



Town of Clayton
Regular Town Council Meeting Agenda
Monday, May 7, 2018 @ 6:00 PM
Council Chambers

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

a. Draft Minutes

- February 5, 2018
- April 16, 2018

[February 5, 2018 DRAFT Minutes](#)

[April 16, 2018 DRAFT Minutes](#)

b. Electronic Advertising for Construction Projects

[Resolution #2018-11](#)

POTENTIAL ACTION:

Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. Set Public Hearing for 2018-2019 FY Budget

Presenter: Adam Lindsay, Town Manager

[Public Notice](#)

POTENTIAL ACTION:

Set Public Hearing for May 21, 2018

b. Set Public Hearing for System Development Fees (HB 436)

Presenter: Adam Lindsay, Town Manager

[Cover](#)

POTENTIAL ACTION:

Set Public Hearing for June 18, 2018

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. New Employee Introductions

Presenters: Steve Blasko, Street/Property Maintenance Supervisor & Blair Myhand, Police Chief

- Ray Rhodes - Property Maintenance
- Dwayne Uhler - Property Maintenance
- Rodney Atkinson - Streets Division

- Officer Randall Ackley - Police Department
- Officer Grant Harris - Police Department
- Officer Jonathan Guider - Police Department

[Cover](#)

- b. Firehouse Subs Lifesaving Grant Received
Presenter: Jason Dean, Deputy Fire Chief

[Cover](#)

[History Info for Firehouse Subs Grant](#)

[Firehouse Subs Application Jan 2018](#)

- c. Introduction of Miss Clayton - Lauren Walsh
Presenter: Keith Branch

6. PUBLIC HEARINGS

7. OLD BUSINESS

- a. Proposed Electric Rate Increase
Presenter: Dale Medlin, Electric Distribution Director

[Clayton Electric Rate Study](#)

[Public Notice](#)

POTENTIAL ACTION: Set Public Hearing for May 21, 2018

8. NEW BUSINESS

- a. Request to Surplus Property
Presenter: Lee Barbee, Fire Chief

[Cover](#)

[Letter from Four Oaks Fire Department](#)

[Resolution](#)

POTENTIAL ACTION: Adoption of Resolution #2018-12

- b. Floodplain Ordinance Revisions
Presenter: Rich Cappola, Engineering & Inspections Director

[Cover](#)

[FEMA Letter](#)

[Public Notice](#)

POTENTIAL ACTION: Set Public Hearing for June 4, 2018

- c. Request for Proclamation Recognizing Police Week - May 13 - 19, 2018
Presenter: Blair Myhand, Police Chief

[Cover](#)

[Proclamation](#)

POTENTIAL ACTION: Approval of Proclamation

- d. 2017-195-RZ - Recovery Logistics Rezoning
Presenter: Samantha Wullenwaber, Planning Director

[Cover](#)

[Application](#)

[Staff Report](#)
[Map](#)
[Public Notice](#)

POTENTIAL ACTION: Set Public Hearing for May 21, 2018

- e. 2017-209-SUP - Sunbelt Rental
Presenter: Samantha Wullenwaber, Planning Director
[Cover](#)
[Application](#)
[Staff Report](#)
[Map](#)
[Site Plan](#)
[Neighborhood Meeting Materials](#)
[Public Notice](#)

POTENTIAL ACTION: Set Public Hearing for May 21, 2018

- f. 2018-75-OA - Scenic Highway Overlay District Amendment
Presenter: David DeYoung, Economic & Community Development Director
[Cover](#)
[Application](#)
[Staff Report](#)
[Existing Overlay Map](#)
[Draft, Strikethrough](#)
[Draft, Clean](#)
[Public Notice](#)
[Planning Board Recommendation](#)

POTENTIAL ACTION: Set Public Hearing for May 21, 2018

9. STAFF REPORTS

- a. Town Manager
b. Town Attorney
c. Town Clerk
d. Other Staff
1. Library Update
Presenter: Joy Garretson, Library Director
2. New Police Vehicle Design
Presenter: Blair Myhand, Police Chief
[Cover](#)

10. OTHER BUSINESS

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

11. ADJOURNMENT



**Town of Clayton
Regular Town Council Meeting Minutes
Monday, February 5, 2018 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Grannis
Council Member Lawter
Council Member Holder
Council Member Thompson
Council Member Bunn

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
David DeYoung, Economic & Community
Development Director
Lee Barbee, Fire Chief
Stacy Beard, Public Information Officer
John Hamlin, Asst. Public Information Officer

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order and led everyone in the Pledge of the Allegiance.

2 ADJUSTMENT OF THE AGENDA

- a) Item 4c was added to recognize Fire Chief Lee Barbee as the NC Fire Chief of the Year.

3 CONSENT AGENDA

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

- a) Fees Amendment - Small Cell Tower/Facility
- b) Welcome/Town Limit Signs
- c) Warranty Acceptance
- d) Woman's Club of Clayton - 100 Years of Service Proclamation

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Thompson
Second: Council Member Lawter
Vote: Unanimous

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) **Woman's Club of Clayton - 100 Years of Service Proclamation Presentation**
Presenter: Stacy Beard, Public Information Officer

Mayor McLeod read and presented a Proclamation to members of the Woman's Club of Clayton honoring their 100 years of service. Ms. Beard shared information about this group and all the community service provided to Clayton. The Mayor and council thanked everyone for their dedication and commitment to the town.

- b) **Cross Connection Control/Backflow Prevention Program & Fats, Oils & Grease Program Updates**
Presenters: Byron Poelman, Utility Service Superintendent & Brandon Carroll, Utility Compliance Technician

Mr. Poelman provided history of the program as well the hiring of Mr. Carroll. He stated that Mr. Carroll has done an outstanding job with this program. Mr. Carroll provided details about the program and stated that 78% of devices are in compliance, which is an excellent rate. He stated businesses are being provided additional education about the programs and this has led to an increase in compliance. The goal is 100% compliance and stated that our current ordinance will be enforced and stated they are working very hard to contact everyone and advise of same. Council offered their thanks and appreciation for the hard work and the update.

- c) **Fire Chief Barbee Recognized as NC Fire Chief of the Year**
Presenter: Stacy Beard, Public Information Officer

Ms. Beard stated that Chief Lee Barbee was recognized as the 2018 NC Fire Chief of the Year by the North Carolina Association of Fire Chiefs. This award was presented at their annual conference. This is the highest and most prestigious award that can be bestowed upon fire personnel. Fire Chief Barbee is the longest serving Chief in Clayton and has been with fire department for more than four decades. She stated the Clayton Fire Department is one of the finest in the State due in major part to Chief Barbee and his leadership. Chief Barbee received a huge round of applause. He stated he is honored to be part of this team and thanked everyone. Ms. Beard shared some "vintage" photos of Chief Barbee and other members of the fire department. Mayor McLeod stated how extremely proud he was of Chief Barbee and offered his heartfelt thanks and appreciation to Chief Barbee for his many years of dedication and leadership. Mayor Pro Grannis offered his thanks and appreciation and stated he was very impressed with Chief Barbee and the team he has put together. Council Member Lawter offered his thanks. Council Member Holder offered his appreciation. Council Member Thompson offered his thanks and stated that Chief Barbee was always a great mentor. Council Member Bunn offered his heartfelt thanks and appreciation. A group photo was taken.

5 PUBLIC HEARINGS

- a) **Goodson Tract Townhomes - 2017-172-SUP**
Presenter - David DeYoung, Director of Economic and Community

Development

Attorney Ross provided information regarding the types of testimony that can be considered during a Quasi-Judicial proceeding. Anyone wishing to offer testimony must do so under oath. Mayor McLeod issued the oath to those wishing to offer testimony via affirmation.

Mr. DeYoung stated applicant is requesting to build 64 townhomes on 7 acres. Request is consistent with Future Land Use Map, Surrounding Land Uses and Unified Development Code. Applicant has addressed Findings of Fact.

Planning Board recommended approval with conditions as listed in Staff Report.

The applicant, Donnie Adams, provided his qualifications. He provided a PowerPoint showing proposed layout of the project. Stated there would be shared entrance with Legend Park. He stated the proposed townhomes would be consistent with Parkview which is located across the road from this project. He stated there would be two dumpsters on site. He stated he believed this was a good project.

Mayor Pro Tem Grannis asked for examples of local data that was presented. Mr. Adams stated it related to the traffic study completed with reference to Parkview. There was a question about resident who requested a phone call from Mr. Lipscomb and Mayor Pro Tem Grannis asked if that had taken place and Mr. Adams stated it had taken place.

Attorney Ross stated it was possible to combine this item and Item 5b together since both items were being presented on the same date.

The Mayor then opened the Public Hearing for Goodson Tract Townhomes #2017-171-SD.

Mr. DeYoung stated staff and applicant were requesting a change to Condition #3 as listed in Staff Report to state "prior to the issuance of a Certificate of Occupancy for the phase associated with the stub-out connection."

With there being no further questions, the items were turned over to council for deliberation.

ACTION: Approval of 2017-127-SUP

Motion: Council Member Lawter
Second: Council Member Holder
Vote: Unanimous

- b) Goodson Tract Townhomes Subdivision -2017-171-SD
Presenter - David DeYoung, Director of Economic and Community Development

See above.

ACTION: Approval of 2017-171-SD with change to Condition #3 as noted above

Motion: Mayor Pro Tem Grannis
Second: Council Member Holder
Vote: Unanimous

ACTION: Adoption of Wastewater Allocation Resolution #2018-02

Motion: Mayor Pro Tem Grannis
Second: Council Member Thompson
Vote: Unanimous

- c) 2017-177-SD Coopers Meadow Subdivision
Presenter: David DeYoung, Director of Economic and Community Development

Attorney Ross provided information regarding the types of testimony that can be considered during a Quasi-Judicial hearing. She stated that anyone wishing to offer testimony must do so under oath. Mayor McLeod issued the oath via affirmation.

Mr. DeYoung stated the applicant is requesting preliminary plat approval for a 17-lot single family residential subdivision. County water and private septic systems would be used. The property is located at the northwest intersection of Cooper Branch Road and Wildberry Court, which is in the ETJ. The total acreage is 11.91 acres.

Request is consistent with the Comprehensive Plan, Unified Development Code and compatible with the Surrounding Land Use. He stated waivers were requested from curb and gutter as well as sidewalks. Mr. DeYoung also stated the cemetery must meet the dimensional standards of a stand-alone lot, or be part of another lot. The applicant has addressed all Findings of Fact.

Staff recommends approval with no conditions.

There were no questions for staff.

Jonathan Barnes, applicant, was present and stated he was available for any questions. He stated he believed it was a good straight forward application. He stated they are working with NCDOT regarding entrance. He stated they plan to do some clean up regarding the cemetery but other than that the plan is to leave it alone.

Mayor Pro Tem Grannis asked if the concerns raised at the neighborhood meeting were addressed. Mr. Barnes stated they were addressed.

With there being nothing further, the item was turned over to council for deliberation.

ACTION: Approval of 2017-177-SD

Motion: Council Member Thompson

Second: Council Member Holder

Vote: Unanimous

- d) Regional Wastewater Pre-Treatment Facility Rezoning - 2017-207-RZ
Presenter - David DeYoung, Director of Economic & Community Development

Mr. DeYoung stated request is to re-zone a portion of the property located at 3798 Powhatan Road from Industrial-Light (I-1) and Residential-Estate (R-E) to Industrial-Light (I-1). This is being requested to create consistency with the remainder of the property and surrounding zoning districts.

Ms. Loftin stated she is representing WE Blackmon Office of 724 South Third Street, Smithfield and stated they are adjacent property owners to this property. She provided background information regarding this property. She stated that Mr. Blackmon opposes the placement of the Wastewater Pre-Treatment Facility at this location as he feels there would be an odor and would de-value the property.

Mayor Pro Tem Grannis asked Ms. Loftin some questions regarding the property and the history of the sale. He provided information regarding public hearings and notifications. Ms. Loftin stated she does not live in Clayton and stated she was very unfamiliar with the procedures. Mayor Pro Tem Grannis thanked her for sharing her thoughts.

Council Member Lawter asked Mr. DeYoung if he knew how long the Blackmon property was zoned and Mr. DeYoung stated it was zoned R-E. He further stated the Blackmon property was south of the proposed zoned area.

Attorney Ross reminded this hearing was regarding a rezoning of a piece of property not the approval of a Wastewater Pre-Treatment Facility.

With there being no questions, the item was turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-02-02

Motion: Council Member Lawter

Second: Council Member Thompson

Vote: Unanimous

- e) 2018-2019 Budget Public Input
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay stated this public hearing was being held to provide an opportunity to allow citizens to offer their input regarding the FY 2018-2019 budget.

A citizen stepped forward and stated she had concerns regarding kids crossing Highway 70 at McDonalds. Mr. DeYoung stated that we have been working closely with NCDOT Division 4 about putting in a project that would put a crossing at that location. Mr. Lindsay provided additional information regarding state owned roads, which are maintained by NCDOT. He further stated that we are working very closely with NCDOT.

6 OLD BUSINESS

7 NEW BUSINESS

- a) 2018-02-03 - Highgate Subdivision - Wastewater Allocation
Presenter: Tim Simpson, Director of Public Works

Request was made to allocate a total of 24,095 gallons per day to the Highgate Subdivision. He stated this property has changed hands since original agreement was crafted, this has been accomplished and this is the balance required to complete the project.

ACTION: Adoption of Resolution #2018-03

Motion: Council Member Lawter
Second: Council Member Thompson
Vote: Unanimous

- b) Town Council Meeting Procedure Update
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay stated this update would allow for both council meetings to be "regular" meeting which would allow for formal action to be taken at both meetings. Additionally, this would allow for the change of meeting start times from 6:30 p.m. to 6:00 p.m.

ACTION: Placed on February 19, 2018 Consent Agenda

8 STAFF REPORTS

- a) Town Manager
b) Town Attorney
c) Town Clerk

Ms. Medlin offered her thanks to the numerous employees who assisted with the preparation of the agenda during the absence of the Town Clerk.

d) Other Staff

Mr. Medlin stated the Northside Station is now energized. He stated he was very proud of the project and there would be an opening shortly. Council offered their thanks and appreciation.

Chief Myhand provided a look at the new uniform that will be worn by the Clayton Police Department.

9 OTHER BUSINESS

a) Informal Discussion & Public Comment

Building owner of 308 W. Main Street shared his concerns regarding creek that runs under his building. He stated he continually has to put a filter to catch the leaves when there is rain. He has concerns about recent flooding and clogging. He asked if someone from the town could take a look to improve the situation. Mr. Lindsay stated he would have someone from Public Works take a look.

He has also concerns about holly trees at his location as well.

b) Council Comments

Mayor Pro Tem Grannis stated he attended a public hearing at Johnston County regarding Novo Nordisk grant. He stated the grant was approved. He further stated that he wanted to acknowledge the team work that consistently takes place. He stated he was very proud of the team.

Mayor McLeod stated the Clayton Center staff did an amazing job over the weekend at the Expo.

10 ADJOURNMENT

a) With there being nothing further the meeting was adjourned at 8:18 p.m.

ACTION: Adjourn the meeting

Motion: Council Member Lawter

Second: Council Member Bunn

Vote: Unanimous

Duly adopted this the 7th day of May, 2018 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

February 5, 2018
Minutes



**Town of Clayton
Regular Town Council Meeting Minutes
Monday, April 16, 2018 @ 6:00 PM
Council Chambers**

COUNCIL PRESENT:

Mayor Pro Tem Grannis
Council Member Lawter
Council Member Holder
Council Member Thompson
Council Member Bunn

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
Samantha Wullenwaber, Planning Director
David DeYoung, Economic Development
Director
Blair Myhand, Police Chief
Rich Cappola, Engineering & Inspections
Director
Ann Game, Customer Service Director
Dale Medlin, Electric Systems Director
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer

COUNCIL ABSENT:

Mayor McLeod

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor Pro Tem Grannis called the meeting to order at 6:00 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

3 CONSENT AGENDA

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

- a) Draft Minutes:
 - April 2, 2018
- b) Warranty Acceptance
 - RWAC Ravens Ridge 8E
- c) Proclamation - "Week of the Young Child"
- d) Resolution #2018-10 - Authorizing Clayton Area Ministries Lease

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Holder

Second: Council Member Lawter
Vote: Unanimous

4 ADMINISTRATIVE ITEMS

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Public Art Advisory Board Annual Update
Presenter: Sara Perricone, Board Chair

Ms. Perricone shared an update with council regarding the Public Art Advisory Board. She provided information regarding the membership and meeting dates. She shared information about some of the projects the board has worked on including the Sam's Branch Art Project, currently the art on display are fish and new art will be placed shortly. She also shared was information about the "Before I Die Project" and the People's Choice Award for the Sculpture Trail. Ms. Perricone stated that members of the board led tours during the Main Street Conference and there was a lot of good feedback and requests for information on how the town got the sculpture trail started. Members of the board are going to begin working on a brochure and will share the process information with those who may be interested in starting their own sculpture trail. Ms. Perricone stated the goal for the upcoming year is to ensure that Clayton remains a great thriving artistic community known for our willingness to share information with others.

Mayor Pro Tem Grannis offered his thanks to the board for the great work that has been done over the past several years. He stated that many people across the state are aware of Clayton and our art projects.

- b) Presentation of "Week of the Young Child" Proclamation
Presenter: Mayor Pro Tem Grannis

Mayor Pro Tem Grannis presented the Proclamation to members of the Clayton Chamber of Commerce Education Committee.

Ms. Wooten, who is the Chamber President, thanked the council for the Proclamation and recognition.

6 PUBLIC HEARINGS

- a) 2017-176-SUP - Barbour Street Townhomes - Special Use Permit
Presenter: Planning Department

Ms. Wullenwaber stated the applicant has withdrawn this item.

- b) 2017-193-SUP - Carillon Assisted Living - Special Use Permit
Presenter: Planning Department

Ms. Ross provided detailed information regarding a Quasi-Judicial Hearing to include the types of evidence that can be considered. Any testimony offered must be done so under oath. The Town Clerk issued the oath via affirmation to

those wishing to offer testimony.

Ms. Wullenwaber stated the applicant requests a Special Use Permit to operate an Assisted Living Facility, which will be located at the corner of Guy and Amelia Church Roads. The property is zoned B-2 and a total of 5.13 out of 9.61 acres total is being included in the request. There is an associated site plan with this request. No Traffic Impact Analysis was required. It was stated that residents at this location will not have personal vehicles. There will be an extended turn lane. There will be a gated cross access to be utilized for emergency vehicles only.

The request is consistent with the Future Land Use Map and Unified Development Code. The applicant has addressed the Findings of Fact.

Staff recommends approval with conditions as listed in Staff Report.

Applicant was represented by Mr. Robert Steenson, who provided background information regarding the Carillon Assisted Living facilities. He stated they will be opening a new facility in Garner next week. He stated a neighborhood meeting was held and felt it was excellent. He stated that no traffic nor noise generated from these facilities. He provided information regarding the gated cross access easement and requested that the stub out be reserved for emergency vehicles only and further stated that it would be permanently gated.

Council Member Bunn asked how many facilities were currently being operated and Mr. Steenson stated currently a total of 22.

Council Member Lawter asked that Mr. Tate, who was present provided his qualifications. Mr. Tate stated he was a landscape architect and land planner with 29 years of experience. He stated that it was his professional opinion that the application would not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.

There were no further questions of either staff or the applicant. With no one further coming forward, the hearing was closed at 6:27 p.m. and turned over to council for their deliberation.

ACTION: Approval of 2017-193-SUP with Conditions as included in Staff Report

Motion: Council Member Thompson
Second: Council Member Holder
Vote: Unanimous

7 OLD BUSINESS

8 NEW BUSINESS

April 16, 2018
Minutes

- a) **Electronic Advertising for Construction Projects**
Presenter: Rich Cappola, Engineering & Inspections Director

Mr. Cappola presented this item. He stated there are provisions within NCGS 143.129b that allow the town to use electronic advertising to meet requirements for the formal bid process. He is requesting that council authorize the town to use this process.

ACTION: Placed on May 7, 2018 Consent Agenda

- b) **Electric Rate Study**
Presenters: Dale Medlin - Electric Director & Craig Brown, Principal Consultant with Black & Veach

Mr. Medlin introduced Mr. Craig Brown who is the principal partner of Black & Veach, the firm used to conduct the electric rate study.

Mr. Brown provided information regarding the process. He stated preparing a rate study is a three step process; Revenue Requirements, Cost of Service and Rate Design. He shared the goals of the study included preparation of a five-year financial forecast, development of understanding of the impact of the planned NCEMPA power supply rate increases, conducting an allocated cost of service study to evaluate appropriateness of current rate charges by class, review of current rate structure and considering adjustments and finally to have an excel based model for the future. He shared details about the revenue requirements and proposed rate adjustments. He also shared information regarding the cost of service by rate class.

The proposed rate increase for 2019 is 3%. It was proposed that the customer charge be increased from \$6.95 to \$12.75 per month. It was stated that it has been 20 years since the customer charge had been increased.

The average bill would increase by \$4.00 per month. Council Member Lawter asked what the average monthly residential use is. It was stated the average use is 750 kwh. It was stated that our residential customers are approximately 2/3 of our electrical customers. Mr. Brown stated that is probably higher than most municipalities. Mayor Pro Tem Grannis asked if the Electricities rate was taken into account. Mr. Brown stated it did.

There was discussion and it was stated should the rate increase be approved it would be effective June 1, 2018. There was discussion regarding increasing commercial residents and Mr. Brown deferred those questions to economic development experts. Mr. Lindsay stated we want to ensure that the town continues to provide the excellent service our customers are accustomed to. He reminded how quickly we are able to turn on service during an emergency as well as being proactive to ensure the power stays on during inclement weather, etc.

Council agreed that we need to have the increase to keep finances in order and not endanger our electrical services.

ACTION: Placed on May 7, 2018 Consent Agenda

9 STAFF REPORTS

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

10 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. Lipscomb stated he was representing Vinson's Pub which will be located at 800 East Main Street and asked that council requested NCDOT to lower the speed limit in this area to 25 mph. It is currently 35 mph and feels many folks are driving much faster. Council stated they would take this under advisement.

Afifa and Fajar Syed stated they are opening a not for profit organization for victims of domestic and substance abuse. They shared their personal story. They stated the business will be located at 857 Town Centre Blvd. and their hope is to provide a safe haven for men, women and children seeking shelter and support. They requested town support and stated financial support, office furniture and computers are needed. Council thanked them for sharing this information and stated they would take under advisement.

- b) Council Comments

11 ADJOURNMENT

- a) With there being nothing further the meeting was adjourned at 7:04 p.m.

ACTION: Motion to Adjourn

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

Duly adopted this the 7th day of May, 2018.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

April 16, 2018
Minutes

**RESOLUTION AUTHORIZING THE USE OF ELECTRONIC ADVERTISEMENT FOR CONTRACTS
SUBJECT TO G.S. 143-129**

WHEREAS, contracts for construction or repair work, and for the purchase of apparatus, supplies, materials, and equipment that meet the monetary threshold established in G.S. 143-129 must be publicly advertised; and

WHEREAS, G.S. 143-129(b) authorizes the governing board to allow the use of electronic advertisement as an alternative to, and/or in conjunction with an advertisement in a newspaper of general circulation; and

WHEREAS, in some cases, advertisement in the newspaper may be the most effective method of obtaining competition, but in other cases, advertisement by electronic means may be a more effective and efficient method of reaching prospective bidders; and

WHEREAS, it is in all cases important to provide citizens an opportunity to obtain information about major contracts to be awarded by this entity:

NOW, THEREFORE, BE IT RESOLVED THAT THE CLAYTON TOWN COUNCIL hereby authorizes the Town Manager or his or her designee to advertise using electronic means as an alternative to placing an advertisement in a newspaper of general circulation whenever he or she determines it to be the most effective and efficient method of obtaining competition for a contract.

BE IT FURTHER RESOLVED that advertisement by newspaper and electronic means may be used together or in the alternative, and the requirements of G.S. 143-129(b) shall be met as long as one of the methods used meets the minimum time for advertisement under that statute.

BE IT FURTHER RESOLVED that when electronic advertisement is used, information about the bid solicitation shall be made available to the public either by published notice, posting in a place in which similar notices are regularly placed, or electronically on the official website of Town of Clayton.

Duly adopted this the 7th day of May, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



PUBLIC NOTICE

In accordance with NC GS 159-12(b), the Clayton Town Council will hold a public hearing on Monday, May 21, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to receive public comment on the proposed 2018-2019 fiscal year budget for the Town of Clayton. A copy of the proposed budget is on file in the Town Clerk's office at Town Hall, 111 East Second Street.

This is an open meeting and citizens are invited to attend.

Kimberly A. Moffett, CMC, Town Clerk
919-553-5002

Please advertise on the following date:

May 11, 2018

Affidavit of publication required.



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Administrative

Item Title

HB 436 – System Development Fees

Presenter *(Name & Title)*

Adam Lindsay, Town Manager

Summary/Description

HB 436 requires public utilities to perform an analysis of their system development fee collection process and amount. Black & Veatch, town consultant, will be presenting the results of the analysis at the Public Hearing to be set for June 18, 2018.

Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet

None



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Introductions & Special Presentations

Item Title

Introduction of New Employees

Presenters *(Name & Title)*

Steve Blasko - Street/Property Maintenance Supervisor

Blair Myhand - Police Chief

Summary/Description

Mr. Blasko will introduce three new employees in the Street/Property Maintenance Department; Ray Rhodes, Dwayne Uhler and Rodney Atkinson.

Police Chief Myhand will make the formal introduction of Randall Ackley, Grant Harris, and Jonathan Guider as new members of the Police Department.

Requested Action

Informational Only

Additional Documents To Be Included in Agenda Packet



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Consent Agenda

Item Title

Firehouse Subs Public Safety Foundation Awards Lifesaving Grant to Clayton Fire Department

Presenter

Jason Dean, Clayton Fire Deputy Chief of Operations/Training

Paul Meador, Clayton Firehouse Subs Owner

James Taylor, Clayton Firehouse Subs General Manager

Summary/Description

The lifesaving capabilities of the Clayton Fire Department are getting a huge boost from the Firehouse Subs Public Safety Foundation.

Thanks to the support of the local Firehouse Subs restaurant and donations from its patrons, the department has been awarded a grant for an inflatable, motorized rescue boat, along with a trailer. The grant, valued at \$26,234, will also include 8 rescue swimmer kits to help outfit firefighters with helmets, wetsuits, gloves, boots and roping.

"This is simply outstanding and well-deserved," said Paul Meador, owner of the Firehouse Subs restaurant just off Shotwell Rd. and US 70 in Clayton. "Chief Barbee and his department have been a big part of our success at Firehouse Subs #1237 and General Manager James Taylor has been an incredible advocate, encouraging our restaurant patrons to donate to our Public Safety Foundation. As the owner, it has been my privilege to work with Chief Barbee for the past 3 years and see the staff at Clayton grow under James' leadership. I could not be more happy for the Clayton Fire Department and for Firehouse Subs in Clayton!"

Clayton has recently responded to several water incidents and emergencies where rescue equipment like this would have been key, including a search for a missing kayaker on the Neuse River in the dark of night and the discovery of a submerged minivan just off the NC42 bridge. The river is one of Clayton's most vital natural resources, with activity along the river increasing in recent years with the completion of the Clayton River Walk on the Neuse greenway, a 4 mile stretch of the Mountains to Sea Trail and East Coast Greenway system which runs along the water. The Neuse is also prone to flooding, with near record levels reached in recent storms.

Currently, the Clayton Fire Department only possesses an inflatable paddle boat. In recent emergencies, Clayton crews have had to wait up to 45 minutes for another department to arrive with a motorized boat that can compete with the swift-moving waters of the Neuse River. The department had made budget requests for similar water rescue equipment, but those requests had to be cut from the Town of Clayton

budget in recent tight fiscal years to address other critical town needs.

“One of the best things about the boat from Firehouse Subs Public Safety Foundation is it can be launched from anywhere - you don’t need a ramp, you can get close and then carry it to the water, which is what we need,” said Deputy Fire Chief of Operations Jason Dean, who had submitted the grant application two years running. “It can go just about anywhere in any condition. And the rescue swimmer equipment will protect our firefighters from injury or hypothermia during any kind of weather. I can’t thank Firehouse Subs Public Safety Foundation and their donors enough.”

Water rescues may not be as frequent as other calls, but when firefighter deaths in fires are compared to the number of firefighter deaths on water rescues, a firefighter has a 400% higher chance of dying due to the dynamics of hazards related to water. Rescuers can often become victims themselves, but with increased response times and properly-equipped firefighters and boats – rescues don’t have to turn into recoveries.

The Clayton Fire Department hopes to begin ordering the equipment soon and to have in place for planned swift water rescue training this July.

ABOUT FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION

In 2005, the Firehouse Subs founders established the Firehouse Subs Public Safety Foundation with the mission of providing funding, life-saving equipment, and educational opportunities to first-responders and public safety organizations. Through the non-profit 501(c)(3), Firehouse Subs Public Safety Foundation has granted **more than \$33 million to hometown heroes in 46 states, Puerto Rico and Canada, including more than \$1.1 million in North Carolina.**

Requested Action

Informational Only

Additional Documents To Be Included in Agenda Packet

Grant Application

History Info for Grant Request

History Overview for Clayton Fire Department Fire House Sub Grant

From 1883 to present day, the Clayton Fire Department (CFD) has been a staple in our community. In a town incorporated in 1869, the first documented history of CFD is in 1883, where the first volunteer fire protection was formed to protect the good citizens of Clayton. Our town was not that big, less than 500 people, but fire was always a threat. In 1904, E.L. O'Neil was elected as Fire Chief and since that day, we have always had a Fire Chief overseeing operations. As our population began to grow, so did the Volunteer Fire Department. By 1909, the Clayton Volunteer Fire Department included 25 members. Our equipment was just 1 hand engine, 1 hose cart, and only 500' of 2.5" cotton hose. Our equipment was meager but our job was great. During this time fire alarms were by whistle, water was obtained through private wells, town lamps were oil, and streets were not always level much less paved. In 1925, our Clayton Volunteer Fire Department was now up to 40 members and still one fire Chief. We also gained this year an Assistant Chief. Now we had sirens and bells for the fire alarms and the water facilities were Town owned from three deep wells, gravity and direct pressure systems. In 1927, more progress was brought to our town. There was a new Town Hall built on the corner of Barbour and Second Streets where the municipal office, police department and the volunteer fire department were now all under one roof! As the years moved through our town, not only did the population grow but also the Clayton Fire Department continued to grow. This growth brought more equipment and volunteers to our town. In July of 1973, the groundwork began to form a rural department for residents in a new fire district surrounding the Town of Clayton. This new rural area was named Claytex Fire District and was approved by the North Carolina State Department of Insurance. This new area initially encompassed approximately a 3-mile span outside the town limits with a current day area of approximately a 5-mile span. With this additional coverage area, the Fire Chief and officers went over the fire district area polling prospective new members that were interested in being volunteer firefighters. Over the years, CFD maintained its history and service to our customers, and primarily provided fire protection for its service districts. As the Town grew, we opened our second firehouse in 2000, CFD Station 2, which is located on NC 42 Highway East. In addition to the second station, we expanded our services to include rescue services, primarily vehicle extrication, but also started our confined space, rope, and trench rescue programs, in support of the Town of Clayton working responsibilities where public works personnel would often work in confined spaces and trenches. In 2005, our downtown Station 1 was replaced with a newer Station 1 a few blocks away at the intersection of West Horne Street and Robertson Street. In July of 2012, Johnston County Emergency Services (JCES) took over control of Clayton Area EMS (a private, non-Town of Clayton department) that primarily provided emergency medical services but also provided some rescue resources, including water rescue and boats. With JCES now in control of the EMS system in the Clayton area, their responsibility was medical services and not rescue services, which caused a decrease in a level of service to our area related to water rescue incidents. Our district includes the Neuse River, numerous ponds, and even small creeks that have swollen beyond their banks during storms and have caused urban flooding. One of our Town's attracting motto's is being "The Premier Community for Active

History Overview for Clayton Fire Department Fire House Sub Grant

Families” and to do this, our Parks and Recreation department has been very active and aggressive with building outdoor areas including walking trails, one being part of the NC “Mountain-to-Sea” trail system, the Clayton River Walk. The Clayton River Walk is a 4-mile trail that is part of a 32-mile scenic trek from Clayton to the Falls Lake Dam in the Capital city of Raleigh. The Clayton River Walk trail runs alongside the Neuse River and at times, people enjoy the river waters while on the trails. This trail attracts many visitors from around NC and in addition to the trail, a local resident runs a Canoe/Kayak Rental company that is accessible via the trail system.

Receiving this grant will greatly enhance our operational readiness to respond to water rescue incidents as well as provide a safer method of deploying our personnel into the hazardous aspects that accompany water rescue incidents. As an example, in 2017, we responded to a motor vehicle accident with the vehicle off the roadway, in floodwaters. In order to get to the vehicle, rescuers had to enter the water using a “shallow water crossing” technique. In the process of doing so, the current from the floodwaters overpowered one of our rescuers, swept him under the water and through a culvert that went under the roadway and dumped him out into a pond-pool on the opposite side of the road. Luckily, by wearing proper personal protective equipment, the rescuer only had some bumps and bruises however, he was fortunate that the culvert did not have any debris in it to trap him underwater and had we had a motorized boat, it could have been used to combat the water current. Over the last few years, CFD has obtained some water rescue equipment, primarily basic personal floatation devices (PFDs) which are also basic requirements for other technical rescue disciplines. We have also requested through budgetary processes the acquisition of more water rescue equipment, specifically a boat package, but those requests have been denied due to other departmental and town-wide needs, secondary to our areas rapid growth. The need for the water rescue equipment is ever pressing, as over the past several months, we have had to deal with flooding, vehicles in water, and a search for a lost kayaker on the river, just to name a few. In addition to the various incidents, we have had to wait 45 minutes for another agency to respond with a motorized boat to assist us.

The Clayton River Walk Bridge, crossing the Neuse River



History Overview for Clayton Fire Department Fire House Sub Grant

Flooding of the Clayton River Walk Trail. Note of the on looking people in the flooded area



Incident scenes from recent water rescue calls.

Left: Search for missing kayaker Right: Vehicle accident in the Neuse river



Vehicle incident where water washed road from under vehicle (photo taken post water receding) during Hurricane Matthew, October 2016



Please do not submit this PDF, it is for reference only. Our grant application process is entirely digital.

APPLICANT AND DEPARTMENT INFORMATION

First Name Jason		Last Name Dean		Department Tax ID# 56-6001203	
Organization/Department Town of Clayton Fire Department		Email Address jdean@townofclaytonnc.org			
Alternate Name Lee Barbee		Alternate Email lbarbee@townofclaytonnc.org			
Address Line 1 PO Box 879		City CLAYTON			
Address Line 2		State NC		Zip 27528	
Shipping Address Line 1 325 W Home St		Shipping City Clayton			
Shipping Address Line 2		Shipping State NC		Shipping Zip 27520	
Organization Phone Number 919-359-9367	Alternate Contact Number 919-553-1520	Communities Served Town of Clayton and Claytex	Population 46,875	Number of Runs Per Year 2100	
Local Approval Pre-qualifications Our jurisdiction requires approval from local officials once the award is granted.					

APPLICATION REQUEST INFORMATION

The type of grant you are requesting: Equipment		What is the EXACT cost of the equipment? 26234.25	
Variances in the amounts requested will be the responsibility of the grant recipient to pay directly? Yes			
What Equipment are you requesting for your department? 1-R ONE i Series 430 Heavy Duty Inflatable Boat 1-Evinrude 30hp E-tec Pumpjet Motor 1-Inflatable Boat Transport Trailer 8-Water Rescue Personal Protective Equipment (PPE) kits to equipment		Briefly explain how the equipment will benefit your community and your department. With the towns growth of trails along the river as well as urban flooding during storms, this equipment will be vital in improving our service to the citizens we serve as well as it will provide a safer platform to do the duties	
This would have a direct impact on more than ____ children in our community.		This would have a direct impact on more than ____ senior citizens in our community.	
What materials are you requesting for your department? Field not required for this category of request			
What is the amount of funding you are requesting? Field not required for this category of request	Please provide a detailed description of how the funding will assist your department: Field not required for this category of request		

COMMUNITY IMPACT

Have you successfully reached out to the city for funds to purchase the equipment? Yes. We have submitted requests for water rescue / boat packages over the last several budget years and these requests have been denied due to other town departments needs specifically due to the rapid growth of our What positive effects will the equipment specifically have? Please use statistics when possible. The positive effects this equipment will have is the added safety platform for our personnel to work from and the response time reduction to deploy a	Was there a particular instance where a life would have been positively impacted if you would have had the equipment available? Yes. There have been a few recent incidents where a motorized boat would have positively impacted lives. One was during Hurricane Matthew where a vehicle was stranded in the roadway when the road washed out from under it. The vehicle was approximately 300 yards away from dry land and the area (depth and speed) of water was unknown and the rescue crew had to wade out into the water with the unknowns of depth and speed. Another
---	--

FIREHOUSE SUBS RELATIONSHIP

Address of Firehouse Subs location nearest you. 476 Shotwell Rd, Clayton NC 27520		How far is this location from your department? 1.20 Miles
How did you hear about our organization? Local Firehouse Subs location Franchisee - Paul Meador	Has your department received funding from Firehouse Subs Public Safety Foundation in the past? No	

If approved for funding, we will host a press event at the Firehouse Subs restaurant nearest you. We ask that all PR be coordinated by our Foundation, but of course we will work in conjunction with your PR team as well as the PIO of your department.

Initial Acceptance Jason Dean	PIO Email: sbearde@townofclaytonnc.org
PIO (Public Information Officer) Name: Stacy Beard	PIO Phone Number: 919-359-9358

Please note, there are different categories of funding within the grant application, therefore the printed PDF document may contain some open blank fields.

Please do not contact the Foundation if fields appear blank.

BUILDING A WORLD OF DIFFERENCE

16 April 2018

Electric Cost of Service and Rate Study *Town of Clayton, North Carolina*

Craig Brown
Principal Consultant

BUILDING A WORLD OF DIFFERENCE®
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Agenda

- Overview of Rate Study Process
- Key Outcomes of the Electric Study
- Phase 1 - Revenue and Revenue Requirements
- Phase 2 - Cost of Service Allocation
- Phase 3 - Rate Design
- Questions

Revenue Requirements

- Compares the revenues of the utility to its expenses to determine the overall level of rate adjustment

Cost of Service

- Equitably allocates the revenue requirements between the various customer classes of service

Rate Design

- Design rates for each class of service to meet the revenue needs of the utility, along with any other rate design goals and objectives

16 April 2018

The Rate Study Process

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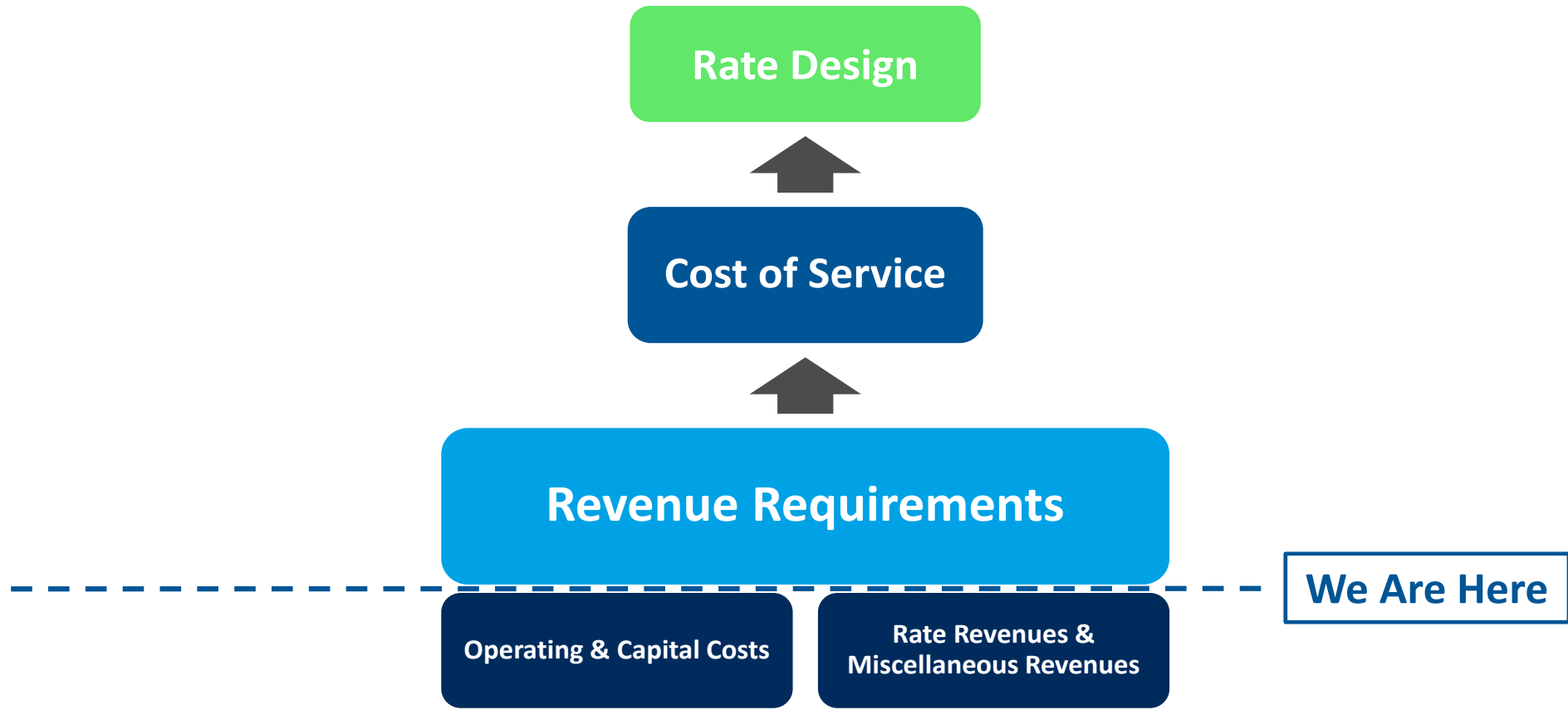


BLACK & VEATCH

Key Goals of the Electric Study

- Prepare a 5-year Financial Forecast
- Develop an understanding of the impact of planned NCEMPA power supply rate increases
- Conduct an allocated cost of service study to evaluate appropriateness of current rate charges by class
- Review current rate structure and consider adjustments to meet City's goals
- Have an Excel-based model for future updates





Phase 1 - Revenue and Revenue Requirements



Projected Energy Sales and Revenue Under Existing Rates

Energy (kWh)	2019	2020	2021	2022	2023
Rs - Residential	68,077,873	70,120,209	72,223,815	74,390,529	76,622,245
Gs - Small General Service	6,783,764	6,851,602	6,920,118	6,989,319	7,059,212
Gm - Medium General Service	20,039,383	20,440,171	20,848,974	21,265,953	21,691,272
Cp - Coincident Peak	4,625,153	4,625,153	4,625,153	4,625,153	4,625,153
Gt - General Service Time of Use	585,480	585,480	585,480	585,480	585,480
Al - Area Lights	238,307	240,423	242,538	244,654	246,769
SL - Street Lights	1,363,371	1,376,564	1,390,361	1,404,981	1,419,602
Is - Institutional Service	1,750,148	1,767,650	1,785,326	1,803,179	1,821,211
City Usage	6,929,118	6,998,409	7,068,393	7,139,077	7,210,468
Total Energy	110,392,597	113,005,661	115,690,158	118,448,325	121,281,412

Revenue	2019	2020	2021	2022	2023
	\$	\$	\$	\$	\$
Rs - Residential	\$8,792,785	\$9,056,554	\$9,328,285	\$9,608,121	\$9,896,373
Gs - Small General Service	\$876,026	\$884,712	\$893,479	\$902,325	\$911,433
Gm - Medium General Service	\$2,042,947	\$2,083,541	\$2,124,945	\$2,167,169	\$2,210,235
Cp - Coincident Peak	\$399,267	\$399,267	\$399,267	\$399,267	\$399,267
Gt - General Service Time of Use	\$68,349	\$68,349	\$68,349	\$68,349	\$68,349
Al - Area Lights	\$79,041	\$79,703	\$80,364	\$81,025	\$81,687
SL - Street Lights	\$110,569	\$111,639	\$112,758	\$113,944	\$115,130
Is - Institutional Service	\$198,400	\$200,345	\$202,308	\$204,292	\$206,295
City Usage	\$569,271	\$574,891	\$580,567	\$586,299	\$592,089
Total Revenue	\$13,136,657	\$13,459,001	\$13,790,322	\$14,130,791	\$14,480,858

- **3% Residential Customer Growth**
- **1-2% Growth for Other Classes**



Revenue Requirements

Description	2019	2020	2021	2022	2023
Power Supply	9,353,800	9,884,000	10,264,800	10,441,900	10,636,500
Total O&M	2,989,077	3,078,753	3,171,113	3,266,248	3,364,235
Debt Service	723,150	581,796	442,392	434,937	427,483
Capital Outlay	700,000	700,000	700,000	750,000	850,000
Gross Revenue Requirements	13,766,027	14,244,549	14,578,305	14,893,085	15,278,218
Less Other Revenue	(410,777)	(423,100)	(435,796)	(448,871)	(462,338)
Net Revenue Requirements	13,355,250	13,821,449	14,142,509	14,444,214	14,815,880

Largest cost increase is in Power Supply



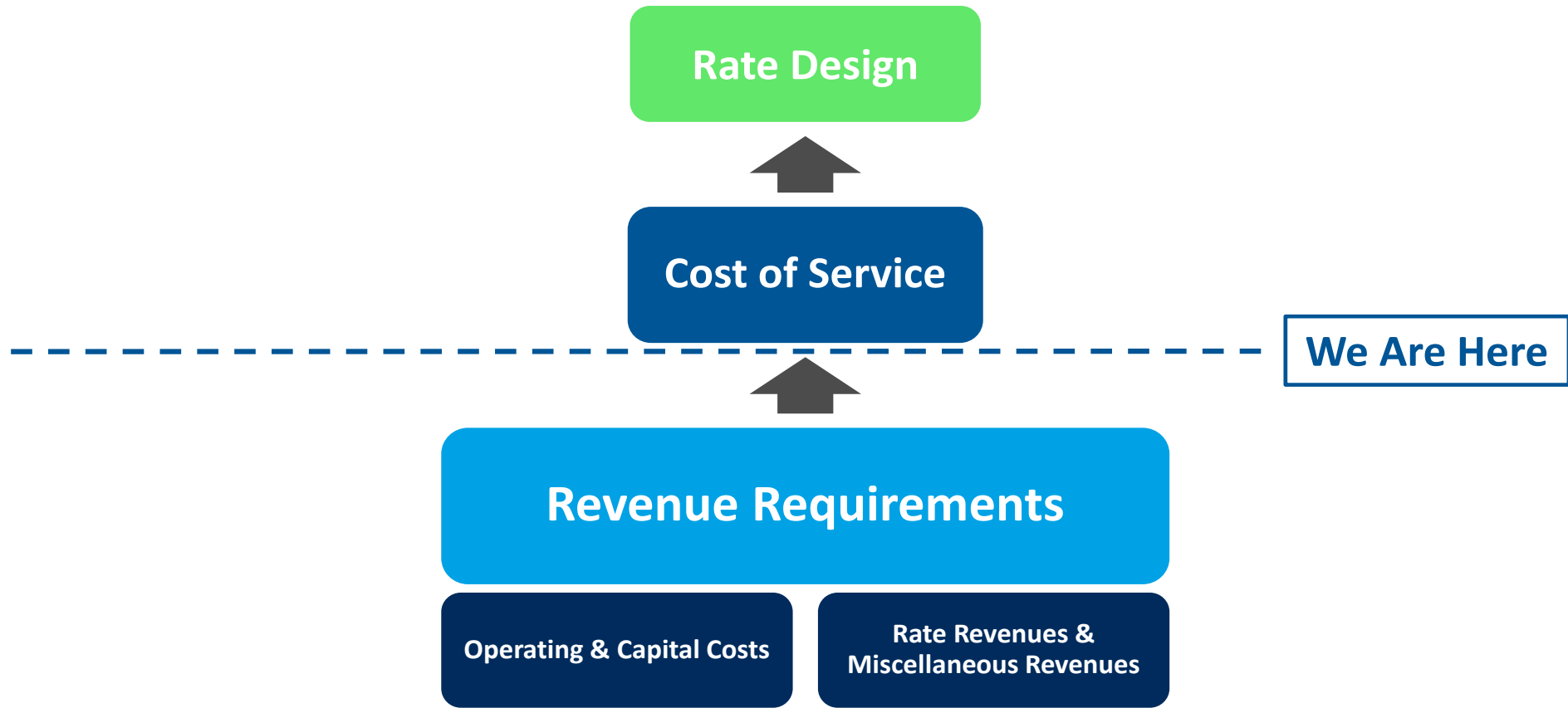
Key Financial Metrics Under Existing Rates

Description	2019	2020	2021	2022	2023
Total Rate Revenue Under Existing Rates	13,136,657	13,459,001	13,790,322	14,130,791	14,480,858
Net Revenue Requirements	13,355,250	13,821,449	14,142,509	14,444,214	14,815,880
Annual Operating Balance	(218,593)	(362,447)	(352,186)	(313,423)	(335,021)
Debt Service Coverage	2.90	2.99	3.48	3.58	3.66
Days Cash on Hand	128	112	98	88	77



Proposed Rate Adjustments and Key Financial Metrics

Description	2019	2020	2021	2022	2023
Proposed Rate Adjustments	3.00%	0.00%	0.00%	0.00%	0.00%
Total Rate Revenue Under Proposed Rates	13,530,757	13,862,801	14,204,022	14,554,691	14,915,258
Net Revenue Requirements	13,355,250	13,821,449	14,142,509	14,444,214	14,815,880
Annual Operating Balance	\$175,507	\$41,353	\$61,514	\$110,477	\$99,379
Debt Service Coverage	3.55	3.96	4.97	5.31	5.64
Days Cash on Hand	139	134	131	131	131



Phase 2 - Cost of Service Allocation

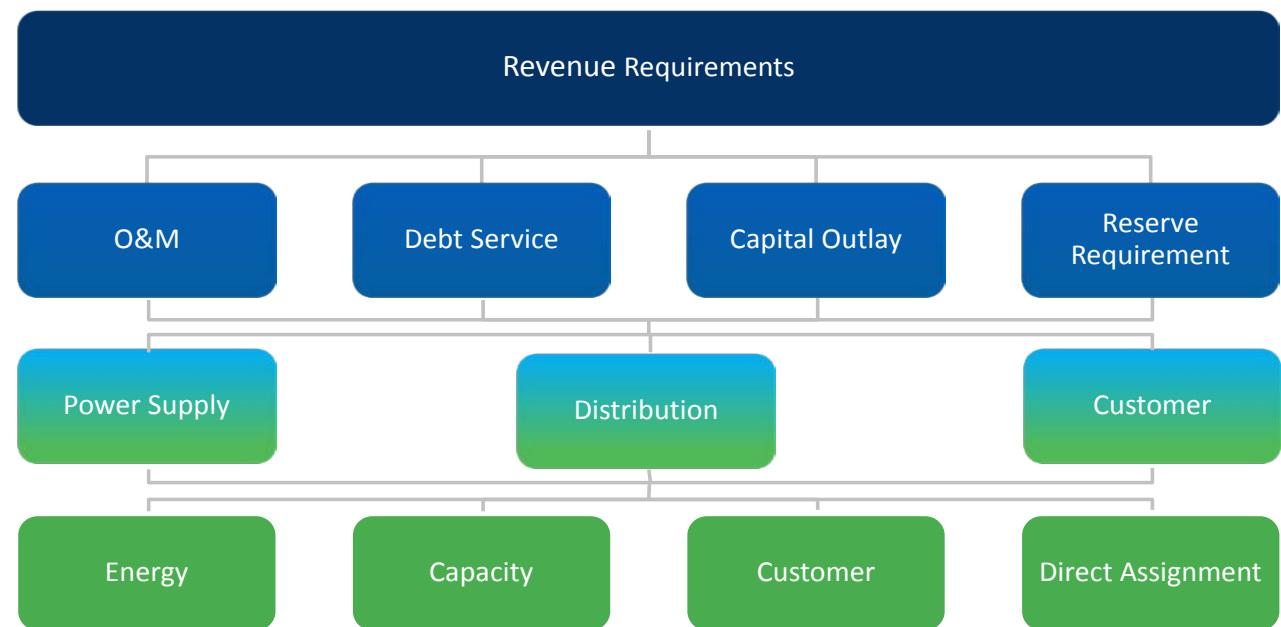
Cost Allocation Approach

Revenue Requirements Established
by the Financial Plan

Budget Basis

Functions

Classification



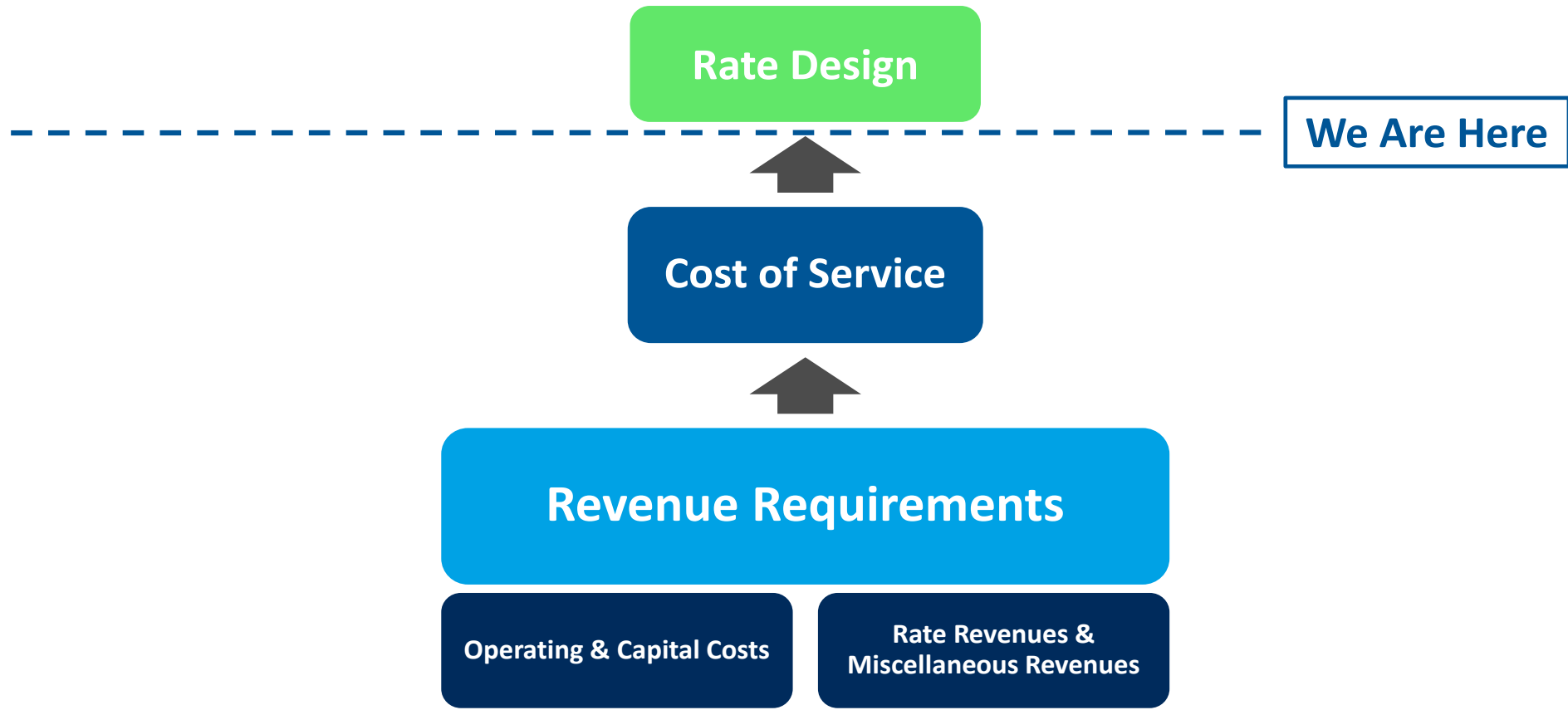
Transition from Budget Format to Cost Drivers



Summary of Cost of Service by Rate Class

Line	Description	[A]	[B]	[C]		[D]
		Revenue Under	Unbundled	(Over)/Under Recovery		
		Existing Rates	COS	Amount	Percent	
		\$	\$	[B] - [A]	[C] / [A]	
1	Rs - Residential	\$8,792,785	\$9,107,189	\$314,404	3.6%	
2	Gs - Small General Service	\$876,026	\$908,220	\$32,194	3.7%	
3	Gm - Medium General Service	\$2,042,947	\$2,067,066	\$24,119	1.2%	
4	Cp - Coincident Peak	\$399,267	\$380,470	(\$18,797)	-4.7%	
5	Gt - General Service Time of Use	\$68,349	\$71,075	\$2,726	4.0%	
6	Al - Area Lights	\$79,041	\$52,990	(\$26,051)	-33.0%	
7	SL -Street Lights	\$110,569	\$131,990	\$21,421	19.4%	
8	Is - Institutional Service	\$198,400	\$203,013	\$4,613	2.3%	
9	City Usage	<u>\$569,271</u>	<u>\$608,744</u>	<u>\$39,473</u>	6.9%	
10	TOTAL SYSTEM	\$13,136,657	\$13,530,757	\$394,100	3.0%	





Phase 3 - Rate Design

Primary Rate Design Objectives

- Understand the unit cost elements of energy, capacity, and customer costs
- Directionally move towards a more fixed costs recovered through fixed charges
- No major structural changes to rate design or rate classes



Recommended Rate Adjustments by Class

BASE RATE SUMMARY	Indicated Rate Adjustment	2019
Rs - Residential	3.6%	3.1%
Gs - Small General Service	3.7%	3.1%
Gm - Medium General Service	1.2%	3.1%
Cp - Coincident Peak	-4.7%	0.0%
Gt - General Service Time of Use	4.0%	3.1%
Al - Area Lights	-33.0%	3.1%
SL -Street Lights	19.4%	3.1%
Is - Institutional Service	2.3%	3.1%
City Usage	6.9%	3.1%
	3.0%	3.0%



Proposed Rates – Residential

Rate Class: Rs - Residential

Description	Present Rate	Recommended Rate
Customer Charge (\$/bill)		
Single Phase Service Customer	\$ 6.95	\$ 12.75
Three Phase Service Customer	\$ 10.20	\$ 16.00
Energy Charge (\$/kWh)		
Single Phase Service Customer	\$ 0.12180	\$ 0.11967
Three Phase Service Customer	\$ 0.12180	\$ 0.11967



Typical Bill Comparison

Typical Customer Bills under Existing and Recommended Rates All Rate Classes

Rate Class			Existing	Recommended		
	Energy	Demand	Bill	Bill	Change	Change
	kWh	kW	\$	\$	\$	%
Monthly						
Rs - Residential Single Phase Service Custom	750		\$98.30	\$102.50	\$4.20	4.28%
Rs - Residential Single Phase Service Custom	1,000		\$128.75	\$132.42	\$3.67	2.85%
Rs - Residential Single Phase Service Custom	1,500		\$189.65	\$192.26	\$2.60	1.37%
Rs - Residential Single Phase Service Custom	2,000		\$250.55	\$252.09	\$1.54	0.61%
Gs - Small General Service	1,000		\$139.71	\$144.26	\$4.55	3.3%
Gs - Small General Service	1,500		\$184.92	\$190.50	\$5.58	3.0%
Gs - Small General Service	2,500		\$275.35	\$282.98	\$7.62	2.8%
Gs - Small General Service	5,000		\$543.35	\$557.71	\$14.35	2.6%
Gs - Small General Service	8,000		\$780.11	\$800.71	\$20.59	2.6%
Gs - Small General Service	15,000		\$1,332.55	\$1,367.71	\$35.15	2.6%
Gm - Medium General Service	10,000	25	\$991.60	\$1,022.95	\$31.35	3.2%
Gm - Medium General Service	15,000	40	\$1,496.30	\$1,540.45	\$44.15	3.0%
Gm - Medium General Service	15,000	50	\$1,571.90	\$1,624.55	\$52.65	3.3%
Gm - Medium General Service	30,000	75	\$2,934.80	\$3,008.85	\$74.05	2.5%
Gm - Medium General Service	30,000	100	\$3,123.80	\$3,219.10	\$95.30	3.1%
Gm - Medium General Service	50,000	110	\$4,764.60	\$4,868.60	\$104.00	2.2%
Gm - Medium General Service	50,000	150	\$5,067.00	\$5,205.00	\$138.00	2.7%
Gm - Medium General Service	75,000	150	\$7,023.50	\$7,161.75	\$138.25	2.0%



Summary

- **NCEMPA power supply charges are putting upward pressure on rates**
 - Rate design change in 2018 increased Clayton's costs
 - 3.0% rate increases in 2019 and 2020 must be recovered
- **Decreases in debt service in 2020 and 2021 will partially offset the increased power supply costs**
- **Current rates result in a negative annual operating balance – which leads to declining financial metrics.**
- **A one-time 3.0% rate increase is needed starting June 1, 2018.**



Recommendation

- Approve a 3.0% rate increase for the electric utility effective June 1, 2018 as presented in the Black & Veatch draft report *Electric Cost of Service and Rate Study*, dated April 4, 2018.



Questions



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16 April 2018



BLACK & VEATCH

PUBLIC NOTICE

In accordance with NC GS 159B-16.1 the Clayton Town Council will hold a public hearing on May 21, 2018 at 6:00 p.m. at Town Hall, 111 East Second Street, to receive public comment on the proposed electric rate increase.

This is an open meeting and citizens are invited to attend.

Kimberly A. Moffett, CMC, NCCMC
Town Clerk
919-553-5002

News & Observer (Clayton)

Please advertise on the following dates:

May 11, 2018

May 18, 2018

Affidavit of publication required.



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

New Business

Item Title

Fire Department Skid Unit

Presenter *Lee Barbee, Fire Chief*

Summary/Description

The Fire Department has a Brush Truck Skid Unit that was taken out of service last year due to operational changes. Four Oaks Fire Department is in need of a replacement skid unit due to theirs being out of service. We are requesting to surplus this piece of equipment.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Letter from Four Oaks Fire Department, Fire Chief Barry Stanley

Four Oaks Fire Department
P.O. Box 691
Four Oaks, NC 27524



Phone: (919) 963-2039
Fax: (919) 963-3351
www.fouroaksfire.com

April 12, 2018

Chief Lee Barbee
Clayton Fire Department
325 West Horne Street
Clayton, NC 27520

Re: Brush Skid Unit

Dear Mr. Barbee,

The Four Oaks Fire Department would like to express its interest in the Bush Skid Unit that the Clayton Fire Department has available. The department is would like to present an offer of \$1,000 for the unit and would be willing to take ownership at your earliest convenience.

Please let me know if these conditions are acceptable or if you would like to discuss any additional terms or conditions. I look forward to hearing from you.

Respectfully,

A handwritten signature in black ink that reads "Barry Stanley". The signature is written in a cursive style with a large, stylized "B" and "S".

Chief Barry Stanley
Four Oaks Fire Department

RESOLUTION DECLARING CERTAIN REAL PROPERTY SURPLUS

WHEREAS, the below described property is no longer necessary, useful or suitable for the Town of Clayton purposes.

NOW THEREFORE BE IT RESOLVED that the following property be declared surplus and disposed of according to North Carolina General Statute 160A-280, including disposal, donation and or sale:

Bush Truck Skid Unit

BE IT FURTHER RESOLVED that the Mayor, Town Manager and Finance Officer may do all acts necessary to dispose of said property according to the North Carolina Law.

Duly adopted this the 7th day of May, 2018 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

April 16 2018

Agenda Location

New Business

Item Title

Floodplain Damage Prevention Code Update

Presenter *(Name & Title)*

Rich Cappola, P.E. – Director of Engineering & Inspections

Summary/Description

Update to Chapter 151, Flood Damage Prevention Code, of the Town of Clayton Code of Ordinances to adopt the updated Flood Insurance Rate Mapping (FIRM) as required to maintain participation in the National Flood Insurance Program. (NFIP). Maps can be viewed on the North Carolina Flood Mapping Program website at www.ncfloodmaps.com using the Flood Risk Information System (FRIS) viewer.

Action must be taken by Town Council by June 20, 2018 to remain a participant in the program. It is requested that a Public Hearing be held at the June 4, 2018 Town Council Meeting with potential action to adopt that evening.

Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet

-Updated Ordinance
-FEMA Letter



FEMA

MAR 20 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jody McLeod
Town Manager
Town of Clayton
Post Office Box 879
Clayton, North Carolina 27520

Dear Ms. McLeod:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for the Town of Clayton, North Carolina, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on June 20, 2018; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(d).

As noted in FEMA's letter dated December 20, 2017, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Johnston County. Therefore, the Town of Clayton should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for the Town of Clayton will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the North Carolina Department of Public Safety, Risk Management Section. You may contact John D. Brubaker, P.E., CFM, the NFIP State Coordinator, by telephone at (919) 825-2300, in writing at 4218 Mail Service Center, Raleigh, North Carolina 27699-4218, or by electronic mail at dan.brubaker@ncdps.gov.

The FEMA Regional staff in Atlanta, Georgia, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for the Town of Clayton and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (770) 220-5200 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region IV, at 3003 Chamblee Tucker Road, Atlanta, Georgia 30341.

www.fema.gov

Jody McLeod

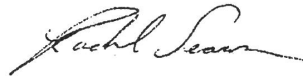
MAR 20 2018

Page 2

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until June 20, 2018, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by June 20, 2018. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,



Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

cc: Gracia Szczech, Regional Administrator, FEMA Region IV
John D. Brubaker, P.E., CFM, NFIP State Coordinator, North Carolina Department of Public
Safety, Risk Management Section
Tim Simpson, Public Works Director, Town of Clayton

NOTICE OF PUBLIC HEARING The Clayton Town Council will hold a public hearing on Monday, June 4, 2018 at 6:00 p.m. at Town Hall, 111 East Second Street, Clayton, NC. The purpose of the public hearing is to receive public comment and discussion on a proposed amendment to the Town of Clayton Code of Ordinance, Chapter 151, as it relates to the Flood Damage Prevention Ordinance as well as adoption of the new Flood Insurance Rate Map panels as found on the North Carolina Floodplain Mapping Program website at <http://fris.nc.gov/FRIS/> dated as preliminary on April 30, 2014. A copy of the proposed ordinance amendment may be obtained by visiting the Town of Claytons' website at /portal/ (See June 4, 2018 Town Council Meeting Agenda) or by contacting the Town of Clayton Engineering Department located at 111 East Second Street, Clayton NC between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or call 919-553-5002. Citizens may also contact the Town of Clayton Engineering Department for assistance with viewing the Flood Insurance Rate Maps. Maps will be effective June 20, 2018. Please be advised that the Council may choose to take action on the proposed ordinance amendment as well as the Flood Insurance Rate Maps following the public hearing.

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

Rich Cappola, Town Engineer
919-553-5002

.....
Ads to Run:

May 11, 2018

May 25, 2018



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

New Business

Item Title

Request for resolution recognizing National Police Week 2018

Presenter *(Name & Title)*

Chief Blair Myhand

Summary/Description

National Police Week is a memorial celebration for all law enforcement officers killed in the line of duty since the country's beginning. It is recognized during the week where May 15th falls every year. We are asking that the council once again adopt a resolution recognizing May 13-19, 2018 as National Police Week.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Proclamation

WHEREAS, the Clayton Town Council wishes to recognize National Police Week 2018 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy; and

WHEREAS, there are more than 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Clayton Police Department; and

WHEREAS, there have been 58,627 assaults against law enforcement officers in 2016, resulting in approximately 16,677 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including Patrol Officer Charles Lee, Patrol Officer Ray Gilmore and Lieutenant Monica Carey of the Clayton Police Department; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, 360 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 129 officers killed in 2017 and 231 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 30th Annual Candlelight Vigil, on the evening of May 13, 2018; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that the Clayton Town Council formally designate May 13-19, 2018, as Police Week in the Town of Clayton, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Duly adopted this the 7th day of May, 2018 while in regular session.

Jody McLeod
Mayor



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Consent Agenda

Item Title

2017-195-RZ Recovery Logistics, schedule public hearing

Presenter *(Name & Title)*

Planning Dept.

Summary/Description

Proposed rezoning from R-10 to I-1 (light industrial). The property is located south of Atkinson Street, and adjacent to 350 Atkinson Street. It generally winds along the creek that runs between the current industrial properties on Atkinson Street and the residential properties on Moore Street..



Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Maps
Neighborhood Meeting Materials
Planning Board recommendation



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

REZONING APPLICATION

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

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

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

SITE INFORMATION

Name of Project: Recovery Logistics Acreage of Property: 2.34 acres (approx.)
County Tag Number: 05026095E NC PIN: 165915-74-4561
Address/Location: South side of Atkinson Street, adjacent to 350 Atkinson Street
Existing Zoning District: R - 10
Proposed Zoning District: I - 1

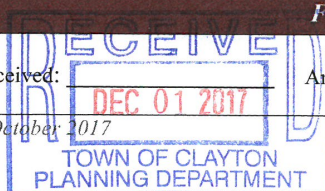
APPLICANT INFORMATION

Applicant: Dalton Engineering and Associates, P.A.
Mailing Address: Post Office Box 426 Clayton, North Carolina 27528
Phone Number: (919) 550 - 4740 Fax: (919) 550 - 4741
Contact Person: Jerry T. Dalton
Email Address: jdalton@daltonengineering.com

FOR OFFICE USE ONLY

Date Received: DEC 01 2017 Amount Paid: \$600 File Number: 2017-195-RZ

October 2017



Page 1 of 10

PROPERTY OWNER INFORMATION

Name: G. T. Page, Jr.

Mailing Address: 119 Palace Grn. Cary, North Carolina 27511-9762

Phone Number: Unknown

Fax: Unknown

Email Address: Unknown

EXPLANATION OF PROJECT

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

The Developer of the subject parcel is requesting the rezoning of the +/- 2.34 acres to I - 1.

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			For staff use only:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>11/20/17</u>	•				
2. Review Fee (\$500 for standard rezoning <u>OR</u> \$1,000 + \$5.00/acre for Planned Developments) and Advertisement Fee (\$100)	•				
3. Completed application	•				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	•				
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).					
6. <i>If property to be rezoned is a portion of a parcel:</i> - Property legal description typed (10 pt. font or greater, and also submitted electronically in MS Word format.) - Plat showing property to be rezoned, matching legal description.		•			
7. Adjacent property owners list	•				
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>					
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	•				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.
The subject parcel is located within an 'Employment Center' of the Town of Clayton's Future Land Use Plan. Industrial District zoning is allowed within 'Employment Center' designated areas.
2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
The subject parcel is located directly adjacent to properties that are currently zoned within the Industrial District. Properties located to the Northwest and Southwest of the subject parcel, adjacent to Atkinson Street and Bartex Mill Street, are zoned I -1.
3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The proposed change would allow the subject parcel to be developed for an Industrial Use. Currently, there is a similar use (outdoor storage and parking area) located directly adjacent to the proposed project on the South side of Atkinson Street.
4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.
The capacity of public facilities is adequate to support the anticipated use of the proposed project. Any additional driveway connections to Atkinson Street would require a Driveway Access Permit to be approved by the Town of Clayton.
5. It has been determined that the legal purposes for which zoning exists are not violated.
The subject parcel is proposed to be zoned I - 1 and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.
6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.
The subject parcel is proposed to be zoned I - 1 and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code. No adverse effects upon adjoining properties are expected. The existing riparian buffers located on the parcel would remain.
7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
The development of the subject parcel would be beneficial to the Town of Clayton as well as the surrounding area.

APPLICANT AFFIDAVIT

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

Dalton Engineering and Associates, P.A.

JERRY DARTON
Print Name


Signature of Applicant

12/1/17
Date



TOWN OF CLAYTON
Engineering & Inspections
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

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

Project Name: Recovery Logistics Address or PIN #: 165915-74-4561

AGENT/APPLICANT INFORMATION:

Dalton Engineering and Associates, P.A.
(Name - type, print clearly)

Post Office Box 426
(Address)
Clayton, North Carolina 27528
(City, State, Zip)

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

Rezoning Application

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

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

OWNER AUTHORIZATION:

WFCLHK Properties LLC
(Name - type, print clearly)

8620 River Rd.
(Address)

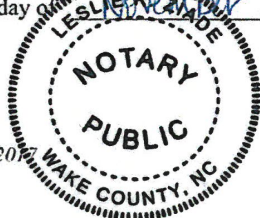
[Signature]
(Owner's Signature)

Wilmington NC 28412
(City, State, Zip)

STATE OF NC
COUNTY OF Wake

Sworn and subscribed before me
the 30 day of November, 20 17.

SEAL



October 2017

a Notary Public for the above State and County, this

[Signature]
Notary Public
My Commission
Expires: 5/14/2022

Page 10 of 10



TOWN OF CLAYTON
Engineering & Inspections
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

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Rezoning Application

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OWNER AUTHORIZATION:

WFCLHK Properties LLC
(Name - type, print clearly)

8630 River Rd.
(Address)

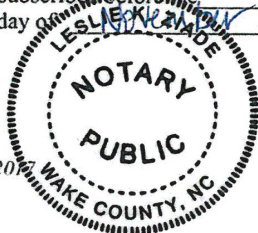
[Signature]
(Owner's Signature)

Wilmington NC 28412
(City, State, Zip)

STATE OF NC
COUNTY OF Wake

Sworn and subscribed before me
the 30 day of November, 20 17.

SEAL



October 2017

, a Notary Public for the above State and County, this

[Signature]
Notary Public
My Commission
Expires:

5/14/2022

Page 10 of 10

ADJACENT PROPERTY OWNERS LIST

Project Name: **Recovery Logistics**

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

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

PARCEL NUMBER	NAME	ADDRESS
165915-74-4851	John and Zan Lipscomb	3409 Barber Mill Rd Clayton, NC 27520
165916-74-6703	Jerry C and Jacalyn P Creech	2000 Forest Dr Clayton, NC 27520
165916-74-6507	Eugene Broadwell	707 W Horne St Clayton, NC 27520
165916-74-6685	Olie Eugene and Lea Broadwell	707 West Horne St Clayton, NC 27520
165916-74-6580	Miles M Mercer	306 S Moore St Clayton, NC 27520
165911-75-3120	Fellowship Baptist Church	PO Box 535 Clayton, NC 27528
165916-74-5491	Patricia Dean Life Estate, Oneta Nichols Remainder	310 Moore St Clayton, NC 27520
165916-74-7566	Gaile M Detellem	302 Moore St Clayton, NC 27520
165915-74-0017	SML RFID Technology LLC	PO Box 129 Clayton, NC 27528
165916-74-6897	Jerry and Jacalyn Creech	2000 Forest Dr Clayton, NC 27520
165915-74-4390	Christopher Todd and Deanne S Moore	1947 Shotwell Rd Clayton, NC 27520
165915-74-4223	Christopher Todd and Deanne S Moore	1947 Shotwell Rd Clayton, NC 27520
165915-74-0831	WFCLHK Properties LLC	8640 River Rd Wilmington, NC 28412
165916-74-6935	Rent to Own Realty LLC	2800 Peachleaf St Raleigh, NC 27614
165915-74-4375	Lynn A Sprague	PO Box 183 Waynesville, NC 28786
165916-74-7862	James C and Pearl Williams	206 S Moore St Clayton, NC 27520



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

*Planning Board
January 22, 2018*

STAFF REPORT

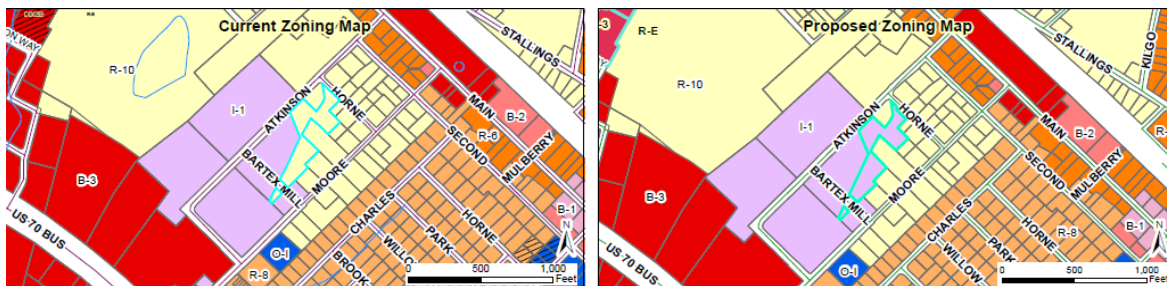
Application Number: 2017-195-RZ Project Name: Recovery Logistics, Rezoning

NC PIN / Tag #: 165915-74-4561 / 05026095e
Town Limits/ETJ: Town limits
Overlay: none.
Applicant: Dalton Engineering & Associates, PA
Owner: G.T. Page Jr.
Location: The property is located south of Atkinson Street, and adjacent to 350 Atkinson Street. It generally winds along the creek that runs between the current industrial properties on Atkinson Street and the residential properties on Moore Street.

Public Noticing:

- Neighborhood meeting January 2, 2018
- Site posted January 16, 2018
- Letters mailed prior to February 23, 2018
- Newspaper ad posted the two Fridays prior to the Hearing (starting February 23, 2018)

REQUEST: Rezoning from Residential-10 (R-10) to Light Industrial (I-1).



SITE DATA:

Acreage: 2.3 acres
Existing Use: Vacant

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Light Industrial and Residential-10	Warehouse, Residential, and Church
South	Residential-10 and Light Industrial	Single Family and Multi-family Residential, and Self-Storage Facility
East	Residential-10	Single Family and Multi-family Residential
West	Light Industrial	Warehouse, Outdoor Storage, and [indoor] Manufacturing

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting to rezone 2.3 acres from Residential-10 (R-10) to Light Industrial (I-1). The property is vacant, and winds along with a small creek that runs between residential and industrial uses. It currently acts as a de-facto buffer between the two uses. The parcel is unique in that it has frontage on three different Town-owned roads, is split by Bartex Mill Street, and meanders behind 10 different properties (seven of which are zoned residential). The same creek has been marked as a buffered stream on a site plan for the outdoor storage area that currently exists on the adjacent property.



Existing vs. Proposed Zoning

The following uses are typical (but not exhaustive) of the existing zoning district: Residential-10 (R-10). The R-10 zoning district is also the district that is directly adjacent to the north and east of the subject parcel.

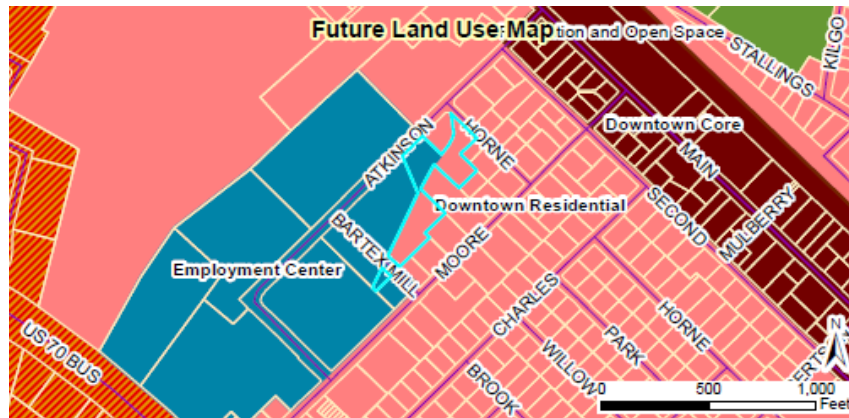
- Single Family Home
- Zero Lot Line Home
- Golf Course
- NOTE: Apartments and Townhomes are permitted in the R-10 zoning district via a Special Use Permit.

The following uses are typical (but not exhaustive) of the proposed zoning district: Light Industrial, (I-1). The existing industrial properties to the west and south of the subject parcel are also zoned I-1.

- Technical or Trade School
- Indoor or Outdoor Entertainment
- Fitness / Recreation Center
- Contractor Office
- Convenience Store / Gas Station
- Cocktail Lounge / Bar
- Microbrewery,
- Publisher
- General Offices
- Pawn Shop
- Radio or Television Studio
- Retail Sales
- Self-storage Facility
- Vehicle Sales, Rental, Repair, or Service
- Building Supply / Wholesale
- Crematorium
- Gas and Fuel Wholesale
- Research Laboratory
- Light Manufacturing (with activities generally occurring indoors only)
- Research and Development
- Warehousing / Freight Movement
- Major Utility

Consistency with the Comprehensive Plan 2040

The property is identified in the adopted Future Land Use Map partially as Downtown Residential (generally the part of the property east of the creek and adjacent to residential properties) and partially as Employment Center (generally the part of the property west of the creek and adjacent to the existing industrial properties). Areas identified as Employment Center are designated as consistent with the Light Industrial rezoning request. Areas identified as Downtown Residential are not designated as consistent with the Light Industrial rezoning request.



The following table identifies which zoning districts are consistent with the Future Land Use Map categories (designations).

Future Land Use Designation	COMPATIBLE ZONING DISTRICTS												
	R-E	R-10	R-8	R-6	O-R	O-1	B-1	B-2	B-3	I-1	I-2	PF	PDD
ARR	X											X	
LDR	X	X										X	
MDR		X	X	X								X	
HDR			X	X								X	
DR			X	X	X	X	X					X	X
NC						X	X	X				X	X
CC								X	X			X	X
DC							X					X	X
EC									X	X	X	X	X
ROS												X	

Consistency with Overlay Districts

There are no overlay district that apply.

Compatibility with surrounding land uses and potential for adverse effects

The site is located on the border between a residential neighborhood and industrial facilities. The creek that runs through the property, and the fact that it is currently vacant have functioned as a de-facto landscape buffer between those two disparate uses. It is uncertain how much of the parcel is even available for development, given the nature of the creek and the requirements for stream buffers. If an industrial development were to occur on the properties, a landscaping buffer would be required on the Light Industrial zoned property, which would provide mitigation of adverse impacts to adjacent properties. The minimum size allowed by code for such a buffer would be a 10'-wide swath of landscaping.

Capacity/adequacy of public facilities and services

Adequate access to water, sewer, roads, and other facilities exists.

CONSIDERATIONS:

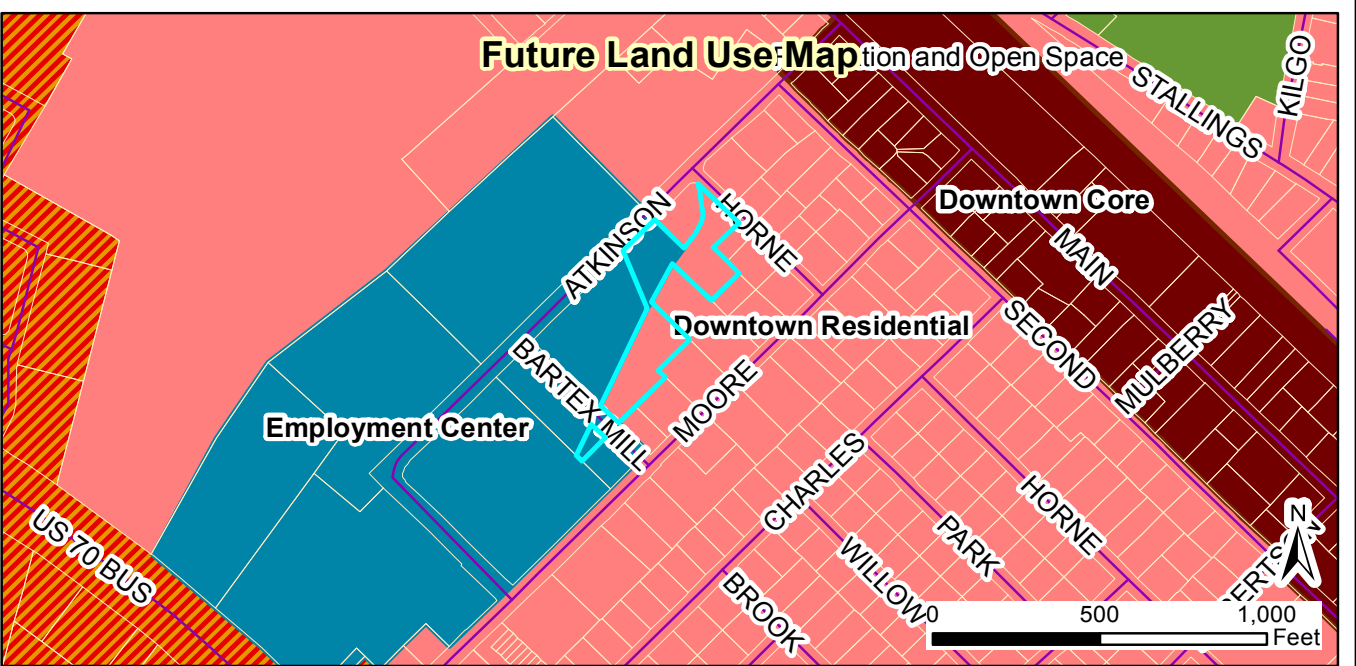
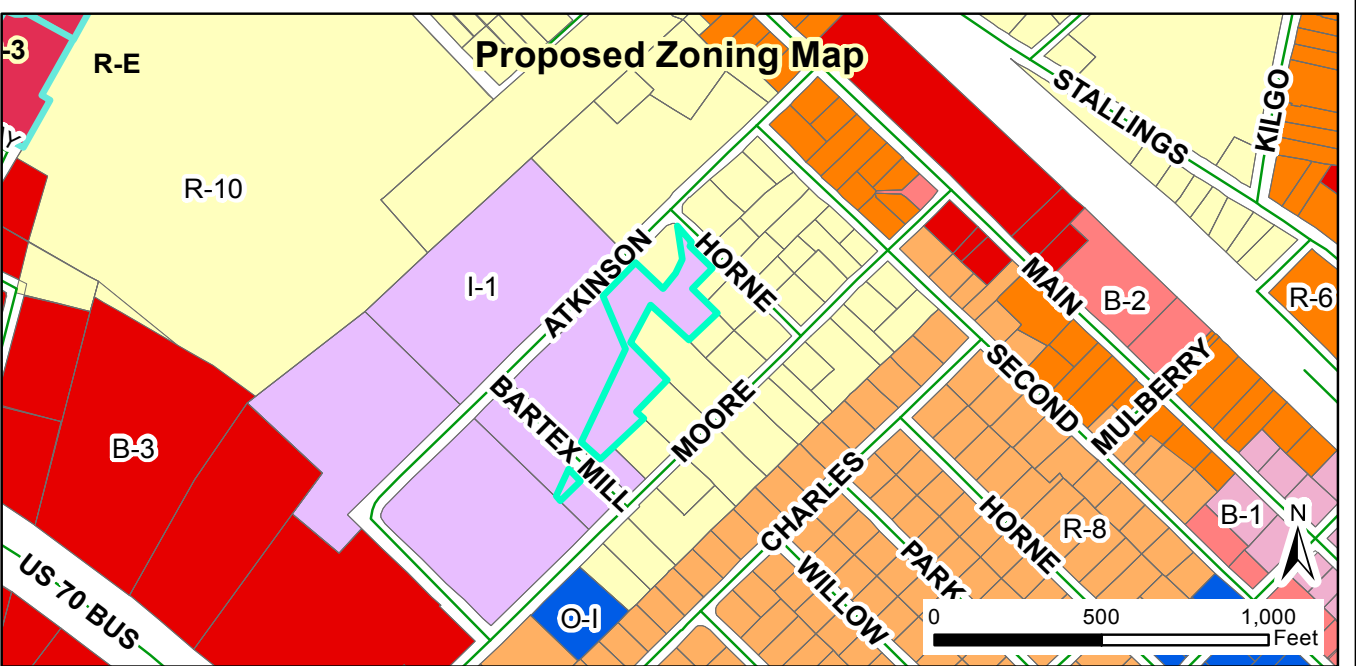
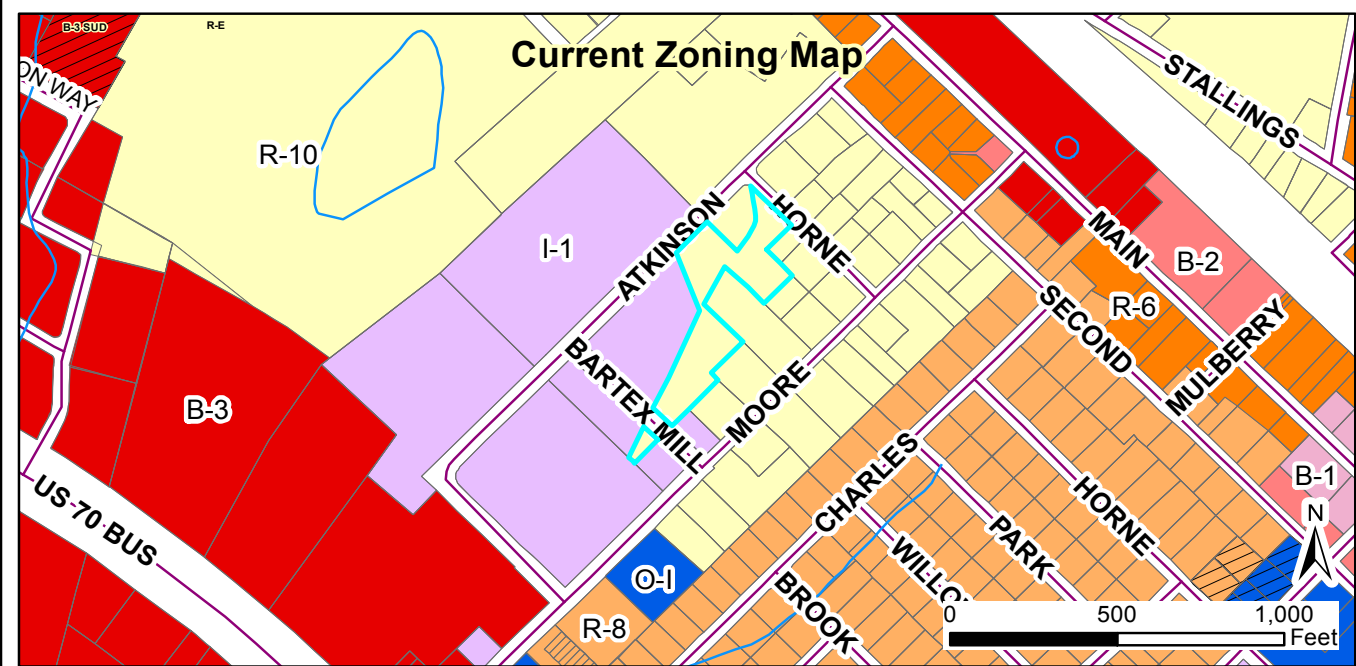
- Rezoning is legislative decisions and are made by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest. If the rezoning is approved and is in conflict with an adopted plan, the plan shall be amended to be consistent with the rezoning.
- In general, a parcel should not be split-zoned unless, per §155.704(A)(3), it is "possible to subdivide the and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements [of the Unified Development Code]". A subdivision and development of the property is possible is this proposed split-rezoning.

STAFF RECOMMENDATION:

- Approval of the rezoning of the property within the Employment Center Future Land Use category.
- Denial of the rezoning of the property within the Downtown Residential Future Land Use category.

ATTACHMENTS:

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



Request:
2017-197-RZ, Recovery Logistics rezoning from R-10 to I-1.

Applicant: Dalton Engineering and Assoc., PA
 Property Owners: G.T. Page Jr.
 Parcel ID: 165915-74-4561
 Tag #: 05026095e

Staff Report Map



Document Path: O:\PLANNING\REZONING\Rezoning\2017\2017-195-RZ Recovery Logistics\Map\Map - Recovery Logistics 2017-195-RZ.mxd

Legend

- 100-yr Flood Zone
- Thoroughfare Overlay
- Scenic Highway Overlay
- Watershed Protection Overlay
- Site

01/11/2018
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday, May 21, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider rezoning request 2.3 acres between Moore Street and Atkinson Street for parcel number(s) 165915-74-4561, all within the town limits. The requested change is from Residential-10 to Light Industrial.

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

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

Jay McLeod, Senior Planner
919-553-5002

Please advertise on the following dates:

May 11, 2018

May 18, 2018

Affidavit of publication required



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Consent Agenda

Item Title

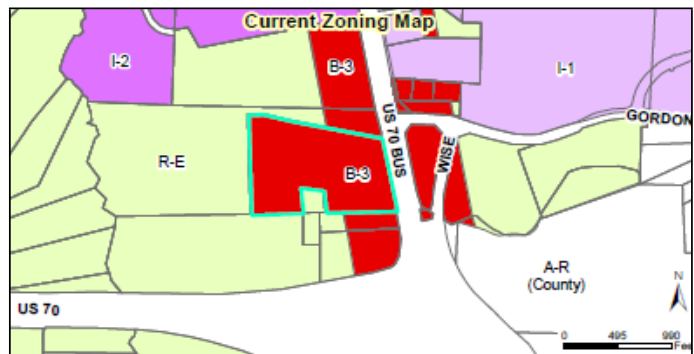
2017-209-SUP, Sunbelt Rentals Special Use Permit

Presenter *(Name & Title)*

Planning Dept.

Summary/Description

Special Use Permit request to allow "Vehicle Sales and Rental" in the Highway Business (B-3) zoning district. The property is 6.22 acres of a 23± acre tract. The site is the old Clayton Homes site at 7635 US Hwy 70 Bus. West.

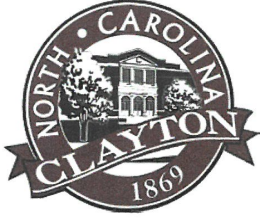


Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Maps
Neighborhood Meeting Materials
Planning Board recommendation



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL USE APPLICATION

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

Application Fee: \$400.00.

Advertisement Fee: \$100.00.

All fees are due when the application is submitted.

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

APPLICATION TYPE

☒ New Special Use Permit

☐ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: Clayton Homes Sunbelt Site Acreage of Property: 23.36 ac Total (6.00 ac SUP)

Parcel ID Number: 167700-26-7660 Tax ID: 4700370

Deed Book: 02251 Deed Page(s): 0242

Address/Location: 7635 US Highway 70 W Business, Clayton, North Carolina, 27520

Existing Use: Vacant Proposed Use: Equipment Sale/Rental

Is project within a Planned Development? ☒ No ☐ Yes

Planned Development District (if applicable): _____

Is project within an Overlay District: ☐ No ☒ Yes

Overlay District (if applicable): Scenic Highway Overlay

OFFICE USE ONLY

Date Received: DEC 22 2017

Amount Paid: \$500—

Permit Number: 2017-269-SUP

TOWN OF CLAYTON
PLANNING DEPARTMENT
RECEIVED

Page 1 of 9

PROPERTY OWNER INFORMATION

Name: CMH Homes, Inc. Att: Retail Properties Department #855

Mailing Address: PO Box 9790 Maryville, Tennessee 37802

Phone Number: (865) 380-3000

Fax:

Email Address:

APPLICANT INFORMATION

Applicant: Moffat Properties, LLC.

Mailing Address: 4901 Unicon Drive, Wake Forest, North Carolina 27587

Phone Number: (919) 669-7469

Fax:

Contact Person: Craig Moffat

Email Address: cmoffat@moffatproperties.com

REQUIRED INFORMATION (to be submitted with the application)

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

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: 11/29/17	☒	☐			
2. Review Fee (\$400) and Application Fee (\$100)	☒	☐			
3. Completed application (9 copies)	☒	☐			
4. Owner's Consent Form (9 copies)	☒	☐			
5. Adjacent property owners list (9 copies)	☒	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☒	☐			
7. Signed and sealed traffic impact analysis (2 copies)	☐	☒			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☒	☐			
9. Neighborhood meeting notice letter (9 copies) See sample letter and meeting requirements included in this packet	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) Form is included in this packet	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

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

REQUIRED FINDINGS OF FACT

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

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

At the time of the site plan submission, the proposed site use will be designed for no negative effect on the public health or safety as approved by a licensed professional engineer.

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

At the time of site plan submission, the proposed site use will be designed to the sound land use standards and the town's UDO.

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

At the time of this submission, the proposed use and improvements are anticipated to increase the value of the subject property and surrounding properties. The proposed use and rezoning is consistent with the zoning and uses of the adjacent parcels to the north of the subject parcel.

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

This site shall be developed according to the plans and policies of the Town of Clayton. Also, the neighboring properties to north have similar zoning and uses. The adjacent parcels to the rear (west) and south are agricultural. The proposed improvements shall incorporate adequate buffers to provide separation between the proposed use and the adjacent properties, per the Town of Clayton UDO.

EXPLANATION OF PROJECT

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

The proposed project consists of developing approximately 6 acres of the 23+ acre parcel for use as an equipment sales and rental facility. Similar facilities exist on the US Hwy 70 corridor and have been found to be appropriate for this overlay district. The adjacent parcels to the north and south are zoned B-3, which has been found to be in harmony with the surrounding parcels. Equipment sales & rental is allowed in B-3 zoning by special use permit only. Equipment Sales & Rental is allowable by-right in the light industrial districts. However, after meeting and discussing the property and use with Town Staff, it was decided that B-3 zoning, with a Special Use permit would be more favorable along this corridor, because of the other uses allowed in the light industrial zoning districts. As such, we are submitting this application for a Special Use Permit in conjunction with the Rezoning Application to rezone the property from B-2 (Neighborhood Business) to B-3 (Highway Business), which is consistent with the adjacent properties fronting US Hwy. 70.

APPLICANT AFFIDAVIT

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

Craig Moffat
Print Name

[Signature]
Signature of Applicant

11.20.17
Date

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

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

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information provided at the Neighborhood Meeting:

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

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

Information provided to Planning Department:

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Clayton Homes Sunbelt Site

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

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

PARCEL NUMBER	NAME	ADDRESS
167700-36-1001	Worth M. Pounds, Jr.	1899 Strickland Road, Clayton, North Carolina 27520
167700-25-6963	Smooch, LLC.	P.O. Box 2346, Smithfield, North Carolina 27577
167700-26-6270	Patricia Counts	221 E Stalling Street, Clayton, North Carolina 27520
167700-15-7659	Smooch, LLC.	P.O. Box 2346, Smithfield, North Carolina 27577
167700-16-9558	Helen P. Tuttle	P.O. Box 622, Clayton, North Carolina 27520
167700-46-3313	Young Family Irrevocable Trust & Jenny Y. Kelling	3739 National Drive, Suite 227, Raleigh, North Carolina, 27612
167700-36-7026	Johnston County	P.O. Box 1049, Smithfield, North Carolina 27577

SAMPLE NEIGHBORHOOD MEETING LETTER

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

<Date>

Dear Clayton Area Property Owner:

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

Meeting Date: _____ Meeting Time: _____

Meeting Location: _____

Type of Application: _____

Project/proposal property address: _____

Description of project/proposal: _____

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

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

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

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

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Dept.

Red Line Engineering, P.C.

"Engineering Relationships"

December 6, 2017

Dear Clayton Area Property Owner:

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

Meeting Date: December 19, 2017 **Meeting Time:** 7:30 pm
Meeting Location: The Clayton Center (111 East 2nd Street, Clayton)
Type of Application: Rezoning (B-2 to B-3) & Special Use

Project/Proposal Address: 7635 US Highway 70 W Business, Clayton, North Carolina, 27520

Description of project/proposal: The proposed project consists of developing approximately 5 acres of the 23+ acre parcel for use as an equipment sales and rental facility. Similar facilities exist on the US Hwy 70 corridor and have been found to be appropriate for this overlay district. The adjacent parcels to the north and south are zoned B-3, which has been found in harmony with surrounding parcels. Equipment sales & rental is allowed in B-3 Zoning by special use permit. As such, we are submitting this application for a rezoning from B-2 to B-3 and special use permit for equipment sales & rental.

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

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

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

If you have any questions prior to or after this meeting, you may contact us at 919-779-6851. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Moffat Properties, LLC. (Developer)
4901 Unicon Drive, Wake Forest, North Carolina 27587
(919) 669-7469

Red Line Engineering, P.C. (Engineer)
1401 Aversboro Road, Garner, North Carolina 27529
(919) 779-6851

Cc: Town of Clayton Planning Dept.

1401 Aversboro Road, Suite 210 ■ Garner, NC 27529 ■ Office: (919)779-6851 ■ www.rle-pc.com

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Clayton Homes Sunbelt Site

Application: Rezoning & Special Use

Location/Date: The Clayton Center (York Room) / 12-19-17

	NAME	ADDRESS
1	Gary McCabe	1401 Aversboro Rd, Suite #210, Garner, NC 27529
2	Timothy Lance	1401 Aversboro Rd, Suite #210, Garner, NC 27529
3	Craig Moffat	4901 Union Drive, Wake Forest, NC 27587
4		
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NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Rezoning & Special Use

Date of Mailing: _____

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

Printed Name: Craig Moffat

Signature: _____

Date of Meeting: 12/19/17

Time of Meeting: 7:30

Location of Meeting: The Clayton Center (York Room)

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

Meeting End: 8:45pm (No show)

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



**TOWN OF CLAYTON
Planning Department**

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

OWNER'S CONSENT FORM

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

Project Name: Clayton Homes Sunbelt Site **Address or PIN #:** 7635 US Highway 70 Bus, Clayton, North Carolina 27520

AGENT/APPLICANT INFORMATION:

Craig Moffat
(Name - type, print clearly)

4901 Unicon Drive

(Address)

Wake Forest, North Carolina 27587

(City, State, Zip)

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

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

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

OWNER AUTHORIZATION:

CMH Homes, Inc.
(Name - type, print clearly)

P.O. Box 9790

(Address)

[Signature]
(Owner's Signature)

Maryville, Tennessee 37602

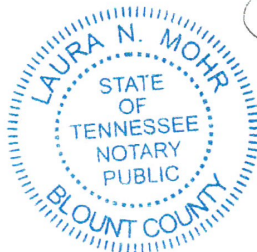
(City, State, Zip)

STATE OF
COUNTY OF

TN
Blount

Sworn and subscribed before me Laura N. Mohr, a Notary Public for the above State and County, this the 22 day of November, 2017.

SEAL



[Signature]
Notary Public
My Commission
Expires: 6-28-20



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

*Planning Board
April 23, 2018*

STAFF REPORT

Application Number: 2017-209-SUP
Project Name: Sunbelt Rental, Special Use Permit

NC PIN / Tag #: portion of 167700-26-7660 / 05i05035a
Town Limits/ETJ: ETJ
Overlay: Thoroughfare Overlay District (TOD)
Applicant: Moffat Properties, Inc.
Owner: CMH Homes Inc., Rental Properties Department
Location: The property is located at 7635 US Hwy 70 Bus., at the old Clayton Homes site.

Public Noticing:

- Neighborhood meeting December 19, 2018
- Site posted January 16, 2018
- Letters mailed prior to May 10, 2018
- Newspaper ad posted the two Fridays prior to the Hearing (starting May 11, 2018)

REQUEST: Special Use Permit to allow "Vehicle Sales and Rental" in the Highway Business (B-3) zoning district.



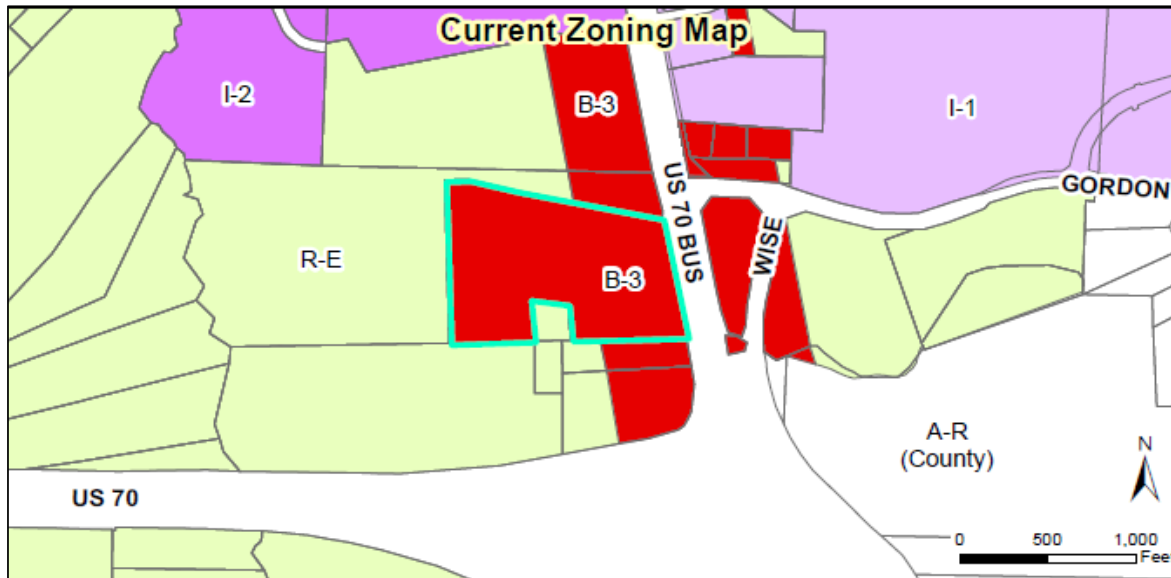
SITE DATA:

Acreage: 6.22 acres of a 23.4 acre tract
Existing Use: Vacant
Proposed use: Vehicle (Equipment) Sales and Rental

ADJACENT ZONING AND LAND USES:

The property was recently rezoned to Highway Business (B-3) and the parcel was entirely removed from the Scenic Highway Overlay District. The frontage along US Hwy 70 Bus. is within the Thoroughfare Overlay District.

Direction	Zoning District	Zoning Overlay District	Existing Use
North	Highway Business (B-3) and Residential Estate (R-E)	Thoroughfare Overlay and Scenic Highway Overlay District	Vacant / Agricultural
South	Highway Business (B-3) and Residential Estate (R-E)	Scenic Highway Overlay and Thoroughfare Overlay	Agricultural, and two large-lot Single Family Residential homes
East	Highway Business (B-3)	Scenic Highway Overlay and Thoroughfare Overlay	Vacant / Agricultural
West	Residential-Estate (R-E)	Scenic Highway Overlay only	Agricultural



DEVELOPMENT DATA:

Proposed Uses:	Equipment rental facility (Sunbelt Rentals)
Building(s):	1 building (10,500 sqft) with associated fueling station
Height:	24' proposed; max. height of 60 feet allowed
Impervious Surface:	Maximum 1,850 SF per lot (maximum 60% impervious for overall development)
Parking:	Office, enclosed area: 1 space / 250 sqft; site requires 12 spaces. Service bays: 2 spaces / service bay; site requires 18 spaces. Outdoor sales, rental, & display area: 1 space per 5,000 sqft of area; applicant has provided alternative parking schema based on their particular business model. <i>Site plan provides 34 parking spaces.</i>
Fire Protection:	The Town of Clayton Fire Department will provide fire protection.
Access/Streets:	One access point will be provided directly off of US Hwy 70 Bus., with a one-way ingress and one-way egress.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	unspecified

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting a special use permit for the use of Vehicle Sales and Rental, which is required for this use in the Highway Business (B-3) zoning district.

Associated Site Plan

The associated site plan (2018-02-SP) provides cross-access to neighboring properties, with parking in front of the building. Driveways into and exiting the site also provides access for the delivery and receipt of rental machines. An equipment washing area and fueling station are in the back of the building. The majority of the site will be graded and graveled and used for equipment storage. Area lighting will surround the perimeter of the property. The majority of the landscaping is provided along the property lines.

Consistency with Adopted Plans:

- **Comprehensive Plan**
The request is consistent with the Future Land Use and the Comprehensive Plan, if the Special Use Permit is approved.
- **Consistency with Overlay Districts**
The frontage of the site is within the Thoroughfare Overlay District.

Compatibility with surrounding land uses

Adjacent properties fronting on US Hwy 70 Bus. are zoned similarly and no use-related conflicts are anticipated. The site does have residential neighbors to the rear, and a Class C landscape buffer is required along that border.

Because of the industrial-type nature of the use of the site - outdoor equipment storage with area lighting - the use of evergreen species in the landscaping buffer along those properties is recommended.

Landscaping and Buffering

The site is generally cleared, graded gravel, with high travel areas using asphalt. The majority of the landscaping is scattered around the perimeter. Existing dense vegetation is being used to count towards a percentage of the required landscaping. Street trees and landscaping associated with the Thoroughfare Overlay District (TOD) are required along the US Hwy 70 Bus. frontage. Currently, the site plan does not show the TOD landscaping and it has been placed as a condition of approval. A Class C buffer is required in the rear of the site, adjacent to residentially-zoned properties. Additional buffering may be warranted as part of the special use permit, to mitigate impacts from the industrial-style outdoor equipment storage. Screening the outdoor storage area from view is a priority.

Environmental

No environmentally sensitive areas are shown on the plans.

Signs

A generic monument sign location is shown on the plans, and building signage is also anticipated on the façade facing US Hwy 70 Bus.

Site Design

The site is generally cleared, graded gravel, with high travel areas using asphalt. There is parking along the highway frontage, with fencing and gates separating the front (offices and sales floor) from the rear (working area, garage bays, outdoor storage) of the site. Area lights on 20' poles are used around the entire site. Some visual screening is provided on the front of the building, with some buffering also provided on the rear, against the neighboring residential properties. There is a wooden privacy fence shown in between the residential houses and the rear storage yard along with landscaping.

Access/Streets

One-way ingress and one-way egress off of US Hwy 70 Bus.

Garbage / Recycling

Dumpster enclosure on the north side of the property, inside the fence.

Architecture

The building is proposed to be approximately 24' tall. The proposed architecture is split face concrete block on the front façade, with green EIFS veneer, which has an appearance similar to stucco. These two materials will wrap around the sides up to enclose the office area. Further back, past the office area and behind the gates, the sides and rear of the building are proposed to be metal, with some additional concrete split face block on the bottom of the rear of the building. Metal flashing will be used along the parapet.



Capacity/adequacy of public facilities and services

Water and sewer facilities exist in the US Hwy 70 Business corridor and can be accessed by the site.

FINDINGS

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711 (I) of the UDC. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

CONSIDERATIONS:

- The Town Council approves Special Use Permits.
 - The Planning Board has the authority to review and approve the associated site plan (2018-2-SP).
-

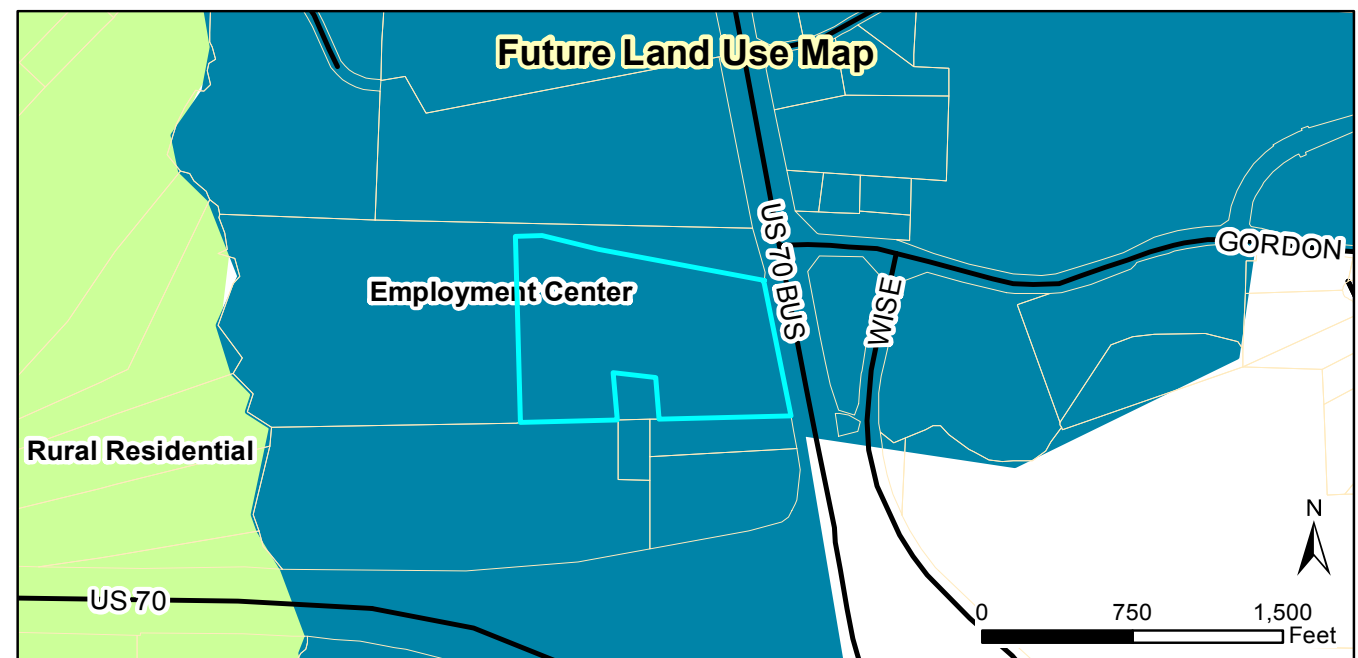
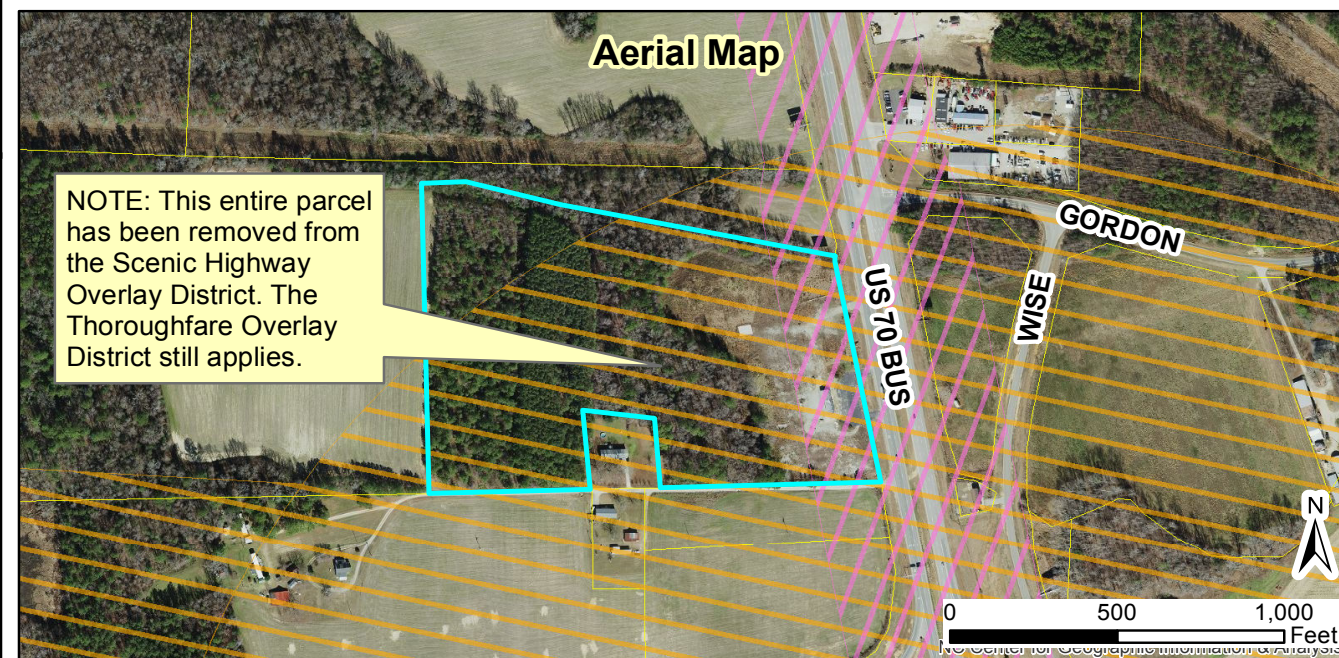
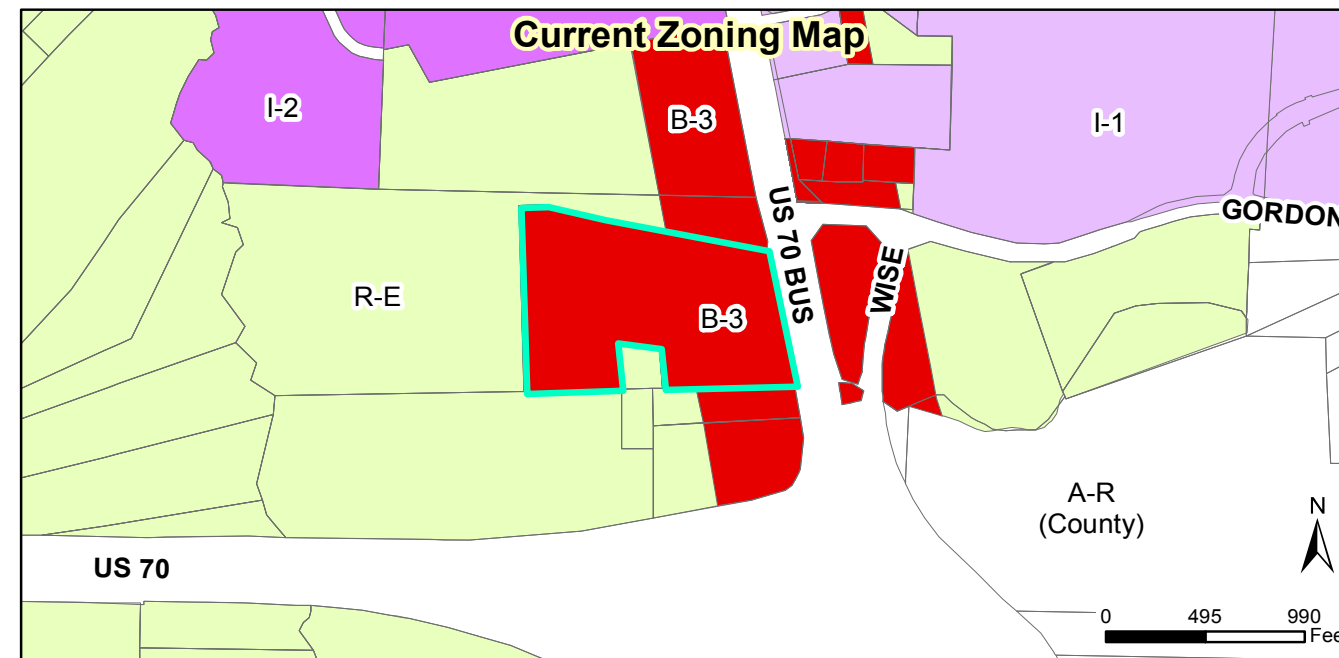
RECOMMENDATION:

Staff does not make recommendations on quasi-judicial applications. If approved, staff recommends the following conditions of approval:

1. The special use permit that allows the use of "Vehicle Sales and Rental" shall be restricted to only the 6.22 acres in the associated site plan (2018-02-SP).
 2. Prior to building permit issuance, a minor subdivision application shall be required to separate the 6.22 acres of the special use permit area from the remainder of the tract.
 3. The development of the site is limited to the site design and uses approved by the Planning Board and Town Council of the associated site plan (2018-2-SP) and special use permit (2017-209-SUP). Modifications to the approved site plan or special use permit shall require review and approval in accordance with the provisions of the Unified Development Code.
 4. Per the note on the plans, a fee-in-lieu shall be paid for the required curb-and-gutter and sidewalk for the frontage along the public right-of-way. This shall be paid prior to or at building permit issuance.
 5. Annexation into the Town municipal limits is required and shall be completed prior to the issuance of a Certificate of Occupancy.
 6. A cross-access agreement shall be recorded and provided to the Planning Department prior to the issuance of a Certificate of Occupancy.
 7. Cross-access drives shall be paved to the property line. Where cross access stops short of the property line, an easement shall be recorded for future cross access, and that area shall be paved when the adjacent property develops.
-

ATTACHMENTS:

- 1) Application
- 2) Staff Report Map
- 3) Neighborhood Meeting Materials
- 4) Associated site plan (2018-02-SP)



Request:
2017-209-SUP, Sunbelt Rental, special use permit.
2018-02-SP, Sunbelt Rental, major site plan.

Applicant: Moffat Properties, Inc.
 Property Owners: CMH Homes Inc.
 Parcel ID: 167700-26-7660
 Tag#: 05i05035a

Staff Report Map



Document Path: \\TOC-FILE-01\Shares\ComDev\Planning\PLANNING\SITE PLANS\Major Site Plans\2018\2018-02-SP Sunbelt Rental Major Site Plan\Map\Map 2018-02-SP and 2017-2019-SUP Sunbelt Rental.mxd

Legend

- 100-yr Flood Zone
- Thoroughfare Overlay
- Scenic Highway Overlay
- Watershed Protection Overlay
- Site

04/16/2018
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

SUNBELT GENERAL TOOLS

SPECIAL USE SITE PLAN

7635 US HIGHWAY 70 BUSINESS (P.I.N. 167700-26-7660)
CLAYTON, NORTH CAROLINA 27520

OWNER

CMH HOMES, INC.
P.O. BOX 9790
MARYVILLE, TENNESSEE 37802

DEVELOPER

MOFFAT PROPERTIES, LLC.
4901 UNICON DRIVE
WAKE FOREST, NORTH CAROLINA 27587
PHONE - (919) 669-7469

CIVIL ENGINEER



RED LINE ENGINEERING, P.C. (C-3075)
1401 AVERSBORO ROAD, SUITE 210
GARNER, NORTH CAROLINA 27529
PHONE - (919) 779-6851

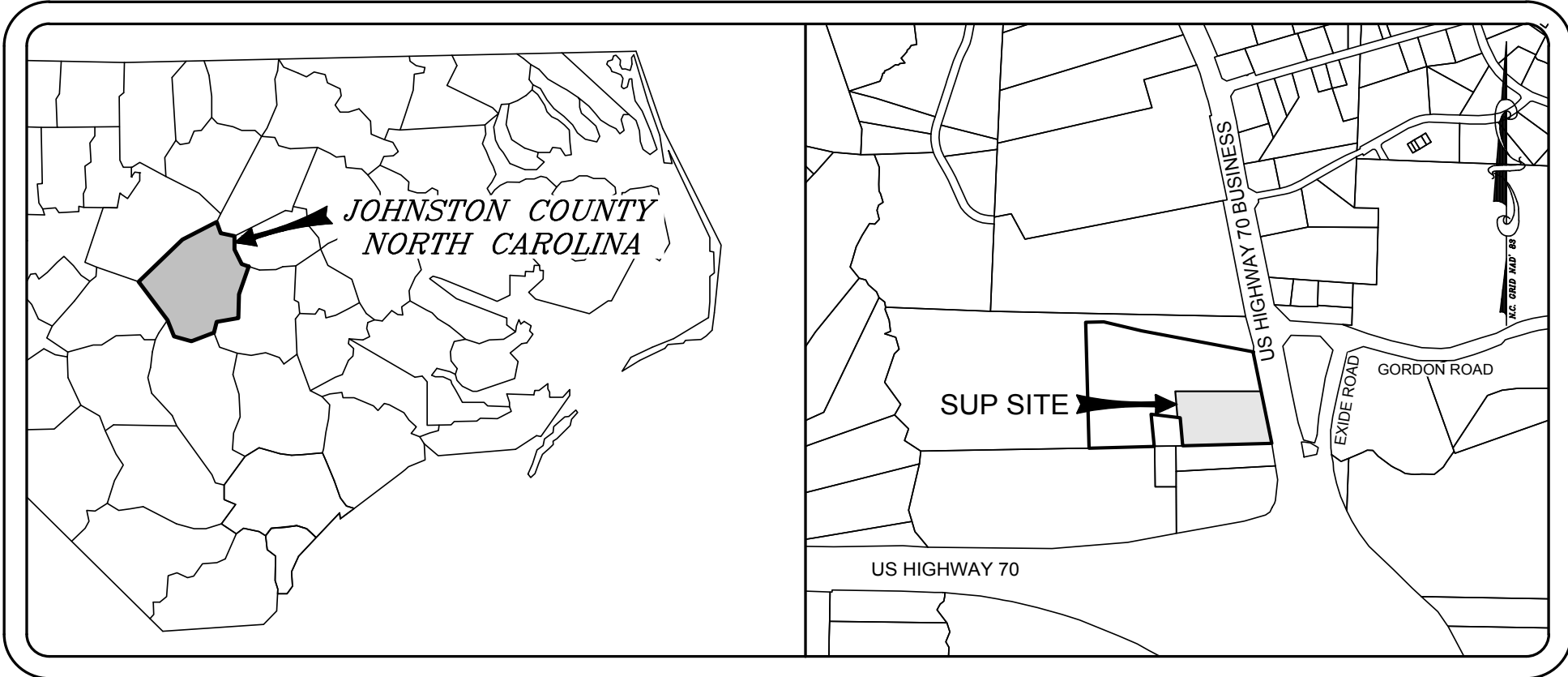
SURVEYOR

TERRESTRIAL SURVEYING, P.C. (C-3903)
3813 WOODOWL DRIVE
RALEIGH, NORTH CAROLINA 27613
PHONE: (919) 219-4278

SHEET INDEX

C1	COVER SHEET
C2	EXISTING CONDITIONS & DEMOLITION PLAN
C3	PRELIMINARY SITE PLAN
C4	PRELIMINARY SITE LIGHTING PLAN
C5	PRELIMINARY UTILITY PLAN
C6	SITE DETAILS
L-1	LANDSCAPE PLAN
A1.01	FLOOR PLAN
A2.01	ELEVATIONS
A2.02	ELEVATIONS

NOTE: ALL WORK MUST COMPLY WITH APPLICABLE NORTH CAROLINA BUILDING CODES, HANDICAPPED ACCESSIBILITY CODE VOL. 1C, AND WITH THE TOWN OF CLAYTON AND NCDOT STANDARDS, DETAILS AND SPECIFICATIONS.



VICINITY MAP
SCALE: 1"=1,000'

LEGEND		
EXISTING		PROPOSED
---	PROPERTY LINE/EASEMENT	--- SF ---
---	SEDIMENT FENCE	
---	PROPERTY EASEMENT/SETBACK	
---	SANITARY SEWER	
---	SANITARY SEWER MANHOLE	CO
---	CLEAN OUT	W
---	WATER LINE	
---	CENTERLINE OF ROAD	
---	LIGHT POLES	
---	PROPERTY CORNER	
---	RIGHT OF WAY	
---	STORM PIPE/CULVERT	
---	DROP INLET	242
---	CONTOURS	
---	FIRE HYDRANT	
---	WATER VALVE	
---	RIP RAP APRON	
---	TEMP. CONSTRUCTION ENTRANCE	

GENERAL NOTES

- BOUNDARY & TOPOGRAPHIC SURVEY INFORMATION PROVIDED BY TERRESTRIAL SURVEYING, P.C., PERFORMED BY TIMOTHY P. MURRAY, P.L.S. (L-4833), DATED DECEMBER 20, 2017. INFORMATION PROVIDED FOR ENGINEERING DESIGN PURPOSES ONLY. NOT FOR SALE OR RECORDATION.
- CONTRACTOR SHALL FIELD VERIFY LOCATION, SIZE, MATERIAL AND DEPTH OF ALL EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO COMMENCING CONSTRUCTION. ELEVATIONS INDICATED ON PLANS SHOWN AS APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY ALL ELEVATIONS PRIOR TO COMMENCING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR DISPOSAL OF ALL WASTE MATERIALS GENERATED THROUGH ALL CONSTRUCTION RELATED ACTIVITIES.
- ALL DISTURBED AREAS SHALL BE SEEDED, FERTILIZED, AND MULCHED IN ACCORDANCE WITH NCDOT STABILIZATION TABLE.
- WATER & SEWER PIPES TO BE INSTALLED IN TRENCHES ACCORDING TO THE TOWN OF CLAYTON AND JOHNSTON COUNTY PUBLIC UTILITIES DEPARTMENT STANDARD SPECIFICATIONS AND DETAILS.
- ACCORDING TO THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 (NORTH CAROLINA GENERAL STATUTE 113A 51-66) THIS PROJECT IS SUBJECT TO AN APPROVED SEDIMENTATION AND EROSION CONTROL PLAN. TOTAL DISTURBED AREA EXCEEDS 12,000 SF, THEREFORE A TOWN OF CLAYTON LAND DISTURBING GRADING PERMIT IS REQUIRED.
- ALL WORK MUST COMPLY WITH APPLICABLE NCDOT STANDARDS, NORTH CAROLINA BUILDING CODES, TOWN OF CLAYTON, AND JOHNSTON COUNTY STANDARDS, DETAILS AND SPECIFICATIONS.
- ANY CONFLICT(S) BETWEEN ARCHITECTURAL, STRUCTURAL, PLUMBING, MECHANICAL, ELECTRICAL AND CIVIL SHEETS SHALL BE SUBMITTED BY CONTRACTOR, IN WRITING, TO BOTH ARCHITECT AND ENGINEER. WRITTEN CLARIFICATION/RESOLUTION MUST BE RECEIVED BY CONTRACTOR FROM ARCHITECT AND ENGINEER PRIOR TO COMMENCING CONSTRUCTION.
- LATERAL SEPARATION OF SEWERS OR WATER MAINS. WATER MAINS SHALL BE LAID AT LEAST TEN (10) FEET LATERALLY FROM EXISTING OR FUTURE SEWERS, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT A TEN (10) FOOT LATERAL SEPARATION -- IN WHICH CASE:
 - THE WATER MAIN IS LAID IN A SEPARATE TRENCH, WITH THE ELEVATION ON THE BOTTOM OF THE WATER MAIN AT LEAST EIGHTEEN (18) INCHES ABOVE THE TOP OF SEWER; OR
 - THE WATER MAIN IS LAID IN THE SAME TRENCH AS THE SEWER WITH THE WATER MAIN LOCATED AT ONE SIDE ON A BENCH OF UNDISTURBED EARTH, AND WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST EIGHTEEN (18) INCHES ABOVE THE TOP OF SEWER.
- CROSSING A WATER MAIN OVER A SEWER. WHENEVER NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER, THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST EIGHTEEN (18) INCHES ABOVE THE TOP OF THE SEWER, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT AN EIGHTEEN (18) INCH SEPARATION -- IN WHICH CASE, BOTH THE WATER MAIN AND SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF TEN (10) FEET ON EACH SIDE OF THE CROSSING.
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PRELIMINARY DRAWING
FOR REVIEW
PURPOSES ONLY

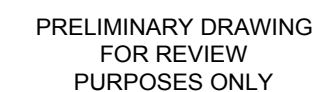


Know what's below.
Call before you dig.

DATE: FEBRUARY 28, 2018 PROJ. NO.: 17-014 SHEET C1



ALL PROPOSED WHEELCHAIR RAMPS (WCR) SHALL BE BUILT IN ACCORDANCE WITH NCDOT STANDARD DRAWINGS 848.05 & 848.06



RED LINE ENGINEERING
 RED LINE ENGINEERING, P.C. (C-3075)
 1401 AVERSBO ROAD, SUITE #210
 GARNER, NORTH CAROLINA 27529
 PHONE - (919) 779-6861

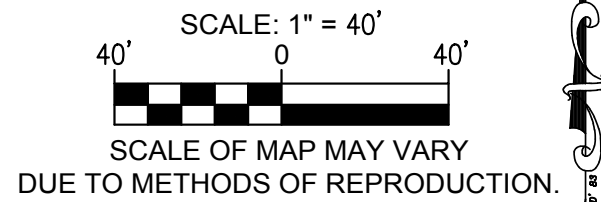
EXISTING CONDITIONS & DEMOLITION PLANS

REVISIONS:	DATE:
ISSUED FOR:	DATE:
REVIEW/APPROVAL	2/28/18
PROJECT NO.: 17-014	
DRAWN BY: TAL	
REVIEWED BY: GJM	
SHEET NUMBER:	
C2	
OF 10 SHEETS	



- (1) BOUNDARY & TOPOGRAPHIC SURVEY INFORMATION PROVIDED BY TERRESTRIAL SURVEYING, P.C., PERFORMED BY TIMOTHY P. MURRAY, P.L.S. (L-4833), DATED DECEMBER 20, 2017. INFORMATION PROVIDED FOR ENGINEERING DESIGN PURPOSES ONLY. NOT FOR SALE OR RECDORDATION.
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1. INSTALL 24" CONCRETE CURB AND GUTTER AS SHOWN (APPROX. 991 LF TOTAL).
2. INSTALL HEAVY DUTY ASPHALT DRIVE AND DRIVE AISLES AND REAR SERVICE YARD AS SHOWN (TYPICAL - 8" ABC & 4" ASPHALT).
3. INSTALL LIGHT DUTY ASPHALT IN VEHICULAR PARKING SPACES (TYPICAL - 6" ABC STONE & 2" ASPHALT).
4. INSTALL 8" ABC STONE IN REAR GARAGE STORAGE YARD AS SHOWN.
5. INSTALL 10" WIDE HEAVY DUTY CONCRETE APRON ADJACENT TO BUILDING NEAR SERVICE BAY DOORS @ 1/4" PER FOOT AWAY FROM BUILDING.
6. INSTALL APPROX. 543 SF (APPROX. 128 LF) 6" WIDE CONCRETE TURNDOWN SIDEWALK AROUND FRONT OF PROPOSED BUILDING.
7. PROPOSED DUMPSTER ENCLOSURE TO MATCH COLOR AND MATERIAL OF BUILDING.
8. INSTALL 2 BICYCLE PARKING SPACES (1" U" SHAPED RACK).
9. INSTALL 12.5' X 19' ADA COMPLIANT PARKING SPACE WITH 5' STRIPED AISLE AND SIGNAGE AS SHOWN (PER TOWN OF CLAYTON STANDARDS).
10. INSTALL ADA COMPLIANT WHEELCHAIR RAMP WITH DETECTABLE DOMES (TYP.) CURB TAPERS SHALL BE PAINTED YELLOW.
11. INSTALL CONCRETE WHEELSTOPS 30" FROM FACE OF SIDEWALK TO WHEEL FACE (TYP.).
12. INSTALL STANDARD NCDOT STRIPED CROSSWALK.
13. INSTALL 6" TALL BLACK VINYL COATED (COMMERCIAL GRADE) CHAIN-LINK FENCE AROUND THE PERIMETER OF THE REAR SERVICE YARD (APPROX. 1,500 LF TOTAL). PROVIDE 2'X2X6" MASONRY COLUMNS ALONG THE FRONT OR LANDSCAPE MATERIAL EVERY 100' MAX ON THE SIDES AND REAR AS VISUAL BREAKS IN THE FENCE LINE. VINYL SLATS SHALL BE INSTALLED ON THE FRONT STREET-FACING FENCE.
14. INSTALL PROPOSED LIGHT POLES AND FIXTURES (BY OTHERS). CONTRACTOR SHALL PROVIDE A 2" PVC (SCH 80) CONDUIT TO EACH LIGHT POLE. SEE SHEET C-4 FOR DETAILS.
15. PROPOSED LOCATION OF 18.25'X17.25' FUEL ISLAND. INSTALL 20'X20'X6" REINFORCED CONCRETE SLAB WITH 6" CONCRETE FILLED PIPE BOLLARDS @ 6' O.C.
16. PROPOSED LOCATION OF 1,000 GALLON RECYCLE OIL TANK (BY OTHERS).
17. PROPOSED LOCATION OF TRANSFORMER (BY OTHERS).
18. PROPOSED LOCATION OF MONUMENT SIGN (BY OTHERS).
19. PROPOSED LOCATION OF DECELERATION LANE.
20. INSTALL 6" TALL WOODEN OPAQUE FENCE AT REAR OF 20' TYPE "C" BUFFER (APPROX. 340 LF TOTAL). PROVIDE 2'X2X6" MASONRY COLUMNS OR LANDSCAPE MATERIAL EVERY 100' MAX AND AT CORNERS AS VISUAL BREAKS IN THE FENCE LINE.
21. INSTALL APPROX. 102 SF (APPROX. 128 LF) 6" WIDE CONCRETE TURNDOWN SIDEWALK AROUND FRONT OF PROPOSED BUILDING.

N/F
CMH HOMES INC
PIN: 167700-26-7660
DB 2251, PG 242
ZONING: B-2
(B-3 PROPOSED ZONING)

N/F
PATRICIA COUNTS
PIN: 167700-26-6270
DB 4510, PG 255
ZONING: R-E

20.00' TYPE "C" PERIMETER BUFFER
(PER UDO SECTION 155.402(E)(2))

N/F
SMOOTH LLC
PIN: 167700-25-6963
DB 4877, PG 726
ZONING: R-E

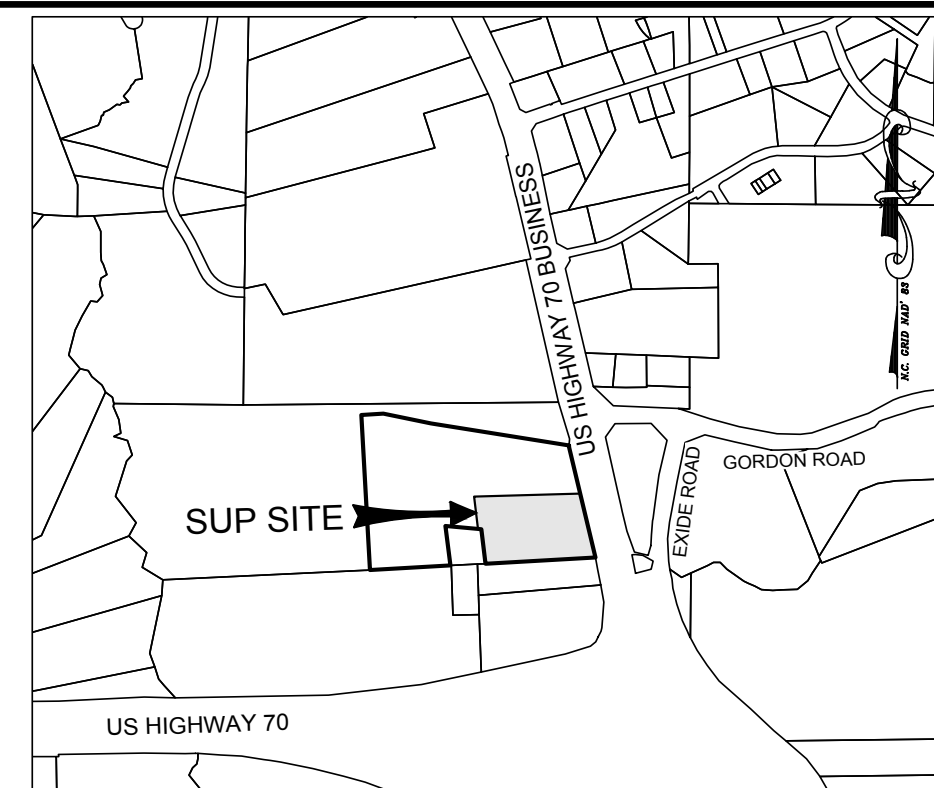
N/F
WORTH M. POUNDS JR
PIN: 167700-36-1001
ZONING: R-E

N/F
WORTH M. POUNDS JR
PIN: 167700-36-1001
ZONING: B-3

NOTE: CONTRACTOR SHALL NOTIFY ARCHITECT/ENGINEER IMMEDIATELY IF ANY CONFLICTS, INCONSISTENCIES OR AMBIGUITIES EXIST BETWEEN ARCHITECTURAL, P.M.E., STRUCTURAL & CIVIL DRAWINGS & SPECIFICATIONS. IF HIDDEN SITE CONDITIONS ARE DISCOVERED DURING CONSTRUCTION/DEMOLITION, CONTRACTOR SHALL OBTAIN WRITTEN RESOLUTION PRIOR TO PROCEEDING WITH CONSTRUCTION. OTHERWISE, CONTRACTOR PROCEEDS AT THEIR OWN RISK.

NOTE: ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH TOWN OF CLAYTON, NCDOT, AND STATE OF NORTH CAROLINA STANDARDS AND SPECIFICATIONS

ALL PROPOSED WHEELCHAIR RAMPS (WCR) SHALL BE BUILT IN ACCORDANCE WITH NCDOT STANDARD DRAWINGS 848.05 & 848.06



VICINITY MAP
SCALE: 1"=1,000'

1. NAME:	SUNBELT GENERAL TOOLS
2. STREET ADDRESS:	7635 US HIGHWAY 70 BUSINESS CLAYTON, NORTH CAROLINA 27520
3. P.I.N.:	167700-26-7660
4. LAND USE (EXISTING/PROPOSED):	VACANT/ EQUIPMENT SALE & RENTAL
5. TOTAL NUMBER OF LOTS:	1
6. PROPOSED SPECIAL USE AREA:	271,061 SF/6.22 ACRES
7. DISTURBED AREA:	240,540 SF/5.52 ACRES
8. CURRENT/PROPOSED ZONING:	B-2/B-3
9. PROPOSED BUILDING LOT COVERAGE:	4.02%
12. BUILDING SETBACKS:	FRONT - 20 FT. SIDE - 15 FT / 30 FT. (ADJACENT RESIDENTIAL) REAR - 30 FT.
13. INSIDE TOWN LIMITS:	NO
14. INSIDE FLOOD HAZARD BOUNDARY:	NO (PER FEMA MAP #3720167700J) EFFECTIVE DATE: DECEMBER 2, 2005
15. BUILDING SQUARE FOOTAGE & USE:	3,000 SF OFFICE 7,500 SF SERVICE BAYS (9 TOTAL) 10,500 SF TOTAL
16. PROPOSED PARKING REQUIREMENTS: OFFICE	(1 SPACE / 250 SF) X (3,000 SF) 12 SPACES REQUIRED
VEHICLE SALES / RENTAL	(2 SPACES / SERVICE BAY) X (6 BAYS) 18 SPACES REQUIRED
TOTAL SPACES REQUIRED EXISTING TOTAL:	30 SPACES TOTAL 34 SPACES PROPOSED (2 H.C. + 32 REG.)
17. PROPOSED BICYCLE PARKING REQUIRED: VEHICLE SALES OR RENTAL	1 RACK REQUIRED (2 SPACES) PER UDO SECTION 155.401(C)(2)
18. IMPERVIOUS SURFACE AREA: EXISTING: PROPOSED: TOTAL:	93,245 SF / 2.14 ACRES (34%) 108,978 SF / 2.50 ACRES (40%) 202,223 SF / 4.64 ACRES (75%)
19. PROPOSED WATER PROVIDER:	TOWN OF CLAYTON
20. PROPOSED SEWER PROVIDER:	TOWN OF CLAYTON
21. OWNER:	CMH HOMES, INC. P.O. BOX 9790 MARYVILLE, TENNESSEE 37802
22. DEVELOPER:	MOFFAT PROPERTIES 4901 UNION DRIVE WAKE FOREST, NORTH CAROLINA 27587

NOTE: A FEE-IN-LIEU IS PROPOSED FOR THE REQUIRED CURB AND GUTTER AND SIDEWALK ALONG THE PUBLIC RIGHT-OF-WAY FOR THE PROPERTY FRONTAGE ON US HWY. 70 BUSINESS, WHICH WILL BE REVIEWED PRIOR TO CONSTRUCTION DRAWINGS APPROVAL. THE DEVELOPER RETAINS THE RIGHT TO INSTALL THE REQUIRED IMPROVEMENTS OR PAY THE FEE-IN-LIEU.



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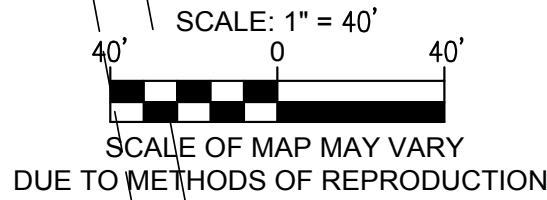
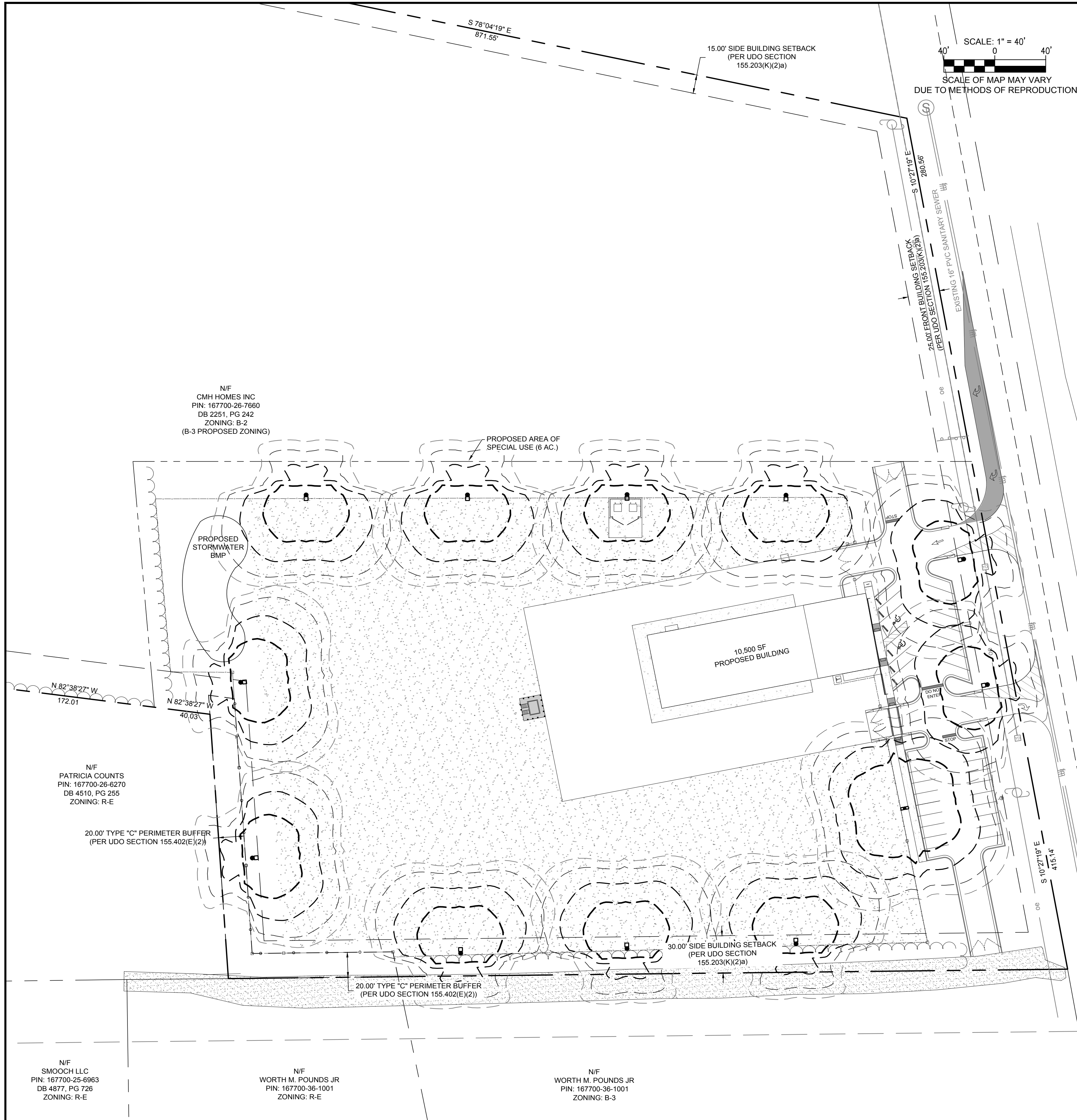
RED LINE ENGINEERING, P.C. (C-3075)
1401 AVERSBO ROAD, SUITE #210
GARNER, NORTH CAROLINA 27529
PHONE - (919) 779-6851

SUNBELT GENERAL TOOLS

7635 US HWY 70 BUSINESS
CLAYTON, NORTH CAROLINA 27520

PRELIMINARY SITE PLAN

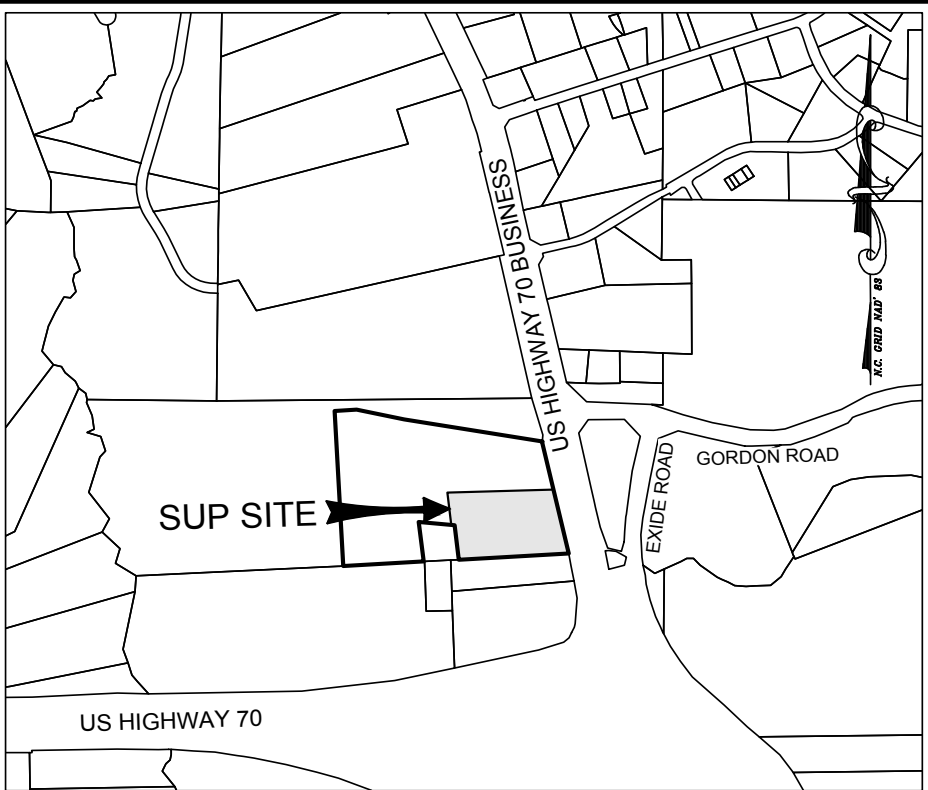
REVISIONS:	DATE:
ISSUED FOR:	DATE:
REVIEW/APPROVAL	2/28/17
PROJECT NO.:	17-014
DRAWN BY:	TAL
REVIEWED BY:	GJM
SHEET NUMBER:	C3
OF 10 SHEETS	



SITE LIGHTING NOTE: PLEASE NOTE THAT DUKE ENERGY WILL BE PROVIDING SITE LIGHTING POLES AND FIXTURES FOR THIS PROJECT. CONTRACTOR SHALL COORDINATE AND FACILITATE BETWEEN OWNER AND DUKE ENERGY. CONTRACTOR SHALL INSTALL BASES, CONDUITS AND PULL BOXES FOR SITE LIGHTING FIXTURES. SEE ARCHITECTURAL & ELECTRICAL PLANS FOR BUILDING MOUNTED AND GROUND MOUNTED LIGHTING.

PERIMETER SITE LIGHTING NOTE: PLEASE NOTE THAT ALL SITE LIGHTING WITHIN 50 FT. OF THE PROPERTY LINE OR PERIMETER OF THE PROPOSED IMPROVEMENTS SHALL BE FULL CUT-OFF FIXTURES AND SHALL NOT EXCEED 0.50 FOOT-CANDLES AT THE PROPERTY LINE.

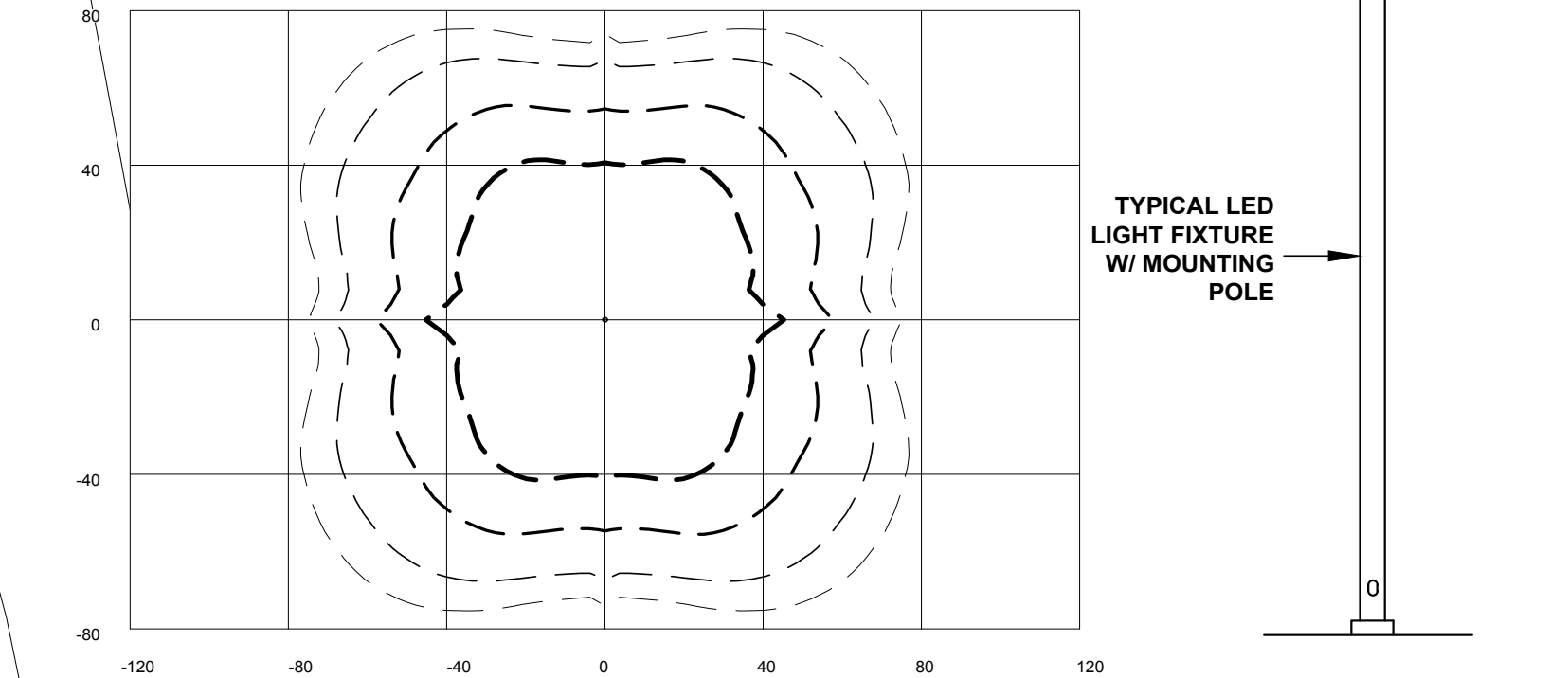
ELECTRICAL & GAS SERVICES NOTE: ELECTRICAL SERVICE AND TRANSFORMERS SHALL BE PROVIDED BY OTHERS (DUKE ENERGY). NATURAL GAS SERVICE SHALL BE PROVIDED BY OTHERS AND IS NOT SHOWN ON THESE PLANS. CONTRACTOR SHALL COORDINATE SERVICES WITH SERVICE PROVIDERS DIRECTLY.



VICINITY MAP
SCALE: 1"=1,000'

FIXTURE SCHEDULE						
TYP	SYMBOL	DESCRIPTION	LAMP	LUMENS	MOUNTING/BALLAST	LLF QTY
20FT		(2) LITHONIA LIGHTING DSX1 LED DSX1 LED 40C 1000 40K T4M MVOLT HS	(2) 20 LED LIGHT ENGINE	12,379	20' MT HT LEDNTA1050C140DO	0.64 1

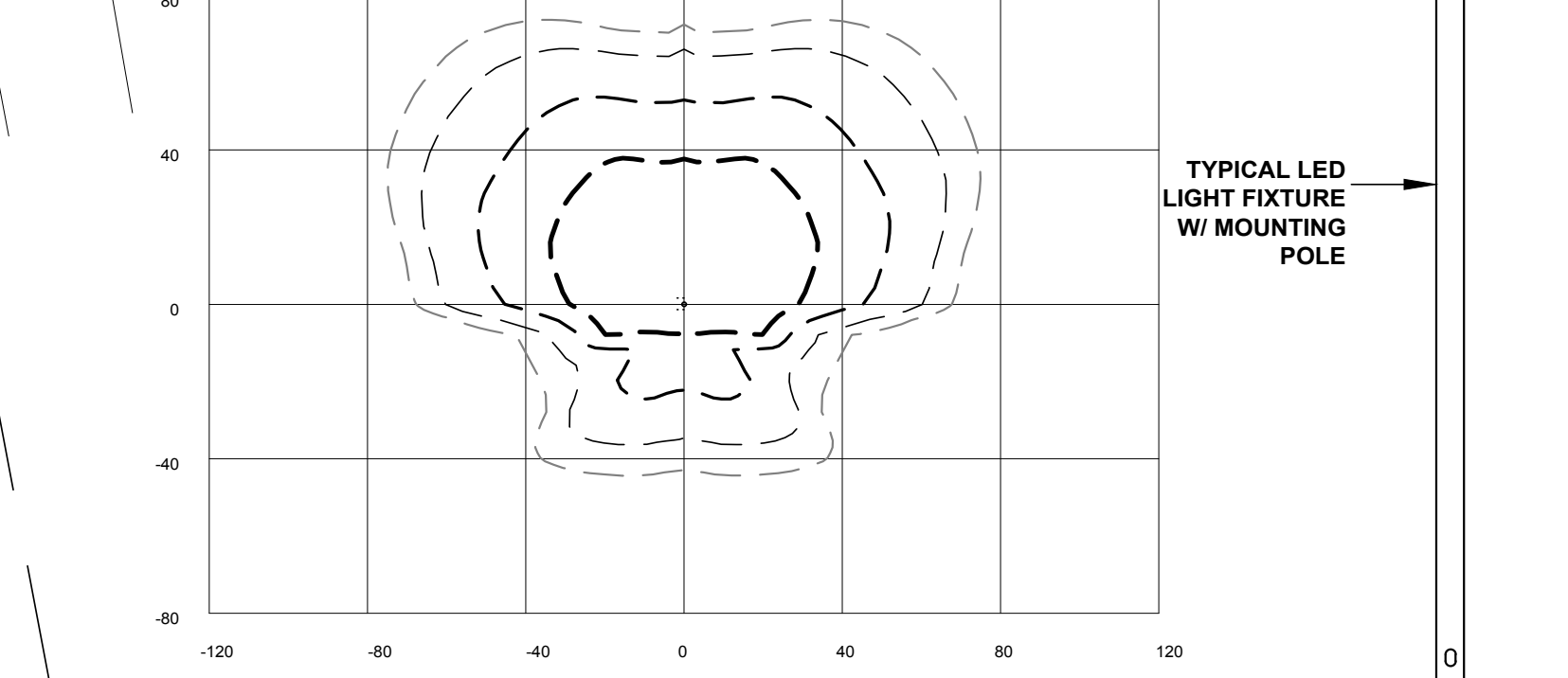
NOTE: THE FOOTCANDLE READINGS BELOW ARE MAINTAINED AND HAVE BEEN DEPRECIATED FOR LAMP LUMEN DEPRECIATION AND LUMINAIRE DIRT DEPRECIATION. FOR INITIAL FOOTCANDLES, DIVIDE THE READINGS BELOW BY .64.



LEGEND (OUTER to INNER): 0.100 , 0.200 , 0.500 , 1.00

FIXTURE SCHEDULE						
TYP	SYMBOL	DESCRIPTION	LAMP	LUMENS	MOUNTING/BALLAST	LLF QTY
20FT		LITHONIA LIGHTING DSX1 LED DSX1 LED 40C 1000 40K T4M MVOLT HS	(2) 20 LED LIGHT ENGINE	12,379	20' MT HT LEDNTA1050C140DO	0.64 11

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SUNBELT GENERAL TOOLS

7635 US HWY 70 BUSINESS
CLAYTON, NORTH CAROLINA 27520

PRELIMINARY SITE LIGHTING PLAN

REVISIONS: DATE:

ISSUED FOR: DATE:
REVIEW/APPROVAL 2/28/18

PROJECT NO.: 17-014

DRAWN BY: TAL

REVIEWED BY: GJM

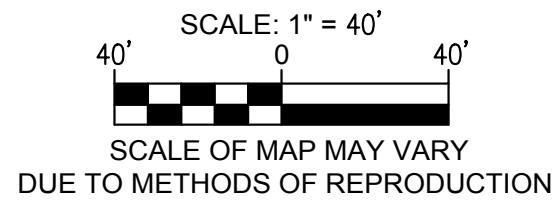
SHEET NUMBER:

C4

OF 10 SHEETS



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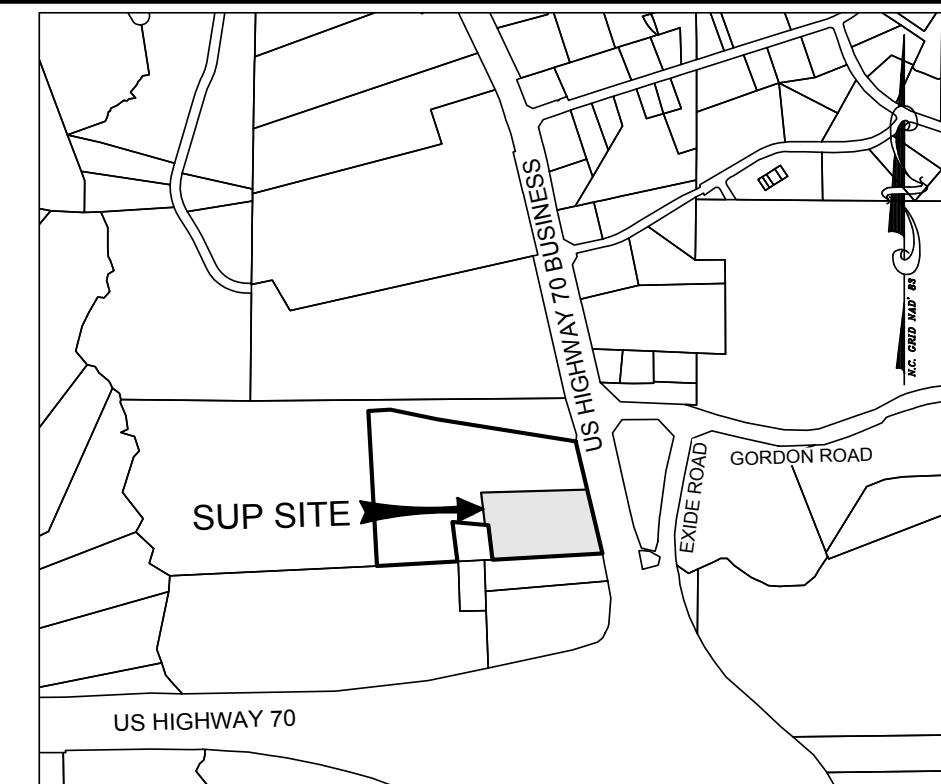


1. PROPOSED LOCATION OF SAND, OIL AND WATER SEPARATOR (SIZE TO BE DETERMINED AT SITE PLAN APPROVAL)
2. PROPOSED LOCATION SEWER/SEWER WATER SIMPLE GRINDER PUMP LUMINATION TO BE LOCATED 10 FEET FROM SEWAGE MAIN.
3. INSTALL APPROX. 128 LF 2" PVC (SCH 80) FOREMAIN TO EXISTING PUBLIC 12" PVC FOREMAIN. INSTALL 2" BALL VALVE AND 2" CHECK VALVE IN NEW ROW TO EXISTING 12" PVC FOREMAIN.
4. INSTALL APPROX. 165 LF OF 8" WATER MAIN AND FIRE HYDRANT ASSEMBLY VIA BORE & JACK WITH APPROX. 150 LF. OF 16" STEEL CASING PIPE (NCDOT MUST APPROVE UTILITY ENCRoACHMENT)
5. EXISTING 16" WATER MAIN TO BE CUT AND 16" WATER MAIN TO REMAIN. INSTALL APPROX. 230 LF OF 1" TYPE "K" COPPER WATER SERVICE FROM EXISTING RPO TO PROPOSED BUILDING.
6. CONNECT TO EXISTING 16" DIP WATERLINE WITH 16"x8" FULL BODY ELBOW. (SEE ATTACHED EXISTING UTILITY MAPS OF CLAYTON AND JOHNSTON COUNTY PUBLIC UTILITIES APPROVED ASSEMBLIES LIST)

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VICINITY MAP
SCALE: 1"=1,000'



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SUNBELT GENERAL TOOLS

7635 US HWY 70 BUSINESS
CLAYTON, NORTH CAROLINA 277

PRELIMINARY UTILITY PLAN

REVISIONS:	DATE:

ISSUED FOR:	DATE:
REVIEW/APPROVAL	2/28/18

PROJECT NO.: 17-014

DRAWN BY: TAL

REVIEWED BY: GJM

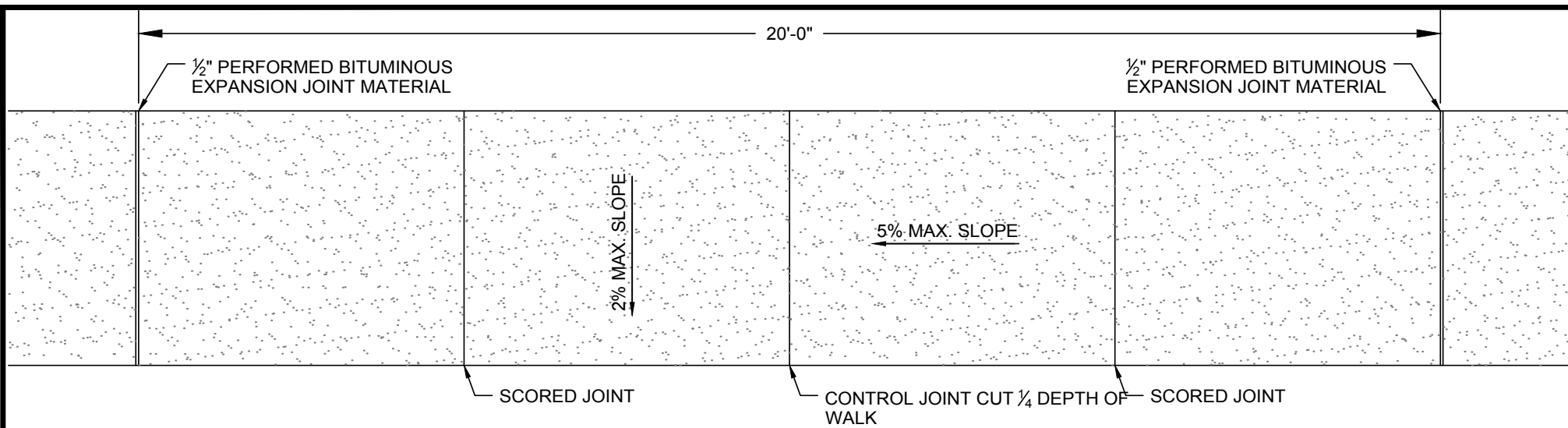
SHEET NUMBER:

C5

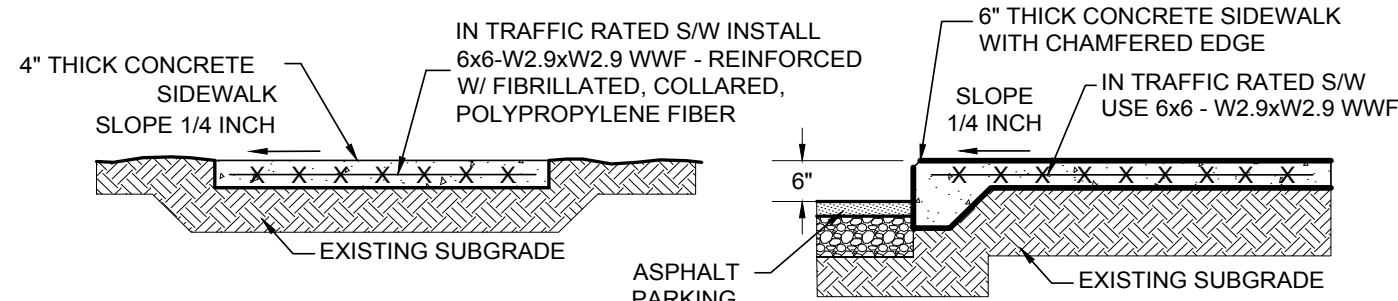
OF 10 SHEETS



Know what's **below**.
Call before you dig.



- NOTES:
1. WALKS SHALL BE PLACED ON COMPACTED STONE BASE COURSE.
 2. CROSS SLOPE OF ALL WALKS SHALL BE 1/4" PER FOOT MAX. (2% MAX.).
 3. THICKNESS OF CONCRETE WALKS SHALL BE 4" UNLESS OTHERWISE NOTED.
 4. SURFACE FINISH OF WALK SHALL BE LIGHT/MEDIUM BROOM FINISH PERPENDICULAR TO RUN OF WALK.
 5. DIFFERENCE BETWEEN TOP OF WALKWAY AND ADJACENT FINISHED GRADE SHALL BE 6" MAX.



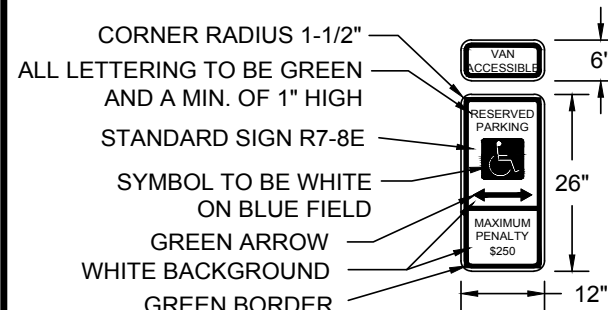
- NOTES:
1. A GROOVE JOINT 1" DEEP WITH A 1/8" RADIUS SHALL BE REQUIRED IN THE CONCRETE SIDEWALK AT 5' INTERVALS. ONE 1/2" EXPANSION JOINT WILL BE REQUIRED AT 20' INTERVALS. A SEALED 1/2" EXPANSION JOINT WILL BE REQUIRED WHERE THE SIDEWALK JOINS ANY RIGID STRUCTURE.
 2. CONCRETE COMPRESSIVE STRENGTH SHALL BE 3,000 PSI IN 28 DAYS. (4,000 PSI FOR TRAFFIC RATED SIDEWALKS)

CONCRETE WALKWAYS

DETAIL

SCALE: NOT TO SCALE

1
C6



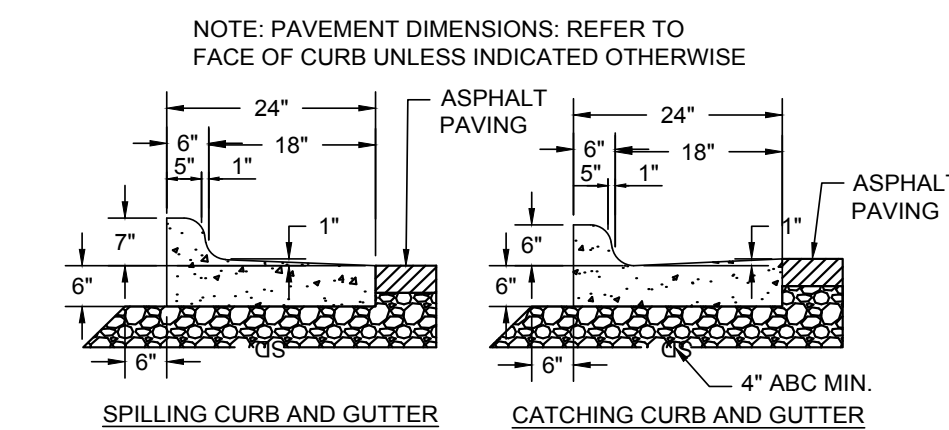
- SIGN NOTES:
1. ALL SIGNS TO BE 0.080" THICK ALUMINUM.
 2. ALL SIGNS SHALL CONFORM WITH ALL CURRENT A.D.A. FEDERAL, STATE, AND LOCAL CODES AND REGULATIONS.
 3. PLACE "VAN ACCESSIBLE" SIGN IN FRONT OF VAN ACCESSIBLE SPACES ONLY.

ACCESSIBILITY PARKING DETAILS

DETAIL

SCALE: NOT TO SCALE

8
C6



NOTE: PAVEMENT DIMENSIONS: REFER TO FACE OF CURB UNLESS INDICATED OTHERWISE

CONCRETE FOR CURBING SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 P.S.I. AT 28 DAYS.

CONSTRUCTION STAKING FOR CURBING INSTALLATION SHALL BE REFERENCED (CUT OR FILL) TO THE FACE OF CURB AT CONTRACTOR'S OPTION THE GUTTER THICKNESS MAY BE INCREASED AT THE EDGE OF THE PAVEMENT TO MAKE BOTTOM OF GUTTER PARALLEL WITH PAVING OF BASE COURSE.

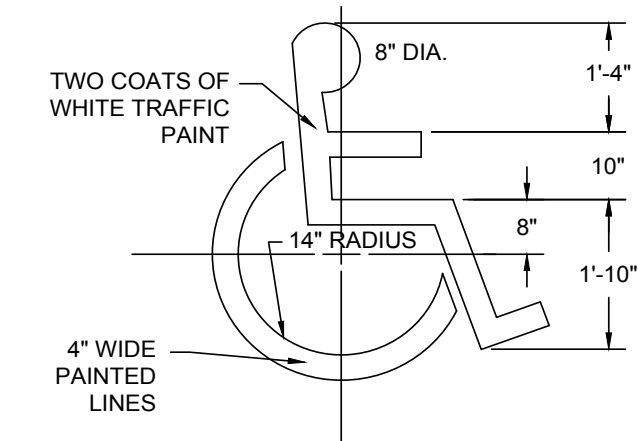
CONTRACTION JOINTS AT 10'-0" O.C. TOoled 1/4" ($\pm 1/16"$ -0) WIDE, 1" OR MAX. D/4 DEEP WHEREVER IS GREATER. EXPANSION JOINTS AT 40' MAX. AND ALL P.C.'S. UNLESS APPROVED OR INDICATED OTHERWISE ON PLAN VIEW JOINT PATTERN.

24" CURB AND GUTTER SECTION

DETAIL

SCALE: NOT TO SCALE

2
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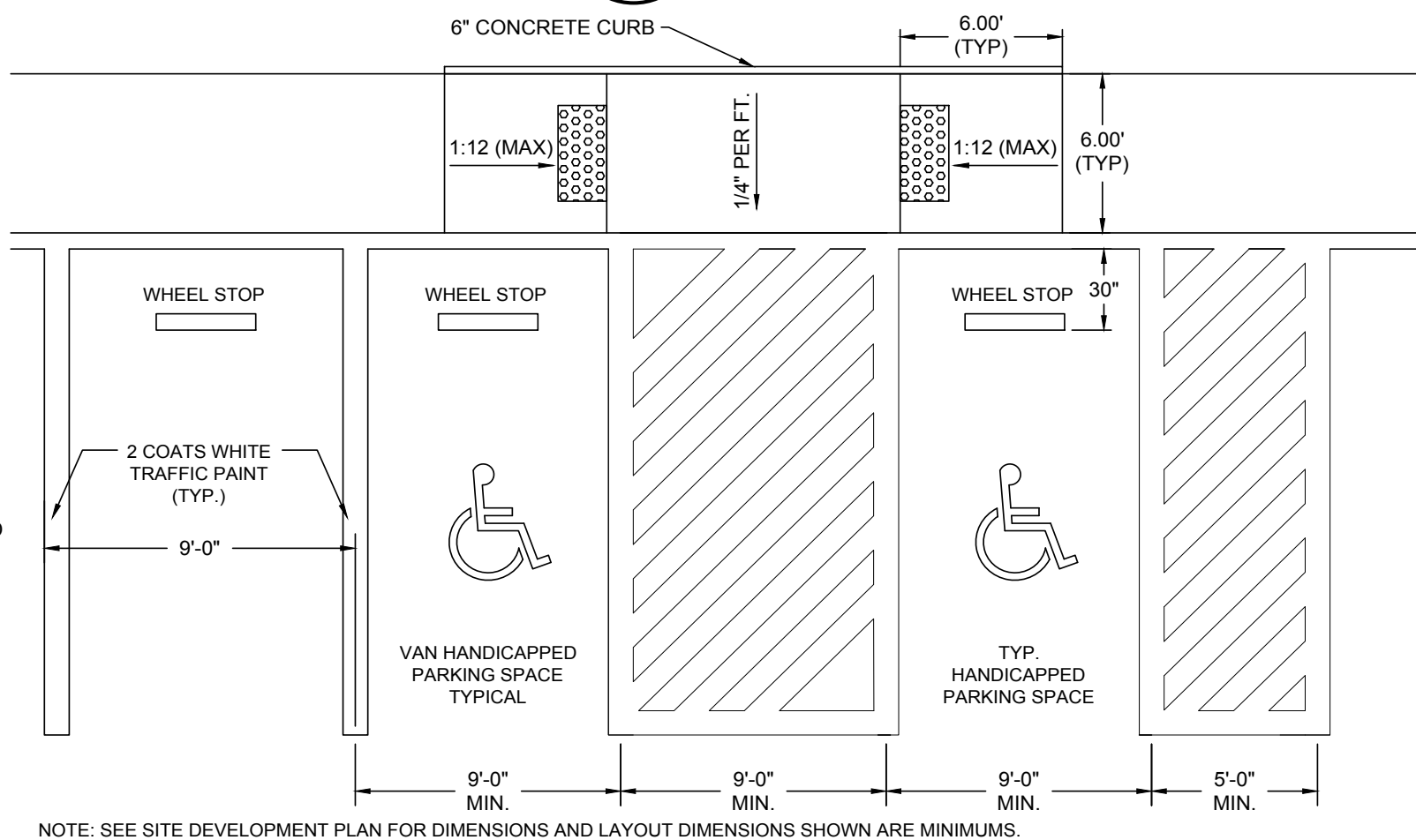


HANDICAP PAVEMENT SYMBOL

DETAIL

SCALE: NOT TO SCALE

5
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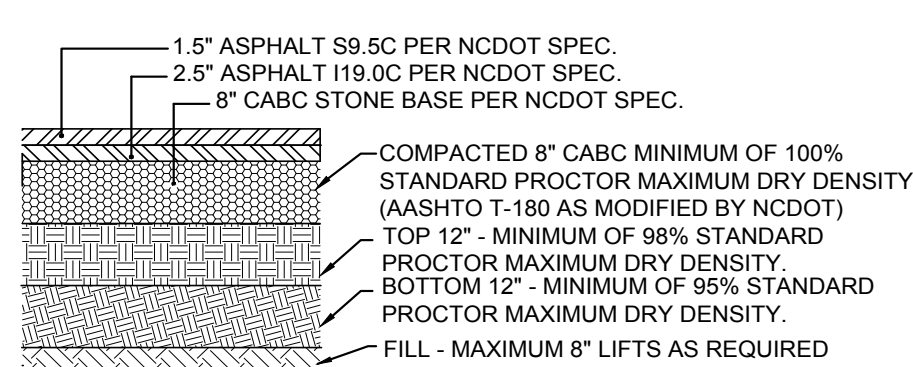
NOTE: SEE SITE DEVELOPMENT PLAN FOR DIMENSIONS AND LAYOUT DIMENSIONS SHOWN ARE MINIMUMS.

HANDICAP PAVEMENT STRIPING

DETAIL

SCALE: NOT TO SCALE

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C6



NOTE: HEAVY DUTY ASPHALT SHALL BE INSTALLED IN ALL COMMERCIAL VEHICLE PARKING SPACES, ROADWAYS AND DRIVE AISLES.

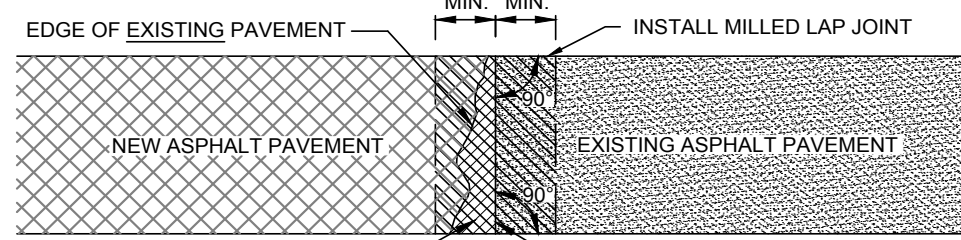
MATERIALS SHALL MEET THE REQUIRED SECTIONS OF THE N.C.D.O.T. STANDARD SPECIFICATION FOR ROADS AND STRUCTURES.

HEAVY DUTY ASPHALT PAVEMENT

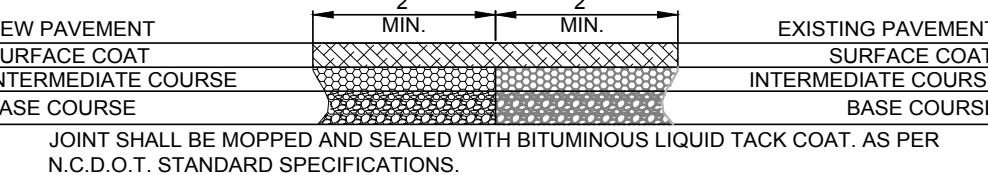
DETAIL

SCALE: NOT TO SCALE

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- NOTE:
1. Sawcut existing pavement to form straight, neat edge perpendicular to centerline of roadway alignment.
 2. Min 1" minimum depth of existing surface course minimum of two feet from sawcut line in a direction parallel with sawcut alignment.
 3. Tack the joint prior to installing new pavement.
 4. Install new pavement so surface course forms a smooth transition to existing pavement surface.

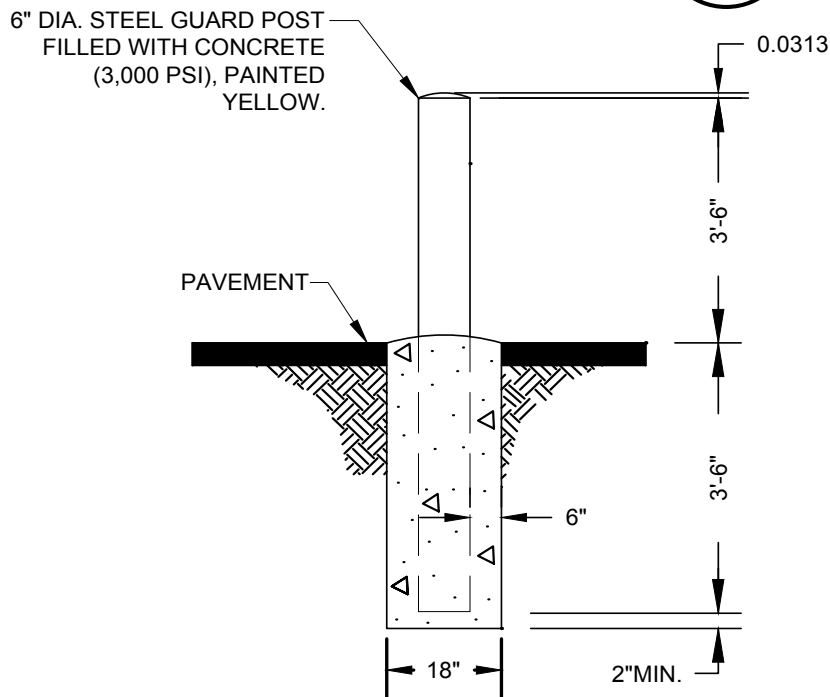


TYPICAL ROAD MILLED JOINT

DETAIL

SCALE: NOT TO SCALE

6
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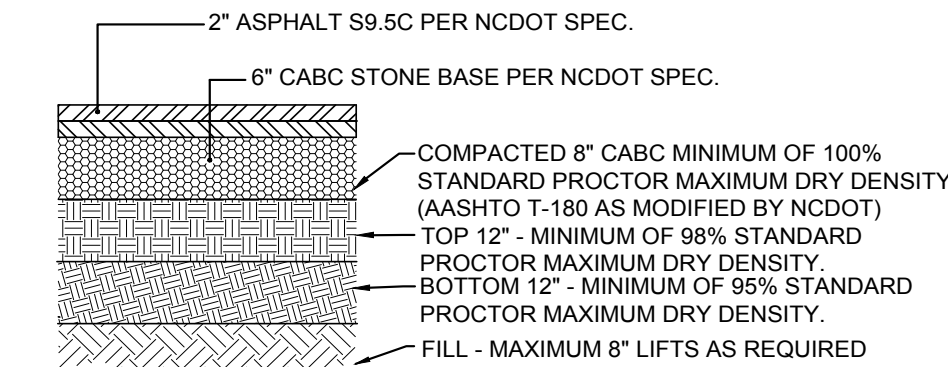


CONCRETE BOLLARD

DETAIL

SCALE: NOT TO SCALE

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NOTE: LIGHT DUTY ASPHALT SHALL BE INSTALLED IN PASSENGER VEHICLE PARKING SPACES ONLY

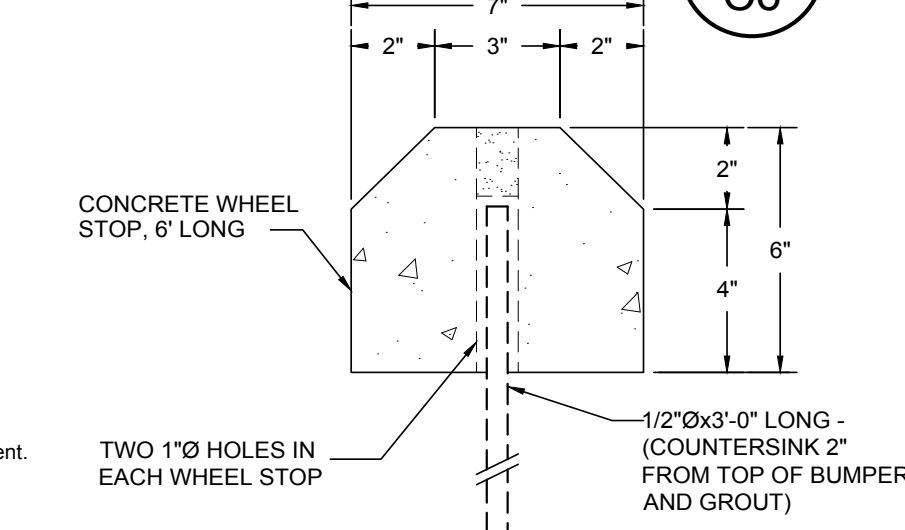
MATERIALS SHALL MEET THE REQUIRED SECTIONS OF THE N.C.D.O.T. STANDARD SPECIFICATION FOR ROADS AND STRUCTURES.

LIGHT DUTY ASPHALT PAVEMENT

DETAIL

SCALE: NOT TO SCALE

4
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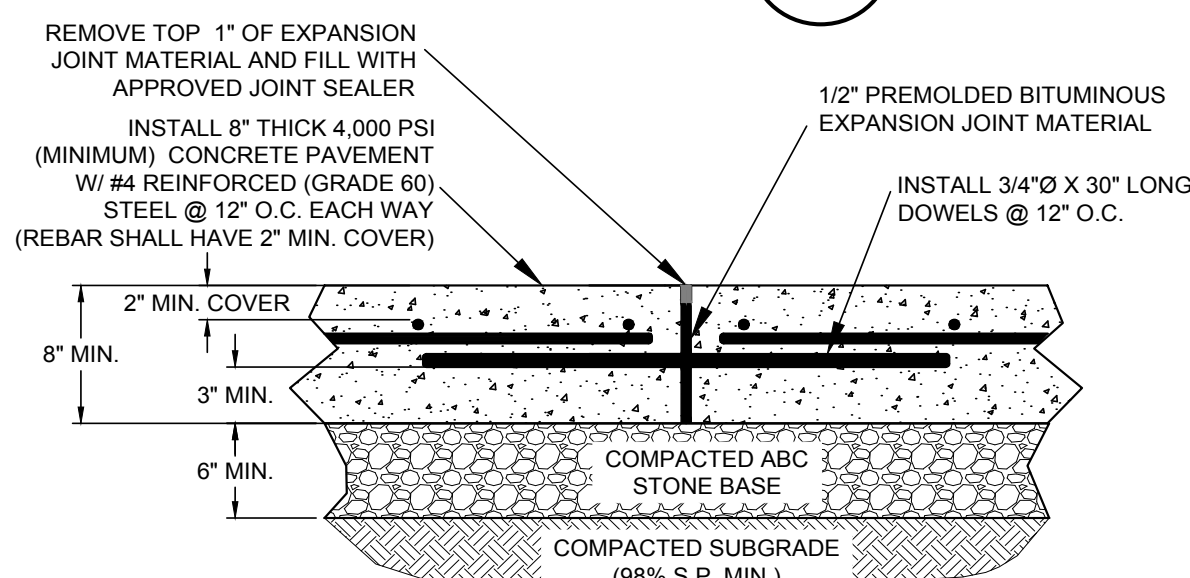


TYPICAL WHEEL STOP SECTION

DETAIL

SCALE: NOT TO SCALE

7
C6



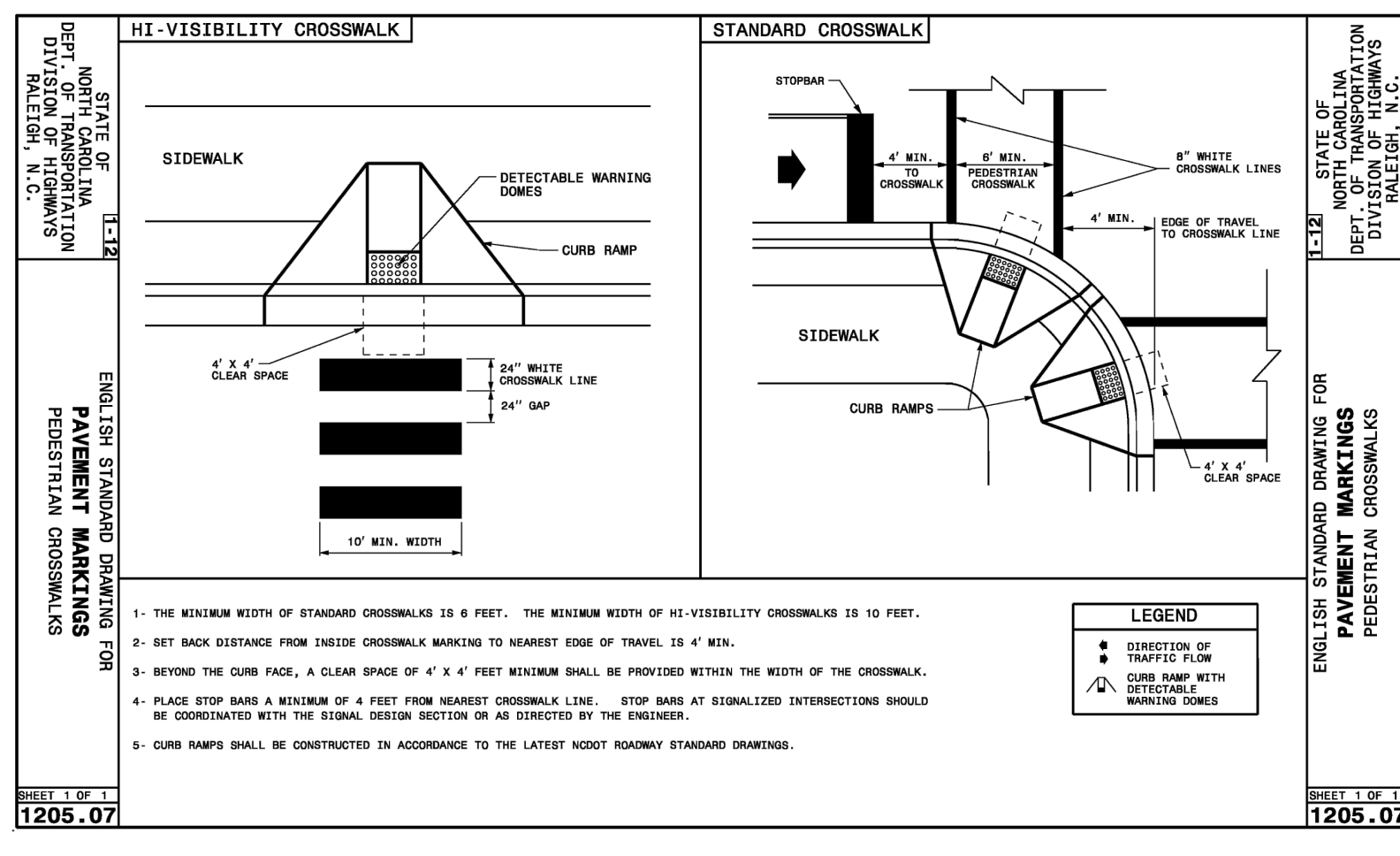
- NOTES:
1. ALL CONCRETE SHALL ACHIEVE A MINIMUM 28 DAY YIELD STRENGTH OF 4,000 PSI.
 2. ALL CONCRETE SHALL HAVE A MAXIMUM SLUMP OF 3 INCHES AND 2-4% AIR ENTRAINMENT.
 3. CONTRACTOR SHALL INSTALL EXPANSION JOINTS WITH PREFORMED FILLER STRIPS:
 - A) EVERY 80 LF EACH WAY FOR FLATWORK AND CURB & GUTTER
 - B) AT TERMINATION OF ALL PROPOSED PAVEMENT
 - C) WHERE PROPOSED PAVEMENT ABUTTS ANY STRUCTURE, BUILDING, AND CURB AND GUTTER
 - D) BETWEEN PROPOSED AND EXISTING PAVEMENT
 4. INSTALL CONTROL JOINTS EVERY 10 LF EACH WAY.
 5. WELDED WIRE MAY BE SUBSTITUTED FOR REBAR, WITH THE USE OF 4,000 PSI CONCRETE. (CONTRACTOR MUST HAVE ENGINEER'S APPROVAL PRIOR TO SUBSTITUTION)

TYPICAL CONCRETE PAVEMENT SECTION THROUGH EXPANSION/ISOLATION JOINT

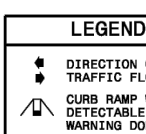
DETAIL

SCALE: NOT TO SCALE

11
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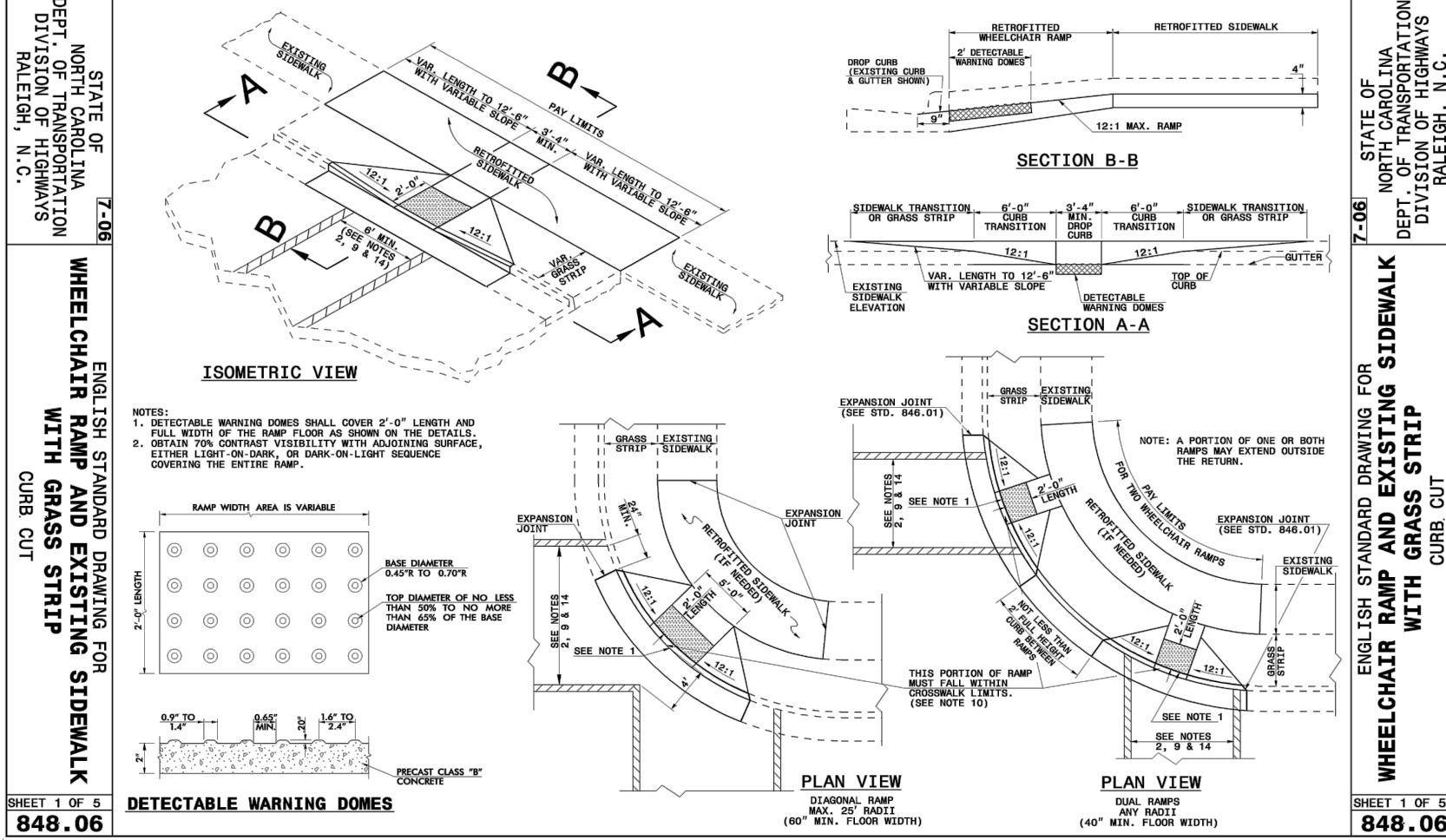
1. THE MINIMUM WIDTH OF STANDARD CROSSWALKS IS 8 FEET. THE MINIMUM WIDTH OF HI-VISIBILITY CROSSWALKS IS 10 FEET.
2. SET BACK DISTANCE FROM INSIDE CROSSWALK MARKING TO NEAREST EDGE OF TRAVEL IS 4' MIN.
3. BEYOND THE CURB FACE, A CLEAR SPACE OF 4' X 4' FEET MINIMUM SHALL BE PROVIDED WITHIN THE WIDTH OF THE CROSSWALK.
4. PLACE STOP BARS A MINIMUM OF 4 FEET FROM NEAREST CROSSWALK LINE. STOP BARS AT SIGNALIZED INTERSECTIONS SHOULD BE COORDINATED WITH THE SIGNAL DESIGN SECTION OR AS DIRECTED BY THE ENGINEER.
5. CURB RAMP SHALL BE CONSTRUCTED IN ACCORDANCE TO THE LATEST NCDOT ROADWAY STANDARD DRAWINGS.



ENGLISH STANDARD DRAWING FOR HIGHWAY CROSSINGS

STATE OF NORTH CAROLINA
DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
HALEIGH, N.C.

1205.07

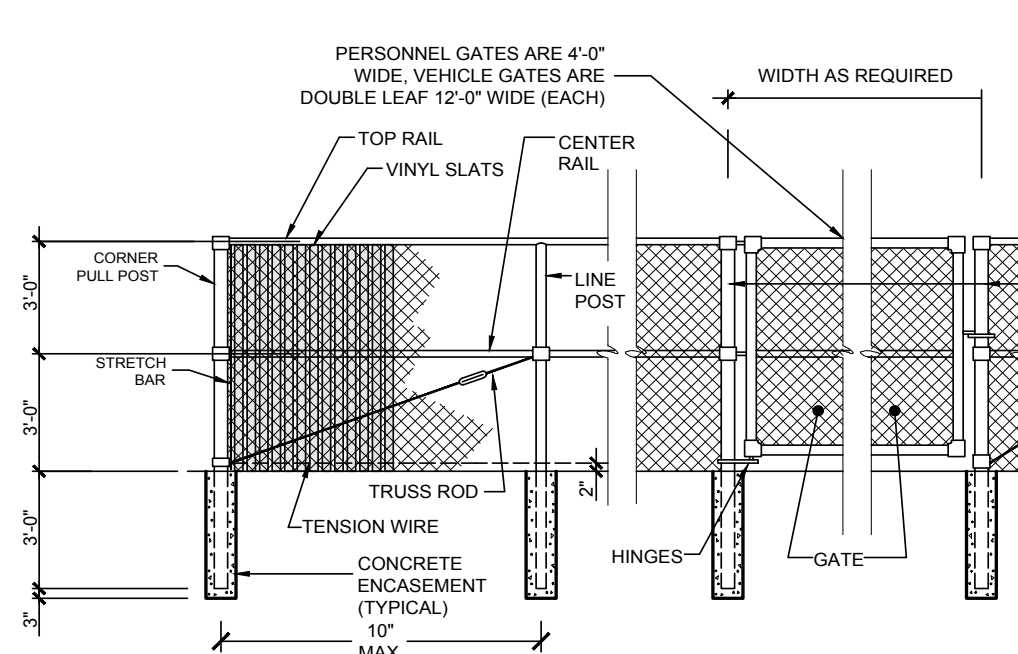


WHEELCHAIR RAMP AND EXISTING SIDEWALK

DETAIL

SCALE: NOT TO SCALE

9
C6

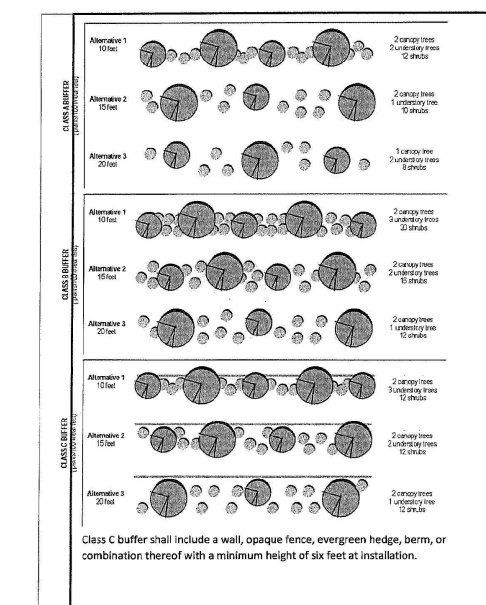


TYPICAL PERIMETER CHAIN-LINK FENCE

DETAIL

SCALE: NOT TO SCALE

12
C6



BUFFER REQUIREMENTS

DETAIL

SCALE: NOT TO SCALE

13
C6



PRELIMINARY DRAWING
FOR REVIEW
PURPOSES ONLY

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SUNBELT GENERAL TOOLS
7635 US HWY 70 BUSINESS
CLAYTON, NORTH CAROLINA 27520

SITE DETAILS

REVISIONS: DATE:

ISSUED FOR: DATE:
REVIEW/APPROVAL 2/28/18

PROJECT NO.: MK2017

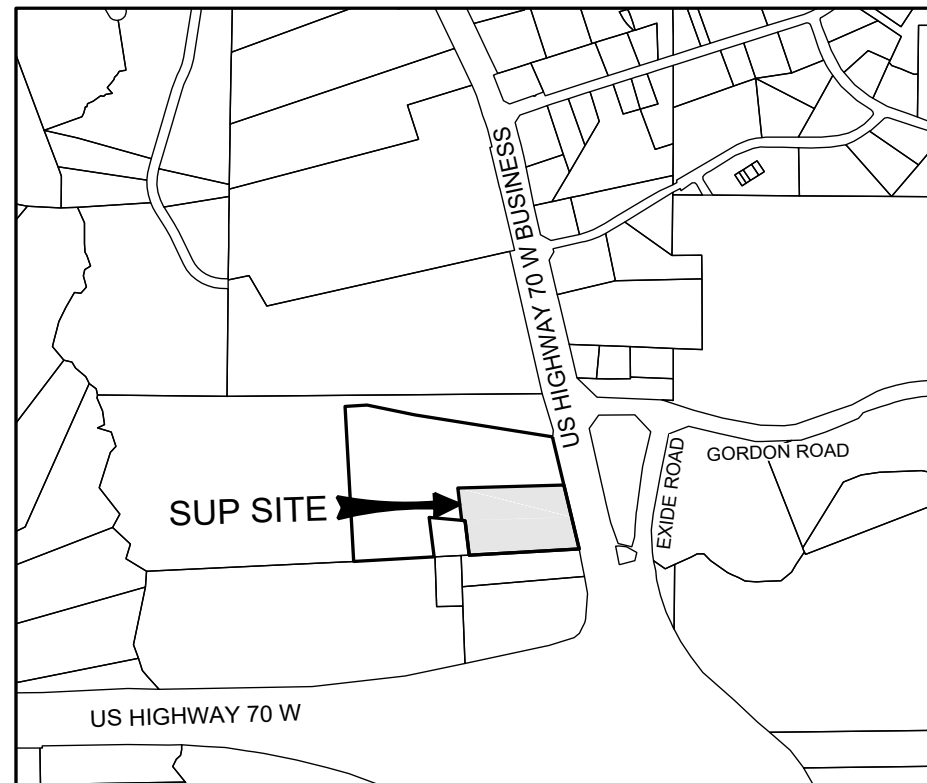
DRAWN BY: GJM/TAL

REVIEWED BY: GJM

SHEET NUMBER:

C6

OF 10 SHEETS



VICINITY MAP
SCALE: 1"=1,000'

LANDSCAPE NOTES:

- Plant material on this site must be installed and maintained in conformance with the Town of Clayton Code of Ordinances.
- Please refer to planting detail on this sheet.
- Additional landscaping above and beyond Town of Clayton requirements subject to change.
- All seed to be to be Confederate Plus (fescue and bluegrass mix) or equal @ 6 lbs. per 1000 s.f.
- All mulch shall be double ground pine bark mulch to a depth of 4".
- Landscape Contractor shall notify owner and Landscape Architect no later than one week prior to all required visits here in.
- All areas shall be seeded, SEEDed or mulch to the limits of construction based on actual field conditions beyond the approved plans. Field verify existing conditions.
- Any steep slopes greater than 3:1 shall require hydro-seeding or other measures for stabilization unless otherwise approved by Owner.
- All plants shall be in accordance with the latest edition of the American Nursery and Landscape Association (ANLA).
- All landscape beds shall have positive drainage away from all structures.
- All landscape islands shall be graded for positive drainage with no low spots allowing water to be trapped.
- All landscape areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion.
- All rooftop and ground mounted mechanical equipment will be completely screened from view.
- Plants shall be located as to not conflict with utilities.

PLANT LIST - Sunbelt General Tools						
KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	QTY.	LOCATION
REQUIRED PLANT MATERIAL						
TREES						
QN	Quercus nuttallii	Nuttall Oak	2 1/2" CAL/8' HT.	B&B	8	VUA/Site
QP	Quercus phellos	Willow Oak	2 1/2" CAL/8' HT.	B&B	14	Buffer/Site
CANOPY TREE TOTAL						
LIF	Lagerstroemia indica x fauriei 'Muskogee'	Muskogee Cape Myrtle	2" CAL/6' HT.	B&B	22	Site/Street Tree
CC	Cercis canadensis	Red Bud	2" CAL/6' HT.	B&B	23	Buffer
UNDERSTORY TREE TOTAL						
SHRUBS						
ICB	Ilex cornuta 'Burfordii Nana'	Dwarf Burford Holly	36" HT.	Cont.	56	VUA Parking Screen
IVN	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	12" HT.	Cont.	24	Buffer
SHRUB TOTAL						

LANDSCAPE MAINTENANCE PLAN:

- THE OWNERS OF THE PROPERTY AND THEIR AGENTS, HEIRS OR ASSIGNS SHALL BE RESPONSIBLE FOR THE INSTALLATION, PRESERVATION AND MAINTENANCE OF ALL PLANTINGS AND PHYSICAL FEATURES SHOWN ON THE APPROVED PLANS. THE OWNERS SHALL BE RESPONSIBLE FOR ANNUAL MAINTENANCE OF THE VEGETATION TO INCLUDE BUT NOT LIMITED TO:
 - FERTILIZATION: FERTILIZE LAWNS TWICE PER YEAR (FEBRUARY 15-MARCH 15 AND AGAIN IN SEPT. 1-OCT. 31) ACCORDING TO SOIL TEST RESULTS. FERTILIZE WARM SEASON GRASSES ONCE DURING GROWING SEASON PER SOIL TEST.
 - PRUNING: PRUNING SHALL BE LIMITED TO REMOVAL OF DEAD OR DAMAGED WOOD OR BRANCHES FOR TREES OR FOR SIGHT DISTANCES/SAFETY REASONS. THE SHMO STANDARDS SHOULD BE ADHERED TO. THE PRUNING OF SHRUBS SHALL BE LIMITED TO THE PRUNING NECESSARY TO MAINTAIN THE NATURAL SHAPE OF PLANT EXCEPT FOR SHEARED HEDGES.
 - PEST CONTROL: PRE-EMERGENT WEED CONTROL FOR LAWNS AND SHRUB BEDS MAY BE APPLIED IN FEBRUARY. CHEMICAL TREATMENT FOR INSECT INFESTATION AND DISEASE MAY BE APPLIED AND SHALL BE SPECIFIC TO THE PROBLEM. POST-EMERGENT WEED CONTROL MAY BE APPLIED AS NEEDED IN MULCHED AND LANDSCAPED AREAS TO MAINTAIN ACCEPTABLE APPEARANCES.
 - MULCHING: MULCHING SHALL BE MAINTAINED AT A DEPTH OF 3-4" IN PLANTING BEDS AND SHALL BE REAPPLIED EVERY YEAR.
 - MOWING: PRIMARY FESCUE LAWNS SHALL BE MAINTAINED AT A HEIGHT OF 3". SECONDARY TURF AREAS MAY BE MAINTAINED HIGHER AND LESS FREQUENTLY. WARM SEASON GRASSES SHALL BE MOWED AS NEEDED DURING THE GROWING SEASON TO MAINTAIN THE RECOMMENDED HEIGHT OF THE SPECIES OF TURF GRASS.
 - PLANT PROTECTION: AVOID EXCESS INTRUSION INTO THE CRITICAL ROOT ZONE AREA OF ESTABLISHED/MATURE VEGETATION.
 - WATERING: CONTRACTOR SHALL WATER ALL VEGETATION BY HAND AS NECESSARY TO ESTABLISH AND MAINTAIN THE NEW PLANTINGS FOR A PERIOD OF 1 YEAR.
 - WARRANTY: CONTRACTOR SHALL WARRANTY ANY AND ALL PLANTINGS FOR A PERIOD OF 3 YEARS. AT THE OWNER'S SOLE DISCRETION, THE CONTRACTOR SHALL REPLACE ANY AND ALL LANDSCAPE MATERIALS DEEMED TO BE UNACCEPTABLE, DAMAGED OR DEAD.

SITE INTERIOR LANDSCAPING

30% OF LOT AREA SHALL BE LANDSCAPED
1 CANOPY TREE, 1 UNDERSTORY TREE, 2 SHRUBS PER 1,000 S.F. OF SITE
SITE AREA: 6.22 AC./271,060.94 S.F.
20% OF 271,060.94 = 54,212.19

REQUIRED: 54,212.19 S.F. SITE INTERIOR LANDSCAPING

54,212.19/1,000 S.F. = 54.21

54 CANOPY TREES

54 UNDERSTORY TREES

108 SHRUBS

PROVIDED: 54,000 S.F. SITE INTERIOR LANDSCAPING

(54 X 1,000 S.F. = 54,000 S.F.)

20 CANOPY TREES (NEW)

15 UNDERSTORY TREES (NEW)

56 SHRUBS (NEW)

EXISTING VEGETATION WILL BE USED AS CREDIT ALONG THE WEST AND SOUTH PERIMETERS OF THE SITE TO FULFILL THE REQUIREMENTS SET FOR THE INTERIOR LANDSCAPING.

LANDSCAPE DATA

BUFFERS

20' CLASS 'B' PERIMETER BUFFER : 390.20'

REQUIRED TOTALS:

2 TREES PER 100' = 8 CANOPY TREES

1 TREE PER 100' = 4 UNDERSTORY TREES

12 SHRUBS PER 100' = 48 SHRUBS

PROVIDED TOTALS:

2 CANOPY TREES (NEW)

2 UNDERSTORY TREES (NEW)

24 SHRUBS (NEW)

EXISTING VEGETATION IN BUFFER AREA WILL BE USED AS CREDIT TO FULFILL THE REQUIREMENTS SET FOR THE 20' TYPE 'C' BUFFER.

STREET TREES

1 CANOPY TREE PER 40' OF STREET/YARD. 415.14'/40 = 10.38 TREES

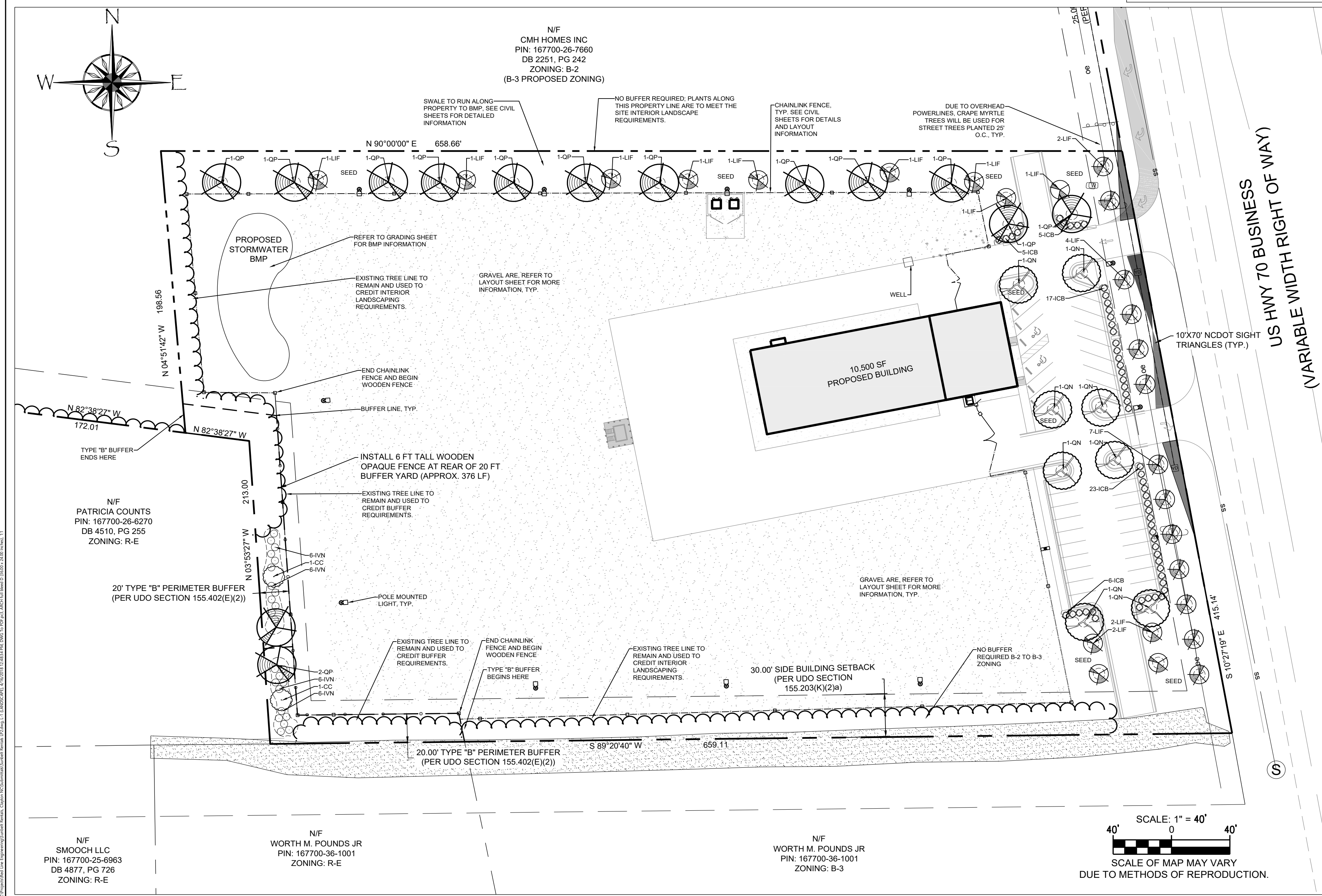
TREES REQUIRED = 10

TREES PROVIDED = 10

VEHICLE USE AREA

REQUIRED AND PROVIDED:
PARKING SCREENED FROM RIGHT OF WAY AND ADJACENT PROPERTY WITH SHRUBS
@ 36" TALL AT INSTALLATION

PARKING LOT ISLANDS CONTAIN CANOPY TREE PLANTED AT 2 1/2" CAL.



TREE PLANTING DETAILS

Do not wrap trunk. Mark the north side of the tree in the nursery and locate to the north in the field.

Trunk flare and top of root ball should be at grade in well drained soil, up to 4 inches (10 cm) above grade in poorly drained soil.

Note: Width of planting hole is 3 times root ball diameter in highly compacted or clay soil; 2 times the root ball diameter minimum in all others.

Dig wide planting hole with tapered sides.

Cut burlap, rope and wire basket away from top and sides of root ball.

Set ball on undisturbed soil to prevent settling.

Do not stake trees except where specified by Landscape Architect. If staking is necessary use two opposing stakes with separate flexible ties. Remove staking at end of first growing season.

2" (5 cm) bark mulch. Do not place mulch in contact with tree trunk.

4" (10 cm) raised ring of soil to direct water into root ball - especially important if top of root ball is raised above grade.

Before planting, add 3-4" (7-10 cm) of well-composted leaves, recycled yard waste or other compost and fill into top 6" (15 cm) of prepared soil. Add compost of 20-25% by volume to backfill.

Extend stakes into undisturbed soil.

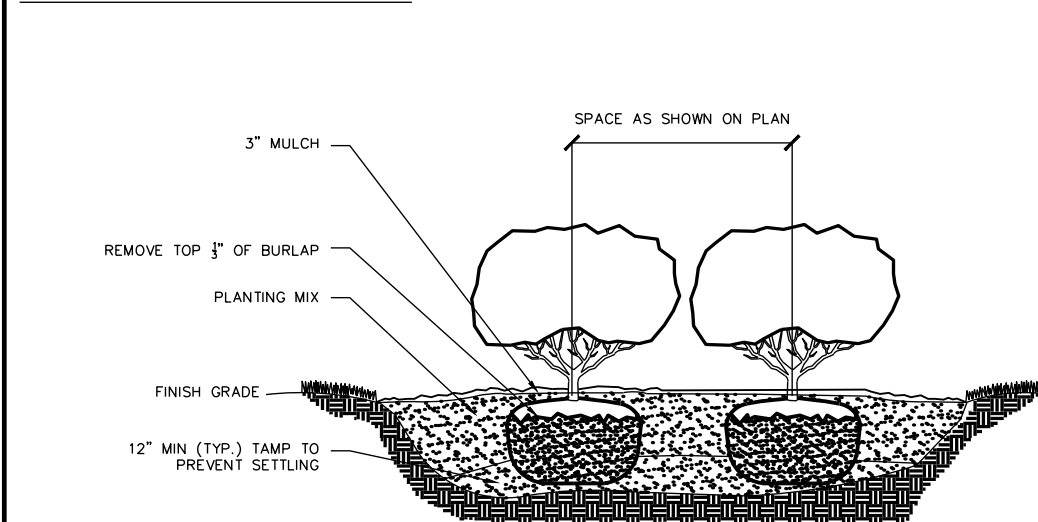
Back backfill soil around base of root ball to stabilize; allow rest of backfill to settle naturally or tamp lightly.

4-6" (10-15 cm) deeper than root ball for lowered planting hole or treated with poor drainage.

GENERAL PLANTING NOTES

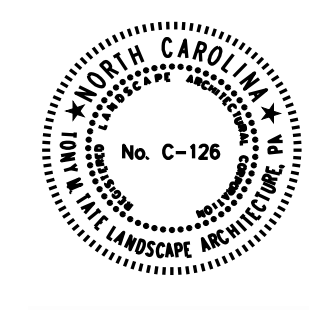
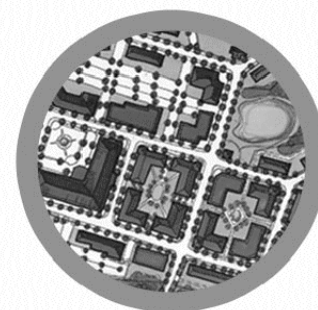
- VERIFICATION OF TOTAL QUANTITIES AS SHOWN ON THE PLANT LIST SHALL BE THE RESPONSIBILITY OF THE PLANTING CONTRACTOR, AND THE TOTAL QUANTITIES SHALL BE REQUIRED ON THE PLANTING PLAN.
- ALL TREES, SHRUBS, AND BEDDING PLANTS SHALL CONFORM TO THE ACCEPTED STANDARDS ESTABLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
- ALL SAUERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING PLANTING.
- THE SIZE OF ALL ROOT BALLS SHALL CONFORM TO AAS STANDARDS.
- FERTILIZE ALL PLANTS WITH AGRIFORM FERTILIZER TABLETS OR EQUAL TO BE APPLIED AT MANUFACTURERS RECOMMENDED RATE.
- GUYING, IF NECESSARY, SHALL BE REMOVED AFTER ONE GROWING SEASON.
- ALL ROOT BALLS REMOVED FROM CONTAINERS SHALL BE SCARIFIED PRIOR TO BACKFILLING.
- ALL TREES HAVE BEEN LOCATED WITH RESPECT TO PROPOSED OR EXISTING FACILITIES OR STRUCTURES.
- OWNERS SHALL MAINTAIN ALL PLANT BEDS AND PLANT MATERIAL IN GOOD HEALTH, AND ANY DEAD, UNHEALTHY OR MISSING PLANTS SHALL BE REPLACED WITH LOCALLY ADAPTED VEGETATION WHICH CONFORMS TO THE INITIAL PLANTING STANDARDS OF THE LANDSCAPE ORDINANCE.
- REPORT ANY DISCREPANCIES TO THE PROJECT LANDSCAPE ARCHITECT.
- SUBSTITUTIONS OR ALTERATIONS SHALL NOT BE MADE WITHOUT PRIOR WRITTEN NOTIFICATION OF THE PROJECT LANDSCAPE ARCHITECT.
- ALL PLANT MATERIAL SHALL BE OF SPECIMEN QUALITY.
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- AVOID PURCHASING TREES WITH TWO LEADERS OR REMOVE ONE BEFORE PLANTING; OTHERWISE, DO NOT PRUNE TREE AT PLANTING EXCEPT TO REMOVE DEAD OR BROKEN LIMBS OR TO CORRECT SPECIFIC STRUCTURAL PROBLEMS, I.E. GROSSED LIMBS, MULTIPLE LEADERS, ETC.
- TRUNK FLARE AND TOP OF ROOT BALL SHOULD BE AT GRADE IN WELL DRAINED SOIL AND UP TO FOUR INCHES (10cm) ABOVE GRADE IN POORLY DRAINED SOIL.
- MULCH NOT TO BE IN CONTACT WITH TREE TRUNK.
- REMOVE TREE WRAP FROM TRUNK AT TIME OF INSTALLATION.
- REMOVE ALL STAKING AND GUYING ELEMENTS AT OR BEFORE THE WARRANTY TERMINATION DATE OR WITHIN ONE CALENDAR YEAR.
- IF PLANTING HOLES ARE DUG WITH A LARGE AUGER, BREAKING DOWN THE SIDES WITH A SHOVEL CAN ELIMINATE GLAZING AND CREATE THE PREFERRED SLOPING SIDE.
- TREE PLANTING DETAIL (B&B PLANTS) ADAPTED FROM "ARCHITECTURAL GRAPHIC STANDARDS" 1998 AND WATSON & HAMELOCK "PRINCIPLES AND PRACTICE OF PLANTING TREES AND SHRUBS" REATED CLOSE TOGETHER SUCH THAT THEY WILL UNLESS SHOWN ROOT SPACE, TALL IN SOIL, AHEADWAYS TO A DEPTH OF 4-6" (10-15 CM) OVER THE ENTIRE AREA.
- FOR CONTAINER TREES OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL; THEN CUT OR PULL APART ANY ROOTS CIRCLED THE PERIMETER OF THE CONTAINER.
- DURING THE DESIGN PHASE, CONFIRM THAT WATER DRAINS OUT OF THE SOIL; USE LOWERED PLANTING HOLE DEPTH AND DESIGN ALTERNATIVE DRAINAGE SYSTEM AS REQUIRED.
- THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
- THE PLANTING PROCESS IS SIMILAR FOR DECIDUOUS AND EVERGREEN TREES.

SHRUB PLANTING DETAIL



GENERAL PLANTING NOTES

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- ALL PLANT MATERIAL SHALL BE OF SPECIMEN QUALITY.
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- AVOID PURCHASING TREES WITH TWO LEADERS OR REMOVE ONE BEFORE PLANTING; OTHERWISE, DO NOT PRUNE TREE AT PLANTING EXCEPT TO REMOVE DEAD OR BROKEN LIMBS OR TO CORRECT SPECIFIC STRUCTURAL PROBLEMS, I.E. GROSSED LIMBS, MULTIPLE LEADERS, ETC.
- TRUNK FLARE AND TOP OF ROOT BALL SHOULD BE AT GRADE IN WELL DRAINED SOIL AND UP TO FOUR INCHES (10cm) ABOVE GRADE IN POORLY DRAINED SOIL.
- MULCH NOT TO BE IN CONTACT WITH TREE TRUNK.
- REMOVE TREE WRAP FROM TRUNK AT TIME OF INSTALLATION.
- REMOVE ALL STAKING AND GUYING ELEMENTS AT OR BEFORE THE WARRANTY TERMINATION DATE OR WITHIN ONE CALENDAR YEAR.
- IF PLANTING HOLES ARE DUG WITH A LARGE AUGER, BREAKING DOWN THE SIDES WITH A SHOVEL CAN ELIMINATE GLAZING AND CREATE THE PREFERRED SLOPING SIDE.
- TREE PLANTING DETAIL (B&B PLANTS) ADAPTED FROM "ARCHITECTURAL GRAPHIC STANDARDS" 1998 AND WATSON & HAMELOCK "PRINCIPLES AND PRACTICE OF PLANTING TREES AND SHRUBS" REATED CLOSE TOGETHER SUCH THAT THEY WILL UNLESS SHOWN ROOT SPACE, TALL IN SOIL, AHEADWAYS TO A DEPTH OF 4-6" (10-15 CM) OVER THE ENTIRE AREA.
- FOR CONTAINER TREES OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL; THEN CUT OR PULL APART ANY ROOTS CIRCLED THE PERIMETER OF THE CONTAINER.
- DURING THE DESIGN PHASE, CONFIRM THAT WATER DRAINS OUT OF THE SOIL; USE LOWERED PLANTING HOLE DEPTH AND DESIGN ALTERNATIVE DRAINAGE SYSTEM AS REQUIRED.
- THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
- THE PLANTING PROCESS IS SIMILAR FOR DECIDUOUS AND EVERGREEN TREES.



Know what's below.
Call before you dig.

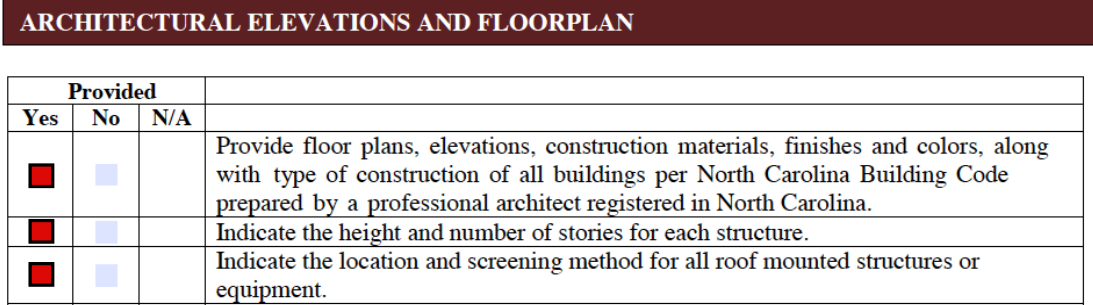
REVISIONS:

LANDSCAPE PLAN
SUNBELT GENERAL TOOLS
7635 US HWY 70 WEST BUSINESS
CLAYTON, NORTH CAROLINA

SCALE:
1" = 40'
DRAWN BY:
JWA
PROJECT #
18027
DATE:
3/2/2018

SHEET
L-1
OF

TONY M. TATE LANDSCAPE ARCHITECTURE PA
5011 SOUTHPARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 f: (919) 484-8881 e: tony@tmlla.com

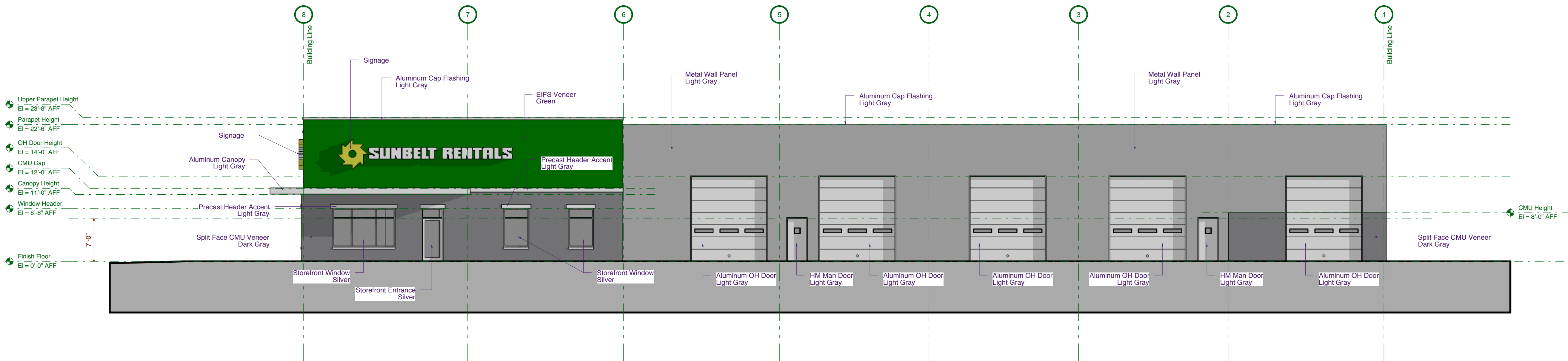


1 Overall Floor Plan



DRAWN BY:	JMM
CHECK BY:	JMM
Floor Plan	

A1.01



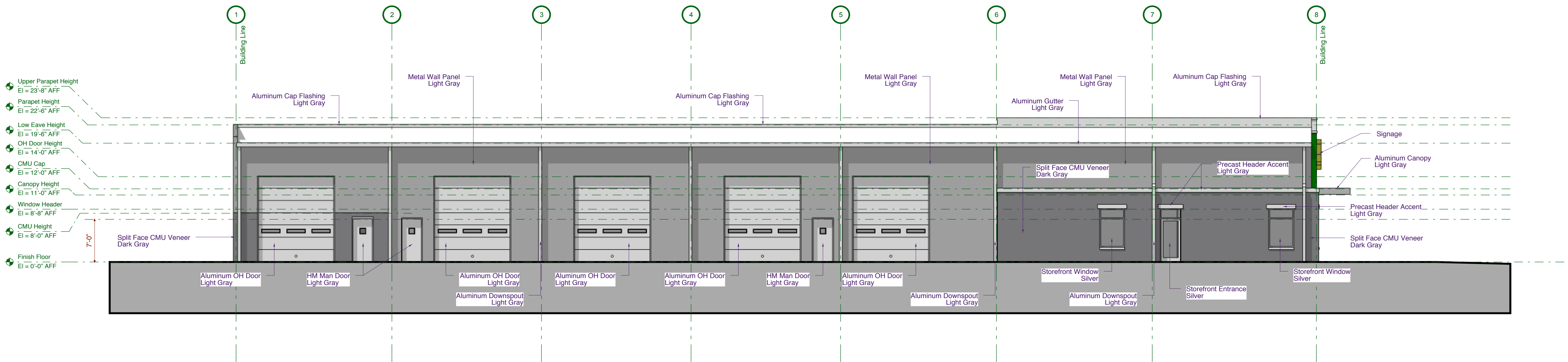
Parking Lot / Storage Elevation - Side
Non-facing Street Elevation

1

Overall Elevation

Scale: 1/8" = 1'-0"

10' 0' 2' 4' 8' 10'



Storage Elevation - Side
Non-facing Street Elevation

2

Overall Elevation

Scale: 1/8" = 1'-0"

10' 0' 2' 4' 8' 10'

McGahey Design
architecture + planning
404 Raleigh Street
Fugate-Vernon, North Carolina 27526
919.422.0265 • info@mcgaheydesign.com

Preliminary
Do not use for Construction

Preliminary
Do not use for Construction

FOCUS
DESIGN BUILDERS LLC

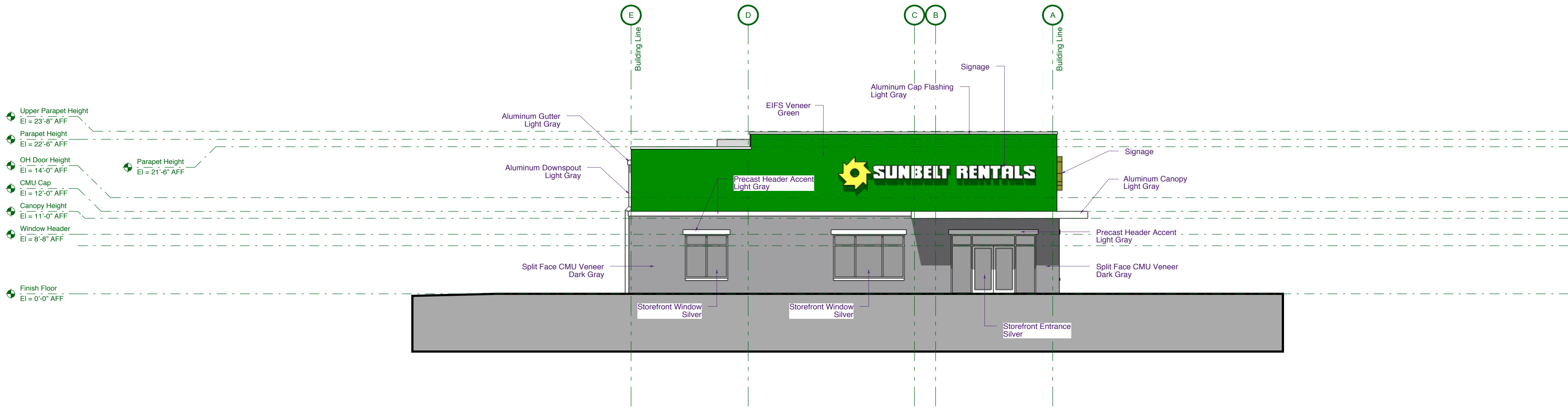


PROJECT:	2017-11
DATE ISSUED:	03.01.18
REVISIONS:	DATE

DRAWN BY: JMM
CHECK BY: JMM
Proposed Overall Elevations

A2.01

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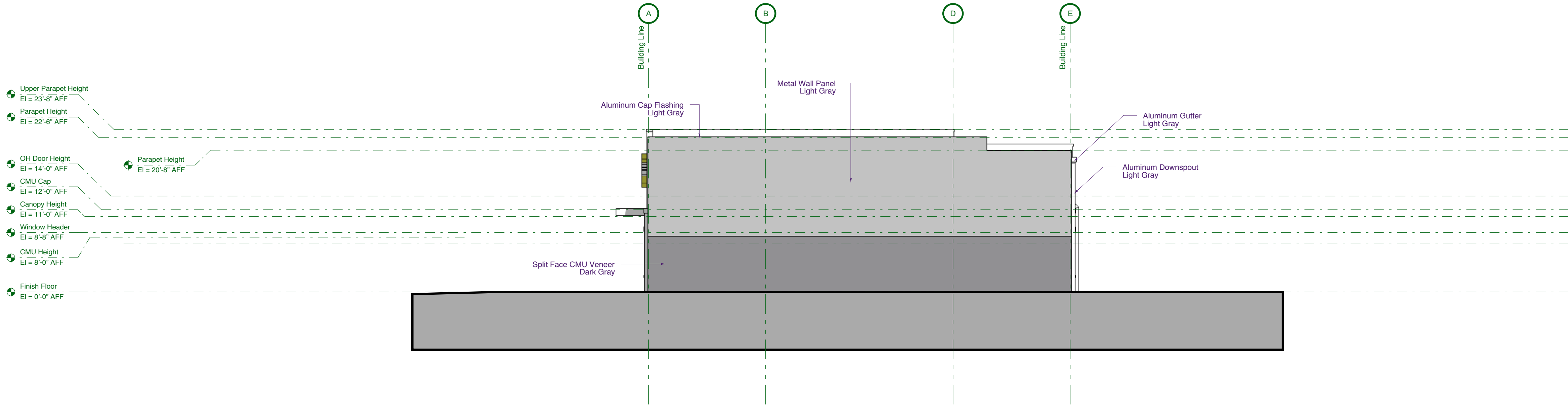
Street Elevation

1

Overall Elevation

Scale: 1/8" = 1'-0"

10' 0' 2' 4' 6' 8' 10'



Storage Lot Elevation - Rear

Non-facing Street Elevation

2

Overall Elevation

Scale: 1/8" = 1'-0"

10' 0' 2' 4' 6' 8' 10'

McGahey Design

architecture + planning

404 Raleigh Street
Fugate-Vernon, North Carolina 27526
919.422.0265 • info@mcgaheydesign.com

Preliminary

Do not use for Construction

Preliminary

Do not use for Construction

FOCUS

DESIGN BUILDERS LLC

SUNBELT

PROJECT: 2017-11

DATE ISSUED: 10.22.17

REVISIONS: DATE

DRAWN BY: JMM

CHECK BY: JMM

Proposed Overall Elevations

A2.02

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NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Clayton Homes Sunbelt Site

Application: Rezoning & Special Use

Location/Date: The Clayton Center (York Room) / 12-19-17

	NAME	ADDRESS
1	Gary McCabe	1401 Aversboro Rd, Suite #210, Garner, NC 27529
2	Timothy Lance	1401 Aversboro Rd, Suite #210, Garner, NC 27529
3	Craig Moffatt	4901 Union Drive, Wake Forest, NC 27587
4		
5		
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20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Rezoning & Special Use

Date of Mailing: _____

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

Printed Name: Craig Moffat Signature: _____

Date of Meeting: 12/19/17 Time of Meeting: 7:30

Location of Meeting: The Clayton Center (York Room)

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

Meeting End: 8:45pm (No show)

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

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on May 21, 2018, , at 6:00 PM at Town Hall, 111 East Second Street, to consider special use application 2017-209-SUP for Sunbelt Rentals. This application requires a Special Use Permit to allow the use of "Vehicle Sales and Rental" in the B-3 (Highway Business) zoning district. The site is 6.22 acres of a 23± acre tract, located at 7635 US Hwy 70 Bus West; parcel number 167700-26-7660.

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

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

Jay McLeod, Senior Planner
919-553-5002

Please advertise on the following dates:

April 11, 2018

April 18, 2018

Affidavit of publication required.



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Consent Agenda

Item Title

2018-75-0A Scenic Highway Overlay Amendment

Presenter

Planning Department and Economic & Community Development Department

Summary/Description

This amendment seeks to remove the Scenic Highway Overlay from the Unified Development Code. The Scenic Highway Overlay was established in 2011 to restrict certain additional uses beyond those of the standard underlying zoning district(s). The Scenic Highway Overlay District (SHO) further restricts uses and development within ½ mile of the interchange of US Hwy 70 Bus. and US Hwy 70 Bypass because the two interchanges function as entrances, or gateways, into Clayton from US Hwy 70 Bypass. The purpose of the SHO is to “encourage the development of specific uses at SHO interchanges, evoking a sense of arrival at a significant urban destination.” The SHO has not shown a substantial positive impact on the areas it effects and thus the original intent and reliability of that are in question. There have been multiple instances when the SHO has negatively impacted development in Clayton. Staff feels strongly that the SHO should be removed from the ordinance.

Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Maps
Planning Board recommendation
Newspaper Ad- Public Notice



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

ORDINANCE AMENDMENT APPLICATION

Pursuant to Article 7, Section 155.703 of the Unified Development Code, the Town Council, Board of Adjustment, Planning Board, Planning Director, or the general public may petition the Town Council to amend the Code of Ordinances.

Application Fee: TBD

Advertisement Fee: \$100.00

All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: Overlay District Amendment

Existing title of Code Section(s): 155.200 (Districts Established), 155.204 (Overlay District Standards), 155.801 (Abbreviations)

Code Section Number(s): Title XV, Chapter 155, Articles 2 and 8

APPLICANT/CONTACT INFORMATION

Applicant: Town of Clayton, Planning Department

Mailing Address: P.O. Box 864, Clayton, NC 27528

Phone Number: 919-553-5002

Fax: _____

Contact Person: Samantha Wullenwaber (Planning Director)

Email Address: swullenwaber@townofclaytonnc.org

DESCRIPTION OF REQUESTED CHANGES

Please provide a general justification of the requested ordinance amendment. Attach additional sheets if necessary.

Request to remove the Scenic Highway Overlay District. Staff seeks to make this amendment in order to remove additional burden placed upon applicants looking to develop within the US HWY 70 W corridor.

FOR OFFICE USE ONLY		
Date Received:	<u>APR 18 2018</u>	Amount Paid: <u>_____</u>
		File Number: <u>2018-75-0A</u>

Version 05/10/2016 TOWN OF CLAYTON PLANNING DEPARTMENT

Page 1 of 2

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany this application for it to be deemed complete.

To be completed by the applicant:	For staff use only:				
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☐	X			
2. Review Fee and Advertisement Fee	☐	X			
3. Completed application	☒				
4. A bound strikethrough/underline copy of the Code section(s) proposed for revision	☒				
5. A bound "clean" copy of the Code section(s) proposed for revision	☒				

APPROVAL CRITERIA

All applications for Ordinance Amendment must address the following criteria:

1. The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.
The proposed amendment is consistent with the remainder of the chapter.
2. The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.
The amendment seeks to remove additional burden placed upon applicants seeking to develop within the US HWY 70 W corridor.
3. Whether or not the proposed text amendment corrects an error in the chapter.
This amendment does not correct an existing error within the chapter.
4. Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.
This amendment is not proposed to revise the chapter in order to comply with state or federal statutes or case law.

APPLICANT AFFIDAVIT

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

Samantha Wullenwaber
Print Name

Samantha Wullenwaber
Signature of Applicant

4-2-18
Date



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

Planning Board
April 23, 2018

STAFF REPORT

Application Number: 2018-75-OA
Project Name: Scenic Highway Overlay District Removal
Ordinance Amendment

Applicant: Town of Clayton

Public Noticing:

- Newspaper ad posted prior to May 21, 2018

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155.200, §155.204, §155.801. This amendment seeks to remove the Scenic Highway Overlay District from the Unified Development Code. The proposed change is minor in scope.

SECTIONS PROPOSED FOR AMENDMENT:

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

- 200 –Districts Established
- 204 –Overlay Districts Standards
- 801– Abbreviations

STAFF ANALYSIS AND COMMENTARY:

Overview

This amendment seeks to remove the Scenic Highway Overlay from the Unified Development Code. The Scenic Highway Overlay was established in 2011 to restrict certain additional uses beyond those of the standard underlying zoning district(s). The Scenic Highway Overlay District (SHO) further restricts uses and development within ½ mile of the interchange of US Hwy 70 Bus. and US Hwy 70 Bypass because the two interchanges function as entrances, or gateways, into Clayton from US Hwy 70 Bypass. The purpose of the SHO is to “encourage the development of specific uses at SHO interchanges, evoking a sense of arrival at a significant urban destination.” The SHO has not shown a substantial positive impact on the areas it effects and thus the original intent and

Page 1 of 2

reliability of that are in question. There have been multiple instances when the SHO has negatively impacted development in Clayton. Staff feels strongly that the SHO should be removed from the ordinance.

Approval Criteria:

- **Consistency with remainder of the Chapter**
The request is consistent with the remainder of Chapter 155.

- **Novelty of the request**
The request does not represent novel changes to the Code.

CONSIDERATIONS

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

STAFF RECOMMENDATION:

Staff is recommending approval of the removal of the Scenic Highway Overlay from the UDC.

CONDITIONS:

Staff has no recommendation of Conditions.

ATTACHMENTS:

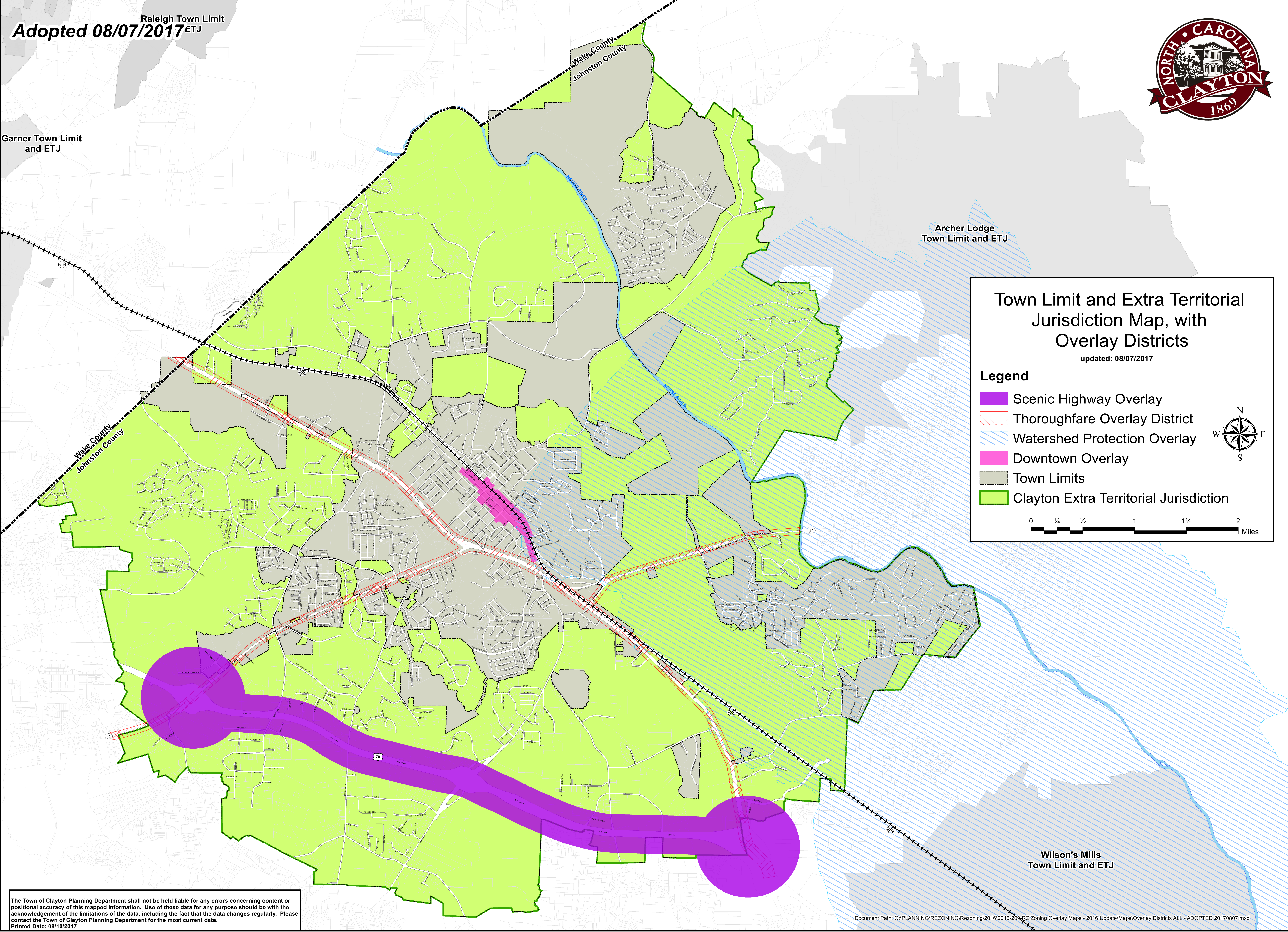
- 1) Application
- 2) Draft Ordinance Amendment, in strikethrough/underline
- 3) Draft Ordinance- Clean Copy
- 4) Existing Overlay Map



Town Limit and Extra Territorial Jurisdiction Map, with Overlay Districts
updated: 08/07/2017

Legend

- Scenic Highway Overlay
- Thoroughfare Overlay District
- Watershed Protection Overlay
- Downtown Overlay
- Town Limits
- Clayton Extra Territorial Jurisdiction



The Town of Clayton Planning Department shall not be held liable for any errors concerning content or positional accuracy of this mapped information. Use of these data for any purpose should be with the acknowledgement of the limitations of the data, including the fact that the data changes regularly. Please contact the Town of Clayton Planning Department for the most current data.
Printed Date: 08/10/2017

Document Path: O:\PLANNING\REZONING\Rezoning\2016\2016-209-ZZ Zoning Overlay Maps - 2016 Update\Maps\Overlay Districts ALL - ADOPTED 20170807.mxd

ARTICLE 2: ZONING DISTRICTS

§ 155.200 DISTRICTS ESTABLISHED

To carry out the provisions of this Chapter, within the jurisdiction of the Town, the following zoning districts are established.

(A) **INTERPRETATION OF ZONING DISTRICT BOUNDARIES**

(1) **Defined**

District boundaries are as shown upon the Official Zoning Map and Future Land Use Map as set forth in § 155.104, and as adopted by Town Council. The provisions of this chapter are hereby established and declared to be in effect upon all land included within the boundaries as shown on the maps.

(2) **Rules for Interpretation**

- (a) The Planning Director shall be responsible for interpretations of the Official Zoning Map and Future Land Use Map in accordance with the standards set forth in this Section. Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:
1. Boundaries indicated as approximately following the centerlines of streets, alleys, highways, streams or railroads shall be construed to follow such centerlines.
 2. Boundaries indicated as approximately following lot lines, Town limits or extraterritorial jurisdiction boundary lines, shall be construed as following such lines, limits or boundaries; and
 3. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such changed shorelines.
 4. Where a district boundary divides a lot or where distances are not specifically indicated on the zoning map, the boundary shall be determined by measurement, using the scale of the zoning map.
 5. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- (b) Any person or party aggrieved by the Planning Director's interpretation of the Official Zoning Map may file an Administrative Appeal application to the Board of Adjustment, as provided in §155.717 of this ordinance. The application shall contain sufficient information to enable the Board of Adjustment to make the necessary interpretation.

(B) **GENERAL USE DISTRICTS**

(1) **Residential Districts**

- (a) ***R-E | Residential-Estate.*** The R-E district is comprised of low density, single-family dwellings, and other selected uses which are compatible with the open and rural character of the area. The established regulations for this district are designed to promote and encourage an environment for family life and agriculture. To encourage higher quality development and to ensure greater environmental protection, open space (cluster) subdivisions are permitted.
- (b) ***R-10 | Single-Family Residential-10.*** The R-10 district is established to provide for orderly suburban residential development and redevelopment and is intended to maintain residential areas at relatively low densities characterized predominantly by owner-occupied, single-family detached units. The district requirements protect existing neighborhoods from undesirable or incompatible uses. To encourage higher quality development and to ensure greater environmental protection, open space (cluster) subdivisions are permitted. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.
- (c) ***R-8 | Single-Family Residential-8.*** The R-8 district is established to provide for orderly suburban residential development and redevelopment and is intended to maintain residential areas at suburban densities characterized predominantly by owner-occupied, single-family detached units. To encourage higher quality development and to ensure greater environmental protection, open space (cluster) subdivisions are permitted. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.
- (d) ***R-6 | Single-Family Residential-6.*** The R-6 district is established to provide for orderly suburban residential development and redevelopment. Intended to protect, preserve and enhance existing residential areas of higher density, which includes multi-family dwellings mixed with other housing types. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.

(2) **Nonresidential Districts**

- (a) ***O-R | Office-Residential.*** The O-R district is intended to accommodate modest-scale professional occupations, along with single-family and multi-family residential units, to serve as a neighborhood activity center and as a transition between residential and more intense commercial uses.
- (b) ***O-I | Office-Institutional.*** The O-I district is intended to permit offices, institutions, and associated administrative, executive, professional and research uses in new and existing structures and limited retail uses. Such offices and institutional uses are generally located along or proximate to major roadways or adjacent to commercial uses and may act as a buffer between such areas and residential uses.

- (c) **B-1 | Central-Business.** The B-1 district is intended to foster a vibrant, safe, central business district and town center by encouraging dense residential development while retaining and further developing a broad range of commercial, retail, service, office, institutional, public, cultural, and entertainment uses and activities. The district is intended to define and promote the town center as a desirable place to live, work, shop, and recreate.
 - (d) **B-2 | Neighborhood-Business.** The B-2 district provides opportunities for small-scale commercial uses offering primarily convenience shopping and services for adjacent residential areas. Proximity to residences requires that commercial operations are low intensity, unobtrusive, and conducted at a scale and density compatible with the surrounding neighborhood. There is a relatively low demand on public services, transportation, and utilities.
 - (e) **B-3 | Highway-Business.** The B-3 district provides opportunities for offices, service uses, and businesses retailing durable and convenience goods for the community as a whole. Located on major and minor thoroughfares, this district is accessible to and serves the entire community. Site design and buffering mitigate impacts of traffic, operations, and scale on adjacent businesses and residential neighborhoods.
 - (f) **I-1 | Industrial-Light.** The I-1 district fosters the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist. Industries should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or business districts, warehousing and wholesaling activities, and research facilities. The regulations of this district are intended to prohibit the use of land for industries that by their nature may create very minor nuisance to surrounding properties.
 - (g) **I-2 | Industrial-Heavy.** The I-2 district fosters the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist. Intended for heavy industries that, by their nature, may create some nuisance, and which are not properly associated with or are compatible with nearby residential or business districts, warehousing and wholesaling activities, and research facilities.
 - (h) **PF | Public Facilities.** The PF district is established to provide a coordinated land planning approach to the sale, rent, lease, purchase, management, or alteration of publicly owned or operated lands. Notwithstanding those public uses permitted elsewhere in this Code, the PF district is primarily intended for, although not limited to, public parks and recreation areas, public buildings and facilities, and other capital improvements of a significant nature. (*Ord. 2015-09-03, adopted 09/28/2015*)
- (3) **Planned Development Districts**
- (a) **PD-R | Planned Development-Residential.** The PD-R district provides opportunities for master-planned residential communities containing a mix of housing types, including associated amenities with appropriate perimeter buffering and open space. This district is primarily intended for large-scale residential projects that require either additional flexibility not available in a residential district or greater scrutiny by the Town due to their scale.

- (b) ***PD-C | Planned Development-Commercial.*** The PD-C district is intended to enhance the design of a commercial development by allowing for additional flexibility not available in the nonresidential districts. The district allows for innovations and special features in site development, including the location and type of structures, the conservation of natural features, the conservation of energy, and the efficient use of open space.
- (c) ***PD-I | Planned Development-Industrial.*** The PD-I district is intended to provide a means of achieving unified industrial complexes of high quality to promote amenities beyond those expected under conventional techniques, to achieve greater flexibility in design, to encourage well-planned industrial developments that provide for community needs, to provide for appropriate use of land which is significantly unique in its physical characteristics, location or other circumstances to warrant special methods of development, and to allow the expansion of existing industrial areas while safeguarding and maintaining the integrity of surrounding uses, especially those of a residential nature.
- (d) ***PD-MU | Planned Development-Mixed Use.*** The PD-MU district is intended to provide coordinated mixed use developments, which includes light industrial, commercial, office, educational, civic, institutional, residential and service uses within a planned development with appropriate perimeter buffering and open space. The variety of land uses available in this district allows flexibility to respond to market demands and the needs of tenants, which provides for a variety of physically and functionally integrated land uses.

(C) **SPECIAL USE DISTRICTS**

- (1) Pursuant to G.S. § 160A-382, the Town Council may establish by ordinance various special use districts upon request by or on behalf of all owners. Parallel special use districts shall be designated by adding "-SUD" to the corresponding general use district.
- (2) All zoning regulations that apply to the general use district are the minimum within the corresponding special use district.
- (3) A special use district may provide for greater but not lesser setbacks than those applicable to the corresponding general use district, and may limit the number of uses.
- (4) Under each special use district, all uses must be approved through the issuance of a special use permit granted by the Town Council in accordance with § 155.711. However, a special use permit is not required as a prerequisite to establish a special use district, since the district itself may be conditioned and established first and then developed much later. However, a special use permit may be submitted in tandem petition for the special use district, either by preference of the applicant or upon request by the Town Council or Planning Director, if either finds that such permit is necessary in order to consider an application for a special use district.
- (5) If for any reason a condition imposed pursuant to these regulations is found to be illegal or invalid, or if the applicant should fail to accept any condition, it is the intent of this chapter that the authorization of such special use district or special use permit within that district shall be null and void and of no effect and that proceedings be instituted to rezone the property to its previous zoning classification.

(D) **OVERLAY DISTRICTS**

(1) **Thoroughfare Overlay District (TOD)**

The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment. It is recognized that an enhanced development quality in areas of high visibility promotes economic development and stability in the entire community. The standards established in § 155.204(A) shall be applied to properties which adjoin major thoroughfares, as designated on the Town's Overlay Zoning Map.

(2) **Watershed Protection Overlay (WPO)**

(a) The Watershed Protection Overlay (WPO) is hereby established as a district that overlays the designated water supply watershed. The designated water supply watershed under this district is defined and established by the overlay district "Watershed Protection Overlay" on the zoning map. Land use and development within the WPO must comply with all the requirements of both the underlying zoning district and the watershed overlay.

(b) The designated water supply watershed within the Town is designated by the state as a Class IV watershed protected area (WS-IV PA) and is referred to as the Neuse River (Smithfield) watershed within the Neuse River basin. Only new development activities that require an erosion/sedimentation control plan under state law or approved local government program are required to meet the provisions of this program. See § 155.501 for watershed protection standards.

~~(3) **Scenic Highway Overlay (SHO)**~~

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

(4) **Downtown Overlay District (DOD)**

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

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2009-08-02, passed 8-3-09, Am. Ord. 2012-04-02, passed 4-2-12; Am. Ord. 2012-12-02, passed 12-3-12; Am. Ord. 2016-04-04, passed 04-04-2016; Ord. 2017-04-06, approved 04/03/2017)

§ 155.204 OVERLAY DISTRICT STANDARDS

(A) THOROUGHFARE OVERLAY DISTRICT

(1) **Established**

the thoroughfare overlay district (TOD) is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares while maintaining an aesthetic streetscape environment. It is recognized that an enhanced development quality in areas of high visibility promotes economic development and stability in the entire community. The standards established in this section shall be applied, at the discretion of the town council, to nonresidential properties which adjoin major thoroughfares.

(2) **Designation**

Properties subject to these regulations shall be adjacent to, or have immediate access to a major thoroughfare. The boundaries follow the major thoroughfares both within the corporate limits and extraterritorial jurisdiction, and in no case extend more than 150 feet from the outer edge of the right-of-way of a thoroughfare.

Permitted Uses

All permitted, special, and conditional uses of the underlying zoning district are allowed subject to the specific requirements and procedures for each classification.

Dimensional Requirements

The dimensional requirements of this overlay district shall be the same as the underlying zoning district.

Street Yard Requirements

All new developments or major expansions of existing development (25% increase in building area, lot area, or parking requirement) shall provide a landscaped street yard as provided in Table 2-6.

Table 2-6 TOD Street Yard Requirements

	Street Yard Width (feet)		
	Average	Minimum	Maximum
TOD Commercial	20	10	40
TOD Industrial	40	20	80

For purposes of this section, the street yard area is determined by multiplying the lot frontage, less driveways, times the average required width to determine the required street yard area. There shall be no structures allowed in this street yard, except as follows:

- 1) Landscaping;
- 2) Drainage features designed to mimic the natural environment;
- 3) Public utilities and facilities;
- 4) Driveways and streets;
- 5) Sidewalks, pedestrian ways, or bikeways;
- 6) Other than a Development Identification Sign described in §155.403, freestanding signs may not exceed six feet in height and 24 square feet per sign face.

Landscape Requirements

All required street yard areas shall be covered by lawn, ground cover, trees, shrubs, or mulch, except as noted above. Maintenance shall be the responsibility of the property owner. Landscaping shall be required according to Table 2-7 below.

Table 2-7 TOD Landscape Requirements

	Min. Landscape Requirements	
	Trees (per 1,000 sq. ft. of street yard)	Shrubs (per 1,000 sq. ft. of street yard)
TOD Commercial	1	5
TOD Industrial	2	10

The preservation of existing trees shall be required when practical, utilizing recognized professional standards. The species and size of all plant material shall be specified on the site plan, and at least 50% of the total shall be evergreen. Trees shall have a minimum height of six feet and shrubs must have a minimum height of 18 inches at planting and reach 30 inches within two years. Additional trees may substitute for shrubs on a one-for-one basis. The requirements set forth in this section may be used to fulfill up to 67% (two-thirds) of the landscaping required under § 155.402(D), except that landscaping within all parking areas for vehicles, as set forth in § 155.401(C)(3)(d)2., and buffers, as set forth in § 155.402(E)(2)(c) shall be provided completely, as required, in addition to these requirements.

Access Regulations

All driveways and public street intersections in a Thoroughfare Overlay District shall be subject to NCDOT and the town standards and permitting processes, whichever is applicable. Any parcel of land with less than 400 feet of frontage on a thoroughfare may have no more than one point of access to the thoroughfare. One additional driveway for each additional 400 feet of thoroughfare frontage shall be allowed, and one per 400 feet of additional frontage. Where medians are provided which prohibit turns into oncoming traffic, access points may be provided every 200 linear feet. No driveway shall be allowed within 300 feet of the intersection of two thoroughfares or within 200 feet of an intersection of any other public street on the thoroughfare. Driveways shall be a minimum of 200 feet apart (measured from

center line to center line) on thoroughfares, and shall align with opposing drives, where possible. Shared driveways or parallel access roads shall be used when deemed necessary, and the appropriate legal documents may be required by the town prior to driveway permit issuance. If access to a lot or legally created parcel of land is physically unobtainable under these provisions, an access point may be approved which is located the greatest distance possible from an existing access point and in the safest possible location to be approved by NCDOT and/or the town. For the purpose of this section, adjacent lots in common ownership fronting on a thoroughfare in a Thoroughfare Overlay District shall be considered as one lot when determining permitted driveways.

Alternative Means of Compliance

It is recognized that strict interpretation and application of these standards may create particular hardships in areas of unusual topographic condition, or in retrofitting existing developed properties which are expanded. The Planning Board, by majority vote, may approve a site plan for any proposed development which does not meet any specific standard of this section as an alternate means of compliance, subject to making the following findings:

The proposed development attempts to meet the intent of the Thoroughfare Overlay District.

There are physical conditions, not only economic considerations, which prevent the proposed development from meeting the specific standards of this chapter.

The proposed development will be designed to meet the standards of this section to the fullest extent possible.

In determining alternative means of compliance, the Planning Board may consider various features such as width in relation to opacity of landscaping in street yard, number of required parking spaces, and driveway locations and/or distances from nearby intersections.

(B) WATERSHED PROTECTION OVERLAY (-WP)

The use and development standards for the Watershed Protection Overlay (-WP) are found in § 155.501.

~~(C) SCENIC HIGHWAY OVERLAY (SHO)~~

~~Established~~

~~The Scenic Highway Overlay (SHO) is established for the purpose of protecting the visual qualities of the scenic US Highway 70 West corridor by maintaining the corridor in as natural a state as is feasible and retaining its historic rural character while providing opportunities for growth and development, and encouraging urban development at highway interchanges. The property within the SHO offers a desirable, predominantly low density, rural lifestyle. A primary goal is to promote and enhance the quality of life experience by protecting the unique rural character and social fabric while enhancing appeal for new residential and business investment.~~

Designation

~~Properties subject to these regulations shall be within the SHO boundaries for scenic US Highway 70 West. The general boundaries for the SHO follow the thoroughfare within Town limits and extra territorial jurisdiction (ETJ) for ½ mile, centered on highway interchanges and extends 1,000 feet from the centerline of the right-of-way for the remainder of the thoroughfare. The official SHO boundaries are subject to an Official Zoning Map amendment approved by Town Council.~~

Exemptions

~~Existing single family lots of record and residential subdivisions which have a valid subdivision/plat approval.~~

~~Property used for "bona fide" farms as defined in North Carolina General Statutes (NCGS) Section 153A-340.~~

Permitted Uses

~~All permitted, special, and conditional uses of the underlying zoning district are allowed subject to the specific requirements and procedures for each classification unless otherwise stated herein.~~

Development Requirements

~~The development requirements of the SHO shall prevail over any conflicting regulation established within the underlying zoning district. All driveways and public street intersections shall be subject to applicable NCDOT requirements, town standards and permitting processes.~~

Nonconformities

~~This section shall not be construed or held to affect the rights of (1) any existing established business, its successors, or assigns, to continue in a use or structure that may otherwise become a legal nonconformity as a result of the establishment of this section or (2) any use specifically approved by a development plan approval granted by the Town prior to the effective date of this section.~~

Waivers

~~A waiver from one or more of the development requirements may be granted by the Town Council if the waiver criteria set forth below have been met.~~

~~The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located;~~

~~The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not generally applicable to other property;~~

~~Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of this chapter are enforced; and~~

~~The purpose of the wavier is not based primarily upon financial consideration.~~

SHO Interchange Development

The Town seeks to encourage the development of specific uses at SHO interchanges, evoking a sense of arrival at a significant urban destination. SHO interchanges shall generally include properties within ½ mile radius of the intersection point of the following highway interchanges:

Scenic US Highway 70 West and business US Highway 70 West

Scenic US Highway 70 West and NC HWY 42 West

~~To create the unique character and aesthetics for these interchanges, development standards are provided which:~~

~~Create an urban identity for interchanges through the use of planning and design standards.~~

~~Ensure high quality, architecturally compatible, consistently landscaped development at interchanges.~~

~~Regulate uses at interchanges to create a specific character and aesthetic quality.~~

~~Ensure that new development or redevelopment projects at the interchanges preserve and enhance the existing visual character of the scenic corridor.~~

~~Promote and protect the health, safety and general welfare of the Town.~~

Interchange Site Development Guidelines

Application

~~To promote and enhance the character of the SHO, certain uses shall be prohibited at the interchanges which might otherwise be permitted within the underlying zoning districts. Mixed-use development at the interchanges is encouraged.~~

Uses

~~Those uses permitted, allowed subject to a conditional use or subject to a special use at SHO interchanges are listed in Table 2-8 below. A use not listed, but possessing similar characteristics to those identified may be established upon approval by the Planning Director. Appeals to such determinations shall be made to the Board of Adjustment.~~

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Table 2-8 Interchange Use Regulations

Use Type	SHO Interchange	Specific Use Section
Residential Uses		
Apartments	S	§155.301 (C)
Alley Loaded	S	§155.301 (B)
Nursing Home (Congregate Living Facility)	S	§155.301 (H)
Townhouse	S	§155.301 (J)
Single Family House	S	§155.301 (L)
Upper story Residence	P	§155.301 (M)
Public and Civic Uses		
College or University	S	§155.302 (D)
Government Service	P	§155.302 (F)
Hospital or Medical Center	C	§155.302 (G)
School (Technical, Trade or Business)	S	§155.302 (J)
School (Elementary or Secondary)	S	§155.302 (I)
Recreational Uses		
Arena, Auditorium or Stadium	S	
Indoor Entertainment	C	§155.303(A)
Commercial Uses		
Convenience Store with Gas Sales	S	§155.305 (F)
Hotel/Motel	C	§155.305 (K)
Office, General	P	§155.305 (P)
Office, Medical	P	§155.305 (Q)
Outdoor Seating/Sidewalk Cafe	S	§155.305 (R)
Restaurant, General	C	§155.305 (V)
Retail Sales, General	P	§155.305 (W)
Service, General	P	§155.305 (Z)
Veterinarian/Animal Hospital	C	§155.305 (FF)
Industrial Uses		
Research and Development	C	§155.306 (H)
Key:		
P— Permitted by right		
C— Conditional Use permitted if approved by the Board of Adjustment		
S— Special Use permitted if approved by the Town Council (TC)		
* Mixed use development is encouraged		

Site Design

Development shall incorporate the design criteria established in the Town's General Design Guidelines to enhance and protect the health, safety and general welfare of the Town.

Pedestrian Amenities

~~Uses shall contribute to pedestrian-friendly focal spaces through the provision of well-designed walking paths, pedestrian spaces with furnishings, public art, generous plantings, marked crosswalks, and vehicular parking and circulation areas clearly separated from such pedestrian amenities.~~

Landscaping

~~To supplement landscape requirements, existing vegetation shall be incorporated into the design of the development to the greatest extent possible.~~

Setback Requirements

- ~~1) Setbacks for properties not having direct frontage along a thoroughfare within the SHO shall be as defined by the underlying zoning district.~~
- ~~2) Thoroughfare right of way setbacks shall be a minimum of 50 feet. The entire area within the right of way setback shall be fully grassed and landscaped. Structures and paved areas for motor vehicles, other than for ingress, egress and signage shall not be installed or constructed within 50 feet of a road right of way. Buildings shall be directly adjacent to the right of way setback with parking and circulation occurring interior to the development. Encroachment into the setback may be granted by Town Council to allow for art in public places, transit stops, pedestrian amenities such as meandering sidewalks, and outdoor seating with or without service for restaurants.~~

Access Management

- ~~1) NCDOT policies and access management practices shall be followed to limit traffic conflicts through the design and placement of driveways and medians within the SHO.~~
- ~~2) To improve safety and site circulation, cross access agreements shall be provided by proposed development to adjacent properties.~~

Site Development

~~To promote a sense of arrival, structures located on intersection properties having frontage on Scenic US Highway 70 West are encouraged to be multiple stories in height. Buildings directly adjacent to Scenic US 70 West shall be a minimum of two stories or 25 feet in height. To encourage both quality mixed use development and multiple story buildings, the Town Council may grant development incentives such as:~~

- ~~1) Density and/or intensity bonuses;~~
- ~~2) Increased building height allowances; and~~

- ~~3) — Reduced parking requirements.~~

Prohibited Elements

The following elements are prohibited at SHO interchanges:

- ~~1) — Unfinished concrete or concrete masonry walls.~~
- ~~2) — Unscreened dumpsters or trash receptacles.~~
- ~~3) — Visible neon and other elements with highly reflective or bright colored surfaces.~~
- ~~4) — Distracting or frivolous objects which are not in harmony with the SHO.~~

SHO Interchange Building Design Guidelines

General Design

~~Development shall be designed to be compatible with the surrounding environment, both manmade and natural. A building shall provide a positive impact on the surrounding environment.~~

Building Elevations

~~All building elevations shall be treated equally as if all sides were the front of the building. This requirement includes but is not limited to architectural elements, facade treatment, and landscaping.~~

Building Materials and Color

~~Building materials and color selection shall achieve visual order through the consistent use of compatible color palettes.~~

Trademark Forms and Colors

~~Buildings and structures which use trademark or symbolic forms and colors and which have a negative impact on the visual environment of the area, shall not be permitted.~~

Architectural Detail

~~Architectural design shall prohibit large expanses of blank walls with limited or no windows or architectural embellishments.~~

Roof Overhangs

~~Unless specifically designed otherwise, roof overhangs including mansard roof overhangs shall wrap around the building so that there is visual continuity around the entire building.~~

Mechanical Equipment Screening

The highest portion of mechanical equipment, such as backflow preventers, meters and valves for public utilities operations, satellite antennas, heating and ventilating, air conditioning, or other utility hardware on roofs, ground, or buildings shall be installed at or below the lowest elevation or below the level of screening materials. Materials used for screening purposes shall be compatible with the architectural style, color, and materials of the principal building. This equipment shall be located so as not to be visible from any street or adjoining property.

Gutters And Down Spouts

Gutters and down spouts shall be painted to match the surface to which they are attached. Gutters and down spouts may, however, be painted in such a way so as to become a design element if the color is consistent with the color scheme of the building.

Service Yards, Storage Yards, and Loading Docks

All refuse and waste containers, recycling or compacting containers, dumpsters, oil tanks, bottled gas tanks, service yards, storage yards, and loading docks shall be located in the rear or side yard. All such service equipment and service areas shall be screened from view from any street or adjoining property by means of a wall, landscaping, or other methods approved by the Town Council.

SHO Corridor Development

General Design

New development along the SHO corridor shall be sited and designed to minimize adverse impacts on scenic areas visible from the scenic highway to the maximum extent feasible. As a general design principle, the density of vegetation should increase with the density or intensity of development. Priority shall be given to retaining existing natural resources and mature trees.

Special Setback Requirement

Non-residential development must maintain a minimum 100 foot setback and non-exempt residential development must maintain a minimum 50 foot setback from the edge of the ultimate right-of-way for Scenic US Highway 70 West. Residential development which provides a 100 foot setback and provides unit clustering will receive a density bonus of one-half unit per acre. The following exceptions are permitted within the special setback:

- 1) — Landscaping;
- 2) — Drainage features designed to mimic the natural environment;

- 3) ~~Public utilities and facilities, and private wells and septic systems;~~
- 4) ~~Driveways and streets; and~~
- 5) ~~Sidewalks, pedestrian ways, or bikeways.~~

Development Location

~~Development shall be designed so that it is located on the least visible portion of the site from the corridor. If there is no feasible building site location to minimize visibility, then the development shall be sited and designed to minimize impacts on scenic areas from the highway.~~

Landscape Elements

~~Existing vegetation and proposed landscaping shall be blended to produce the feeling of masses of trees forming green arbors. These masses shall be interrupted by occasional views to open spaces and environmentally sensitive lands.~~

Clustering Development

~~In an effort to preserve expansive open spaces and native vegetative communities within the corridor, development shall be clustered to preserve large areas of open space and the existing natural vegetation shall be preserved whenever possible, with the exception of invasive plant species.~~

Building Design

~~Buildings and structures shall be designed to blend into the existing natural setting to the greatest extent possible. This shall be accomplished through the use of natural earth toned colors, architectural treatments on all sides of a structure and landscaping. Facilities such as loading zones, mechanical equipment, and trash and garbage containers shall be completely screened and buffered so that they cannot be viewed from the highway.~~

Site Grading

~~Site grading shall be minimized to incorporate the existing topography to the greatest extent feasible.~~

Massing

~~The massing of buildings, including height, bulk and scale, is important to maintaining the character of the SHO corridor. To ensure the impact of development is minimized, the height buildings shall be limited based on the topography and the shape of the site in relation to the highway.~~

- 1) ~~In order to better determine the impact of development on the corridor, the Planning Director may require the applicant to hold a “balloon test” prior to the~~

~~initial public hearing on the application. The applicant shall arrange to fly, or raise on a temporary mast, a large and brightly colored balloon in the approximate location and at the maximum height of the proposed structure(s).~~

Prohibited Elements

The following elements are prohibited along the SHO corridor:

- ~~1) Unfinished concrete or concrete masonry walls.~~
- ~~2) Unscreened dumpsters or trash receptacles.~~
- ~~3) Visible neon and other lighting elements with highly reflective or bright colored surfaces.~~
- ~~4) Unshielded lighting and backlit signage.~~
- ~~5) Distracting or frivolous objects which are not in harmony with the SHO.~~

§ 155.801 ABBREVIATIONS

ANSI: American National Standards Institute

BMP: Best Management Practices

BOA: Board of Adjustment

DAS: Distributive Access System

dbh. Diameter at Breast Height

DDA: Downtown Development Association

DENR: Department of Environment and Natural Resources (now known as Department of Environmental Quality)

DEQ: North Carolina Department of Environmental Quality

ETJ: Extraterritorial Jurisdiction

FAA: Federal Aviation Administration

FAR: Floor Area Ratio

FCC: Federal Communications Commission

FEMA: Federal Emergency Management Agency

FIRM: Flood Insurance Rate Map

GFA: Gross Floor Area

NCDOT: North Carolina Department of Transportation

NIER: Non-Ionizing Electromagnetic Radiation

PAAB: Public Arts Advisory Board

PB: Planning Board

PD: Planning Director

PW: Public Works Director

RF: Radio Frequency

~~SHO: Scenic Highway Overlay~~

TIA: Traffic Impact Analysis

TC: Town Council

TOD: Thoroughfare Overlay District

TRC: Technical Review Committee

UDC: Unified Development Code

USDA: United States Department of Agriculture

USGS: United States Geologic Survey

WP- Watershed Protection Overlay

(Ord. 2005-11-02, passed 11-21-05; Am. Ord 2016-04-04, adopted 04-04-2016)

ARTICLE 2: ZONING DISTRICTS

§ 155.200 DISTRICTS ESTABLISHED

To carry out the provisions of this Chapter, within the jurisdiction of the Town, the following zoning districts are established.

(A) **INTERPRETATION OF ZONING DISTRICT BOUNDARIES**

(1) **Defined**

District boundaries are as shown upon the Official Zoning Map and Future Land Use Map as set forth in § 155.104, and as adopted by Town Council. The provisions of this chapter are hereby established and declared to be in effect upon all land included within the boundaries as shown on the maps.

(2) **Rules for Interpretation**

- (a) The Planning Director shall be responsible for interpretations of the Official Zoning Map and Future Land Use Map in accordance with the standards set forth in this Section. Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:
1. Boundaries indicated as approximately following the centerlines of streets, alleys, highways, streams or railroads shall be construed to follow such centerlines.
 2. Boundaries indicated as approximately following lot lines, Town limits or extraterritorial jurisdiction boundary lines, shall be construed as following such lines, limits or boundaries; and
 3. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as following such changed shorelines.
 4. Where a district boundary divides a lot or where distances are not specifically indicated on the zoning map, the boundary shall be determined by measurement, using the scale of the zoning map.
 5. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- (b) Any person or party aggrieved by the Planning Director's interpretation of the Official Zoning Map may file an Administrative Appeal application to the Board of Adjustment, as provided in §155.717 of this ordinance. The application shall contain sufficient information to enable the Board of Adjustment to make the necessary interpretation.

(B) **GENERAL USE DISTRICTS**

(1) **Residential Districts**

- (a) ***R-E | Residential-Estate.*** The R-E district is comprised of low density, single-family dwellings, and other selected uses which are compatible with the open and rural character of the area. The established regulations for this district are designed to promote and encourage an environment for family life and agriculture. To encourage higher quality development and to ensure greater environmental protection, open space (cluster) subdivisions are permitted.
- (b) ***R-10 | Single-Family Residential-10.*** The R-10 district is established to provide for orderly suburban residential development and redevelopment and is intended to maintain residential areas at relatively low densities characterized predominantly by owner-occupied, single-family detached units. The district requirements protect existing neighborhoods from undesirable or incompatible uses. To encourage higher quality development and to ensure greater environmental protection, open space (cluster) subdivisions are permitted. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.
- (c) ***R-8 | Single-Family Residential-8.*** The R-8 district is established to provide for orderly suburban residential development and redevelopment and is intended to maintain residential areas at suburban densities characterized predominantly by owner-occupied, single-family detached units. To encourage higher quality development and to ensure greater environmental protection, open space (cluster) subdivisions are permitted. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.
- (d) ***R-6 | Single-Family Residential-6.*** The R-6 district is established to provide for orderly suburban residential development and redevelopment. Intended to protect, preserve and enhance existing residential areas of higher density, which includes multi-family dwellings mixed with other housing types. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities.

(2) **Nonresidential Districts**

- (a) ***O-R | Office-Residential.*** The O-R district is intended to accommodate modest-scale professional occupations, along with single-family and multi-family residential units, to serve as a neighborhood activity center and as a transition between residential and more intense commercial uses.
- (b) ***O-I | Office-Institutional.*** The O-I district is intended to permit offices, institutions, and associated administrative, executive, professional and research uses in new and existing structures and limited retail uses. Such offices and institutional uses are generally located along or proximate to major roadways or adjacent to commercial uses and may act as a buffer between such areas and residential uses.

- (c) **B-1 | Central-Business.** The B-1 district is intended to foster a vibrant, safe, central business district and town center by encouraging dense residential development while retaining and further developing a broad range of commercial, retail, service, office, institutional, public, cultural, and entertainment uses and activities. The district is intended to define and promote the town center as a desirable place to live, work, shop, and recreate.
 - (d) **B-2 | Neighborhood-Business.** The B-2 district provides opportunities for small-scale commercial uses offering primarily convenience shopping and services for adjacent residential areas. Proximity to residences requires that commercial operations are low intensity, unobtrusive, and conducted at a scale and density compatible with the surrounding neighborhood. There is a relatively low demand on public services, transportation, and utilities.
 - (e) **B-3 | Highway-Business.** The B-3 district provides opportunities for offices, service uses, and businesses retailing durable and convenience goods for the community as a whole. Located on major and minor thoroughfares, this district is accessible to and serves the entire community. Site design and buffering mitigate impacts of traffic, operations, and scale on adjacent businesses and residential neighborhoods.
 - (f) **I-1 | Industrial-Light.** The I-1 district fosters the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist. Industries should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or business districts, warehousing and wholesaling activities, and research facilities. The regulations of this district are intended to prohibit the use of land for industries that by their nature may create very minor nuisance to surrounding properties.
 - (g) **I-2 | Industrial-Heavy.** The I-2 district fosters the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist. Intended for heavy industries that, by their nature, may create some nuisance, and which are not properly associated with or are compatible with nearby residential or business districts, warehousing and wholesaling activities, and research facilities.
 - (h) **PF | Public Facilities.** The PF district is established to provide a coordinated land planning approach to the sale, rent, lease, purchase, management, or alteration of publicly owned or operated lands. Notwithstanding those public uses permitted elsewhere in this Code, the PF district is primarily intended for, although not limited to, public parks and recreation areas, public buildings and facilities, and other capital improvements of a significant nature. (*Ord. 2015-09-03, adopted 09/28/2015*)
- (3) **Planned Development Districts**
- (a) **PD-R | Planned Development-Residential.** The PD-R district provides opportunities for master-planned residential communities containing a mix of housing types, including associated amenities with appropriate perimeter buffering and open space. This district is primarily intended for large-scale residential projects that require either additional flexibility not available in a residential district or greater scrutiny by the Town due to their scale.

- (b) ***PD-C | Planned Development-Commercial.*** The PD-C district is intended to enhance the design of a commercial development by allowing for additional flexibility not available in the nonresidential districts. The district allows for innovations and special features in site development, including the location and type of structures, the conservation of natural features, the conservation of energy, and the efficient use of open space.
- (c) ***PD-I | Planned Development-Industrial.*** The PD-I district is intended to provide a means of achieving unified industrial complexes of high quality to promote amenities beyond those expected under conventional techniques, to achieve greater flexibility in design, to encourage well-planned industrial developments that provide for community needs, to provide for appropriate use of land which is significantly unique in its physical characteristics, location or other circumstances to warrant special methods of development, and to allow the expansion of existing industrial areas while safeguarding and maintaining the integrity of surrounding uses, especially those of a residential nature.
- (d) ***PD-MU | Planned Development-Mixed Use.*** The PD-MU district is intended to provide coordinated mixed use developments, which includes light industrial, commercial, office, educational, civic, institutional, residential and service uses within a planned development with appropriate perimeter buffering and open space. The variety of land uses available in this district allows flexibility to respond to market demands and the needs of tenants, which provides for a variety of physically and functionally integrated land uses.

(C) **SPECIAL USE DISTRICTS**

- (1) Pursuant to G.S. § 160A-382, the Town Council may establish by ordinance various special use districts upon request by or on behalf of all owners. Parallel special use districts shall be designated by adding "-SUD" to the corresponding general use district.
- (2) All zoning regulations that apply to the general use district are the minimum within the corresponding special use district.
- (3) A special use district may provide for greater but not lesser setbacks than those applicable to the corresponding general use district, and may limit the number of uses.
- (4) Under each special use district, all uses must be approved through the issuance of a special use permit granted by the Town Council in accordance with § 155.711. However, a special use permit is not required as a prerequisite to establish a special use district, since the district itself may be conditioned and established first and then developed much later. However, a special use permit may be submitted in tandem petition for the special use district, either by preference of the applicant or upon request by the Town Council or Planning Director, if either finds that such permit is necessary in order to consider an application for a special use district.
- (5) If for any reason a condition imposed pursuant to these regulations is found to be illegal or invalid, or if the applicant should fail to accept any condition, it is the intent of this chapter that the authorization of such special use district or special use permit within that district shall be null and void and of no effect and that proceedings be instituted to rezone the property to its previous zoning classification.

(D) **OVERLAY DISTRICTS**

(1) **Thoroughfare Overlay District (TOD)**

The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment. It is recognized that an enhanced development quality in areas of high visibility promotes economic development and stability in the entire community. The standards established in § 155.204(A) shall be applied to properties which adjoin major thoroughfares, as designated on the Town's Overlay Zoning Map.

(2) **Watershed Protection Overlay (WPO)**

(a) The Watershed Protection Overlay (WPO) is hereby established as a district that overlays the designated water supply watershed. The designated water supply watershed under this district is defined and established by the overlay district "Watershed Protection Overlay" on the zoning map. Land use and development within the WPO must comply with all the requirements of both the underlying zoning district and the watershed overlay.

(b) The designated water supply watershed within the Town is designated by the state as a Class IV watershed protected area (WS-IV PA) and is referred to as the Neuse River (Smithfield) watershed within the Neuse River basin. Only new development activities that require an erosion/sedimentation control plan under state law or approved local government program are required to meet the provisions of this program. See § 155.501 for watershed protection standards.

(3) **Downtown Overlay District (DOD)**

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

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2009-08-02, passed 8-3-09, Am. Ord. 2012-04-02, passed 4-2-12; Am. Ord. 2012-12-02, passed 12-3-12; Am. Ord. 2016-04-04, passed 04-04-2016; Ord. 2017-04-06, approved 04/03/2017

§ 155.204 OVERLAY DISTRICT STANDARDS

(A) THOROUGHFARE OVERLAY DISTRICT

(1) **Established**

the thoroughfare overlay district (TOD) is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares while maintaining an aesthetic streetscape environment. It is recognized that an enhanced development quality in areas of high visibility promotes economic development and stability in the entire community. The standards established in this section shall be applied, at the discretion of the town council, to nonresidential properties which adjoin major thoroughfares.

(2) **Designation**

Properties subject to these regulations shall be adjacent to, or have immediate access to a major thoroughfare. The boundaries follow the major thoroughfares both within the corporate limits and extraterritorial jurisdiction, and in no case extend more than 150 feet from the outer edge of the right-of-way of a thoroughfare.

Permitted Uses

All permitted, special, and conditional uses of the underlying zoning district are allowed subject to the specific requirements and procedures for each classification.

Dimensional Requirements

The dimensional requirements of this overlay district shall be the same as the underlying zoning district.

Street Yard Requirements

All new developments or major expansions of existing development (25% increase in building area, lot area, or parking requirement) shall provide a landscaped street yard as provided in Table 2-6.

Table 2-6 TOD Street Yard Requirements

	Street Yard Width (feet)		
	Average	Minimum	Maximum
TOD Commercial	20	10	40
TOD Industrial	40	20	80

For purposes of this section, the street yard area is determined by multiplying the lot frontage, less driveways, times the average required width to determine the required street yard area. There shall be no structures allowed in this street yard, except as follows:

- 1) Landscaping;
- 2) Drainage features designed to mimic the natural environment;
- 3) Public utilities and facilities;
- 4) Driveways and streets;
- 5) Sidewalks, pedestrian ways, or bikeways;
- 6) Other than a Development Identification Sign described in §155.403, freestanding signs may not exceed six feet in height and 24 square feet per sign face.

Landscape Requirements

All required street yard areas shall be covered by lawn, ground cover, trees, shrubs, or mulch, except as noted above. Maintenance shall be the responsibility of the property owner. Landscaping shall be required according to Table 2-7 below.

Table 2-7 TOD Landscape Requirements

	Min. Landscape Requirements	
	Trees (per 1,000 sq. ft. of street yard)	Shrubs (per 1,000 sq. ft. of street yard)
TOD Commercial	1	5
TOD Industrial	2	10

The preservation of existing trees shall be required when practical, utilizing recognized professional standards. The species and size of all plant material shall be specified on the site plan, and at least 50% of the total shall be evergreen. Trees shall have a minimum height of six feet and shrubs must have a minimum height of 18 inches at planting and reach 30 inches within two years. Additional trees may substitute for shrubs on a one-for-one basis. The requirements set forth in this section may be used to fulfill up to 67% (two-thirds) of the landscaping required under § 155.402(D), except that landscaping within all parking areas for vehicles, as set forth in § 155.401(C)(3)(d)2., and buffers, as set forth in § 155.402(E)(2)(c) shall be provided completely, as required, in addition to these requirements.

Access Regulations

All driveways and public street intersections in a Thoroughfare Overlay District shall be subject to NCDOT and the town standards and permitting processes, whichever is applicable. Any parcel of land with less than 400 feet of frontage on a thoroughfare may have no more than one point of access to the thoroughfare. One additional driveway for each additional 400 feet of thoroughfare frontage shall be allowed, and one per 400 feet of additional frontage. Where medians are provided which prohibit turns into oncoming traffic, access points may be provided every 200 linear feet. No driveway shall be allowed within 300 feet of the intersection of two thoroughfares or within 200 feet of an intersection of any other public street on the thoroughfare. Driveways shall be a minimum of 200 feet apart (measured from

center line to center line) on thoroughfares, and shall align with opposing drives, where possible. Shared driveways or parallel access roads shall be used when deemed necessary, and the appropriate legal documents may be required by the town prior to driveway permit issuance. If access to a lot or legally created parcel of land is physically unobtainable under these provisions, an access point may be approved which is located the greatest distance possible from an existing access point and in the safest possible location to be approved by NCDOT and/or the town. For the purpose of this section, adjacent lots in common ownership fronting on a thoroughfare in a Thoroughfare Overlay District shall be considered as one lot when determining permitted driveways.

Alternative Means of Compliance

It is recognized that strict interpretation and application of these standards may create particular hardships in areas of unusual topographic condition, or in retrofitting existing developed properties which are expanded. The Planning Board, by majority vote, may approve a site plan for any proposed development which does not meet any specific standard of this section as an alternate means of compliance, subject to making the following findings:

The proposed development attempts to meet the intent of the Thoroughfare Overlay District.

There are physical conditions, not only economic considerations, which prevent the proposed development from meeting the specific standards of this chapter.

The proposed development will be designed to meet the standards of this section to the fullest extent possible.

In determining alternative means of compliance, the Planning Board may consider various features such as width in relation to opacity of landscaping in street yard, number of required parking spaces, and driveway locations and/or distances from nearby intersections.

(B) WATERSHED PROTECTION OVERLAY (-WP)

The use and development standards for the Watershed Protection Overlay (-WP) are found in § 155.501.

§ 155.801 ABBREVIATIONS

ANSI: American National Standards Institute

BMP: Best Management Practices

BOA: Board of Adjustment

DAS: Distributive Access System

dbh. Diameter at Breast Height

DDA: Downtown Development Association

DENR: Department of Environment and Natural Resources (now known as Department of Environmental Quality)

DEQ: North Carolina Department of Environmental Quality

ETJ: Extraterritorial Jurisdiction

FAA: Federal Aviation Administration

FAR: Floor Area Ratio

FCC: Federal Communications Commission

FEMA: Federal Emergency Management Agency

FIRM: Flood Insurance Rate Map

GFA: Gross Floor Area

NCDOT: North Carolina Department of Transportation

NIER: Non-Ionizing Electromagnetic Radiation

PAAB: Public Arts Advisory Board

PB: Planning Board

PD: Planning Director

PW: Public Works Director

RF: Radio Frequency

TIA: Traffic Impact Analysis

TC: Town Council

TOD: Thoroughfare Overlay District

TRC: Technical Review Committee

UDC: Unified Development Code

USDA: United States Department of Agriculture

USGS: United States Geologic Survey

WP- Watershed Protection Overlay

(Ord. 2005-11-02, passed 11-21-05; Am. Ord 2016-04-04, adopted 04-04-2016)

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold a public hearing on May 21, 2018, at 6:00 PM in the Council Chambers at the Clayton Center, 111 E Second Street, to consider amendments to the Unified Development Code. Copies of the proposed amendments are available in the Planning office and the Town Clerk's office for review by the public. The following sections of Title XV, Chapter 155 are proposed for amendment:

- 200 –Districts Established
- 204 –Overlay District Standards
- 801 -Abbreviations

The public is invited to attend.

Samantha Wullenwaber, Planning Director
919-553-5002

Clayton News Star

Please advertise on the following dates:

Friday, May 11, 2018
Friday, May 18, 2018

Affidavit of publication required.

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
REZONING**

2018-75-OA Overlay District Ordinance Amendment

On April 23, 2018 the Planning Board heard the above-referenced request and made the following vote:

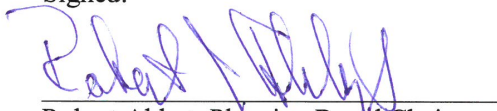
Recommendation to the Town Council to:

☒ approve the request.

☐ deny the request.

Recommendation(s) made this 23rd of April, 2018 while in regular session.

Signed:


Robert Ahlert, Planning Board Chair



Town Council Agenda Cover Sheet

Meeting Date

May 7 2018

Agenda Location

Staff Reports

Item Title

Introduction of new car design for council

Presenter *(Name & Title)*

Chief Blair Myhand

Summary/Description

The formal introduction of the concept for new police car designs beginning July 1, 2018.

Requested Action

Informational Only

Additional Documents To Be Included in Agenda Packet