



Town of Clayton
Town Council Retreat
Monday, February 24, 2020 @ 8:00 AM
Clayton Police Department

ALL SCHEDULED TIMES ARE APPROXIMATIONS

1. CALL TO ORDER

2. SUBJECTS/TOPICS

- a. 8:00 - 8:30 a.m.
Breakfast/Coffee Will Be Available for Council
- b. 8:30 - 8:45 a.m.
Welcome
Presenter: Mayor McLeod & Adam Lindsay
- c. 8:45 - 9:00 a.m.
Overview & Icebreaker
Presenter: JD Solomon
- d. 9:00 - 10:00 a.m.
Development Patterns
Density Definition & Locations
Dimensional Criteria
Presenters: Samantha Wullenwaber & Rich Cappola
[Cover Sheet - Development Patterns Density](#)
[Approved Residential- Chart](#)
[Table - Density Benchmarks](#)
[Table - TOC Density Standards](#)
- e. 10:00 - 10:15 a.m.
BREAK
- f. 10:15 - 10:20 a.m.
Chapter 160D Overview
Presenters: Cindy Szwarcop - Stewart Engineering & Katherine Ross
[Cover Sheet 160D Retreat](#)
- g. 10:20 - 11:15 a.m.
Key Chapter 160D Topics
Presenters: Cindy Szwarcop & Katherine Ross
 - Conditional Zoning
 - Quasi-Judicial
 - Special Use Permits
 - Application of Conditions
 - Modifications
- h. 11:15 - 11:30 a.m.

Knowledge Transfer Potpourri

Presenters: Rich Cappola & Samantha Wullenwaber

- Watershed Protection Overlay
- Other Overlays

[Cover Sheet Retreat Overlays](#)

i. 11:30 - 11:45 a.m.

Planning/Engineering/Inspection Functions

- Organizational Structure
- Workflow

[Cover Sheet - Planning, Engineering, Inspections Functions](#)

[Final- Major Subdivision Flow Chart](#)

j. 11:45 a.m. - 12:30 p.m.

Lunch

k. 12:30 - 1:00 p.m.

Benchmarking with Other Towns

Presenter: Samantha Wullenwaber

[Cover Sheet - Benchmarks](#)

[Table - Demographics](#)

[Tables - Review Benchmarks](#)

l. 1:00 - 1:15 p.m.

Site Plan Approval by Staff

Presenter: Samantha Wullenwaber

[Cover Sheet - Site Plan Approval](#)

[Table - Major Site Plan Review Thresholds](#)

[Table- Site Plan Thresholds](#)

m. 1:15 - 1:45 p.m.

Architectural Standards Including Facades

Presenter: Cindy Szwarczkop

n. 1:45 - 2:15 p.m.

Transportation

Presenters: Samantha Wullenwaber & Rich Cappola

[Cover Sheet Retreat Transportation](#)

o. 2:15 - 2:30 p.m.

Ordinance Change Process

Presenter: JD Solomon

p. 2:30 - 2:45 p.m.

BREAK

q. 2:45 - 3:15 p.m.

CP/UDC Update & Future Workshops

Presenters: Samantha Wullenwaber & Cindy Szwarczkop

r. 3:15 - 4:00 p.m.

Council Thoughts & Visioning

Presenter: JD Solomon

s. 4:00 - 4:15 p.m.

Closing Thoughts

Presenters: Mayor McLeod & Adam Lindsay

t. 4:15 - 4:45 p.m.
Wrap Up

3. ADJOURNMENT



2020 Town Council Retreat Agenda Cover Sheet February 24 & 25, 2020

Meeting Date

Day #1 - February 24, 2020

Item Title

Development Patterns and Density

Presenter

Samantha Wullenwaber, Planning Director

Summary/Description

Staff and Council will review development patterns and density. This will be a 60 minute discussion/presentation. It will begin with three interactive stations dedicated to the topics below. Council members will spend 10 minutes at each station.

What is density?

Where is density?

Stormwater Control Measures in relation to density

Following the interactive portion, staff will present additional information and answer questions.

Additional Documents to be Included in Agenda Packet

Table- Town of Clayton Density

Table- Density Benchmarks

Residential Development in Town of Clayton planning jurisdiction
Data current as of: 2/4/20

Development Name	Residential Developed	Residential Entitled	Density (Dwellings/Acre)	Build Begin (est.)	Build End (est.)
Amelia Pointe Townhomes	0	18	9.57	Spring 2020	Fall 2020
Arbors at East Village Apartments	192	192	10.76	2015	2018
Ashcroft Phases 1-5	114	139	1.80	2017	
Ashcroft Phase 6 & 7	0	56	2.10	2019	
Avery Farm	20	20	0.93	Spring 2018	Fall 2018
Barbour Tract (Academy Point)	0	255	11.99		
Bristol at Cobblestone	212	260	3.00	2014	
Brookside	32	38	1.50	2017	2019
Buckhorn Branch	0	324	3.81	2020	2023
Camel Street Townhomes	0	62	8.00		
Canady Landing	0	12	1.06	2018	
Capps Tract Townhomes (Cameron Crossing)	0	167	4.60	2019	
Chandler's Ridge	159	159	2.00	2005	2019
Coopers Meadow	0	17	1.43	2018	2019
Creech Tract (Meadow View)	0	189	4.86	2019	
Creekside Commons	96	104	3.70	2012	2017
Durham Street Townhomes	0	21	8.71	2020	
East Village Walk	39	264	5.70	2015	2020
Geiger Subdivision	4	8		2019	
Glen Haven, Phase 4	16	16	1.81	2018	2019
Glen Laurel East	139	139	0.51	2010	2018
Gordon Park	91	177	2.80	2016	2019
Highgate	67	181	2.07	2017	2020
Kyli Knolls	0	22	1.10	2019	
Lionsgate (Master Plan)	433	470	5.68	2003	
Mitchiner Hills	141	144	3.90	2008	2017
Parkview	347	347	4.00	2014	2020
Pines at Glen Laurel Apartments	240	240	12.00	2017	2020
Rhodes Estate	40	40	0.77	2017	2018
Riverwood Athletic Club (Master Plan)	1,260	1,293	2.80	1998	2025
Riverwood B3	0	24			
Riverwood Ranch (Master Plan)	74	707	2.66	2012	2020
Spinning Mill Apartments	0	255	11.68	2019	
St. John's Wood Phase III	15	15	1.00	Spring 2018	Fall 2018
Stallings Mill Apartments	216	216	13.00	2015	2018
Steeplechase	0	660	5.37	2020	
Summerlyn (Orchards & Groves)	126	147	1.00	2012	2020
Umstead	42	42	2.12	2017	2020
Village at Little Creek	19	139	3.14	2018	
Villages at Parkview Ph. 1-8 (Goodson Tract)	0	64	9.14	2018	2019
Villages at Parkview Ph. 9-16	0	39	10.13	2019	
Walton Farm at Riverwood Athletic Club	0	310	6.00	2018	2022
Warrick Park	25	25	1.45	2017	2019
White Oak Landing (entrance in Wake Co.)	47	47	1.30	2017	2018
Winston Pointe (Master Plan)	293	1,343	1.59	late 1990's	

Dwellings entitled, but not yet built:	4,499	9,407
4,908		

Density Comparison

Density Benchmarks			
Jurisdiction	SF Density (du/acre)	PDD Density (du/acre)	MF Density (du/acre)
Clayton	1 – 7*	No maximum**	10***
Apex	.2 – 8	No maximum**	14
Holly Springs	1.25 – 4.5	No maximum**	15
Wake Forest	1 – 10	No maximum**	10
Fuquay Varina	1 – 16	6	18
<i>*Standard SF only; 10 units permitted via Open Space Subdivision</i> <i>**Varies based on location, proposal, and Comprehensive Plan designation</i> <i>***No density limit in O-I, B-1, B-2, B-3</i>			

Existing Town of Clayton Standards

UDC Standard Density		
Zoning District	SF Density (du/acre)	MF Density (du/acre)
Residential-Estate (R-E)	1 – 2.1	N/A
Residential-10 (R-10)	4	10
Residential-8 (R-8)	5	10
Residential-6 (R-6)	7	12
Office-Institutional (O-I)	N/A	No maximum
Central Business (B-1)	N/A	No maximum
Neighborhood-Business (B-2)	N/A	No maximum
Highway-Business (B-3)	N/A	No maximum

UDC Open Space Density		
Zoning District	SF Density (du/acre)	MF Density (du/acre)
Residential-Estate (R-E)	3.7	N/A
Residential-10 (R-10)	5 – 7	3 – 10
Residential-8 (R-8)	7 – 9	4 – 10
Residential-6 (R-6)	N/A	N/A

Comprehensive Plan 2040 - Density		
Designation	Standard Max. Density (du/acre)	PDD Max. Density (du/acre)
Agricultural Rural Residential	2	N/A
Low Density Residential	3	N/A
Medium Density Residential	5	7
High Density Residential	12	10-12
Downtown Residential	12	20
Downtown Core	30	No maximum



2020 Town Council Retreat Agenda Cover Sheet February 24 & 25, 2020

Meeting Date

Day #1 - February 24, 2020

Item Title

160D General Statute Updates

Presenter

Cindy Szwarcop, Stewart
Katherine Ross, Parker Poe

Summary/Description

The North Carolina General Assembly passed legislation in 2019 regarding changes to planning and zoning regulation in towns and counties. The new law requires all of these changes to be in place by 2021.

Stewart, INC and Parker Poe will be presenting the legislation and how it impacts the Town of Clayton.

Requested Action

Provide Direction to Staff

*Click or tap here to enter additional information.

Funding Source (If Applicable):

Planning Department Professional Services

Cost: N/A Yes ☒ No ☐

Additional Documents to be Included in Agenda Packet

Conditional Zoning	May use purely legislative conditional zoning; must not use combined legislative and quasi-judicial process, such as conditional-use-district zoning (G.S. 160D-102)
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Special Use Permits (term Conditional Use Permit is no longer used) –	Discuss uses that should come to Council and those that should go to Planning Board (through designation of types of Special Use Permits)
Quasi-Judicial -	Board chair must rule at the evidentiary hearing on objections to inclusion or exclusion of administrative material; such ruling may be appealed to the full board. (G.S. 160D-406(d).) Must allow parties with standing to participate fully in the evidentiary hearing, including presenting evidence, cross-examining witnesses, objecting to evidence, and making legal arguments; may allow non-parties to present competent, material, and substantial evidence that is not repetitive. (G.S. 160D-406(d).) Be aware that even if there is no objection before the board, opinion testimony from a lay witness shall not be considered competent evidence for technical matters such as property value and traffic impacts. (S.L. 2019-111, § 1.9.)
Application of Conditions -	Must obtain applicant's/landowner's written consent to conditions related to a conditional zoning approval to ensure enforceability. (S.L. 2019-111, Pt. I.) With applicant's written consent, may agree to conditional-zoning conditions that go beyond the basic zoning authority to address additional fees, design requirements, and other development considerations. (S.L. 2019-111, Pt. I.) Must not impose conditions on special use permits that the local government does not otherwise have statutory authority to impose. (S.L. 2019-111, Pt. I.) Must obtain applicant's/landowner's written consent to conditions related to a special use permit to ensure enforceability. (S.L. 2019-111, Pt. I.)

Conflicts of Interest -	Must adopt broadened conflict-of-interest standards for governing and advisory boards. (G.S. 160D-109.
Modifications -	May allow administrative minor modification of conditional zoning, special use permits, and other development approvals; if allowed, must define “minor modification” by ordinance, must not include modification of use or density, and major modifications must follow standard approval process. (G.S. 160D-403(d), -703(b), -705(c).) (Note: Currently, UDC authorizes Planning Director to approve minor deviations to development approvals; see 155.707(E)(6) (major site plans); 155.710(H) (CUPs); and 155.711(J) (SUPs)).



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Item Title

Knowledge Transfer Potpourri

Presenter

Rich Cappola, Public Services Director
Samantha Wullenwaber, Planning Director

Summary/Description

Watershed Protection Overlay
Downtown Overlay, TOD, future overlay ideas

Requested Action

Informational Only

*Click or tap here to enter additional information.

Funding Source (If Applicable):

Click or tap here to enter text.

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet



2020 Town Council Retreat Agenda Cover Sheet February 24 & 25, 2020

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Item Title

Planning/Engineering/Inspections Functions

Presenter

Samantha Wullenwaber, Planning Director

Summary/Description

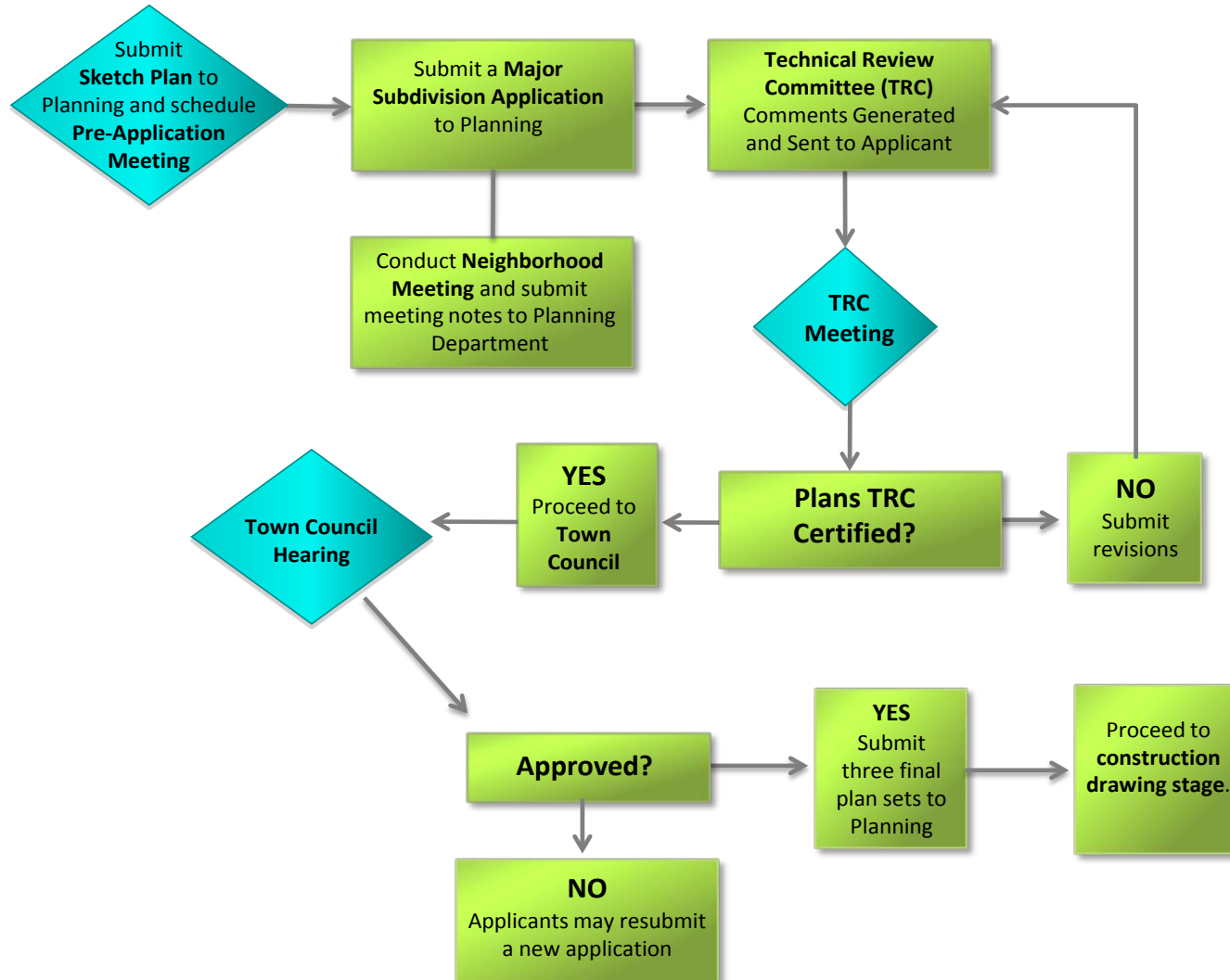
Staff will provide the Council an overview of the organizational structure and workflow of the Planning, Engineering, and Inspections departments. This will include descriptions of the responsibilities of each department and how the departments are interconnected during the plan approval process from start to finish.

Additional Documents to be Included in Agenda Packet

Flow Charts- Development Process (Subdivision)

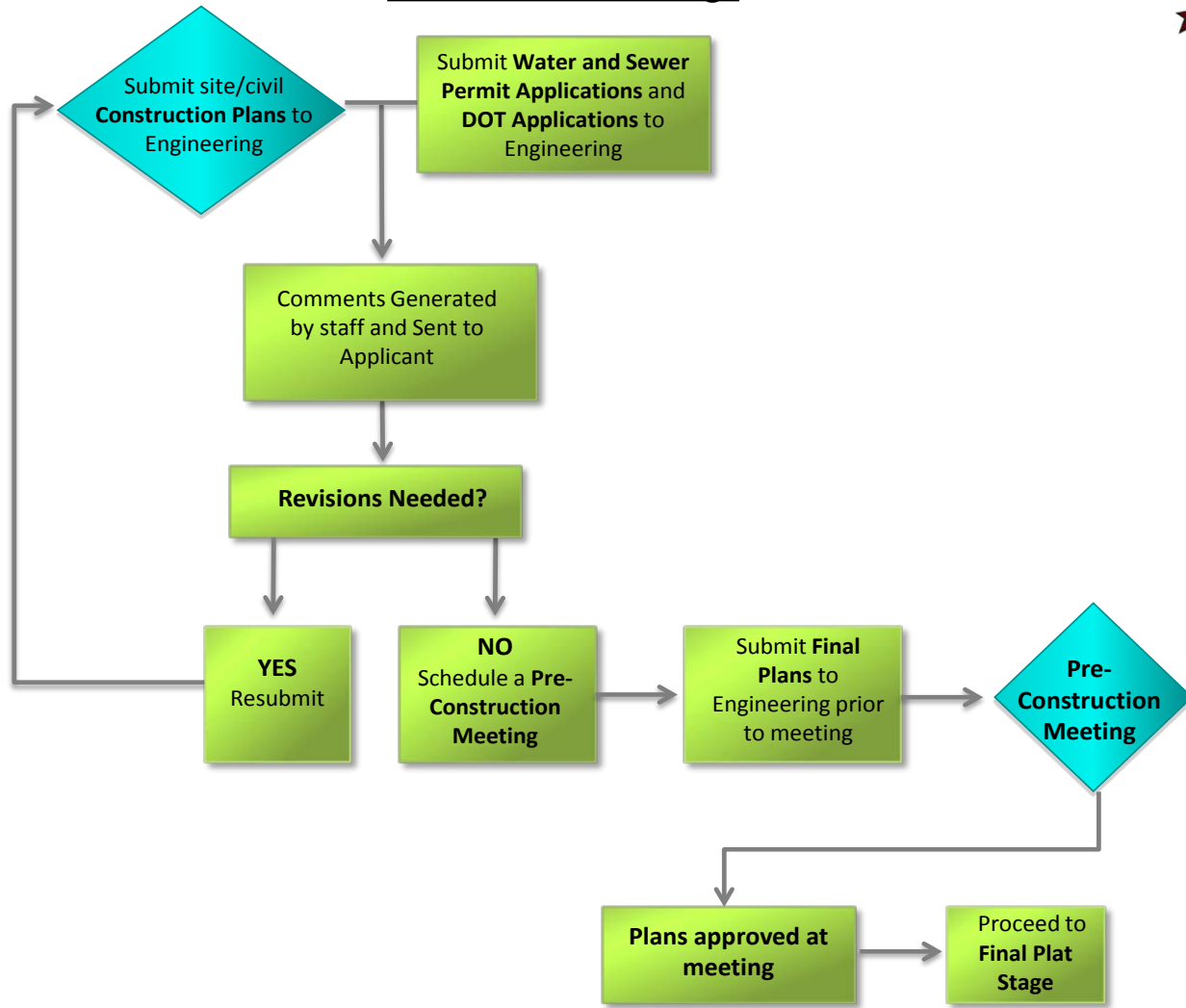
Town of Clayton Major Subdivision Plan Process Flow Chart

Preliminary Plat Review Stage



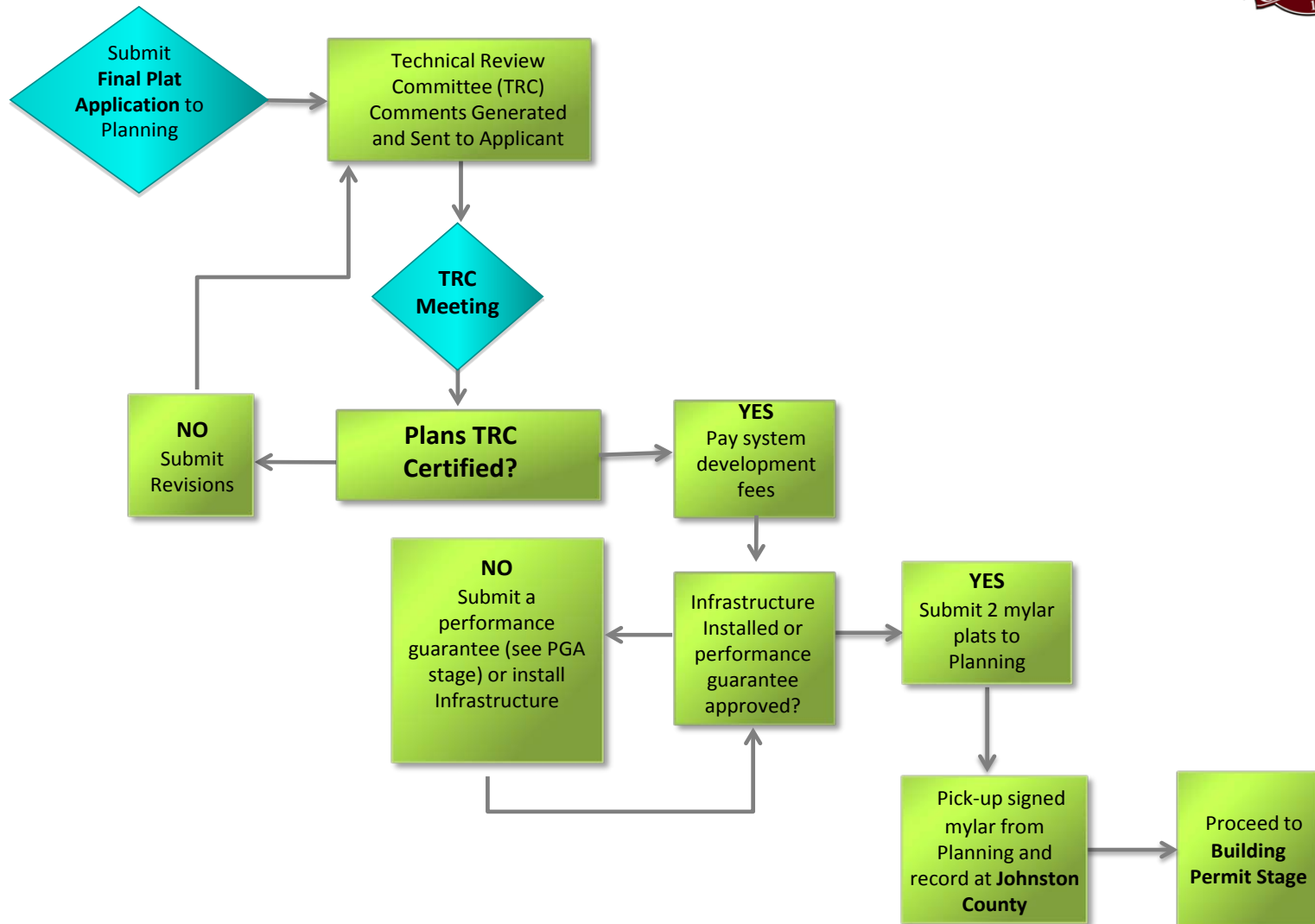
Town of Clayton Major Subdivision Plan Process Flow Chart

Construction Plan Stage



Town of Clayton Major Subdivision Plan Process Flow Chart

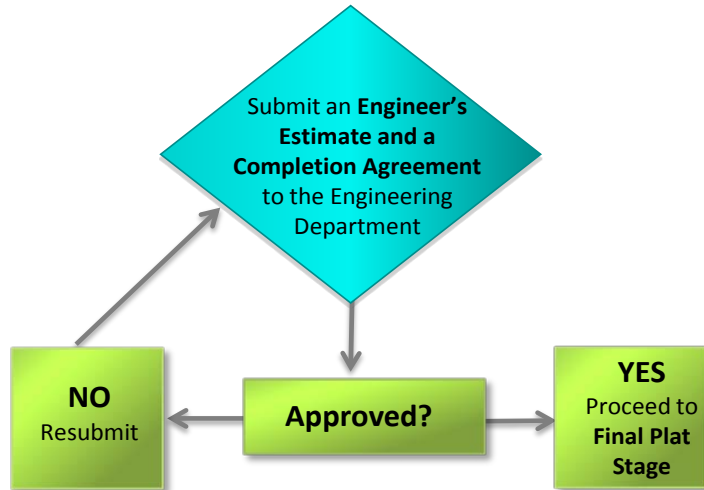
Final Plat Stage



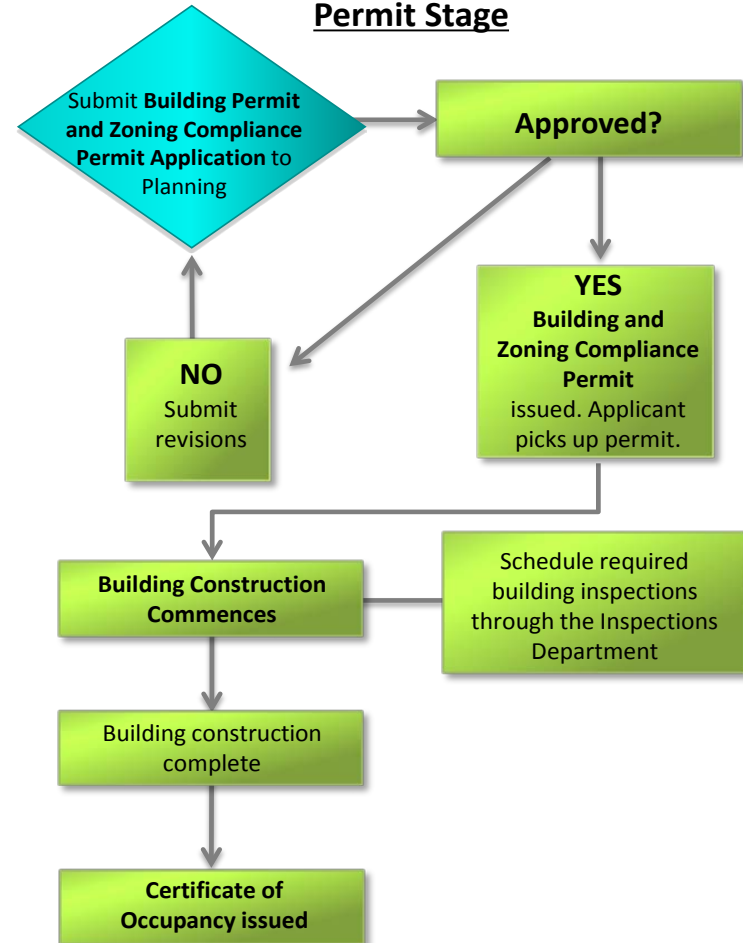
Town of Clayton Major Subdivision Plan Process Flow Chart



Performance Guarantee Stage



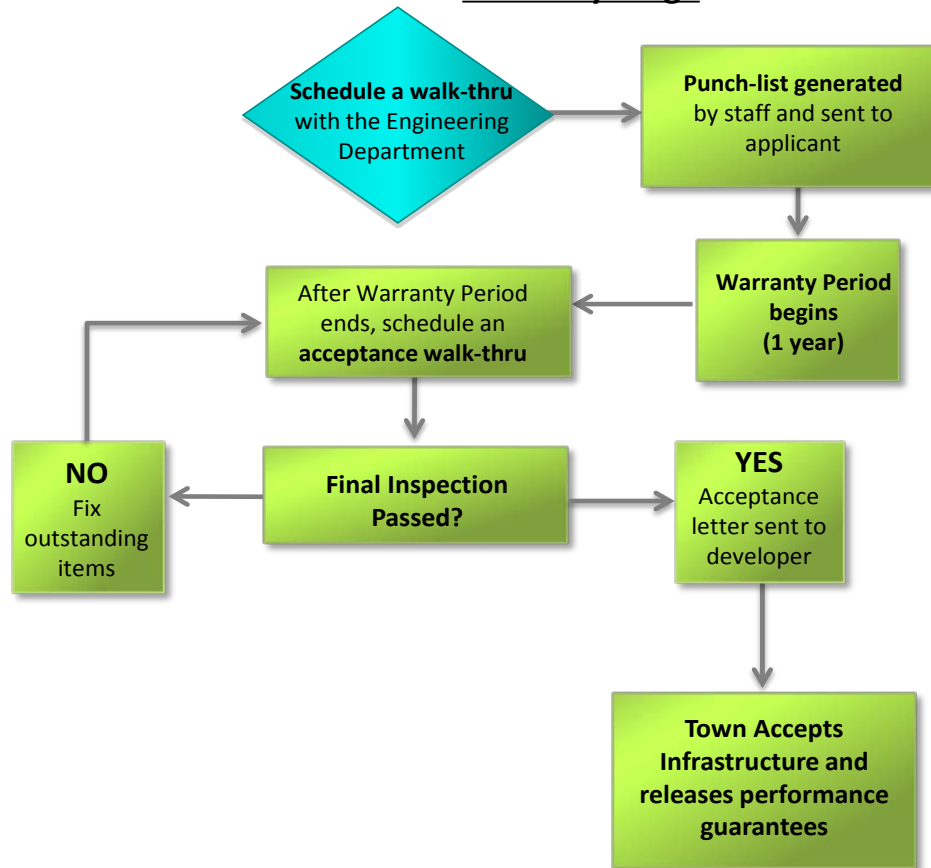
Zoning Compliance/Building Permit Stage



Town of Clayton Major Subdivision Plan Process Flow Chart



Warranty Stage





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Item Title

Benchmarking

Presenter

Samantha Wullenwaber, Planning Director

Summary/Description

Staff has collected information regarding demographics and processes from several nearby communities. These include Apex, Holly Springs, Wake Forest, and Fuquay Varina. Benchmarking data has been collected for the following: demographics, TRC submittal averages, and project planning processes.

Additional Documents to be Included in Agenda Packet

2019 Demographics
TRC Submittal Averages
Subdivision Review Timeline
Major Site Plan Threshold / Review Timeline
Planned Development Review Timeline
Rezoning Review Timeline

Demographic Comparisons

2019 Demographics					
Jurisdiction	Population	Median Age	Median Household Income	Median Home Value	Median Home Cost
Clayton	21,158	36.4	\$63,541	\$177,974	\$208,896
Apex	52,842	36	\$105,512	\$334,456	\$371,324
Holly Springs	34,068	34.4	\$102,353	\$299,371	\$341,668
Wake Forest	37,279	36.1	\$84,175	\$291,696	\$322,760
Fuquay Varina	26,924	37	\$77,669	\$238,859	\$273,589

Technical Review Committee Application Review - Benchmarks

Submittal Averages	
Jurisdiction	Average monthly TRC Submittals
Clayton	7
Apex	6
Holly Springs	9
Wake Forest	6
Fuquay Varina	5

Subdivision Review Timeline			
Jurisdiction	Submittal to Final Decision	Avg. # of Revisions	Notes
Clayton	120 days	4	
Apex	90 days*	4	30 extra days per revision; averages 120+ total days
Holly Springs	160 days*	6	8-9 months on average
Wake Forest	180 days*	4	Varies by size of development, quality of plan, etc.
Fuquay Varina	150 days	4	Each review takes 5 additional weeks
	AVG: 140 days		

Major Site Plan Review / Threshold Timeline					
Jurisdiction	Threshold	Submittal to Final Decision	Avg. # of Revisions	Final Review	Notes
Clayton	>2500 SF	90 days	4	Planning Board	
Apex	>100,000 SF	120 days	4	Council	
Holly Springs	>20,000 SF	160 days	6	Council	
Wake Forest	No SF threshold	150 days	4	Staff*	Goes to Board only if >100 units OR TIA is required
Fuquay Varina	No SF threshold	150 days	4	Staff*	Staff review unless PDD master plan
		AVG: 134 Days			

Planned Development Review Timeline				
Jurisdiction	Submittal to Final Decision	Avg. # of Revisions	Final Review	Notes
Clayton	120 days	4	Council	
Apex	120 days	4	Council	
Holly Springs	160 days	6	Council	
Wake Forest	180 days	4	Council	
Fuquay Varina	160 days	4	Council	
	AVG: 140 Days			

Rezoning Timeline			
Jurisdiction	Submittal to Final Decision	Final Review	Notes
Clayton	45 days	Council	
Apex	90 days	Council	
Holly Springs	150 days*	Council	*Requires special studies at time of Rezoning (TIA, etc.)
Wake Forest	90 days	Council	
Fuquay Varina	60 days	Council	
	AVG: 87 Days		



2020 Town Council Retreat Agenda Cover Sheet February 24 & 25, 2020

Meeting Date

Day #1 - February 24, 2020

Item Title

Site Plan Approval

Presenter

Samantha Wullenwaber, Planning Director

Summary/Description

Staff and Council will discuss the differences between Minor vs. Major Site Plans as well as the differences between administrative and quasi-judicial review processes as they pertain to site plans. Benchmarking data will be provided to provide insight to how other nearby jurisdictions handle site plan review.

Additional Documents to be Included in Agenda Packet

Table – TOC Major vs. Minor Site Plan

Table- Benchmark Data of Major Site Plan Threshold

Major Site Plan Review

Major Site Plan Review / Threshold Timeline					
Jurisdiction	Threshold	Submittal to Final Decision	Avg. # of Revisions	Final Review	Notes
Clayton	>2500 SF	90 days	4	Planning Board	
Apex	>100,000 SF	120 days	4	Council	
Holly Springs	>20,000 SF	160 days	6	Council	
Wake Forest	No SF threshold	150 days	4	Staff*	Goes to Board only if >100 units OR TIA is required
Fuquay Varina	No SF threshold	150 days	4	Staff*	Staff review unless PDD master plan
		AVG: 134 Days			

Major Site Plan Review- Benchmarks

Major Site Plan Review / Threshold Timeline					
Jurisdiction	Threshold	Submittal to Final Decision	Avg. # of Revisions	Final Review	Notes
Clayton	>2500 SF	90 days	4	Planning Board	
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		AVG: 134 Days			



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Item Title

Transportation

Presenter

Samantha Wullenwaber, Planning Director
Rich Cappola, Public Services Director

Summary/Description

Transportation is critically important for the Town of Clayton. Town staff will present the following topics: TIA, typical road standards, pedestrian importance, and NCDOT projects.

Requested Action

Informational Only

*Click or tap here to enter additional information.

Funding Source (If Applicable):

Click or tap here to enter text.

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet