly flat topographically with only around 180ft elevation change throughout the area. Main Street sits along a ridge, with the highest points near the Horne Cemetery and Town Hall. The topography leads water to drain to the North into the Neuse River tributaries and South of Downtown into Little Creek.



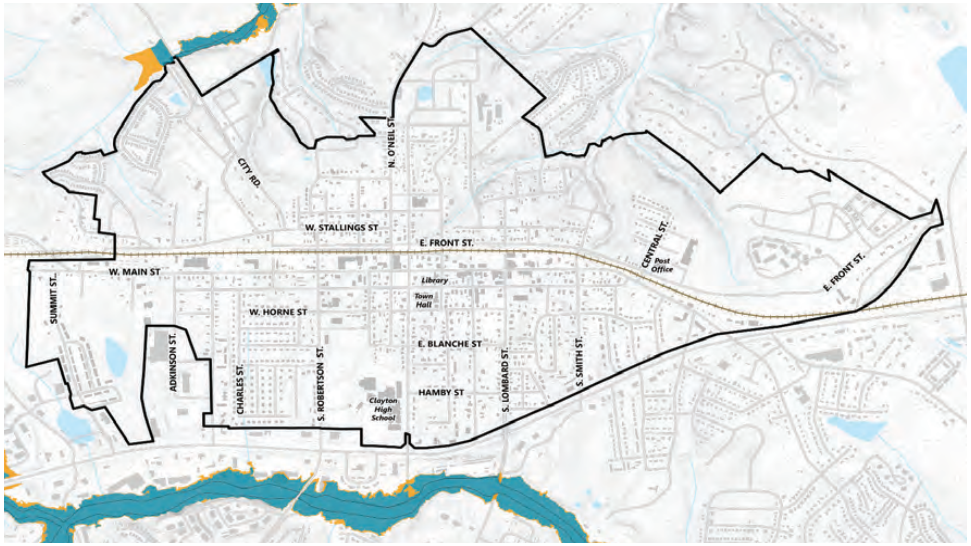


FLOOD ZONES

There are no active flood zones within Downtown Clayton due to the higher topography. However, storm water management best practices should be implemented in Downtown to improve water quality and minimize flood risks in the rest of Town.

Regional stromwater solutions should be pursued today to more easily allow potential future development to proceed without issue.





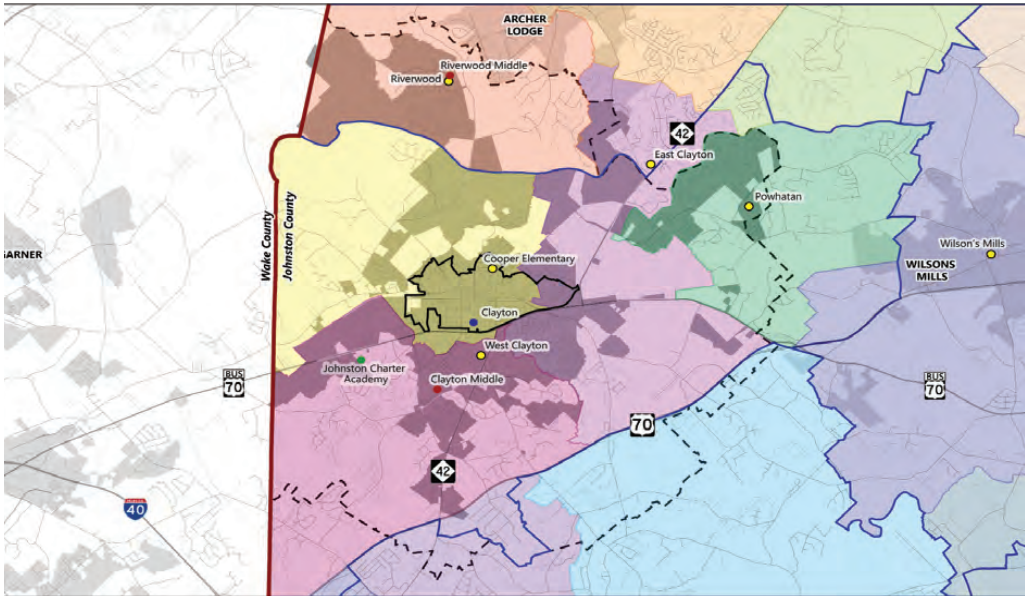
COMMUNITY SERVICES

Schools, Emergency Services, and Utilities all play a vital role in the success of a downtown. This analysis looked into the current services provided in the downtown area in order to better understand their influences on future growth and development.

SCHOOLS

The map to the right shows the Johnson County school districts and the location of schools within and around Clayton. The majority of Downtown Clayton residents are within the Cooper Elementary service area. However, the south eastern part of downtown, past the intersection of Main and Business 70 is within the East Clayton Elementary service area. Downtown Clayton is also within the Riverwood Middle School District and the Clayton High School District. Clayton High School is the only school located within the downtown area.

Clayton High School enrolled 2,050 students for the 2021-2022 school year with a 90% graduation rate



School Districts + School Locations

Legend

- Elementary School
- Middle School
- High School
- Charter School
- High School Districts

ELEMENTARY SCHOOL DISTRICTS

- West Clayton
- Cleveland
- Polenta
- West Smithfield
- East Clayton
- Powhatan
- Cooper
- Wilson's Mills
- Riverwood
- River Dell
- Thanksgiving Area
- Selma

Hydrology
Railroad
Roads
Clayton
Clayton ETJ

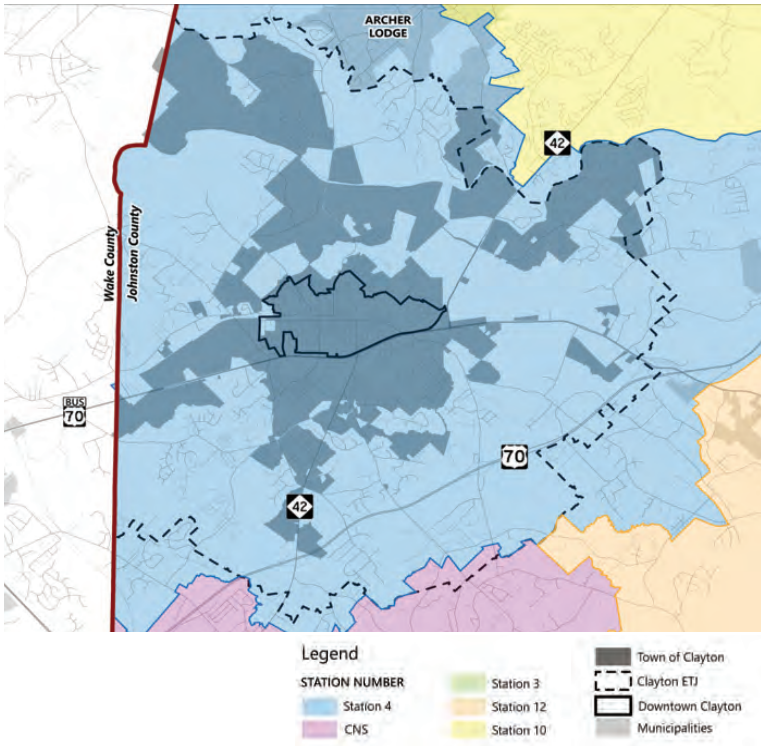
PUBLIC SAFETY

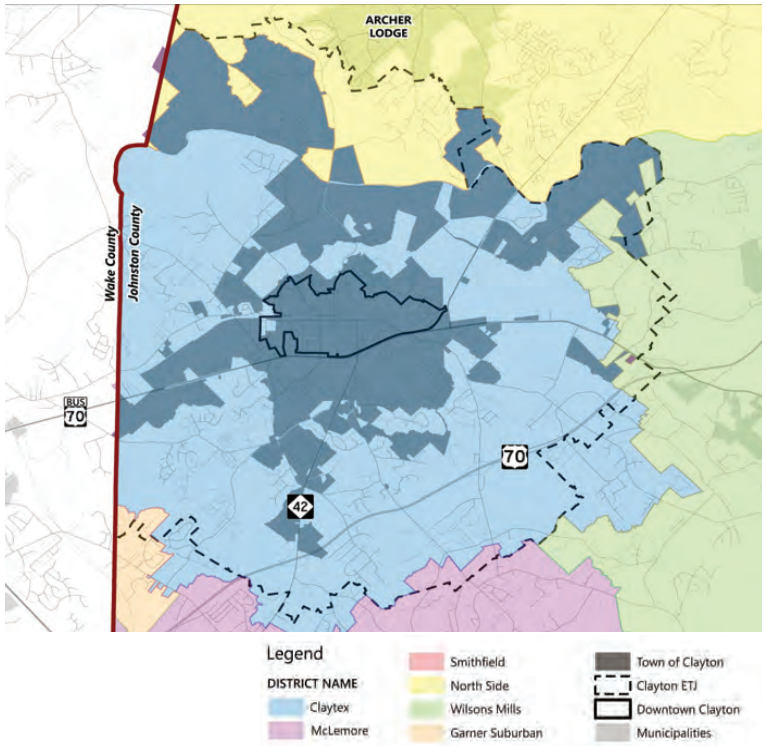
EMS Service

The Emergency Management Division of Johnson County is divided into service areas by station. The County operates out of 15 stations and has a fleet of 23 ambulances and other response vehicles. All of the Town of Clayton and its ETJ are within the Station 4 District.

Fire Service

Fire Service in the Town of Clayton is provided by the Clayton Fire Department. Clayton Fire Department serves both the Clayton District (Town limits of Clayton) and the Claytex District (suburban/rural unincorporated areas around the Town). The service area is shown in Blue on the below map. The Clayton Fire Department responds to more than 2,500 incidents annually and operates out of two stations: one in Downtown Clayton and the other located at 800 NC Hwy 42 East.





PUBLIC UTILITIES

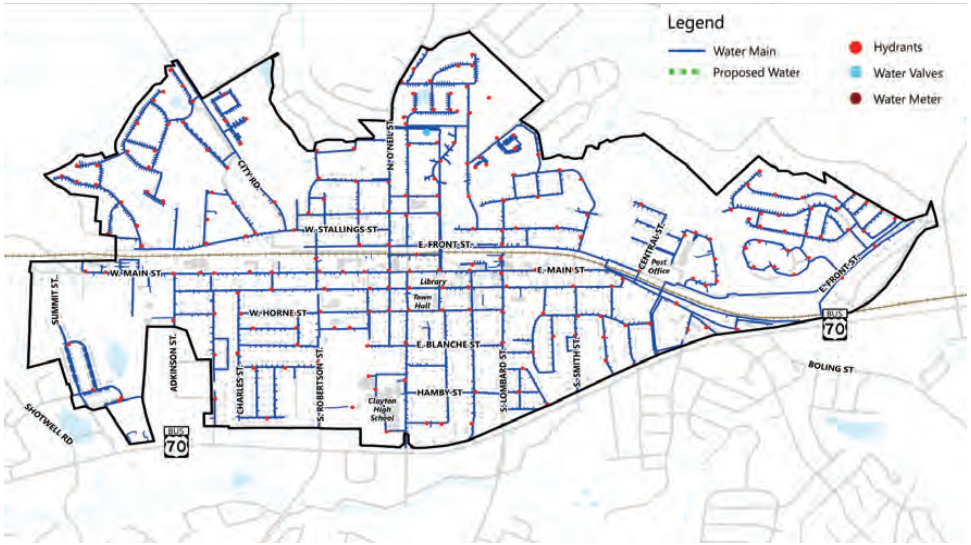
The Town of Clayton Water Resources Department provides public water and sewer service throughout Town. The department maintains more than 146 miles of water lines and 173 miles of sewer lines to residents and business owners in the Town. The maps include both existing infrastructure and proposed new lines. Thorough water and sewer system studies should be a part of planning efforts for the 10-year time frame to come. Any system deficiencies found should be included in CIP planning over the next 5 years to facilitate future development in the 10-year time frame and beyond.

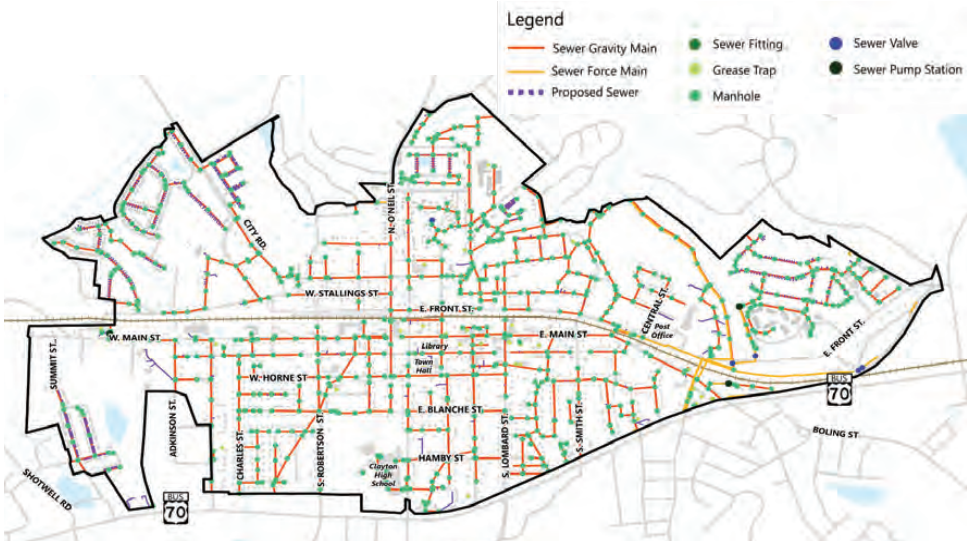
Water Service

As shown on the map to the right, water is readily available in all of Downtown Clayton through an extensive system of water lines, valves, and hydrants. The Town of Clayton purchases its water from Johnson County Public Utilities whose treatment plant is outside of the Town of Wilson Mills. Water in the county is mainly sourced by the Neuse River.

Sewer Service

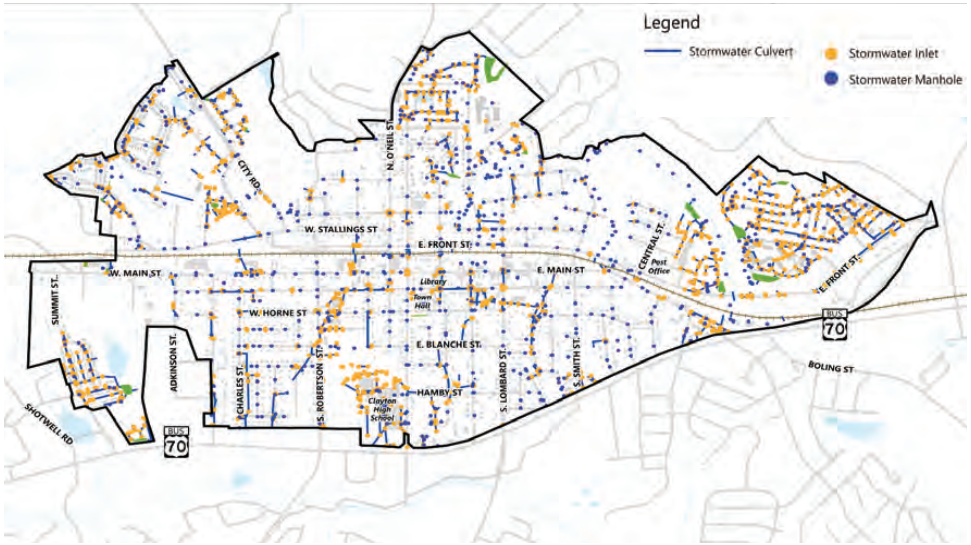
Sewer service is also available throughout the Downtown area. Sewer lines throughout Town are buried under the ground in the public right of way and under easements. Treatment of Wastewater in the City takes place at the Sam's Branch Water Reclamation Facility (SBWRF) which treated 590,356,692 gallons from July 2021-June 2022. The Town of Clayton also sends wastewater to Raleigh and Johnson County when the capacity at SBWRF is reached.





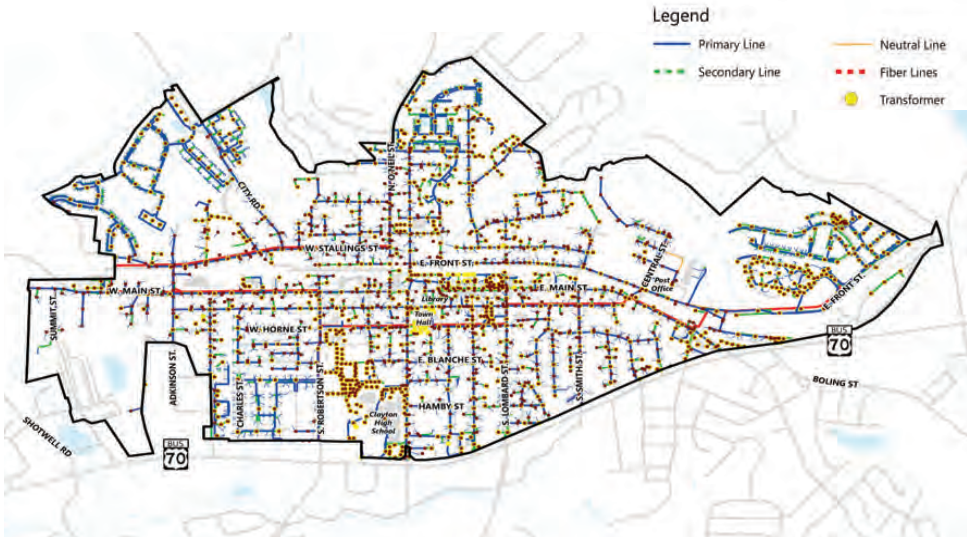
Stromwater Infrastructure

The map to the right illustrates the current stormwater infrastructure in Downtown Clayton. The engineering department is responsible for designing and monitoring storm water infrastructure in the town. Stormwater management is important to the town as drainage into storm drains and inlets can pollute the Town's water source. As density in downtown increases and impervious surfaces expand, there is a higher amount of storm water run-off going into the system. Through implementing storm water management infrastructure, the town can better support growth and prevent pollution.



Electric Service

Clayton Public Power provides public electricity service within the Town via its own electric system. The town's electric distribution service in Downtown Clayton is illustrated on the map. Power is supplied through the Sheraon Harris Nuclear Power Plant which the Town of Clayton owns a percentage of. The Town first began providing service to residents and commercial businesses in 1913 and has continued to provide electricity since in order to ensure residents have a reliable source of energy.





04-C COMMUNITY ENGAGEMENT

IN THIS CHAPTER

COMMUNITY ENGAGEMENT
KEY TRENDS

COMMUNITY ENGAGEMENT

Introduction

During the development of the Plan, community input was gathered in a variety of ways to help guide the recommendations of the Downtown Master Plan. The community engagement methods included small group listening sessions, outreach at the Harvest Fest, an online survey, and public meetings held at Town Hall. Each of these provided opportunities for the community to provide their thoughts and ideas about the future of downtown. A summary of the input received during the process is provided below.

Staff + Stakeholders Meetings
September 12-13, 2022

On September 12 – 13, small groups of subject matter experts and downtown stakeholders were interviewed to gain a better understanding of the key issues and challenges concerning downtown and future opportunities. The meetings were held at Town Hall and included property owners, business owners, developers, department heads, elected officials, volunteer board members, arts community, public library, tourism staff, economic development experts, and others. The consulting team also participated in a downtown tour to observe existing conditions and see firsthand some of the identified issues and opportunities. In addition, the consulting team held additional meetings with the North Carolina Railroad Company and other property owners outside of the first two meeting dates. The key issues identified during the listening sessions focused on public facilities, transportation, parking, housing, infrastructure, and downtown management. Raw notes from those workshop sessions can be found in the Appendix.



Public Facility Ideas
Town Hall and Library

As the Town of Clayton continues to experience growth, the Town's needs for additional staffing and resources are growing and expanding. As a result of the growth, the Town is outgrowing its facilities at Town Hall and the Library. The need to expand and grow public facilities presents an opportunity for the Town to leverage public investments in such a way as to encourage private investment in downtown. The development of new facilities can help drive the redevelopment of properties and public spaces, creating amenities to attract more people downtown, which in turn will help create demand in the private sector for new businesses.

Public Space Design

While Town Square and Horne Square provide places for public gathering and enjoyment, they are also underutilized. Interviewees often commented that a redesign of each square could help activate the spaces on a more regular basis. New designs for the squares can include more creating places for people to gather and socialize, helping to make downtown more vibrant and fun.

Farmers' Market

During the meetings, participants reported the need for a covered building/structure to support the growing farmer's market. The market has continued to increase in popularity and is outgrowing its current location and facilities.

Permanent Festival Infrastructure

The desire for more festivals continues to be a growing challenge. There is a need for more infrastructure to support more regular festivals and events. Several of the meeting participants mentioned the need for a stage(s), bathrooms, storage, strategically located support infrastructure for electricity, water, and similar utility needs.

Transportation Input

Almost everyone that was interviewed was concerned about pedestrian safety in downtown. The ability to safely cross Main Street was the most commonly mentioned issue within that topic. Meeting participants discussed short-term opportunities to improve crosswalk areas and long-term solutions that included a new streetscape design for Main Street. As part of the safe pedestrian crossing topic, interviewees often mentioned heavy trucks utilizing Main Street. The heavy trucks create a safety issue where the corners are tighter in downtown, and they also create noise and vibration impacts for people that are walking, sitting, or dining close to the street.

Many people also mentioned the barriers to connect to downtown from adjacent neighborhoods. Some of the streets have adequate sidewalks, and like in the core of downtown, some streets present challenges, especially at the railroad crossing on the north side of downtown.

In general, some interviewees mentioned the need to improve gateways and entrances into downtown, including some enhancements to the existing wayfinding system.

Another transportation related topic included the potential for a commuter rail station location in downtown. While, such a project is down the road, participants pointed out the need to develop a plan now to begin preparing for the potential of a developing a commuter rail station in downtown. Below are the major transportation needs and concerns that were repeated throughout the public engagement process:

- Divert through trips from downtown Clayton.
- Provide more transportation options:
  - Improved sidewalk connectivity
  - Safe routes for bicycle traffic
  - Transit for local trips (like a trolley)
  - Transit for trips to the greater RTP area (like a commuter rail)
- Improve traffic patterns.
- Widen roads.
- Provide easier access to downtown, whether via vehicle or active transportation.
- Increase parking.
- Provide more crosswalk locations.
- Provide more accessibility for wheelchair users for parking, on sidewalks, and getting into stores.
- Provide a parking garage or more off-street parking.

Parking Concerns

One of the main issues in almost every downtown is parking. During the meetings, it was often pointed out that many of the spaces on Main Street were occupied by employees or business owners all day. Several of the meeting participants inquired about conducting a short term one-to-two-week parking inventory to identify the frequency and location of where vehicles were parked for extended periods of time. This brief analysis would help clarify the extent and location of issue. In addition to on-street parking opportunities in downtown, interviewees inquired about potential off-street parking improvements and increase supply of those spaces. Several people mentioned the potential to utilize areas adjacent to the railroad. Many of the people interviewed suggested that separate areas for employee parking be identified so that prime customer parking areas would remain open for visitors.

Housing Opportunities

As housing needs and access is growing in the region, opportunities should be developed in downtown. Several mentioned a need for apartments in downtown and more single-family options close to downtown. Stakeholders also mentioned the need for live



work options with housing above retail shops.

Infrastructure Summary

Although there is a desire to see more development in the downtown, there are some infrastructure constraints, especially related to stormwater compliance. Many recent projects in downtown that were proposed for undeveloped sites with no preexisting paved or impervious surfaces were unable to make it through the stormwater permitting requirements. There are significant requirements for the handling of stormwater on "green" sites that make it difficult to meet on a smaller downtown parcel that may be much easier to construct in a suburban setting with more land to handle stormwater. This will be a challenge for any new construction on those undeveloped sites. However, any properties that already have a structure or impervious surface can be redeveloped without meeting many of those requirements. In addition to the stormwater infrastructure constraint, the water and wastewater collection systems are aging and will need to be upgraded in the future.

Downtown Management

Currently, it is not the responsibility of one organization or person to be in charge of the management of downtown. In the past, there has been a staff person in charge to manage work of the non-profit downtown group and projects and initiatives in downtown.

Today, several Town staff split time to keep things moving forward. While those efforts are working, ideally, one individual would be responsible for the downtown. Some mentioned that the work of the downtown organization could be supported by a downtown municipal service district [under discussion] to help fund projects, programs, and services within the downtown.

Related to the management of downtown is the regulatory environment that influences what gets developed where, what it looks like, and how it functions. During the interviews, signage regulations, outdoor cafes, parking, and zoning were mentioned as sometimes being unclear or perceived to be in the way of redevelopment. There was also some discussion about the downtown fire district and its impact on potential upper story residential uses.

Key Themes from the Listening Sessions

Seven key themes emerged as the initial listening sessions were concluded. The identified issues and challenges were captured as follows.

Prepare for Rapid Growth

The Town is growing and population projections are not showing any signs of slowing down any time soon.

Update Public Facilities

As a result of the growth, there is a need for an expanded library and town hall. There is also a need for a farmer's market venue with a more formalized space and structure.

Improve the Public Realm

The redesign of the two squares and a new Main Street streetscape will help activate and continue the growth and development of downtown. This should include support infrastructure including public restrooms.

More Residents Living Downtown

There are a number of planned apartments and housing options around the downtown. Additional opportunities should be explored for creating housing in downtown.

Commuter Rail

Where is the best location for a commuter rail station in Clayton? Where is the best opportunity for a return on investment?

Direction of Future Growth

Opportunities are emerging on Second, First, and Front Streets with the east and west ends of Main Street needing improved pedestrian connections to expand downtown.

Regulatory Reform

It is important to make it straightforward to develop, open a business, or plan an event in downtown.

Harvest Festival
October 29, 2022

At the Town's annual Harvest Fest, a display was setup at the Town of Clayton booth to receive community input on the Downtown Master Plan. Over 60 people were engaged during the event, helping to raise awareness about the downtown planning process and to receive input on ideas, likes, and dislikes related to downtown. People that stopped by also had the opportunity to ask questions about the process and discuss potential solutions.

The primary purpose for this early stage of public engagement is to raise awareness of the plan's development, and to "take the temperature" of local residents as to what their core community values are as well as to better understand the elements of downtown that are most important to them and their interaction with their downtown. Results of that exercise are as follows:





Community Values

The following tallies from a dot exercise held at the Harvest Festival resulted in an enhanced understanding of the community values most important to Clayton's residents:

Entertainment + Recreation	56 Votes
Culture + Arts	52 Votes
Historic Preservation	52 Votes
Economic Vitality	40 Votes
Equity + Inclusion	31 Votes
Health + Wellness	30 Votes
Universal Design + Access	20 Votes
People + Community	11 Votes

The results show that Clayton is about enjoyable experience, celebrating heritage, and staying economically strong going forward.

Streets + Connectivity

Visitors were asked to do the same exercise to identify what elements are street level are of most concern for them:

Parking + Access	47 Votes
Buses, Bikes + Rail	47 Votes
Streetscape Improvements	45 Votes
Roads + Traffic	37 Votes
Lighting + Safety	19 Votes
Branding + Wayfinding	11 Votes

The results show parking, multi-modal transit, improved pedestrian envrionment, and traffic to be of primary importance to residents.

Future Downtown Clayton

The final of the three dot exercises held at the Harvest Festival looked at those downtown elements that they'd most like to see more of through implementing this plan:

Bars + Restaurants	83 Votes
Parks, Plazas + Greenways	56 Votes
Fun + Entertainment	50 Votes
Public Art + Culture	39 Votes
Education Opportunities	21 Votes
Homes + Apartments	6 Votes
Technology	6 Votes

In keeping with the Community Values results, the folks in Clayton are about experiences and outdoor activity. Programmable spaces and urban open spaces might be welcome additions to the future downtown plan.



Public Input Workshop
December 14, 2022

A public input workshop was planned and held at Town Hall on the evening of December 14th. Unfortunately, turnout was incredibly low due to concurrently scheduled local events. As a result, the workshop was rescheduled with a significant advertisement and outreach effort to ensure better turnout.

Public Input Workshop
February 28, 2023

The rescheduled public input workshop was held at Town Hall on the evening of February 28th. Attendance was much better the second time. Meeting participants heard presentations about the public survey results, the downtown market analysis, and the key planning themes that emerged during the listening sessions. An opportunity was also provided for meeting attendees to talk about their ideas for opportunities in downtown. At each meeting, experts in transportation, economic development, urban design, architecture, and planning were in attendance to answer questions and discuss concepts. A total of 50 people participated in the public meeting.



Online Community Survey
November, 2022

As part of the Town of Clayton Downtown Master Plan process, a community survey was conducted throughout the month of November (2022). During that time, more than 1,000 people (1,089 total) participated in the community survey. The following paragraphs provide details on the responses received from residents, business owners, and others affiliated with Downtown Clayton.

Affiliation with Clayton

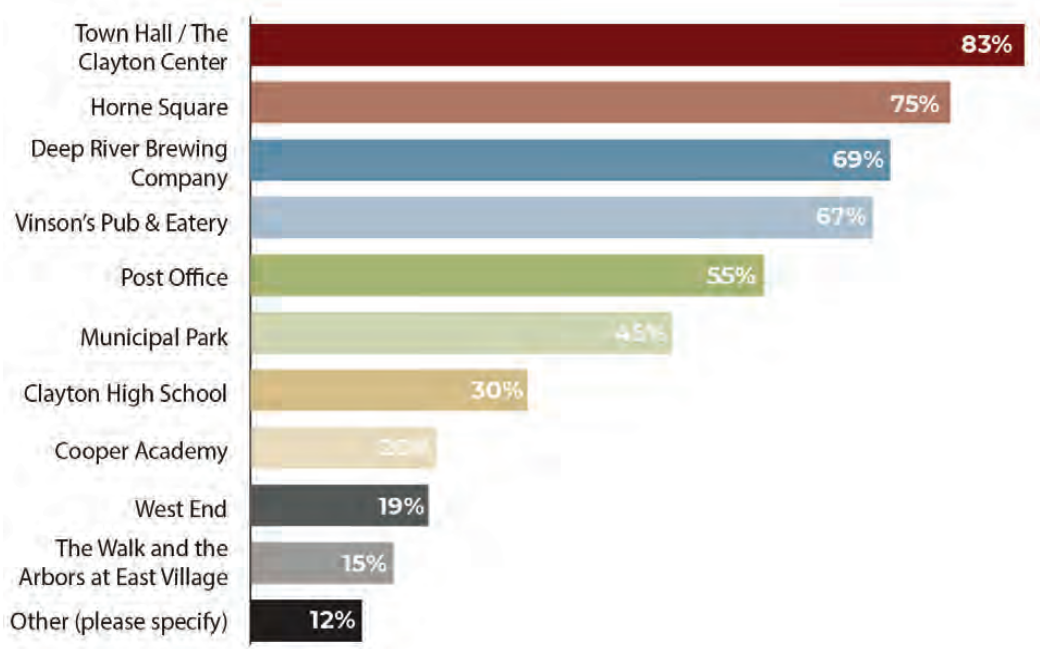
Just over half of those who took the community survey live within the Town of Clayton, and almost half live outside of the Town in Johnston County. About 12% work within the Town, while about 5% own a property downtown and 2% own a business downtown. Those who selected "none of the above" were asked to provide additional information and many of these shared that they live just outside of the Town / have a Town address / go to Town schools / utilize all of Town's commercial and personal amenities. The vast majority either lived in Clayton for years, live close-by, or work in or near Clayton.

Age of Respondents

Almost half of the survey respondents (44%) are between the ages of 36 and 50. Just over one-quarter are between the ages of 25 and 35, and approximately 21% are between the ages of 51 and 65. Only about 30 respondents are between the ages of 18 and 24 and just 3 people under the age of 18 took the survey. About 7% of participants are over the age of 65 years old. Interestingly, this survey had a larger participation rate from 20 to 40 year olds than an average community survey.

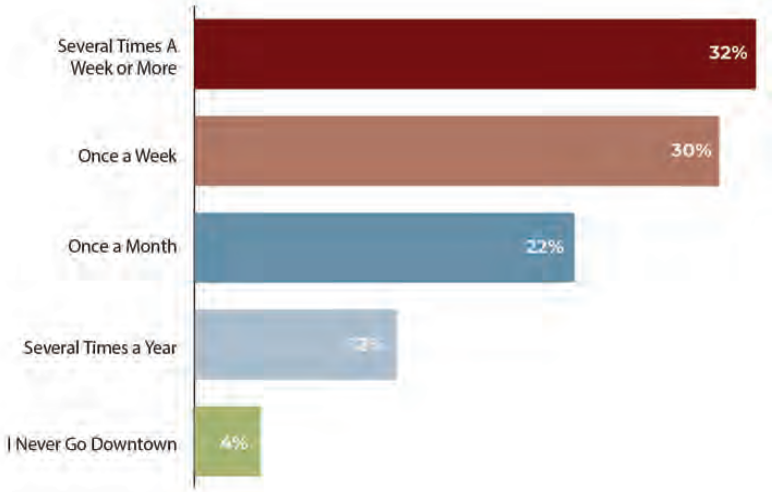
Which of these places do you consider to be part of Downtown Clayton?

Most people who took the community survey consider Town Hall, Horne Square, Deep River Brewing Company, and Vinson's Pub and Eatery to be within Downtown Clayton. There is less assurance about other listed spaces. Survey respondents had the opportunity to write in responses to this question as well and there were a range of places and boundaries described as Downtown Clayton. The top responses were Manning's Restaurant, Boulevard West Coffee Shop, Main Street, Clayton Steak House, Crawford Cookshop, and Lee's Produce.



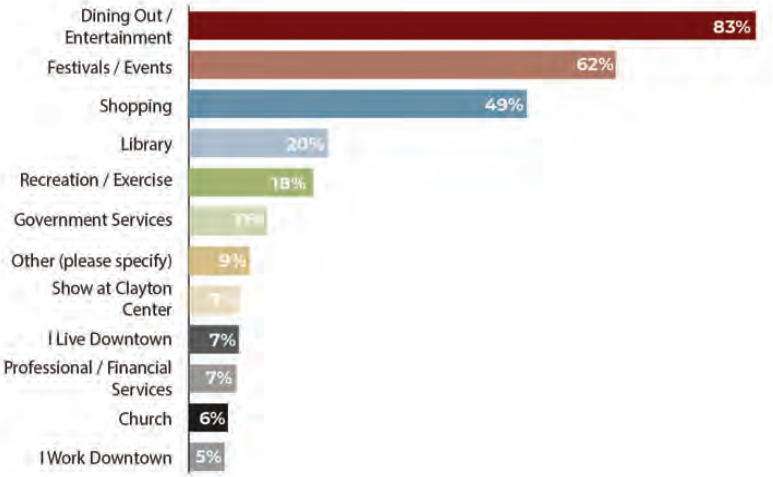
How often do you visit Downtown Clayton?

The majority (62%) of survey respondents visit Downtown Clayton at least once per week. About 22% visit once per month and 12% visit several times a year. About 4% of survey respondents never go downtown. When asked why they do not go downtown, many respondents shared that there is not enough safe parking, there is not much to do, there is a need for better restaurants, and it is too crowded/ there's too much traffic.



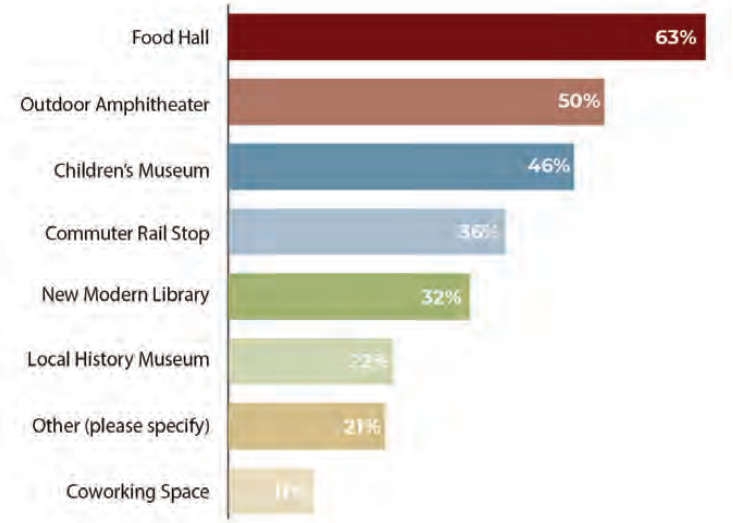
What are your primary reasons for visiting Downtown?

Most people who took the community survey visit Downtown Clayton to dine out / seek entertainment, or to attend festivals and events. About half of survey respondents also visit downtown to go shopping. About 95 respondents selected "other" and the most repeated reasons included for personal services and errands, school / day care / or musical lessons, and the farmer's market. Additional repeated responses include to walk around, visit coffee shops, drive through, visit the post office, visit friends, and get drinks.



Are there any locations that you would like to see located Downtown?

When asked about things survey respondents would like to see downtown, almost two-third of respondents selected "food hall." Approximately half of those who took the survey would also like to see an outdoor amphitheater / performance area with stage or a children's museum / active play area. About one-third of respondents are interested in a commuter rail stop and a new modern library. A couple hundred people also selected "other" and the top requests spelled out here include more restaurants, additional local stores, activities / entertainment, a park or recreational area, more bars, better parking, and family-friendly places to explore.



What would make you want to visit downtown more often?

The table below lists all of the things that ten or more survey respondents said would make them visit downtown more frequently. The number one request was for a larger variety of restaurants. This was followed by a greater variety of shopping and entertainment, as well as improved parking facilities and things for kids to do. Generally speaking, requests centered around adding more attractors and improving existing facilities and appearances.

# OF RESPONSES	WHAT WOULD MAKE THEM VISIT
402	More Restaurant Options
228	A Larger Variety of Shops / Businesses
215	More Entertainment
127	A Parking Deck / More Parking
91	Things for Kids to Do
48	Bar / Drinking Establishments
41	Parks / Recreation
28	Another Coffee Shop
27	Aesthetic Improvements
27	Improve Traffic Flow or Widen Roads
25	Improve Pedestrian and Bike Connections
24	Better Business Hours
23	A Bakery / Dessert / Bagel Shop
16	A Bigger Library (more programming, better hours)
14	Less Development / Construction
14	A Gathering Space

What is your favorite thing about downtown?

The most common "favorite thing" about Downtown Clayton is its small-town feel / charm / atmosphere. This is followed by its restaurants and bars, shops and businesses, festivals and events, and walkability. All responses which were stated by more than 15 respondents are shown in the word cloud (in a summarized manner). Additional top favorites not shown in the word cloud include the library, entertainment, Deep River Brewery, the ease of parking, and Main Street Jewelry.



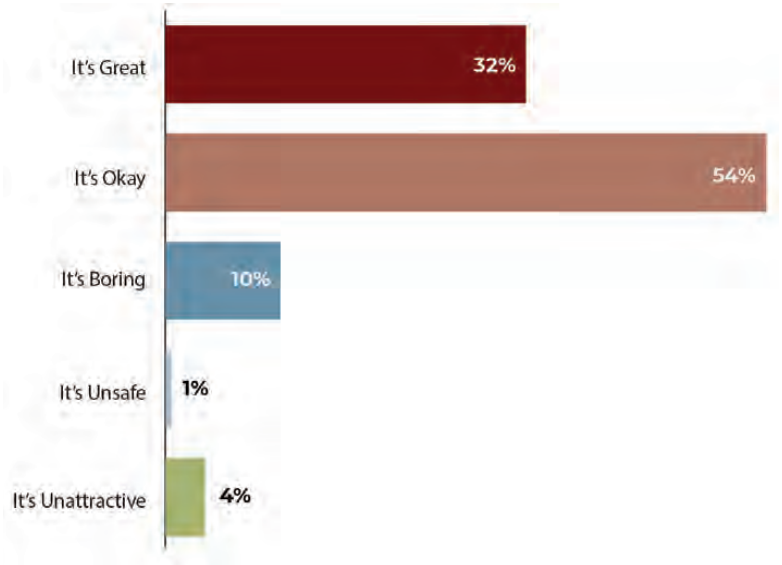
Tell us your least favorite thing about downtown.

The word cloud below lists the least favorite things that were described by ten or more survey respondents. By far, the parking situation was listed as the least favorite element of downtown. Additional things that people do not like are the lack of variety of things to do, the amount of traffic in and around downtown, the overall appearance, and the pedestrian environment.



What is your overall perception of downtown?

Just over half of those who took the community survey feel that downtown is okay. About one-third of respondents think that it's great and about 10% think it's boring. Very few people find Downtown Clayton to be unsafe or unattractive. Almost 100 people provided comments on this question and many stated that downtown has a lot of potential but it could be improved; that it is moving in the right direction; there are a range of aesthetic improvements which could be made (building face lifts, greenery, etc.); and that there is not a lot to do downtown.



If you had an opportunity to live downtown, would you?

Just over half of those who took the community survey would not consider living in Downtown Clayton. About 27% might consider living downtown, and about 22% would consider living downtown. Respondents were able to provide comments on this question and almost 500 did so. The most common comments included people preferring larger lots and bigger homes than are available downtown (140 responses); some would enjoy being able to walk to everything (57 responses); some feel downtown is too crowded or too trafficked (40 responses); some already have a home elsewhere (38 responses); some feel utilities are too expensive (34 responses); that there isn't enough to do downtown yet (27 responses); that it wouldn't work for their family or current life stage (23 responses); and that they already live downtown (21 people) or close-by (19 people).

How easy or difficult is it for you to park downtown?

Almost half of survey respondents think it is easy to park in Downtown Clayton. Almost 36% of respondents find parking difficult, while between 7% and 10% find it either very easy or very difficult to park downtown. Almost 150 respondents also submitted comments related to this question and the most often-repeated comments were that it depends on the day and time of day, and that it is only difficult when there are festivals or events going on. About ten people stated that more parking is needed, while some specified that they typically walk over or that it depends on where you are going. Some also commented that the streets are too narrow or traffic is too heavy for parallel parking and that there is a need for handicap spaces. A number of comments also centered around it depending on the location you are trying to park in.

What do you think about paving sections of First Street and adding parking areas along the railroad corridor behind Main Street businesses?

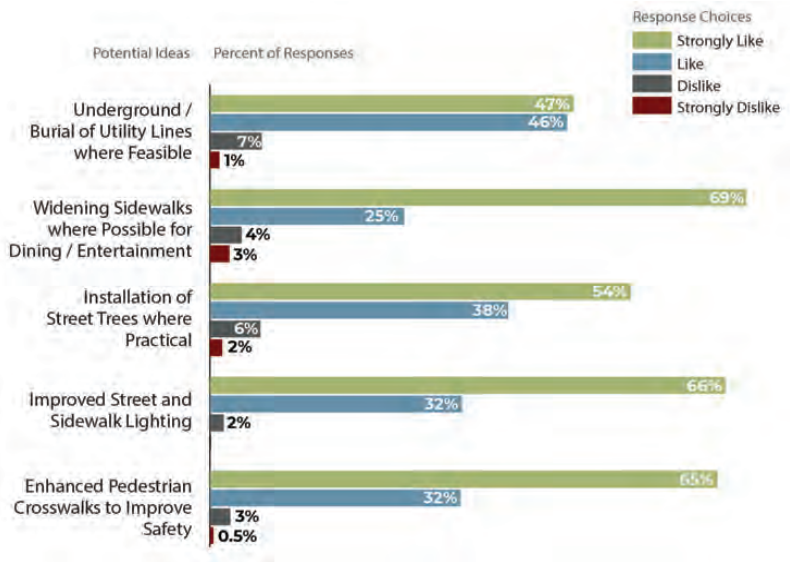
The vast majority of respondents (91%) feel that it is a good idea to pave sections of First Street and add parking areas along the railroad corridor behind Main Street businesses. Less than 100 people selected that this is "not needed." About 90 respondents submitted comments related to this question and these generally reiterated their response to this idea. The most frequent comment was that there isn't a need for this parking now, but it could exist if there is greater business and restaurant growth in the future. Other common refrains include that it is already used for parking and doesn't need to be paved, that it should maintain some greenery / trees, that it would be good if it gets parking off Main Street, and that they are not sure about this idea. Some general

What is your experience as a pedestrian in downtown?

A little over half of those who participated in the community survey said that they enjoy walking in downtown. A little over a third of respondents are cautious when crossing intersections, and about 6% feel unsafe as a pedestrian in downtown. Only 4% of respondents have never walked in downtown. More than 100 respondents submitted comments related to this question and more than half of them focused on the difficulty crossing the street, or seeing pedestrians crossing the street. Many stated a need for more, well-marked pedestrian crossings, slowing down traffic, reducing traffic, improving sidewalk connectivity, and enhancing aesthetic elements to enrich the pedestrian experience.

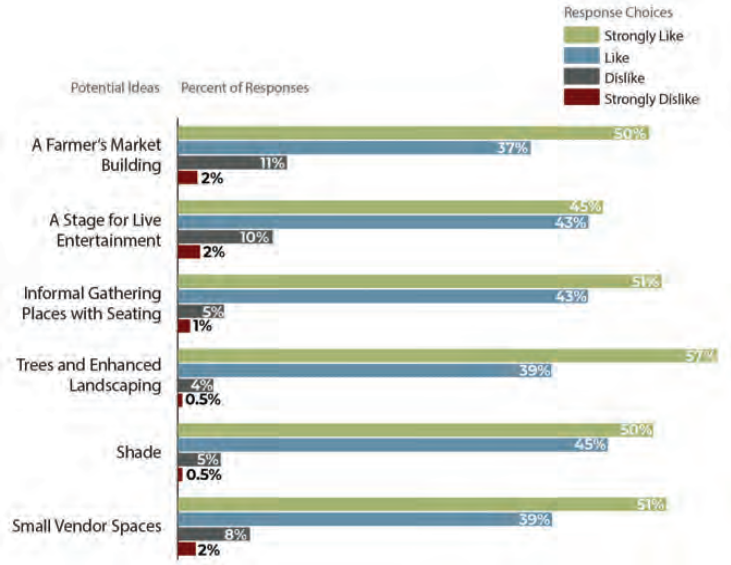
The Master Plan will consider the design, appearance, safety, and function of Main Street. Please tell us your preference.

Almost everyone who took the community survey either likes or strongly likes the idea of burying utility lines where feasible (93%), widening sidewalks for outdoor dining and entertainment areas (94%), installing street trees where practical (92%), improving street and sidewalk lighting (98%), and enhancing pedestrian crosswalks (97%). The graphic above displays exactly how favorable each option is on a scale from "strongly like" to "strongly dislike." Many respondents added comments to this question but they generally explained their reasoning for selecting their answers and there were not a lot of repeated comments.



The Master Plan will consider the design, appearance, and function of public spaces. Please tell us your preference for improvements to these spaces.

Most of those who participated in the community survey either like or strongly like the ideas of a farmer's market (87%), a stage for live entertainment (88%), informal gathering places with seating (94%), trees and enhanced landscaping (96%), shade (95%), and small vendor spaces (90%). The graphic above displays exactly how favorable each option is on a scale from "strongly like" to "strongly dislike." Approximately 40 people submitted comments related to this question but they generally reiterated or expanded on their responses; very few comments were repeated.



Would you support the creation of a Social District in the Downtown Clayton business district?

The majority of survey respondents (80%) would support the creation of a Social District within the Downtown Clayton business district. About 200 people selected would not support the creation of a Social District. About 90 respondents submitted comments related to this question and these generally expanded on their responses. The most common comments included concerns about this ruining the family atmosphere or posing public safety concerns; and that it would depend on the details and location. Many people were in support of the idea but others were worried about the logistics of it.

Do you think the downtown commercial area should be expanded outside of its current boundary?

About two-thirds of those who participated in the community survey feel that Downtown Should be expanded outside of its current boundary. Approximately one-third of respondents do not feel that way. 90 people submitted comments on this question. More than one-third of these were people who were not certain, mostly because they weren't sure of the current boundary. Additional common comments include that West End and Deep River should be included; that as long as it stays small and remains largely historic, small businesses; and that the focus should be on filling existing empty buildings and needs within the current boundary first. Additional less-frequently repeated comments focused on explaining people's responses.


COMMUNITY VALUES
PEOPLE + COMMUNITY:
HEALTH +WELLNESS:
ENTERTAINMENT/ RECREATION:
CULTURE + ARTS:
UNIVERSAL DESIGN + ACCESS:
EQUITY + INCLUSION:
ECONOMIC VITALITY:
HISTORIC PRESERVATION:
OTHER:
PARKS, PLAZAS, GREENWAYS
PUBLIC ART + CULTURE
FUN + ENTERTAINMENT
BARS + RESTAURANTS
TECHNOLOGY
OTHER:
CLAYTON DOWNTOWN MASTER PLAN
PUBLIC ENGAGEMENT
04

Motions for Consistency Statements

The Town Council may choose from one of the four suggested motions below.

Staff Recommends the Motion in Red Bold Text

Motion 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to approve the Town of Clayton Downtown Plan based on consistency with the adopted 2045 Comprehensive Growth Plan, in that:

- **Chapter 3: Think Downtown, provides goals, policies, and strategies that are supported in the proposed Clayton Downtown Plan.**
- **Chapter 9: Action, as an implementation step for Goal DT1, calls for updating the existing Town of Clayton Downtown Plan.**

This action is reasonable and in the public interest, in that:

- **The Comprehensive Growth Plan calls for an update of the Town of Clayton Downtown Plan as an implementation step.**
- **The Clayton Downtown Plan supports the goals, policies, and strategies found in Chapter 3 of the Comprehensive Growth Plan.**

Motion 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to approve the Town of Clayton Downtown Plan. While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- Chapter 3: Think Downtown, provides goals, policies, and strategies that are supported in the proposed Clayton Downtown Plan.
- Chapter 9: Action, as an implementation step for Goal DT1, calls for updating the existing Town of Clayton Downtown Plan.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan calls for an update of the Town of Clayton Downtown Plan as an implementation step.
- The Clayton Downtown Plan supports the goals, policies, and strategies found in Chapter 3 of the Comprehensive Growth Plan.

Motion 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to deny the Town of Clayton Downtown Plan. While the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- Chapter 3: Think Downtown, provides goals, policies, and strategies that are supported in the proposed Clayton Downtown Plan.
- Chapter 9: Action, as an implementation step for Goal DT1, calls for updating the existing Town of Clayton Downtown Plan.

This action is reasonable and in the public interest, in that:

- The current Town of Clayton Downtown Plan is preferable and is satisfactorily supporting the goals, policies, and strategies found in Chapter 3 of the Comprehensive Growth Plan.

Motion 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to deny the Town of Clayton Downtown Plan based on inconsistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- Chapter 3: Think Downtown, provides goals, policies, and strategies that are supported in the proposed Clayton Downtown Plan.
- Chapter 9: Action, as an implementation step for Goal DT1, calls for updating the existing Town of Clayton Downtown Plan.

This action is reasonable and in the public interest, in that:

- The current Town of Clayton Downtown Plan is preferable and is satisfactorily supporting the goals, policies, and strategies found in Chapter 3 of the Comprehensive Growth Plan.

Ordinance #2024-09-03

AN ORDINANCE TO ADOPT THE TOWN OF CLAYTON DOWNTOWN PLAN

WHEREAS, the Town of Clayton 2045 Comprehensive Growth Plan ("Growth Plan") and the Future Land Use Map ("Land Use Map"), adopted by Town Council on November 15, 2021, will guide the growth, development and investment made in the Town of Clayton over the next twenty (20) years; and,

WHEREAS, the Growth Plan, Chapter 3 - Think Downtown, sets forth goals, policies, and strategies that are supported in the "Town of Clayton Downtown Plan"; and,

WHEREAS, the Growth Plan, Chapter 9 – Action, Think, calls for an update of the "Town of Clayton Downtown Plan" as an implementation step; and,

WHEREAS, Town staff initiated a Request for Qualifications on March 18, 2022 and after a competitive bid review selected and entered into contract on June 28, 2022 with The John R. McAdams Company, Inc. ("Consultant"); and,

WHEREAS, Town staff and the Consultant proactively sought community-wide input and provided opportunities for citizen engagement into the plan's creation process, including: postings to Town social media, direct emails to stakeholders, posting information on the Town's website, and hosting public stakeholder engagement meetings; and,

WHEREAS, the "Town of Clayton Downtown Plan" is representative of community-driven and expert-derived land use planning that guides the Town's future growth, development, and investment consistent with the Growth Plan; and,

WHEREAS, the Town Council finds this request to adopt the "Town of Clayton Downtown Plan", in full, as being consistent with the Growth Plan in that it directly addresses several plan recommendations and goals; and,

WHEREAS, On August 12, 2024, the Downtown Development Advisory Board recommended approval of the "Town of Clayton Downtown Plan" for the Town of Clayton and its extraterritorial jurisdiction; and,

WHEREAS, On August 26, 2024, the Planning Board recommended approval of the "Town of Clayton Downtown Plan" for the Town of Clayton and its extraterritorial jurisdiction; and,

WHEREAS, the North Carolina General Statutes§ 160D-501 allows for a local government to prepare and adopt other plans, including small area plans, as deemed appropriate: "(al) A local government may prepare and adopt other plans as deemed appropriate. This may include, but is not limited to, small area plans, neighborhood plans, hazard mitigation plans, transportation plans, housing plans, and recreation and open space plans."

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON THAT:

Section 1. The “Town of Clayton Downtown Plan” presented for a Town Council public hearing on March 18, 2024, together with the recommendation from the Planning Board on February 26, 2024, and any revisions directed by the Town Council, are hereby adopted as a future land use planning guide on March 18, 2024.

Section 2. That adoption of the "Town of Clayton Downtown Plan" is consistent with the Town of Clayton's adopted policy guidance, is reasonable, and is in the public interest for the protection of the public's health, safety, and welfare.

Section 3. The "Town of Clayton Downtown Plan", as further set forth by this ordinance, shall be effective on March 18, 2024.

Section 4. Except as otherwise authorized in this section, upon adoption of the "Town of Clayton Downtown Plan", the following amendments may be made without further public hearing to:

a. The addition of or changes to graphics; and,
b. Technical corrections or clarification of maps that are minor and non-substantive; and,
c. To correct typographic or cross-reference errors.

Section 5. All laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

Section 6. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said

This ordinance has been adopted following a duly advertised public hearing of the Clayton Town Council, and upon a recommendation from the Downtown Development Advisory Board and Planning Board.

Duly adopted this 16th day of September 2024, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC and NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
September 16, 2024	PUBLIC HEARINGS

Item Title

Town of Clayton Strategic Plan

Presenter(s)

Dolores Gill, Deputy Town Manager

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☒ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Special Mailing
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☐ None Required

Summary

The proposed Strategic Plan is designed to enhance the delivery of services, address our fiduciary responsibilities, and improve the quality of life for all Clayton residents. It outlines our commitment to maintaining a vibrant downtown; providing desirable amenities and spaces; investing in sustainable infrastructure; improving mobility, transportation, and transit; promoting diversified economic development; fostering community outreach and engagement; and ensuring public safety.

Funding Source

N/A

Corresponding Documentation

Town of Clayton Strategic Plan

Clayton NC - Strategic Plan - Final

Ordinance for Strategic Plan

Submitted By: Dolores Gill, Administration

Reviewed By:

Rich Cappola, Town Manager	Approved - Sep 11 2024
Heidi Holland, Town Clerk	Approved - Sep 12 2024



Town of Clayton
Strategic Plan Adoption
September 16, 2024

Strategic Planning Process

- November 2023-Sought consultant firms to engage the Town of Clayton in the development of a Town Strategic Plan for the next 3 to 5 years
- December 2023-Engaged Raftelis Consulting Strategic Planning Services
- December 2023-Understanding the Context
- January-February 2024-Engage Stakeholders
- March-March 2024-Gather Input and Finalize the Strategic Framework
- May-2024-Strategy, Alignment and Measurement
- July-2024-Final Deliverables and Accountability Guidelines

Major Activities

- Data Reviews
- Employee and Public Surveys
- Town Council Visioning Workshops
- Town Staff Strategic Planning Sessions
- Stakeholder Engagement Focus Group Meetings
- Town Staff Implementation Workshops to include KPI's(Key Performance Indicators).
- Submission of a Town of Clayton Environmental Scan
- Finalization of a Town of Clayton Strategic Plan

Town of Clayton Strategic Plan



ClaytonNC.org

Town of Clayton Strategic Plan Alignment

- **Strategic Planning:**

The long-term plan outlining the vision, mission, values and focus areas for the next three to five years.

- **Tactical Planning:**

The real plans and steps used to complete a long-term plan which is typically a year in length.

- **Operational Planning:**

The short-term plan that details the day-to-day activities need to achieve these and other goals within the Town and individual departments.

ClaytonNC.org

Strategic Planning: Next Steps

Quarter 1: Roll Out Phase

- Adoption of Town of Clayton Strategic Plan-September 16, 2024
- Finalize draft implementation plans by Executive Team-September 2024
- Finalize Departmental Operational Plans-September 2024
- Attend Priority Work Group Meetings- October 2024
- Strategic Plan Dashboard Development and Training- December 2024

Quarter 2-Quarter 4: Implementation

- Attend Priority Work Group Meetings
- Enter data points and updates into Strategic Plan dashboard.
- Report KPI success and progress to Town Council and Town Leadership

Questions/Reflections



TOWN OF CLAYTON

STRATEGIC PLAN | 2024

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Key Focus Areas and Strategic Priorities



Dear Clayton Residents,

As the Mayor of the Town of Clayton, I am pleased to share with you the culmination of our collective efforts in developing our new Strategic Plan. This plan reflects our commitment to making Clayton a welcoming and engaged community, while preserving the charming local character that makes our town so special.

Over the past year, we have engaged in a comprehensive strategic planning process that involved in-depth discussions with community members, stakeholders, and our dedicated town staff. We identified key focus areas and set strategic objectives that will guide our efforts in the coming years.

Our Strategic Plan is designed to enhance the delivery of services, address our fiduciary responsibilities, and improve the quality of life for all Clayton residents. It outlines our commitment to maintaining a vibrant downtown; providing desirable amenities and spaces; investing in sustainable infrastructure; improving mobility, transportation, and transit; promoting diversified economic development; fostering community outreach and engagement; and ensuring public safety.

Each department within the Town of Clayton will use this plan as a roadmap to channel their services and programming toward measurable outcomes and marked improvements in efficiency. We believe these improvements will positively impact the daily lives of our residents and reflect our dedication to effective town management. I am excited about the journey ahead and the ongoing process of checking in with our administration as we work toward our goals. The Strategic Plan is not a static document; it is a living roadmap that will evolve as we face new opportunities and challenges. We will monitor our performance regularly and report on the results annually to ensure we stay on track.

I want to extend my gratitude to everyone who contributed to the development of this plan, including our dedicated staff, community members, and stakeholders. Your input has been invaluable in shaping a plan that reflects our shared vision for Clayton's future.

Together, we are creating a vibrant and thriving community where families can live, work, and play. I encourage you to stay engaged with us and follow the progress of our strategic initiatives. Thank you for allowing us the opportunity to serve you.



Sincerely,
Mayor Jody McLeod
Town of Clayton



City Council and Town Staff

Top row from left: **Dolores Gill** *Deputy Town Manager,* **Greg Tart** *Chief of Police,* **Robert McKie** *Finance Director*, **Rich Cappola** *Town Manager*, **Jim Cauley** *Town Attorney,* **Lee Barbee** *Deputy Town Manager*, **David Ranes** *Fire Chief*, and **Heidi Holland** *Town Clerk*

Front row from left: **Andria Archer** *Councilmember*, **Porter Casey** *Councilmember,* **Jody McLeod** *Mayor,* **Michael Sims** *Mayor Pro Tem*, **Ruth Anderson** *Councilmember*, and **Gretchen Williams** *Councilmember*

Strategic Plan Framework

Vision

A welcoming and engaged community that cherishes its charming local character and promotes economic vitality, environmental stewardship, safety, and opportunities for all.

Organizational Mission

Dedicated and responsive public servants who provide essential services that bring people together and promote quality of life in the Clayton community.

Organizational Values

Responsibility
Community
Commitment
Respect

Key Focus Areas

Vibrant Downtown
Clayton's attractive, historic, and vibrant downtown offers a variety of businesses, restaurants, and retail, that engage the community from morning to night.

Desirable Amenities and Spaces
Clayton provides an array of programs and services and harmonizes the need for indoor and outdoor gathering places that support community connections and enhance quality of life.

Sustainable Infrastructure Investment
Clayton invests in infrastructure to ensure modern utilities, facilities, and systems that provide the community with an affordable, sustainable, and positive experience.

Mobility, Transportation, and Transit
Clayton partners with other regional, state, and federal agencies to promote access to reliable and multi-modal transportation services.

Diversified Economic Development
Clayton actively works to increase light industrial, retail, restaurant, and other economic development opportunities.

Community Outreach and Engagement
Clayton builds civic engagement and involvement by sharing information and providing community-based events.

Public Safety
Clayton builds confidence and trust by collaborating with the community and providing responsive public safety services.

Strategies

- Implement prioritized Downtown Master Plan recommendations.
- Expand signage and wayfinding resources throughout the Town.
- Increase downtown beautification efforts.
- Leverage downtown opportunities for redevelopment, adaptive property reuse, and historic preservation.
- Seek diverse opportunities to expand visual, literary, culinary, and other forms of art.

- Assess needs and increase/enhance the Town's gathering spaces.
- Develop a long-term plan to prioritize preservation of green space in Clayton, based on environmental stewardship principles.
- Provide a wide variety of programs, resources, and amenities geared toward the diverse community of Clayton.
- Implement prioritized recommendations of the Parks and Recreation Plan and the Pedestrian Master Plan.

- Develop and implement master and capital improvement plans for utility, facility, road, and technology infrastructure systems.
- Allocate and ensure sufficient staffing and other resources to proactively address current and future infrastructure needs.
- Evaluate opportunities for partnering and collaboration.

- Improve connectivity in the downtown area and between community destinations.
- Implement prioritized recommendations of the Clayton on the Move Transportation Plan.
- Partner with regional agencies to ensure fast, reliable transit within Clayton and to the surrounding areas.
- Explore the feasibility of acquiring NCDOT roads.

- Develop a plan to identify and seek opportunities for investment in Clayton.
- Explore opportunities to redevelop underutilized properties throughout the Town.
- Encourage collaborative efforts between the Town and business community.

- Build community awareness of Town priorities, events, and activities through public education campaigns and solicit feedback from the community.
- Execute collaborative events with internal and external partners.
- Increase representation and participation in Town governance, events, and activities.

- Increase the Town's investment in public safety facilities and staff capacity to meet desired service levels.
- Implement the prioritized strategies included in the Police and Fire Strategic Plans.
- Increase proactive community engagement to enhance public safety awareness and build community relationships.

Think Clayton

Nestled in the heart of Johnston County, the Town of Clayton is a vibrant and dynamic community with a blend of southern charm and modern vitality.





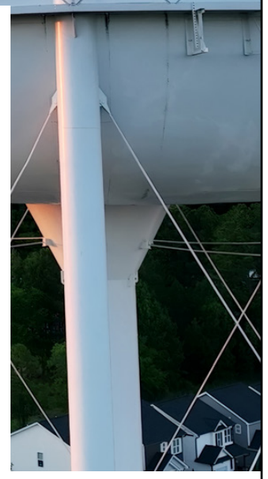
The Town's location along US70/I42 and proximity to Raleigh and the Research Triangle makes it well positioned to attract quality growth and development. With a population of over 30,000, residents, Clayton embodies a unique fusion of small-town warmth and metropolitan opportunity, making it the fastest growing town in Johnston County. With its lively downtown district, high-quality schools, robust recreational activities, strong community spirit, and business-friendly environment, Clayton is a place where residents flourish, businesses thrive, and visitors feel a sense of belonging.

Clayton is known for its historic charm and wonderful sense of community. The Town exhibits a continued focus on the arts, culture, and enjoyable amenities, which are reflected in a variety of activities and entertainment attractions for all to enjoy. Downtown Clayton is host to a variety of dining options, a farmer's market, and annual art and music events. The Clayton Center, a performing arts and conference center, which also houses Town Hall, is a popular destination that hosts more than 120,000 people per year for concerts and events.

The Town of Clayton has experienced a rapid rate of growth, with its population expanding by 333% when comparing US Census data from 2000 (6,973) to 2023 (30,216). People continue to move to Clayton for a variety of reasons, and the North Carolina Office of State Budget and Management projects the population of the Town to continue to grow to exceed 50,000 by the year 2050. The boom in population in Clayton mirrors the same growth other regional communities have experienced as an appealing location due to its cost of living, high quality of life, and commuting distance to larger job centers like Raleigh. The growth and development of the Town warrants expanded infrastructure. Balancing growth with conservation and green space initiatives is important.

Continued growth in Clayton and the surrounding regions has resulted in rising housing costs and higher demand. Median home values in Clayton have continued to rise in recent years, increasing by 68% between 2020 and 2024, from $200,700 to $336,250, according to Realtor.com.





Due to its reputation for an enjoyable quality of life and relative affordability, Clayton's median home values have historically been higher than those in surrounding Johnston County. The United States Department of Housing and Urban Development reports that households paying 30% of their income or more toward housing is the threshold for what is considered "affordable." As of 2022, 68% of residents in Clayton are considered to be living in "affordable" housing, which closely mirrors the national number of 67%.

Employment in Clayton is largely driven by retail trade, health care, and manufacturing industries, which employ more than a quarter of the Town's residents, per the 2021 American Community Survey. As of 2023, Johnston County had an unemployment rate of 3.2%, compared to the statewide rate of 3.5%. The median household income was $71,698 as of 2022, and the number of Clayton residents living below the poverty line was reported at 7.8% - nearly five percentage points lower than the statewide number.

According to the Census, the median age of Americans was 35.3 years in 2000, compared to 38.5 years in 2022. However, in Clayton, trends around aging have differed from national trends, with the Town's median age decreasing over the years, from 34.4 in 2000 to 32.6 in 2022. Understanding the changing needs of the community, especially as it relates to younger generations as well as those aging in place, will be important for the Town to consider when planning for the future and preparing for continued growth.

As the Town's population has grown, so has its diversity – culturally, socioeconomically, and racially. This diversity enriches our town with new opportunities for connection and learning, as residents bring unique experiences and fresh perspectives. While these differences can occasionally highlight varying expectations, they also offer us the chance to build stronger bonds and a more inclusive community, bridging the gap between long-standing members and new residents.

The share of residents identifying as white alone dropped from 69% in 2010 to 58% in 2020. During that same period, the percentage of Clayton residents identifying as two or more races increased from 2%-10%. Additionally, the number of individuals who report having Hispanic or Latino origins increased from 11% of the population in 2010 to 14% in 2020.

Input from Stakeholders

During the strategic planning process, the Town of Clayton's elected officials, staff, and residents were asked to share what they believe to be the Town's most significant strengths, as well as key future opportunities for the Town to leverage. Themes from the responses are captured below.

Strengths of the Town

- Quality of life
- Affordability
- Town staff
- Welcoming community
- Small-town lifestyle
- Safe place to live

Future Opportunities for the Town

- Economic development
- Housing options
- Infrastructure management
- Green spaces

Consensus in the Community

As the strategic planning process progressed, a draft vision and key focus areas were developed. Residents were asked whether they believed that these key focus areas were what the Town should be focused on. The information below shows the percentage of survey respondents who agreed with the Town's draft vision statement and key focus areas.*

- **87%** - Vision
- **88%** - Vibrant Downtown
- **89%** - Desirable Amenities and Spaces
- **83%** - Sustainable Infrastructure Investment
- **75%** - Mobility, Transportation, and Transit
- **86%** - Diversified Economic Development
- **85%** - Community Outreach and Engagement

** The key focus area of Public Safety was not yet developed at the time the survey was distributed.*

> "People want to live in Clayton because of the community feel."
>
> - Staff survey respondent

Clayton by the Numbers

30,216
Population

15.24
Square Miles

1869
Year of Incorporation

32.6
Median Age

$71,698
Median Household Income

$336,250
Median Home Value





The Strategic Plan Framework presented in this document will guide decision-making, inform resource allocation, and allow the Town to track progress within the key focus areas.

The Strategic Planning Process

> **"Strategic planning is the cornerstone of our Town's progress, allowing us to anticipate challenges, seize opportunities, and build a vibrant, inclusive community for generations to come."**
>
> **– Mayor Jody McLeod**

The Town of Clayton embarked on a strategic planning process to create a vision and roadmap for achieving long-term success. Identifying a clear strategic direction is important for any organization, as it serves as a guiding framework to align efforts and resources with long-term goals. A well-defined strategic plan establishes a collective sense of purpose and unity among team members, creating a shared vision and aligning the efforts of every part of the organization toward a unified objective. Through strategic planning, the Town is positioned to address current challenges, seize emerging opportunities, and build a sustainable future for all.

The Town recognizes the pivotal role that community input and engagement play in creating a vibrant and inclusive future, with each voice carrying unique perspectives, insights, and aspirations. The strategic planning process included involvement from internal and external contributors to ensure that the plan reflects the diverse needs and desires of those who call Clayton home. Utilizing this collaborative approach not only fosters a sense of ownership among community members, but also cultivates a strategic vision that is both comprehensive and forward-thinking. Together, we are charting a course toward a brighter tomorrow, rooted in shared values and collective aspirations.

Steps in the strategic planning process included:

Kickoff Meeting

The strategic planning team met to discuss the overall goals, schedule, and communication and engagement strategies for the project. Clarifying objectives and establishing roles and responsibilities for the project lays a strong foundation for collaboration and provides purpose and clarity.

Stakeholder Engagement

Input was obtained from internal and external contributors, including individual interviews with Council members, a workshop with the Town's leadership team, and an online survey distributed to Town staff that generated 117 responses. The purpose of these engagements was to gather feedback on the Town's purpose, strengths, opportunities, and critical issues to inform the strategic planning process and understand the current state of the Town.

The Town sought input from members of the community through an online survey using the Zencity™ software platform, resulting in feedback from 632 respondents. Community members shared their vision for the future of Clayton, thoughts on the proposed key focus areas, and any projects or initiatives that would help support the Town in achieving success. The Town invited members of the Town's Advisory Boards and key individuals from the Clayton community to participate in two in-person meetings to share their thoughts as well. Engaging various stakeholders in the strategic planning process yields valuable insight and feedback, ensuring the strategic plan is well-informed and impactful.

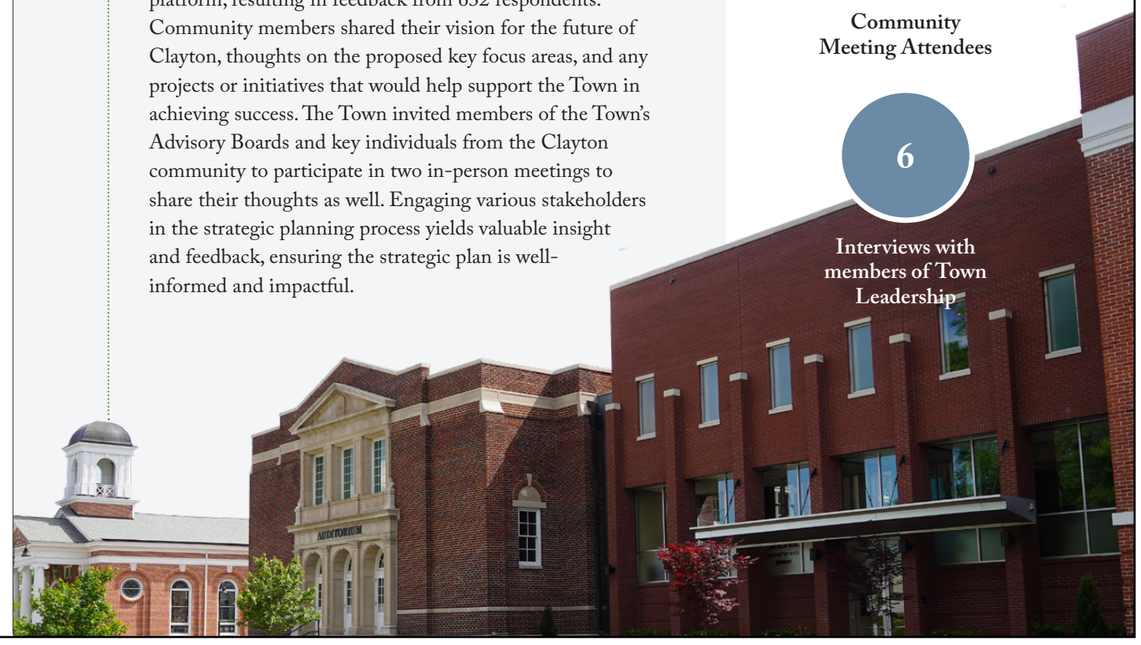
Stakeholder Engagement Numbers

117
Staff Survey Respondents

632
Community Survey Respondents

34
Community Meeting Attendees

6
Interviews with members of Town Leadership



Developing the Framework

Drawing from the stakeholder input, Council members and Town staff convened to craft a vision statement and finalize the key focus areas. Articulating a long-term vision and developing key focus areas that reflect community priorities establishes a framework to manage the evolving needs of the organization and community.

Strategy Workshop

Town Council and staff met to develop success statements associated with each key focus area, articulating what success looks like for Clayton. Additionally, the team drafted specific strategic priorities to incorporate in the strategic plan framework. These strategic priorities began to operationalize the plan, propelling its advancement and guiding the community toward its vision and overarching objectives. This resulted in a comprehensive and robust strategic framework that enhances buy-in across all levels of the organization and ensures alignment across departments.

Town Council Review

The final strategic framework was presented to Town Council for approval and adoption.

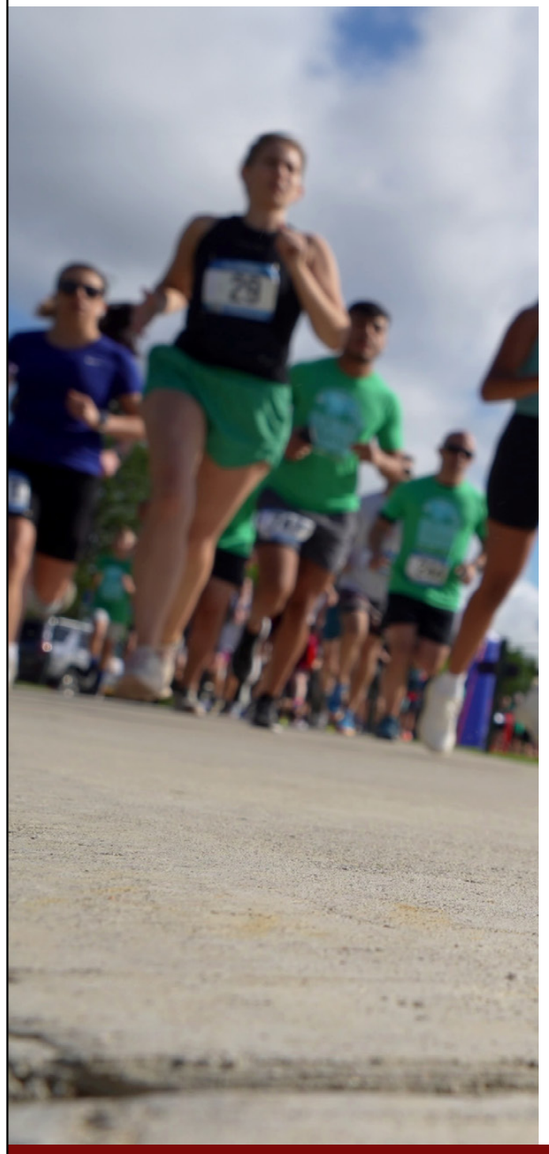
Implementation Work Session

Town staff participated in an implementation work session to review the strategic planning framework and determine which strategic priorities should advance during the first year of the plan. Participants collaborated to identify ongoing, planned, and new activities that will contribute to moving the strategic priority forward, as well as timelines for completion and anticipated resource needs.

Creating an implementation plan is crucial for translating a strategic plan into concrete actions, providing a clear roadmap for the Town to foster accountability and track progress.



> **Giving back to our community is a reward in and of itself.**
>
> - Staff survey respondent





Clayton's Strategic Framework

Vision - A vision is an aspirational statement, intended to reflect what the Town hopes to achieve in the future. It captures the desires of the community and provides a forward-looking perspective on where the Town aims to be in the long term.

Organizational Mission - While the vision statement provides a forward-looking perspective on where the community aims to be in the future, an organizational mission statement grounds the organization in its purpose, guiding day-to-day operations and decision-making to achieve the vision.

Organizational Values - A Town's values embody its core principles and guide the way that the Town operates and serves the community.

Vision

A welcoming and engaged community that cherishes its charming local character and promotes economic vitality, environmental stewardship, safety, and opportunities for all.

Organizational Mission

Dedicated and responsive public servants who provide essential services that bring people together and promote quality of life in the Clayton community.

Organizational Values

- **Responsibility** – Acting with integrity and taking responsibility for our actions.
- **Community** – Creating a vibrant and welcoming community, now and in the future.
- **Commitment** – Demonstrating pride and commitment to our community, work, and colleagues.
- **Respect** – Treating everyone with respect and courtesy.



Key Focus Areas and Strategic Priorities

Key Focus Areas represent the essential components to realizing the community's envisioned future. These areas serve as a structured framework for defining, pursuing, and evaluating objectives, ensuring that efforts and resources are concentrated on specific goals. Providing clarity and direction surrounding these areas guides the Town towards its desired outcomes and facilitates effective measurement of progress.

Vibrant Downtown

Clayton's attractive, historic, and vibrant downtown offers a variety of businesses, restaurants, and retail, that engage the community from morning to night.

- Implement prioritized Downtown Master Plan recommendations.
- Expand signage and wayfinding resources throughout the Town.
- Increase downtown beautification efforts.
- Leverage downtown opportunities for redevelopment, adaptive property reuse, and historic preservation.
- Seek diverse opportunities to expand visual, literary, culinary, and other forms of art.

Desirable Amenities and Spaces

Clayton provides an array of programs and services and harmonizes the need for indoor and outdoor gathering places that support community connections and enhance quality of life.

- Assess needs and increase/enhance the Town's gathering spaces.
- Develop a long-term plan to prioritize preservation of green space in Clayton, based on environmental stewardship principles.
- Provide a wide variety of programs, resources, and amenities geared toward our diverse community.
- Implement prioritized recommendations of the Parks and Recreation Plan and the Pedestrian Master Plan.



Sustainable Infrastructure Investment

Clayton invests in infrastructure to ensure modern utilities, facilities, and systems that provide the community with an affordable, sustainable, and positive experience.

- Develop and implement master and capital improvement plans for utility, facility, road, and technology infrastructure systems.
- Allocate and ensure sufficient staffing and other resources to proactively address current and future infrastructure needs.
- Evaluate opportunities for partnering and collaboration.

Mobility, Transportation, and Transit

Clayton partners with other regional, state, and federal agencies to promote access to reliable and multi-modal transportation services.

- Improve connectivity in the downtown area and between community destinations.
- Implement prioritized recommendations of the Clayton on the Move Transportation Plan.
- Partner with regional agencies to ensure fast, reliable transit within Clayton and to the surrounding areas.
- Explore the feasibility of acquiring NCDOT roads.

Diversified Economic Development

Clayton actively works to increase light industrial, retail, restaurant, and other economic development opportunities.

- Develop a plan to identify and seek opportunities for investment in Clayton.
- Explore opportunities to redevelop underutilized properties throughout the Town.
- Encourage collaborative efforts between the Town and business community.

Community Outreach and Engagement

Clayton builds civic engagement and involvement by sharing information and providing community-based events.

- Build community awareness of Town priorities, events, and activities through public education campaigns and solicit feedback from the community.
- Execute collaborative events with internal and external partners.
- Increase representation and participation in Town governance, events, and activities.

Public Safety

Clayton builds confidence and trust by collaborating with the community and providing responsive public safety services.

- Increase the Town's investment in public safety facilities and staff capacity to meet desired service levels.
- Implement the prioritized strategies included in the Police and Fire Strategic Plans.
- Increase proactive community engagement to enhance public safety awareness and build community relationships.



> **"Employees are driven by a desire to have a community where people are safe and happy."**
>
> - Staff survey respondent





NORTH • CAROLINA
CLAYTON
1869

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Clayton, NC 27520

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Facilitated by
RAFTELIS

Ordinance #2024-09-04

AN ORDINANCE ADOPTING TOWN OF CLAYTON STRATEGIC PLAN

WHEREAS, the Town of Clayton hired Raftelis Financial Consultants, Inc. to assist with the development of a Strategic Plan for the Town of Clayton; and

WHEREAS, the proposed Strategic Plan is designed to enhance the delivery of services, address our fiduciary responsibilities, and improve the quality of life for all Clayton residents. It outlines our commitment to maintaining a vibrant downtown; providing desirable amenities and spaces; investing in sustainable infrastructure; improving mobility, transportation, and transit; promoting diversified economic development; fostering community outreach and engagement; and ensuring public safety; and

WHEREAS, the Strategic Plan is vital to planning for the future of the Town of Clayton.

NOW THEREFORE BE IT RESOLVED THAT:

The Mayor and Clayton Town Council of the Town of Clayton hereby adopt the Town of Clayton Strategic Plan.

Duly adopted this the 16th day of September 2024 while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk