



**The Town Of Clayton
Town Council Work Session Meeting Agenda
Monday, October 17, 2016 @ 6:30 PM
Council Chambers**

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

a. **DRAFT Minutes**

- October 3, 2016 Regular Session
- October 3, 2016 Closed Session

[October 3, 2016 DRAFT Minutes](#)

b. **Certificate of Sufficiency #2016-198-ANX**

- The Pines at Glen Laurel - 20.15 Acres

[Certificate of Sufficiency The Pines at Glen Laurel](#)

c. **Certificate of Sufficiency - #2016-199-ANX**

- The Shoppes at Glen Laurel - 21.32 acres

[Certificate of Sufficiency The Shoppes at Glen Laurel](#)

d. **Certificate of Sufficiency #2016-200-ANX**

- Glen Laurel Self Storage - 4.18 acres

[Certificate of Sufficiency Glen Laurel Self Storage.doc](#)

POTENTIAL ACTION: Approval of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. **Proclamation in Memoriam of J.W. (Buck) Lee**

Presenter: Jody McLeod, Mayor

[Proclamation - J.W. \(Buck\) Lee](#)

b. **Introduction of Public Works Employees**

Presenters: Steve Blasko, Street/Property Maintenance Supervisor & Byron Poelman, Utility Service Supervisor

- James Griffin, Property Maintenance
- Josh Cotton, Property Maintenance
- Matthew Harvey, Utility Maintenance Mechanic
- Richard Johnson, Utility Maintenance Mechanic

c. **Presentation of Advanced Firefighter Certifications**

Presenter: Stacy Beard, Public Information Officer

- Kenneth David Evans
- Mark Wesley Morris
- Christopher James Carter
- Joshua Jefferson Spivey
- Andrew Douglas Shaw
- James Harold Hill

d. **Clayton Historical Association**

Presenter: Porter Casey, Clayton Historical Association

[Cover - Clayton Historical Association](#)

[Letter - Clayton Historical Association](#)

[Presentation - Clayton Historical Association](#)

e. **Taking Strides Against Family Violence 5K Walk/Run**

Presenter: Evelyn Sanders, JC Alumnae Chapter of Delta Sigma Theta Sorority

[Cover - Taking Strides Against Family Violence](#)

[Special Event Application- Taking Strides Against Family Violence](#)

POTENTIAL ACTION:

Place on November 7, 2016 Consent Agenda

6. ITEMS SCHEDULED FOR THE REGULAR MEETING

a. **Recommendation of Appointment of Maleah Christie to Public Arts Board**

- *To fill a current vacancy with term expiration of December 31, 2016*

Presenter: Nancy Medlin, Deputy Town Manager

[Application - Public Arts - Maleah Christie](#)

POTENTIAL ACTION:

Place on November 7, 2016 Consent Agenda

b. **Special Use Permit - #2016-180-SUP - Grifols D 230 NFB Building**

Presenter: Planning Department

[Cover - #2016-180-SUP - Grifols](#)

[Application - Grifols - #2016-180-SUP](#)

[Staff Report - Grifols - #2016-180-SUP](#)

[Staff Report Map - Grifols - #2016-180-SUP](#)

[Deputy Fire Chief Building Height Approval - Grifols - #2016-180-SUP](#)

[Elevations - Grifols - #2016-180-SUP](#)

[Associated Site Plan - Grifols - #2016-181-SP](#)
[Newspaper Ad - #2016-180-SUP](#)

POTENTIAL ACTION: Set Public Hearing for November 7, 2016

- c. Annexation - #2016-198-ANX - The Pines at Glen Laurel

Presenter: Planning Department

[Application - 2016-198-ANX - The Pines at Glen Laurel](#)

[Map - No Aerial - 2016 - 198 ANX - The Pines at Glen Laurel](#)

[Map - 2016 - 198 ANX - The Pines at Glen Laurel](#)

[Deed - 2016-198-ANX - The Pines at Glen Laurel](#)

[Resolution Setting Date of Public Hearing - The Pines at Glen Laurel](#)

[Newspaper Ad - The Pines at Glen Laurel](#)

POTENTIAL ACTION: Set Public Hearing for November 7, 2016

- d. Annexation - #2016-199-ANX - The Shoppes at Glen Laurel

Presenter: Planning Department

[Application - 2016-199-ANX - The Shoppes at Glen Laurel](#)

[Map - No Aerial 2016 - 199-ANX - The Shoppes at Glen Laurel](#)

[Map - 2016 - 199-ANX - The Shoppes at Glen Laurel](#)

[Deed - 2016-199-ANX - The Shoppes at Glen Laurel](#)

[Resolution Setting Date of Public Hearing - The Shoppes at Glen Laurel](#)

[Newspaper Ad - The Shoppes at Glen Laurel](#)

POTENTIAL ACTION: Set Public Hearing for November 7, 2016

- e. Annexation - #2016-200-ANX - Glen Laurel Self Storage

Presenter: Planning Department

[Application - 2016-200-ANX - Glen Laurel Self Storage](#)

[Map - No Aerial - 2016-200-ANX - Glen Laurel Self Storage](#)

[Map - 2016-200-ANX -Glen Laurel Self Storage](#)

[Deed - 2016-200-ANX - Glen Laurel Self Storage](#)

[Resolution Setting Date of Public Hearing - Glen Laurel Storage](#)

[Newspaper Ad - Glen Laurel Storage](#)

POTENTIAL ACTION: Set Public Hearing for November 7, 2016

- f. Code of Ordinance Amendments - Chapter 32 - Boards

Presenter: David DeYoung, Planning Director

[Cover - Chapter 32 Code of Ordinance Amendments](#)

[Chapter 32 Update](#)

POTENTIAL ACTION: Place on November 7, 2016 Consent Agenda

7. ITEMS CONTINGENT FOR THE REGULAR MEETING

8. ITEMS FOR DISCUSSION

9. ITEMS REQUIRING ACTION

Action is not normally taken at work session, however, there are items on the agenda that require action be taken. In order to take action it is required to suspend the rule.

- a. The following three items (9b, 9c & 9d) require suspending rule to take action at work session.

POTENTIAL ACTION: Suspend Rule to Take Action

- b. Resolution Notifying NCDOT of Date Change for The Shindig
- *This event was rescheduled from October 8, 2016 to November 13, 2016 due to Hurricane Matthew*

[Resolution - The Shindig Date Change](#)

POTENTIAL ACTION: Approval of Resolution #2016-39

- c. Special Event - #2016-18 - Veterans Day Event - November 6, 2016
Presenter: Michael Sims

[Cover - 2016 Veterans Day Event](#)

[Special Event Application - 2016 Veterans Day Event](#)

POTENTIAL ACTION: Approve Closure of Town Square Parking Lot

- d. Special Event #2016-16 - 2016 Christmas Parade
- [Cover - 2016 Christmas Parade](#)
- [Special Event Application #2016-16 - Christmas Parade](#)
- [NCDOT Notification Letter - 2016 Christmas Parade](#)
- [Ordinance - 2016 Christmas Parade](#)

POTENTIAL ACTION: Adoption of Ordinance #2016-10-03

10. OLD BUSINESS

- a. Cemetery Information Update
Presenter: Tim Simpson, Public Works Director
- [Cover - Cemetery Information Update](#)
- [Memo - Cemetery Information Update](#)

- b. Cemetery Billing Update
Presenter: Ann Game, Customer Service Director
- [Cemetery Billing Presentation](#)

POTENTIAL ACTION: Place on November 7, 2016 Consent Agenda

- c. Special Events Policy Update
Presenter: David DeYoung, Planning Director
[Cover - Special Events Policy](#)
[Special Events Policy - Updated Final Draft](#)

POTENTIAL ACTION: Place on November 7, 2016 Consent Agenda

11. STAFF REPORTS

- a. Town Manager
- Hurricane Matthew Response Recap
- b. Town Attorney
- c. Town Clerk
- Town Council Retreat - HTR Realty Training Room - 328 Main Street, Clayton
 - **October 26, 2016** - 8:30 - 5:30 p.m. (approximate times)
 - *Lunch* - Clayton Steakhouse - 12:30 - 1:30 (approximate)
 - **October 27, 2016** - 8:30 - 2:30 (approximate times)
 - *Lunch* - HTR Realty Training Room
- d. Other Staff

12. OTHER BUSINESS

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

13. ADJOURNMENT



**The Town Of Clayton
Regular Town Council Meeting Minutes
Monday, October 3, 2016 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Kimberly Moffett, Town Clerk
Katherine Ross, Town Attorney
Jay McLeod, Senior Planner
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer

COUNCIL ABSENT:

Mayor McLeod
Mayor Pro Tem Grannis

1 CALL TO ORDER

- a) Council Member Satterfield called the meeting to order at 6:30 p.m. He led everyone in the Pledge of Allegiance and also offered the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) Closed Session Pursuant to NCGS 143.318(a)(3)

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
- September 6, 2016 - Regular Session & Closed Session
 - September 19, 2016 - Regular Session & Closed Session
- b) Warranty Acceptance: Public Water, Sewer & Pertinent Utility Easements
- TOMAR Medical Office Spring Branch
 - Clayton Endoscopy Lot II
- c) Clayton HS Band Classic Day Proclamation
- d) 2017 Town of Clayton Holiday Schedule
- e) 2017 Town of Clayton Town Council Meeting Schedule
- f) Credit Card Fees - Non-Utility Payments
- g) Amendment to Code of Ordinances - Chapter 93 - Civil Emergencies

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Thompson

Second: Council Member Lawter

Vote: Unanimous

4 ADMINISTRATIVE ITEMS

- a) Resolution Directing Town Clerk to Investigate Sufficiency of Annexation Petition - #2016-198-ANX - The Pines at Glen Laurel
- b) Resolution Directing Town Clerk to Investigate Sufficiency of Annexation Petition - #2016-199-ANX - The Shoppes at Glen Laurel
- c) Resolution Directing Town Clerk to Investigate Sufficiency of Annexation Petition - #2016-200-ANX - Glen Laurel Self Storage

ACTION: Approval of Resolutions #2016-36, #2016-37 & #2016-38
Consistency Statements to be Placed on October 17, 2016 Consent Agenda

Motion: Council Member Lawter

Second: Council Member Holder

Vote: Unanimous

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Community Neuse River Clean-Up Recognition of Lynn & Paul Auclair of Deep River Brewing
Presenter: Stacy Beard, Public Information Officer

Ms. Beard recognized Lynn & Paul Auclair who are the owners and founders of Deep River Brewing. They recognized there was a trash issue in our popular water way of the Neuse River and organized an event for a clean up. Their event attracted more than 40 volunteers who helped to clean up a large amount of trash. Council offered their thanks and a certificate of appreciation was presented.

6 PUBLIC HEARINGS

- a) Rezoning - 2016-135-RZ - Lone Star Steakhouse
Presenter: Jay McLeod, Senior Planner
 - Request rezoning from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3)

Council Member Satterfield opened the Public Hearing

Mr. McLeod presented this item. Applicant is requesting rezoning from B-3 SUD to B-3 Highway Business. This request would remove the Special Use

District (SUD) from the current zoning. Property is Lone Star Steakhouse which is located at 13049 US Highway 70 Business. The request is compatible with the surrounding land uses and is consistent with the comprehensive plan. The Planning Board and staff recommend approval.

Applicant, Randall Durham, was present for any questions.

With nothing further, the public hearing was closed and the item was turned over to council for their deliberation.

ACTION: Approval Ordinance #2016-10-02

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

b) Special Use Permit - 2016-146-SUP - Wine on Main

Presenter: David DeYoung, Planning Director

- Request for Special Use Permit to Designate as a Lounge

Attorney Ross provided information regarding type of testimony that can be provided at a quasi judicial hearing. All those wishing to offer testimony were affirmed by the Town Clerk.

Council Member Satterfield opened the public hearing and Mr. McLeod provided information regarding this Special Use Permit. Applicant is requesting designation as a lounge to allow the sale of on site malt beverage. It was noted that this request is independent of any ABC requirements. This request is consistent with the comprehensive plan as well as the Unified Development Code. The applicant has addressed the Findings of Fact.

Applicant, Ms. Temple Phipps of 459 E. Main Street was presented and stated this request would allow for additional options for patrons.

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

ACTION: Approval of SUP #2016-146-SUP

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

7 OLD BUSINESS

8 NEW BUSINESS

a) Authorizing Deputy Finance Officers - Bank Account Signatures

Presenter: Nancy Medlin, Deputy Town Manager

Ms. Medlin provided information regarding this item, which is basically a housekeeping item that would allow Town Manager Adam Lindsay to be added to bank accounts and become an authorized signer on accounts.

ACTION: Approval of Resolution #2016-39

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

- b) Appointment of Adam Lindsay, Town Manager as Second Alternate Commissioner NCEMPA

Presenter: Kimberly Moffett, Town Clerk

Request to appoint Town Manager Adam Lindsay to fill vacancy as Second Alternate on the NCEMPA Board.

ACTION: Appointment of Adam Lindsay

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

9 STAFF REPORTS

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

10 OTHER BUSINESS

- a) Informal Discussion & Public Comment
- b) Council Comments
- c) Closed Session

At 6:48 p.m. council went into Closed Session under NCGS 143-318.11(a)(3)

ACTION: Go into Closed Session

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

11 ADJOURNMENT

- a) Council returned from closed session at 7:18 p.m. With there being nothing further, the meeting was adjourned.

ACTION: Motion to Adjourn

Motion: Council Member Thompson

Second: Council Member Lawter

Vote: Unanimous

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

DRAFT

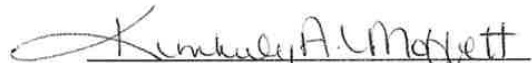
ANNEXATION PETITION2016-198-ANX
The Pines at Glen Laurel Lot 1
Parcel Portion of 05104003
Owners: The Pines at Glen Laurel, LLC
Contiguous; 20.15 acres

CERTIFICATE OF SUFFICIENCY

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

I, Kimberly A. Moffett, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of October, 2016.


Kimberly A. Moffett, CMC, NCCMC
Town Clerk



ANNEXATION PETITION #2016-199-ANX
The Shoppes at Glen Laurel Lot 2
Parcel Portion of 05104003
Owners: The Shoppes at Glen Laurel, LLC
Contiguous; 21.32 acres

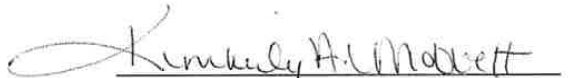
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In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of October, 2016.




Kimberly A. Moffett, CMC, NCCMC
Town Clerk

ANNEXATION PETITION #2016-200-ANX
Glen Laurel Self Storage Lot 3
Parcel Portion of 05104003
Owners: Tellico Greens LLC
Contiguous; 4.18

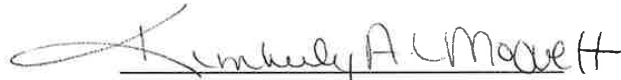
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In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of October, 2016.




Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Proclamation

In Memoriam
J.W. (Buck) Lee

WHEREAS, J.W. (Buck) Lee was a lifelong resident of Clayton and married Lexine in 1951; and

WHEREAS, together they raised three daughters, Jill, Anne and Laney who blessed them with five grandchildren and three great-grandchildren; and

WHEREAS, Buck spent 33 years at North Carolina State University serving as the manager of University Graphics; and

WHEREAS, Buck was a lifelong and devoted member of First Baptist Church in Clayton, where he served as Deacon, Sunday School teacher, Usher and most especially Bell Ringer; and

WHEREAS, Buck was continually involved in his community in many ways including membership in the Clayton Civitan Club and delivering Meals on Wheels for over 20 years; and

WHEREAS, Buck served as a member of the Clayton Town Council from 1991 to 1995, where he was instrumental in ensuring the construction of the Clayton Operations Building; and

WHEREAS, it is the privilege of all residents of Clayton to honor and remember Buck Lee.

NOW THEREFORE, I, Jody L. McLeod by virtue of the authority vested in me as Mayor of the Town of Clayton, do hereby proclaim October 17, 2016 as

J.W. (Buck) Lee Day

and extend to his family our deep appreciation for his distinguished and dedicated service to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Clayton to be affixed this the 17th day of October, 2016.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

Introductions & Special Presentations

Meeting Date:

October 17, 2016

ITEM TITLE:

Clayton Historical Association

DESCRIPTION:

A representative of the Clayton Historical Association will present and provide a short slide show detailing information regarding a Historical Overlay District in town.

POTENTIAL ACTION:

None – Informational Only

DEPARTMENT:

PRESENTER:

Porter Casey, Clayton Historical Association

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



October 11, 2016

Clayton Historical Association
PO Box 1722
Clayton, NC 27528

Dear Mayor McLeod and Members of the Town Council.

The Clayton Historical Association is excited about the growth and revitalization of our downtown and Historic District. With this influx of growth and change we appreciate the Council allowing us to bring up some important issues affecting our Historic District.

The Clayton Historical Association has been working since 2007 to preserve and share the history of Clayton. We are proud of our successes thus far and continually seek ways to preserve our invaluable history and Town character for future generations. Currently we are discussing strategies to embrace and encourage the inevitable growth in our downtown area while preserving its historic character.

We ask that the Town consider practical actions to preserve and protect the Clayton Historic District and surrounding downtown area and neighborhoods. We have discussed strategies with Town Planning Staff and reviewed strategies of other communities around the country, and feel that this action should take the form of incentives and policies (an "overlay" of downtown with its own set of guidelines) to preserve and enhance our downtown area. This overlay could include the following:

- Provide guidance for redevelopment / renovation of existing properties
- Discourage demolition of historically important structures
- Provide guidance for new commercial and residential development to ensure design is seamless with the existing small town, historic character that defines Clayton

Many other communities provide successful examples where they have taken these steps in their own towns, and the benefits of historic preservation are well-documented. We feel that we can find a balanced strategy that enhances and protects our community without creating undue burden on property owners.

Brief History of Historic Preservation efforts in Clayton:

We have wonderful examples of adaptive reuse of historic buildings, including The Clayton Center, Clayton Chamber of Commerce, and the McCullers, Whitaker & Hamer, PLLC Office. The Town has also witnessed the loss of historic buildings such as the Horne Mansion, Robertson Hotel, William Mason Cooper School and recently several others. The Historical Association has many accomplishments including Annual Clayton History Day, a Civil War Trails Marker (at Town Square), Historic Plaques Program, creation of the Historic District, Historic Tax Credit Seminars, and the Flag of Truce Ceremony – Surrender of Raleigh to Union Army, and the Soldier's Walk Home, to name a few. The efforts of the Downtown Development Association, along with the Town staff, also serve to protect and revitalize downtown.

The Town of Clayton has made these significant steps in historical recognition and preservation:

- 2006: Clayton became a North Carolina Main Street Community
 - This achievement gave the Town access to numerous redevelopment resources and provided access to downtown redevelopment funds / grants.

- 2010: The Clayton Downtown Historic District was recognized on the National Register of Historic Places through the National Park Service. At the time of registration the Clayton Historic District encompassed 294 contributing buildings for the period of significance of 1890 to 1960. Our Historic District has a unique sense of character with both architectural and aesthetic appeal that provides a sense of place and continuity. This District also serves as the historical identity of the town and helps define the community.
 - This distinction allows both commercial and residential owners opportunities to access the State's Historic Preservation Tax Credits.

Why do we need additional protections?

These programs are beneficial to our community but they do not offer local protections of historic properties. Further, they do not require that infill (new) development be consistent with the character of our downtown.

The inevitable continued growth due to our Town's innate charm, attractive housing prices, proximity to Raleigh, and the future I-540 connection means we should act now to mitigate negative impacts of growth and instead encourage positive development and redevelopment within our downtown. The suggested action noted above would serve to supplement the work already being done by the Historical Association, Downtown Development Association, and the Town of Clayton to revitalize downtown.

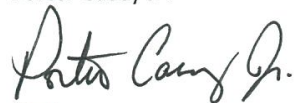
If the Town were to make this important step towards preservation, the Historical Association is willing to provide support, research and community outreach for a method that is supportive but not burdensome to the property owners and community.

In summary, we appreciate your consideration of our proposal to work with the Town Planning Department to develop a new overlay for the downtown area that achieves these goals.

Think Clayton. Think History

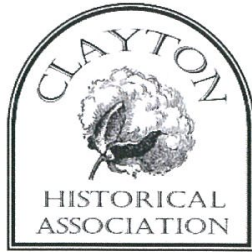
Regards,
Clayton Historical Association

Porter Casey Jr.



Chair
Clayton Historical Association





Clayton Historical Association Bio:

The Clayton Historical Association was founded in 2007 through the support of the Downtown Development Coordinator and the town. Our mission is to Preserve and share the history of Clayton and to recognize and preserve the historic properties of Clayton. Since our inception our small but passionate group has made active contributions to provide both entertainment and information on the town and community's history. Our efforts have highlighted the invaluable work of preserving our heritage which currently is archived at the Virginia Lee Satterfield History Room in the library through the tireless and amazing dedication of former Town Historian Virginia Lee Satterfield and now current historian, Pam Baumgartner.

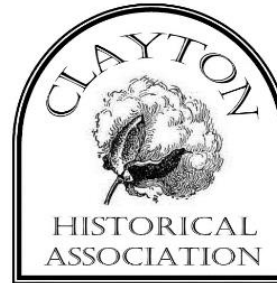
Some of our most notable accomplishments are:

- Annual Clayton History Day
- Civil War Trails Marker (Located at Town Square)
- Historic Plaques Program (30 participating homes and businesses)
- Assisted with the creation of the Historic District, listed on National Register (2010)
- Historic Tax Credit Seminars
- 501c3 Status
- Flag of Truce Ceremony – Surrender of Raleigh to Union Army
- Soldiers Walk Home – Tribute to Veterans – In conjunction with Duke Homestead / NC Dept. of Cultural Resources

In 2019 Clayton faces a major milestone, Clayton's 150th Anniversary, Clayton was incorporated in April 12, 1869. Back during Clayton's 100th anniversary, it was a major spectacle involving the entire town through several events, parade; festival and community fellowship. We hope to celebrate Clayton's 150th Anniversary in a similar fashion and we feel it is important to begin the planning process soon.



Clayton Historical Association



Some of our most notable accomplishments are:

- Annual Clayton History Day
- Civil War Trails Marker (located at Town Square)
- Historic Plaques Program (29 participating homes and businesses)
- Assisted with the creation of the Historic District, listed on National Register (2010)
- Historic Tax Credit Seminars
- 501c3 Status
- Flag of Truce Ceremony – Surrender of Raleigh to Union Army
- Soldiers Walk Home – Tribute to Veterans – In conjunction with Duke Homestead / NC Dept. of Cultural Resources



The Value of Historic Preservation

- Maintains our Identity / Small Town Charm
- Significant to Downtown Revitalization
- Encourages Private Investment
- Enriches the appeal and appearance of the community
- Positive Economic Impact – Property Values
- Attracts visitors and consumers to downtown



Clayton's Current Historic Preservation Status

North Carolina Main Street Community – 2006

- Redevelopment Resources
- Provided the Town with access to Downtown redevelopment Grants / Funds



North Carolina
Main Street

Clayton Historic District – National Register of Historic Places – 2010

- Commercial Tax Credit Opportunities
- Residential Tax Credit Opportunities



These are great programs beneficial to our community but do not offer protections for historical properties and owners.

Historic Character of Downtown – Past and Present

Horne Mansion; Horne Family Collection



Clayton Graded School and Grammar School; NR 2001

Historic Preservation – The Practical Version

Historical Preservation can be done and not be a Burden:

- No Need for a Preservation Commission Board
- Decisions are quick and managed at the staff level
- Small Town Character Overlay District
- Local Tax Incentives / Grants
- Community Awareness and Education
- Collaboration between Town and Historic Property Owners



The Historical Association supports measures that are practical and benefit historic property owners and preserve historically significant properties. We as an Association are willing to provide support, research and community outreach as we feel it is supportive to our community.

ThinkCLAYTON. Think History.



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

AGENDA LOCATION:

Introductions & Special Presentations

Meeting Date:

October 17, 2016

ITEM TITLE:

Taking Strides Against Family Violence 5K Walk/Run

DESCRIPTION:

This event is sponsored by JC Alumnae Chapter of Delta Sigma Theta Sorority and is scheduled to be held at Cooper Elementary on April 1, 2017 from 8 a.m. until 12 noon. Request is for closure of East Front Street from Fayetteville to Smith Street.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

PRESENTER:

Evelyn Sanders,

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



**Town of Clayton
Planning Department**

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

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the \$100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: Taking Strides Against Family Violence 5K Walk/Run
Applicant Name and Title: Joseph Sanders, President
Organization: Johnston County Planners Chapter of Delta Sigma Theta Sorority
Mailing (Billing) Address: PO Box 2516
City: Smithfield State: NC Zip Code: 27577
Daytime Phone: 919-279-8076 Cell: Email: joacpresident@yahoo.com

EVENT INFORMATION

Event Location: Cooper Elementary School
Event Address: 8419 Mial Street Clayton, NC
Date(s) of Event: April 1, 2014
Event Start Time: 8 am Event End Time: 12 pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 7 am Clean Up Ends: 2 p.m.
Estimated Attendance: 200
Description of Event: This 5K Walk/Run is a fundraiser to support services provided by Harbor, Inc.

TOWN OF CLAYTON STAFF USE ONLY

Date Received: SEP 14 2013

Amount Paid: Fee waived

Permit Number: 206-20

April 2014

ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☐ N/A

Is the Organization a 501(c) 3?

☒ Yes

☐ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☒	☐
2. Is the organization a 501(C)3	☒	☐

Briefly describe the purpose of the organization:

Harbor provides safe compassionate and advocacy services, resources, and programs

Name of Organization:

Organization Address:

Organization Contact Name:

Organization Email:

Federal Identification Number:

Harbor, Inc

PO Box 1983

Smithfield, NC 27577

Kay Johnson

Phone Number:

919-938-3566

www.harborshelter.org

TENTS & MEMBRANE STRUCTURES

**** A TENT is a structure, enclosure, or shelter, with or without sidewalls or drops****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will tents be used at the event?	☒	☐		
2. How many tents will be used?	<i>15</i>			
3. What is the size of the tents being used? Please note that tents greater than 240 square feet in size require a building permit and associated inspections.	<i>10x10</i>			
4. Are there multiple tents without sidewalls being placed side by side? Please note that 12 feet of separation is required between all tents larger than 700 square feet.	☒	☐		

**** A MEMBRANE structure is an air-inflated or air supported structure ****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will a membrane structure(s) be used at the event?	☐	☒		
2. How many membrane structures will be used?				

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators? yes	☒	☒	
2. Will you use a Town of Clayton power source?	☐	☒	

PLEASE NOTE: NO direct wiring to any power source is permitted.

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☒	☐	
If yes, state the number of bands:			
2. Will a temporary stage be utilized?	☐	☒	
If yes, please state the number of stages			
3. Will the event use amplified sound?	☐	☒	
If yes, please list start time and finish time.	Start Time	Finish Time	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? <i>If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.</i>	☐	☒	
2. Will there be any portable heaters?	☐	☒	
3. Will there be any deep fat fryers?	☐	☒	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? <i>If yes, please contact the Fire Marshall for more 919-553-1520 information.</i>	☐	☒	

ALCOHOL

	Yes	No	Staff Notes								
1. Will alcoholic beverages be served? <i>If yes, an ABC permit is required.</i>	☐	☒									
2. Will alcoholic beverages be sold? <i>If yes, an ABC permit is required.</i>	☐	☒									
3. What type of alcohol will be served?											
<table style="display: inline-table; border: none;"> <tr> <td style="text-align: center;">Draft Beer</td> <td style="text-align: center;">Can/Bottle Beer</td> <td style="text-align: center;">Wine</td> <td style="text-align: center;">Liquor</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> </table>	Draft Beer	Can/Bottle Beer	Wine	Liquor	☐	☐	☐	☐			
Draft Beer	Can/Bottle Beer	Wine	Liquor								
☐	☐	☐	☐								
4. Who will be serving the alcohol? <i>Please identify on the site plan the locations within event site where alcohol will be served.</i>											
5. List times that alcohol will be served	Start Time	Finish Time									
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.											

April 2014

VENDORS

	Yes	No	Staff Notes
1. Will the event include mechanical rides, or other similar attractions? <i>Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.</i>	☐	☒	
2. Please list/describe rides and attractions:			
3. Does the event have food vendors?	☒	☐	
If yes, check all that apply:			
Served	Sold	Free	Catered
☒	☒	☐	☐
4. If the event includes food concessions and/or cooking areas: <i>Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.</i>	☒	☐	

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEPTILES/ROLL-OUT CARTS						Yes	No	Staff Notes
1. Does the event require roll-out carts?						☒	☐	
2. What types of trash will be discarded?								
Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates	Styrofoam Cups / Plates	Other			
☒	☒	☒	☒	☒	☐			
3. How many trash roll-out carts are needed?						Number 24		
4. How many recycle roll out carts are needed?						event location		
5. Delivery location?								
6. Date rollout carts are to be delivered/picked up?						Delivered	Picked-up	
PUBLIC PROPERTY CLEAN-UP						Yes	No	
7. Will portable toilets be used during the event?						☒	☐	
8. Date portable toilets will be delivered/and removed?						Delivered	Picked-up	
9. What is the clean-up plan for the event?								
<i>Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.</i>								

SAFETY AND SECURITY		Yes	No
10. Will security be used during the event?		☒	☐
11. Will overnight security be used?		☐	☒
12. How many off duty officers will be used?		2	
13. Please check the type(s) of security that will be used:			
Alcohol Security	Stage Security	Event Area Security	Gate Security
☐	☐	☒	☐
		Money Handling Security	Other
		☐	☐
14. Date(s) and time(s) security will be on site:			
<i>Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.</i>			

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

April 2014

ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of \$1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

April 2014

7. If the event will utilize Horne Square, a \$250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☒	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Special Event 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.

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature: _____

Evelyn Sanders

Date: _____

9/14/16

April 2014

NORTH CAROLINA
JOHNSTON COUNTY



INDEMNIFICATION AGREEMENT

I, Evelyn Sanders have submitted an application for a Special Event Permit for Johnston County Alumnae Chapter on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Evelyn Sanders

Signature of Applicant & Authorized Representative of Event

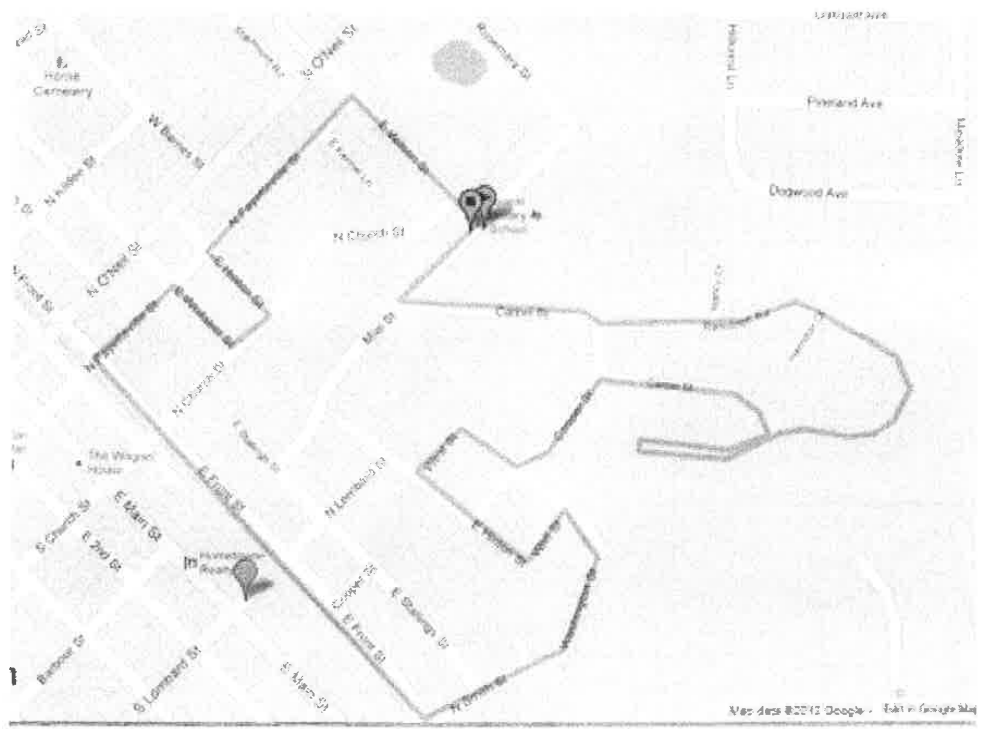
Sworn to (or affirmed) and subscribed before me this the _____ day of _____, 20____.

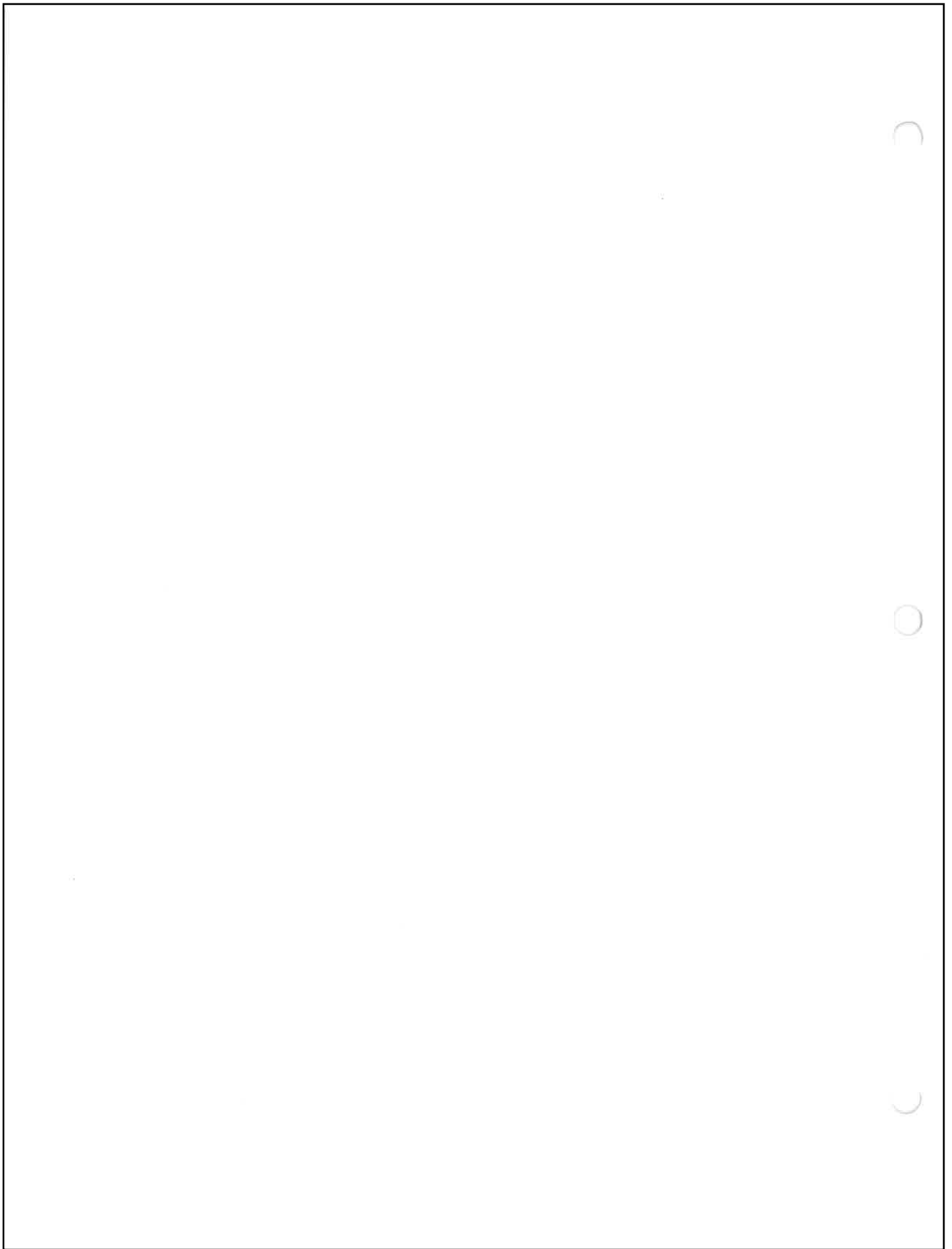
(Official Seal)

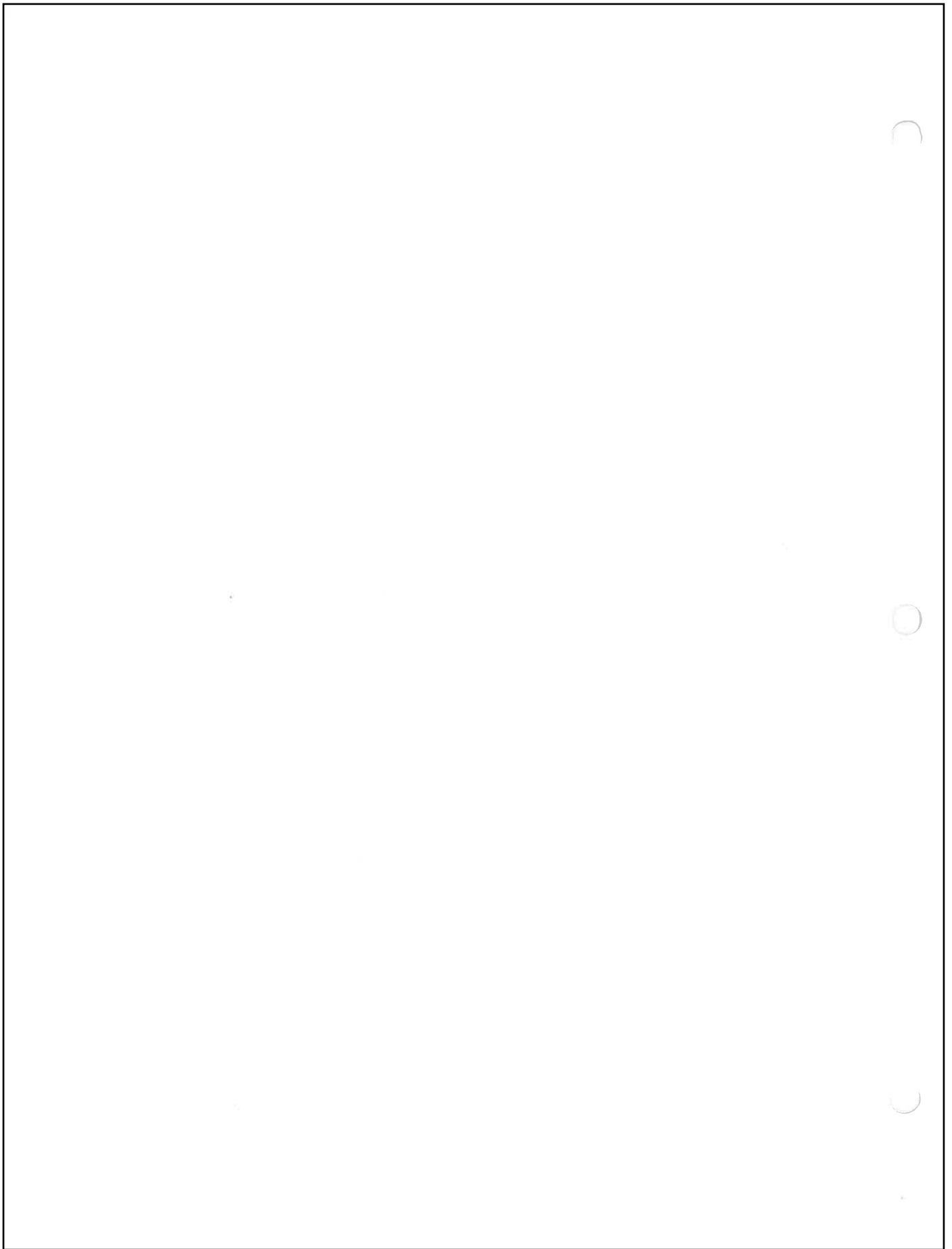
Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires:









Rec
7/27/16

ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- ☐ Planning & Zoning Board ☐ Board of Adjustment
☐ Downtown Development Assoc. ☐ Clayton Library Board
☐ Recreation Advisory Committee ☐ Fire Dept. Advisory Board
☒ Public Arts Advisory Board

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

Please type or use dark ink.

Name: Maleah Nicole Christie

Mailing Address: 906 E. Main Street Clayton NC 27520

Physical HOME Address: same

Phone Number (HOME): (WORK)

FAX Number: Mobile Number: (919) 901-8889

Email Address: maleah.christie@gmail.com

*Female ☒ *Male ☐

*Race Native Amer/White/Black

Employer: Revival 1869 (co-owner); Shaded & Faded Studio (owner)

Occupation: Entrepreneur; Artist

*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: 3 YRS

Do you live in the Clayton? Corporate Limits: Yes ☒ No ☐ ETJ: Yes ☐ No ☐

How did you find out about this board or committee? Facebook ☒ Website ☒ TV ☐

Newspaper ☐ Email ☐ Twitter ☐ Mail ☒ Other Mike Stojic (partner Revival 1869)

Outline your qualifications and why you wish to serve the board/committee you indicated.

As a Clayton business owner, especially working AND living downtown, & as an artist, I have a passion and vested interest in developing Clayton as an arts community & destination.

State why you would be an asset to this board or committee. I have a vision & determination to see/make Clayton a visual, musical, culinary, cultural FEATURE-COMMUNITY in NC.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No ☒ Yes ☐ If Yes, explain:

I know and work with many of the board members & we all share a great interest in the public arts for Clayton

PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.

Boards/Committees/Civic	From	To
<u>Clayton Mid-day Rotary</u>	<u>5/16</u>	<u>current</u>
<u>Featured Performing Painter @ March Footh Festival</u>	<u>6/4/16</u>	
<u>Clayton Visual Arts Member</u>	<u>6/16</u>	<u>current</u>
<u>Malcolm O. Stojic</u>		<u>6/12/16</u>
Signature		Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoffett@townofclaytonnc.org)



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

AGENDA LOCATION:

Items Contingent for Regular Meetings

Meeting Date:

October 17, 2016

ITEM TITLE:

Special Use Permit - #2016-180-SUP - Grifols

DESCRIPTION:

Applicant is request SUP to allow maximum building height for proposed D230 NFB building to be 71'6".

POTENTIAL ACTION:

Set Public Hearing

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL USE APPLICATION

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

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: Grifols - D230 NFB Building Acreage of Property: 69.95 after recombination

Parcel ID Number: 05105001F Tax ID: 187-32-1371, 4377035

Deed Book: 0416 Deed Page(s): 0306

Address/Location: 8368 W US 70 BUS, Clayton, NC 27520

Existing Use: Industrial Proposed Use: Industrial

Is project within a Planned Development? ☒ No ☐ Yes

Planned Development District (if applicable): _____

Is project within an Overlay District: ☐ No ☒ Yes

Overlay District (if applicable): Watershed Protection

OFFICE USE ONLY

Date Received: SEP 01 2016

Amount Paid: \$500.00

Permit Number: 2016-180-SUP

TOWN OF CLAYTON
PLANNING DEPARTMENT
version 07/16/2015

Page 1 of 9

PROPERTY OWNER INFORMATION

Name: Grifols Therapeutics, Inc.

Mailing Address: 8368 W US 70 BUS, Clayton, NC 27520

Phone Number: 919-359-5318

Fax: _____

Email Address: Brent.Noel@grifols.com

APPLICANT INFORMATION

Applicant: Criser Troutman Tanner Consulting Engineers

Mailing Address: 2840 Plaza Place, Suite 103, Raleigh, NC 27612

Phone Number: 910-397-2929

Fax: 910-397-2971

Contact Person: David E. Criser

Email Address: dcriser@cttengineering.com

REQUIRED INFORMATION (to be submitted with the application)

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

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>08/16/16</u>	☒	☐			
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) <i>To be Submitted Later</i>	☐	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies) <i>Letter Submitted</i>	☒	☐			
7. Signed and sealed traffic impact analysis (2 copies)	☐	☒			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☒	☐			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i> <i>To be Submitted Later</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list <i>To be Submitted later</i>	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i> <i>To Be Submitted Later</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

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

REQUIRED FINDINGS OF FACT

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

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

The proposed building height will allow for the proper placement of the production equipment and processes. The building will be designed to have the proper personnel egress according to code.

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.

This project meets all the standards with the exception of the maximum height allowed in an I-1 zone. This request is for the allowance of a higher building and affects no other standard.

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

The project is similar in nature to the existing building that will be adjacent to it. There is an adequate distance from the property line of the adjoining properties not owned by Grioffs to minimize any impact of the additional height.

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.

All of the standards of the Town of Clayton are being upheld with the exception of the height. This will not adversely affect the Town.

EXPLANATION OF PROJECT

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

The project includes a new production facility that will have a total gross square footage of 82,551 sf. There will be an accessory structure to house the building chillers, etc.

In addition to the structures the project includes a new roadway to allow fire truck access around the entire building. The existing fire main will be extended to provide a loop around the new building.

The wastewater will be collected and flow by gravity to a new lift station. The lift station will pump the wastewater to the existing treatment facility at Grifols, be treated and discharged to the Town of Clayton's sewer system.

The proposed building will be 69'-6" high above the first floor level. The first floor elevation will be 308.00 making the highest part of the building (the parapet) elevation 377.50. The current zoning has a maximum height of 50 feet. We respectfully request approval of a special use permit to allow the construction of the proposed building at a ~~height of 69'-6" above the first floor elevation.~~
total height of 71'-6" with 69"-6" of occupiable space.

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.

David E. Criser

Print Name


Signature of Applicant

08/31/16

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

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: Grifols D230 FNB Building **Address or PIN #:** 8368 W US 70 Bus, Clayton, NC

AGENT/APPLICANT INFORMATION:

David E. Criser, P.E.,
(Name - type, print clearly)

Criser Troutman Tanner Consulting Engineers
2840 Plaza Place, Suite 103
(Address)
Raleigh, NC 27612
(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*):

Grifols D230 FNB Building

Major Site Plan and Special Use Permit

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:

Brent Noel
(Name - type, print clearly)

(Owner's Signature)

8368 W US 70 BUS
(Address)
Clayton, NC 27527
(City, State, Zip)

STATE OF North Carolina
COUNTY OF New Hanover

Sworn and subscribed before me Lisa Benincasa, a Notary Public for the above State and County, this the 31st day of August, 2016.

SEAL

August 2015



Lisa Benincasa
Notary Public
My Commission
Expires: DEC. 01, 2020

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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

September 26, 2016

STAFF REPORT

Application Number: 2016-180-SUP

Project Name: Grifols D230 NFB Building Height Special Use Permit

NC PIN: 167800-32-6472
Tag #: 05I05001F
Overlay: Watershed Protection Overlay
Applicant: Criser Troutman Tanner Consulting Engineers, David Criser
Owner: Grifols Therapeutics, Inc.
Location: Located off of Whisper Wind Road, north of the railroad tracks

Public Noticing:

- Neighborhood meeting September 21, 2016
- Sign posted prior to September 16, 2016
- Newspaper ad published November 2, 2016 and October 26, 2016
- Letters mailed prior to October 28, 2016

REQUEST: The applicant is requesting a Special Use Permit to allow a maximum building height for the proposed D230 NFB Building to be 71' 6".

Site Data

Acreage: 69.95

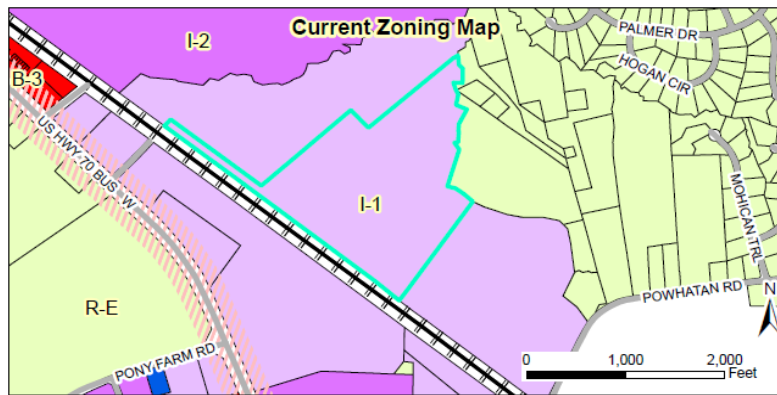
Existing Use: Industrial

Proposed Building Height: 71' 6" from finished floor elevation to highest point (69' 6" of occupiable height)



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Industrial-Light (I-1)	Industrial
South	Industrial-Light (I-1)	Industrial
East	Residential-Estate (R-E)	Residential
West	Industrial-Light (I-1)	Industrial



STAFF ANALYSIS:

Overview

The applicant is requesting a Special Use Permit to allow the maximum building height of 71' 6" with 69' 6" of occupiable space for the proposed D230 NFB Building. This request is running concurrently with a Major Site Plan (2016-181-SP) requesting the approval to expand the existing facilities to add the D230 NFB fractionation building and a chiller building on the site. In 2010, Grifols obtained a Special Use Permit allowing an increase in the maximum height for their ASRS building on this property. However, the Special Use Permit obtained only applied to that specific building. Since they are proposing a new building that exceeds the maximum height limit, a Special Use Permit must be obtained. The subject parcel is zoned I-1, which limits the maximum building height to 50 feet. However, according to the UDC, Town Council may grant a Special Use Permit for structures exceeding the maximum height limit.

Consistency with Adopted Plans:

- **2040 Comprehensive Plan**
The request is consistent with the 2040 Comprehensive Plan.

Associated Site Plan

The applicant is requesting Major Site Plan approval to develop the D230 NFB fractionation facility. This site plan (2016-181-SP) is running concurrently with this Special Use Permit application. The applicant is proposing to develop the fractionation facility to the northeast of the existing ASRS building. This building will be 82,551 square feet in size. The applicant is also proposing to develop a second building just south of the fractionation facility to house chiller equipment.

Fire Safety

The requested Special Use Permit has been reviewed by the Fire Department for safety purposes. The Fire Chief has approved the maximum height (see attached correspondence).

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 adequately addressed the Findings of Fact expressly established by Chapter 155.711(l) of the UDC, and these Findings are accepted as part of the completed application.

CONSIDERATIONS:

- The Town Council approves Special Use Permits. The Planning Board shall make a recommendation to the Town Council.
-

RECOMMENDATION:

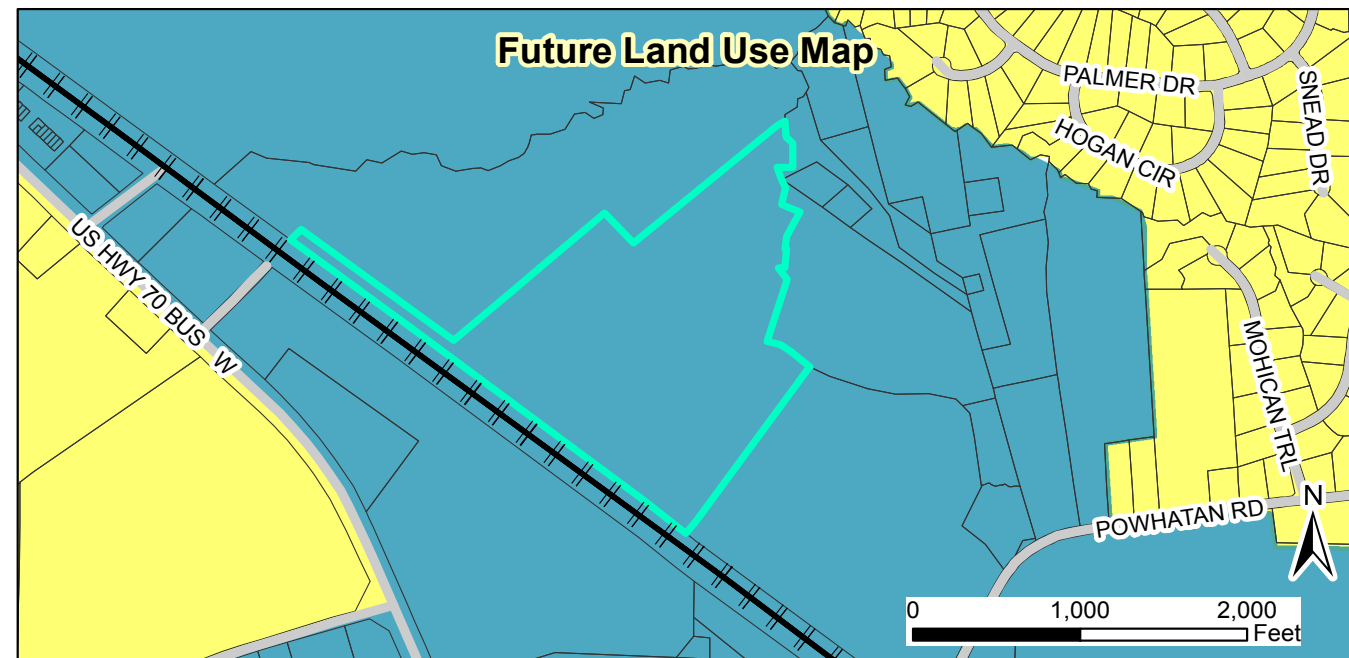
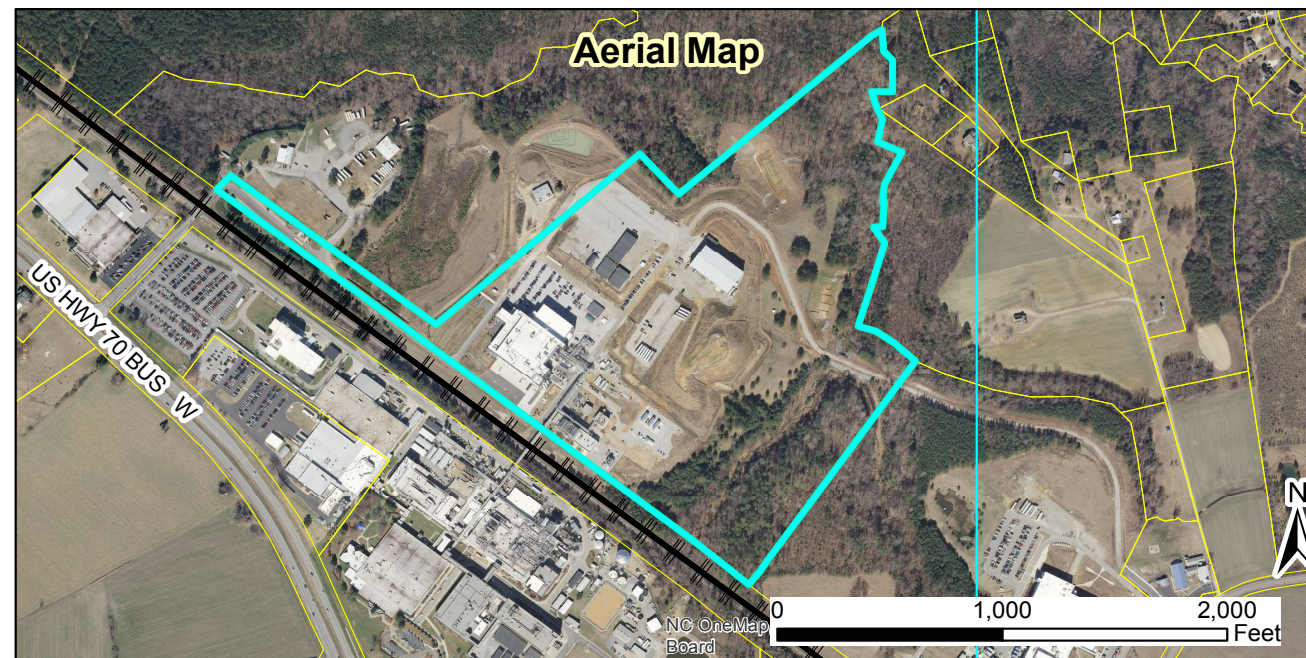
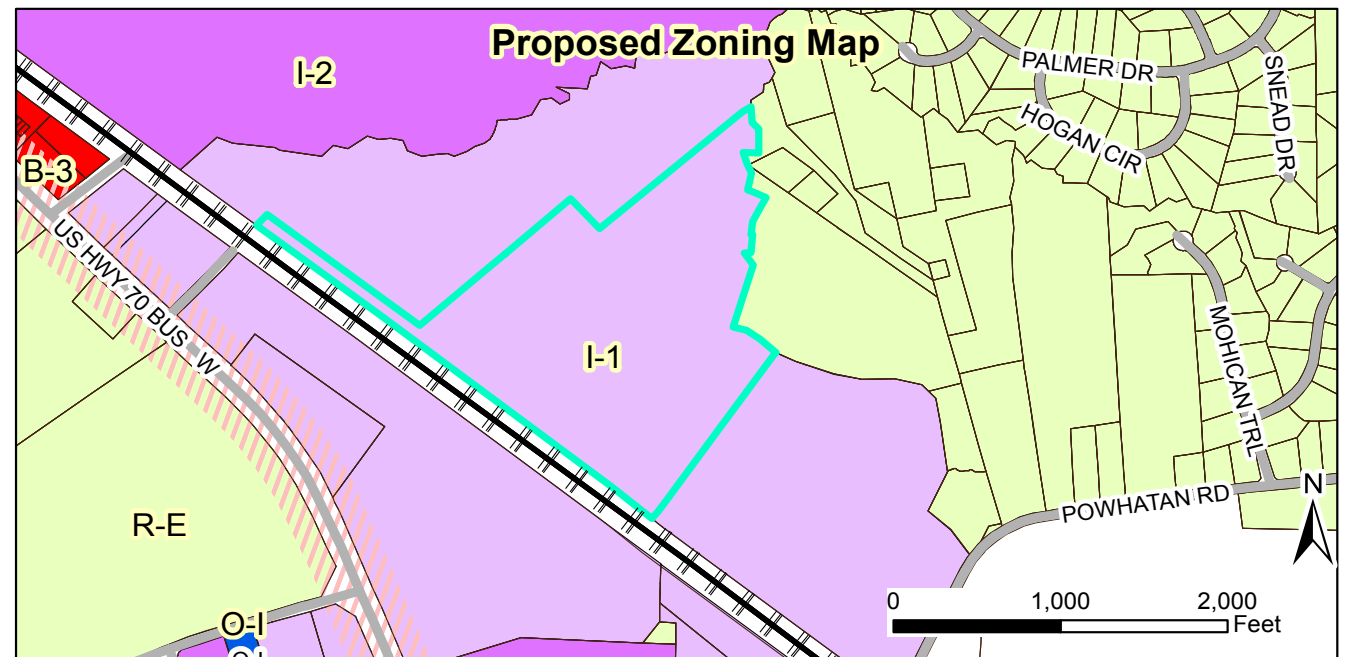
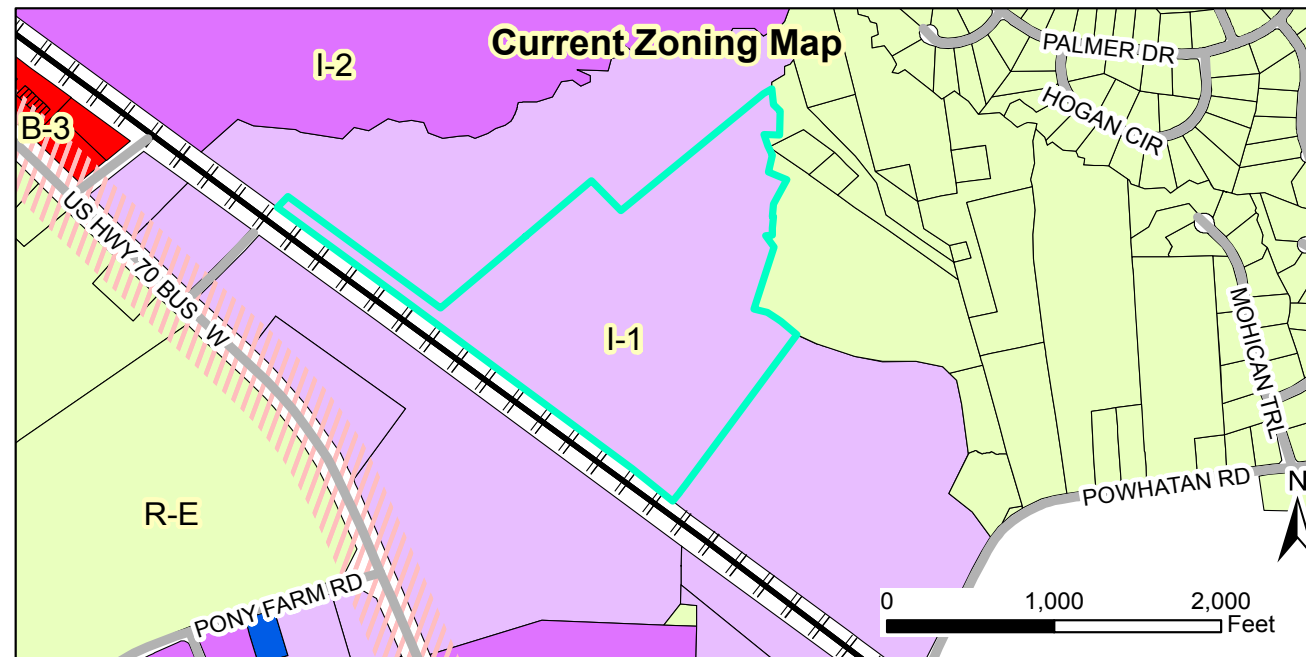
Staff is recommending approval with conditions of the above referenced Special Use Permit (2016-180-SUP)

CONDITIONS OF APPROVAL:

1. The maximum building height of 71' 6" shall be limited to the D230 Fractionation Facility only.
-

ATTACHMENTS:

- 1) Staff Report Map
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Associated Site Plan, 2016-181-SP
- 5) Fire Chief correspondence



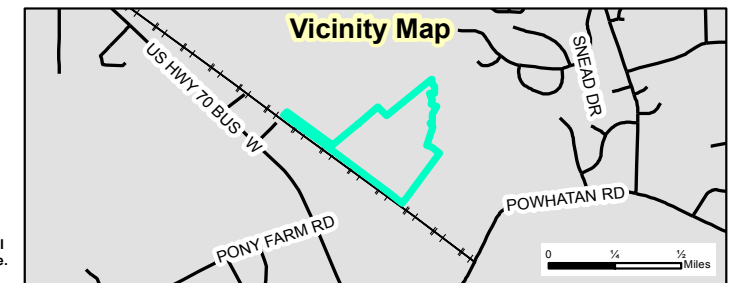
2016-180-SUP Grifols D230 Building Height Special Use
Request: To allow maximum height of 69' 6" for D230 building
2016-181-SP Grifols D230 Building & Parking Major Site Plan
Request: To develop an 82,551 sq ft production facility, a chiller building, and new parking addition

Applicant: Criser Troutman Tanner Consulting Engineers c/o David Criser, P. E.
 Property Grifols Therapeutics, Inc.
 Parcel ID: 167800-32-6472
 Tag #: 05i05001f



Document Path: O:\PLANNING\SPECIAL USE\2016\2016-180-SUP Grifols - D230 NFB Building\StaffReportMap- 2016-180-SUP Grifols - D230 NFB Building.mxd

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



Kimberly Moffett

From: Haley Hogg
Sent: Friday, September 23, 2016 8:09 AM
To: Laura Gray
Subject: FW: Grifols SUP- Building Height Revision

Laura,

Could you please include this in the PB packets for Grifols SUP?

Thanks!!

From: Anthony Atkinson
Sent: Friday, September 23, 2016 6:56 AM
To: Haley Hogg
Subject: RE: Grifols SUP- Building Height Revision

I am good with the height. TA

From: Haley Hogg
Sent: Thursday, September 22, 2016 8:57 AM
To: Anthony Atkinson
Subject: Grifols SUP- Building Height Revision

Hi Tony,

I know I already touched base with you regarding the Grifols SUP request (2016-180-SUP) earlier this week. However, the applicant has since revised their request/application (see attached) to provide further clarification. Originally, the applicant was requesting a maximum height of 69' 6". He is now requesting that the overall maximum height be 71' 6" with 69' 6" of occupiable space. Please confirm if you are okay with this proposed height so that I may include our correspondence in the Planning Board packets for Monday evening.

Thanks,

Haley Hogg, CZO
Town Planner
Town of Clayton
111 East Second Street | PO Box 879 | Clayton, NC 27528
Office: (919) 553-5002
hhogg@townofclaytonnc.org



south elevation

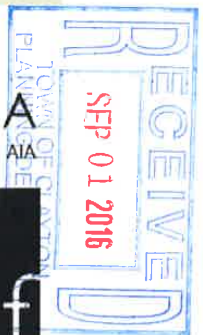


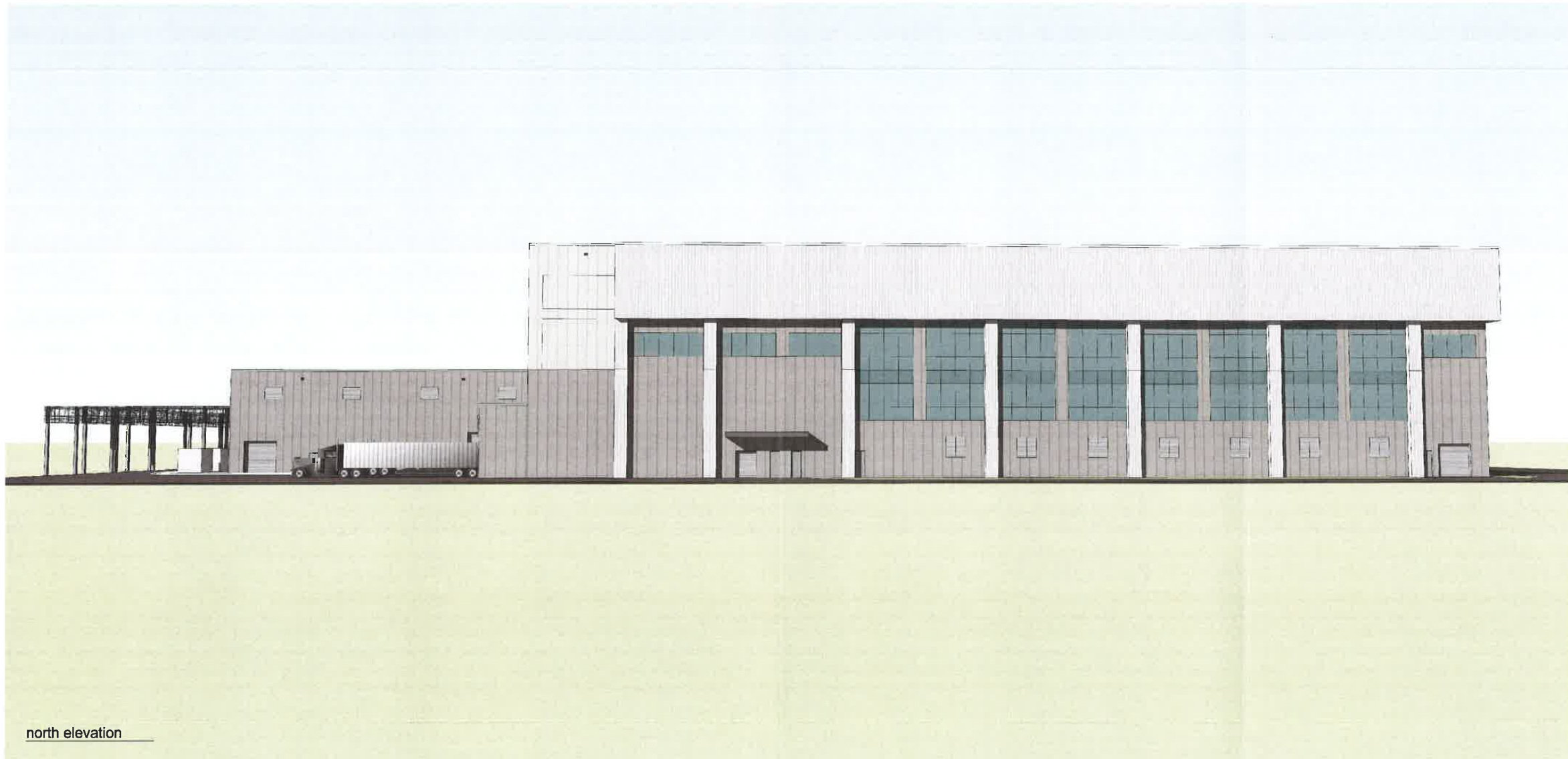
Clayton, North Carolina, USA

Elevations August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

Wf
weinstein freedlin
ARCHITECTS

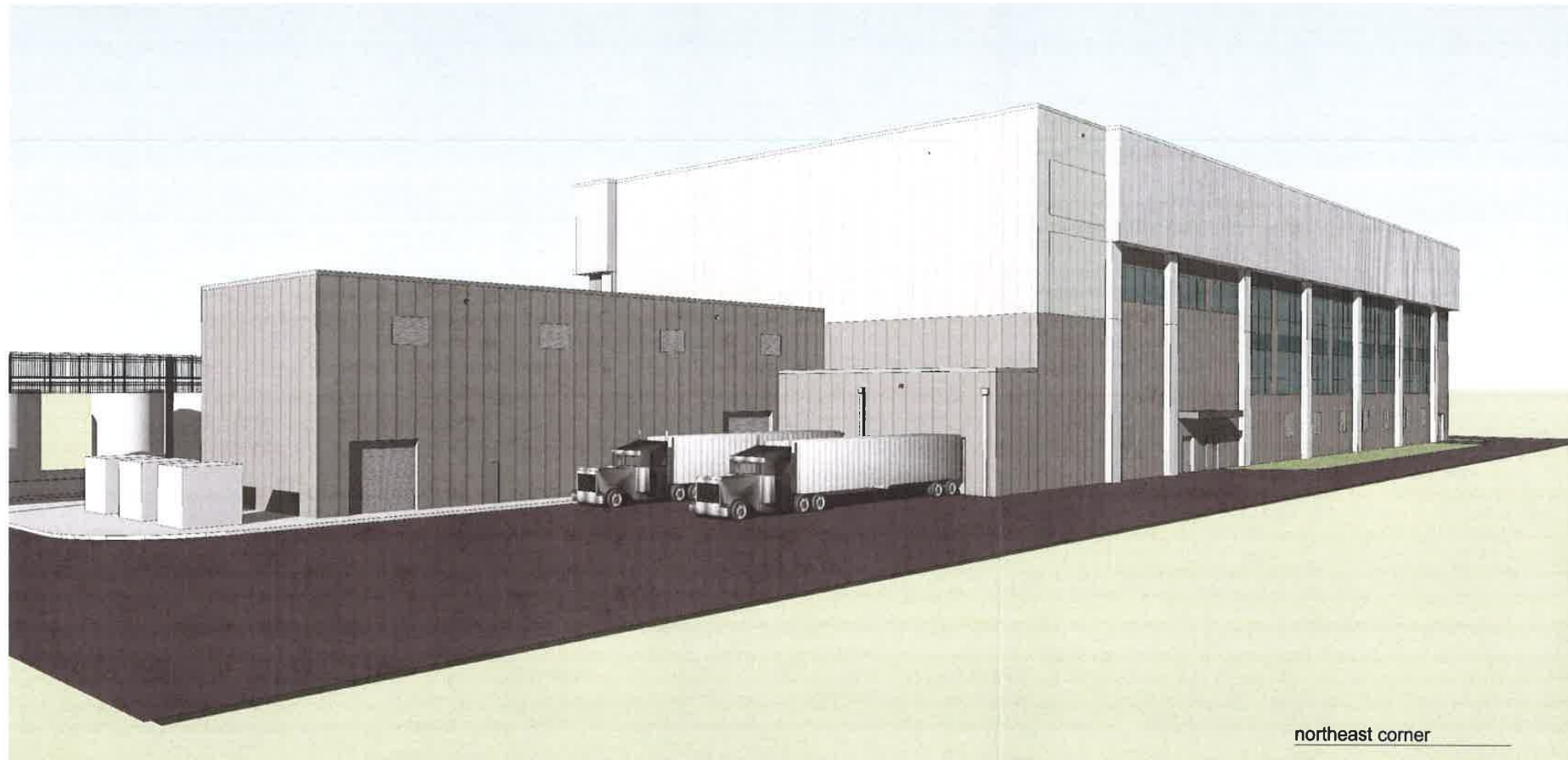




Elevations August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

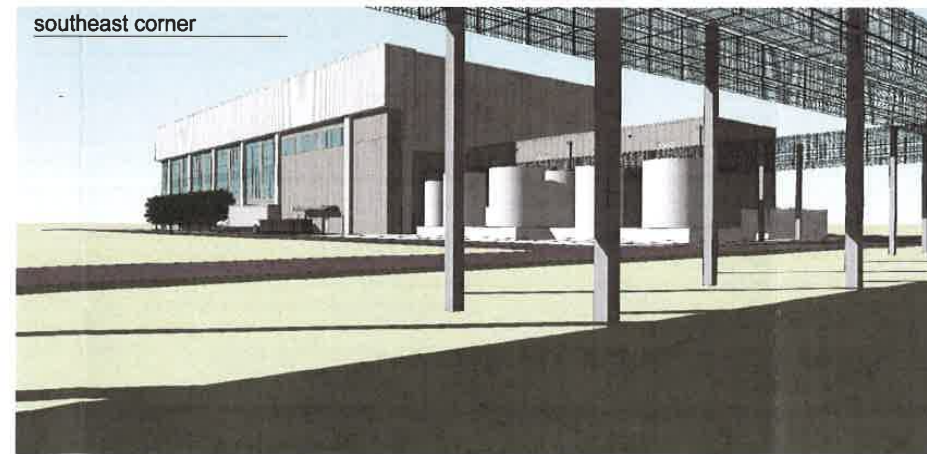
wf
weinstein friedman
ARCHITECTS



northeast corner



southwest corner



southeast corner

GRIFOLS

Clayton, North Carolina, USA

Elevations August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

wf
weinstein freden
ARCHITECTS



aerial view, looking east



aerial view, looking south



aerial view, looking northeast



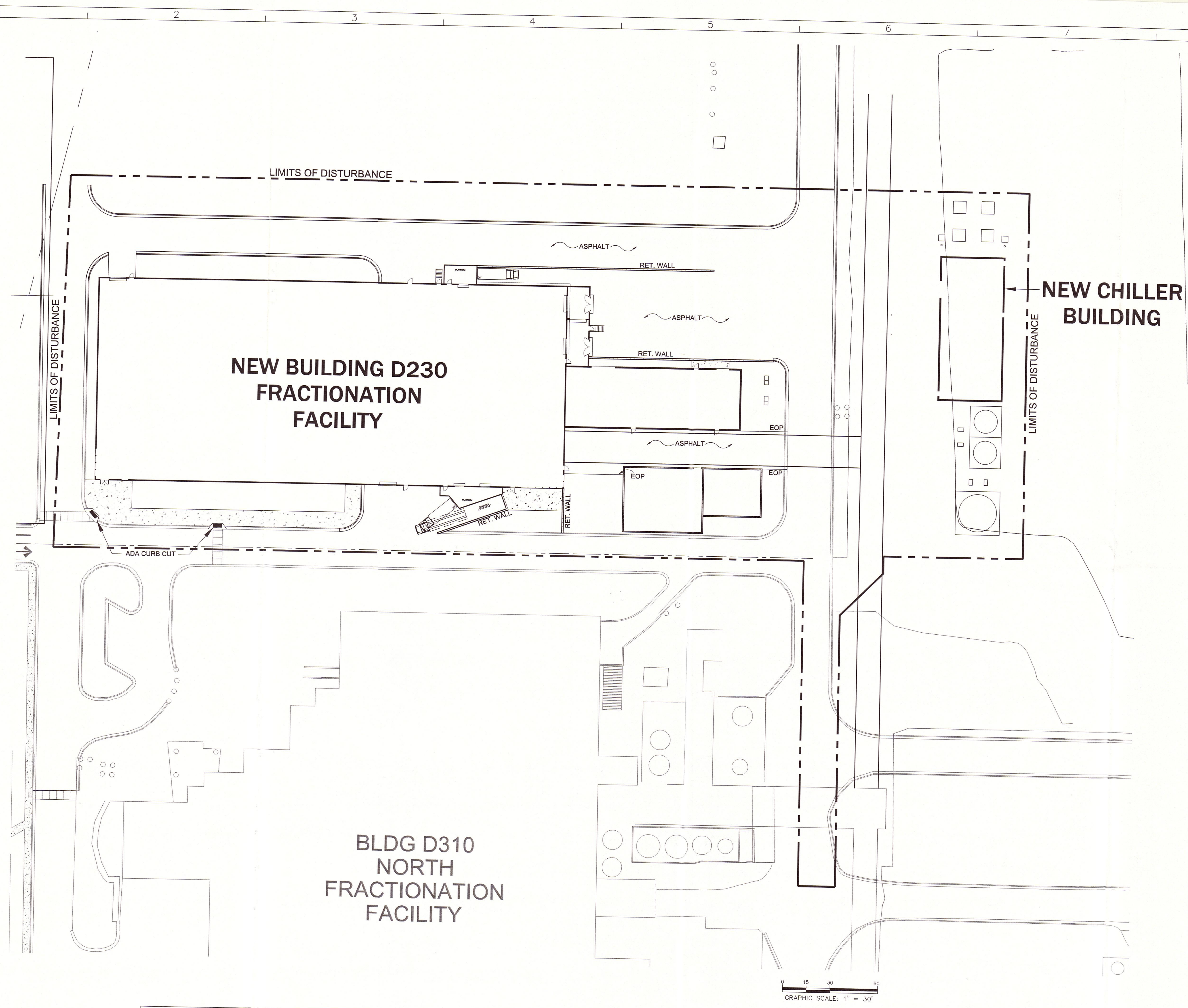
Clayton, North Carolina, USA

Note: These views show basic relationship of new building and existing adjacent structures. Landscaping, parking, and driveways are not necessarily shown accurately.

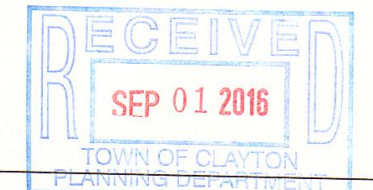
Overall Views (from Google Earth)
August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

wf
weinstein freedman
ARCHITECTS



SITE PLAN DATA	
NAME OF PROJECT:	GRIFOLS NFB EXPANSION - BUILDING SHELL
PARCEL IDENTIFICATION #:	167800-33-1200 & 167800-32-1371
PROPERTY SIZE:	167800-33-1200: 48.02± ACRES (2,091,581 SF) 167800-33-1371: 69.95± ACRES (3,046,884 SF) TOTAL: 117.97± ACRES (5,138,465 SF)
PROPERTY LOCATION:	8368 US HIGHWAY 70 WEST, CLAYTON, NC (TOWN OF CLAYTON E.T.J.)
EXISTING ZONING DISTRICT:	I-1
OVERLAY:	WATERSHED OVERLAY DISTRICT
EXISTING USE:	MANUFACTURING, GENERAL
PROPOSED USE:	MANUFACTURING, GENERAL
EXISTING INTENSITY:	182,034 SF
PROPOSED INTENSITY:	264,585 SF GROSS (TOTAL ALL FLOORS)
FLOOR AREA RATIO:	BUILDING AREA / SITE AREA = 0.106
BUILDING FOOTPRINT:	94,187 SF
BUILDING COVERAGE:	1.83% OF SITE
PERVIOUS SURFACE AREA:	REFERENCE ORIGINAL NFF SUBMITTAL
IMPERVIOUS SURFACE AREA:	REFERENCE ORIGINAL NFF SUBMITTAL NEW BUILDINGS = 49,100 SF NEW ROADWAYS = 29,300 NEW SIDEWALKS = 2,600
BUILDING HEIGHT:	69'-6"
DISTURBED AREA:	151,067 SF



NOT FOR CONSTRUCTION

CAAIA
Chris Adams, AIA
PO Box 519, 105 Cromartie Rd.
Elizabethtown, NC 28337
919.818.3894

CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
2840 Plaza Place, Suite 103
Raleigh, NC 27612
919.277.0494 Ph.
919.277.0495 Fax
NC FIRM LICENSE NO F-0113
JOB NO. 7759.00

TOWN OF CLAYTON SUBMITTAL				REVISION			
NO.	DATE	BY	APP.	NO.	DATE	BY	APP.
A	8-31-16	-	-				

Electronic Signatures:

CCR no.: _____

GRIFOLS

Project:	D230 - FRACTIONATION BUILDING
Building:	CIVIL SITE
Func. Type:	BUILDING SHELL SITE PLAN
Title:	
Title 2:	
Equip. no.:	

Status: _____

Name: _____

S20764

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THIS DOCUMENT IS THE EXCLUSIVE PROPERTY OF GRIFOLS S.A. AND ITS SUBSIDIARIES AND MUST BE RETURNED UPON DEMAND. THE INFORMATION HEREON IS CONFIDENTIAL AND MAY NOT BE USED, REPRODUCED NOR DISCLOSED WITHOUT THE WRITTEN PERMISSION OF GRIFOLS S.A.

TOWN OF CLAYTON LANDSCAPE CODE NOTES:

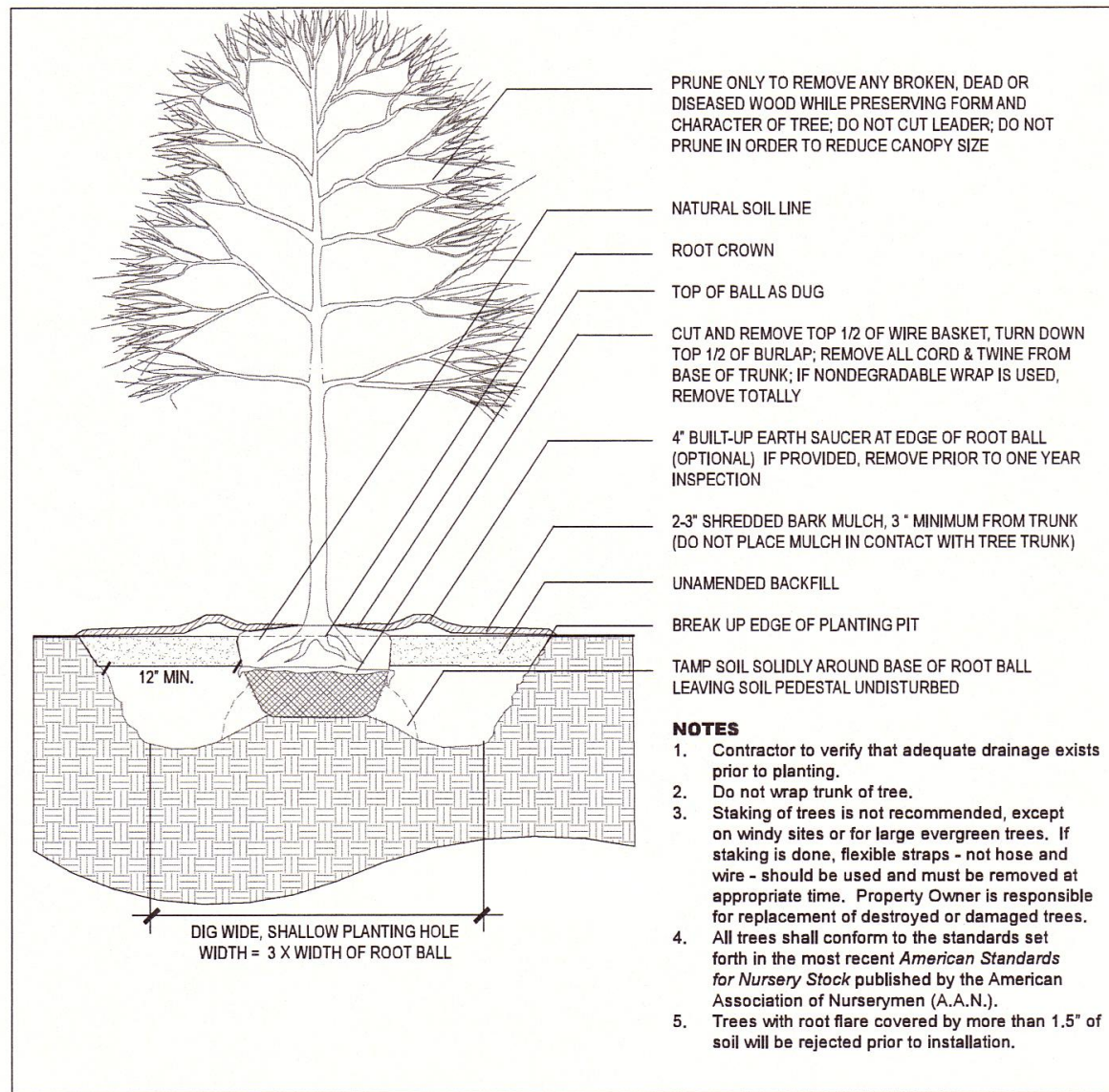
- MINIMUM PLANT SIZE SPECIFICATIONS:
 - Canopy trees shall have a 2.5 inch caliper and be eight feet tall following installation.
 - Understory trees shall have a 2.0 inch caliper and be six feet tall following installation.
 - Shrubs not used for screening shall be a minimum height of 12 inches following installation.
 - Shrubs explicitly used for screening shall be a minimum height of 24 inches following installation.
- SOILS: Planting areas shall have uncompacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed.
- ISSUANCE OF CERTIFICATE OF OCCUPANCY: The Code Enforcement Officer may not issue a permanent certificate of occupancy for an approved site plan or part thereof, until all seeding, trees, and plant material have been placed in accordance with the approved site plan and requirements of this section. A temporary certificate of occupancy may be issued for a period of 30 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon request to the Code Enforcement Officer.
- Requirements for maintaining planted areas:
 - Responsibility: The responsibility for maintenance of a planted area shall remain with the owner, his or her successors, heirs, assignees or any consenting grantee. Maintenance is required in order to ensure the proper functioning of a planted area.
 - Maintenance: All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, mulching, fertilizing and pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
- NECESSARY PRUNING AND TRIMMING shall be in accordance with the American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance - Standards Practices (Pruning), and shall not be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures such as lollipopping or meatballing that cause irreparable harm to the natural form of the tree, except where such procedures are necessary to maintain public overhead utilities. Any such activity shall be a violation of this chapter. Additional plant material shall be required to replace or supplement the damaged plant material.
- DEAD OR DISEASED PLANTINGS shall be removed. Replacement plantings shall be provided for any required plants which die or are removed for any reason and shall meet all minimum standards and conform to these regulations.
- FAILURE TO MAINTAIN: In the event that any owner of a planted area fails to maintain the planted area according to the standards of this section, the Town shall have the right to recover the cost of enforcement, including reasonable attorney fees. The Town may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the planted area to take maintenance action. The cost of such maintenance shall be charged to the party having the primary responsibility for maintenance of the planted area.

PLANT MATERIAL LIST

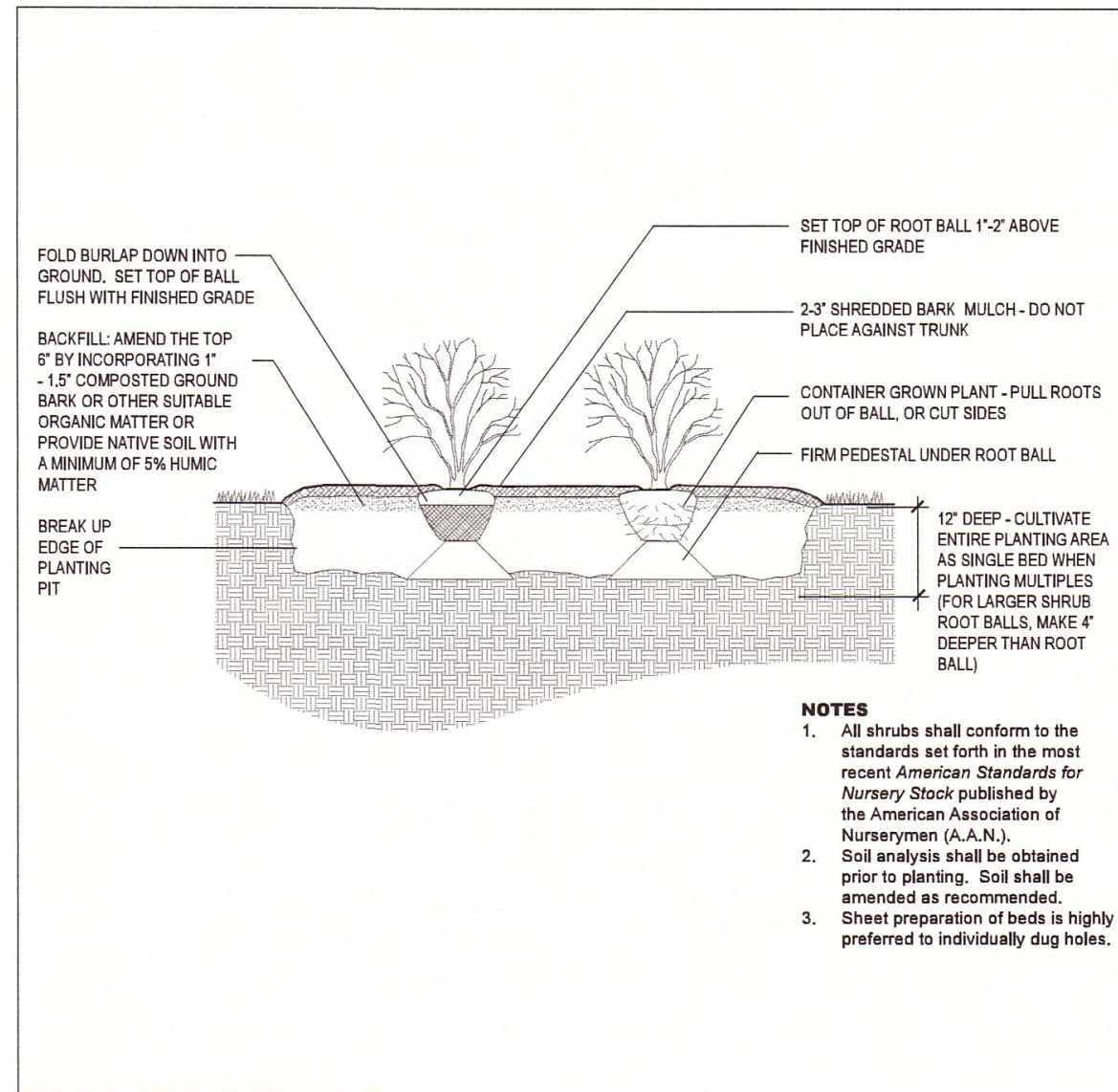
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	COMMENTS
CANOPY & UNDERSTORY TREES:					
9	QUERCUS SHUMARDII	SHUMARD OAK	2.5" CAL. 8' MIN. HT.	B-B	SPECIMEN
6	CERDIS CANADENSIS	REDBUD	2.5" CAL. 8' MIN. HT.	B-B	SPECIMEN
26	ILEX X NELLIE STEVENS	NELLIE STEVENS HOLLY	8' MIN. HT.	B-B	SPECIMEN
SHRUBS:					
16	ILEX GLABRA 'SHAMROCK'	INKBERRY HOLLY	24" MIN. HT.	CONT.	
30	ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	24" MIN. HT.	CONT.	
16	ILEX CRENATA HOLLY 'HELLERI'	JAP. HELLERI HOLLY	18" MIN. HT.	CONT.	
36	PERNETTUM ALPEICUM 'CAISSIAN'	DWARF FOUNTAIN GRASS	12" MIN. HT.	CONT.	
800 SF	LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LIRIOPE	12" MIN. HT.	CONT.	24" O.C.

GENERAL LANDSCAPE NOTES:

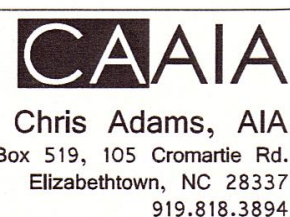
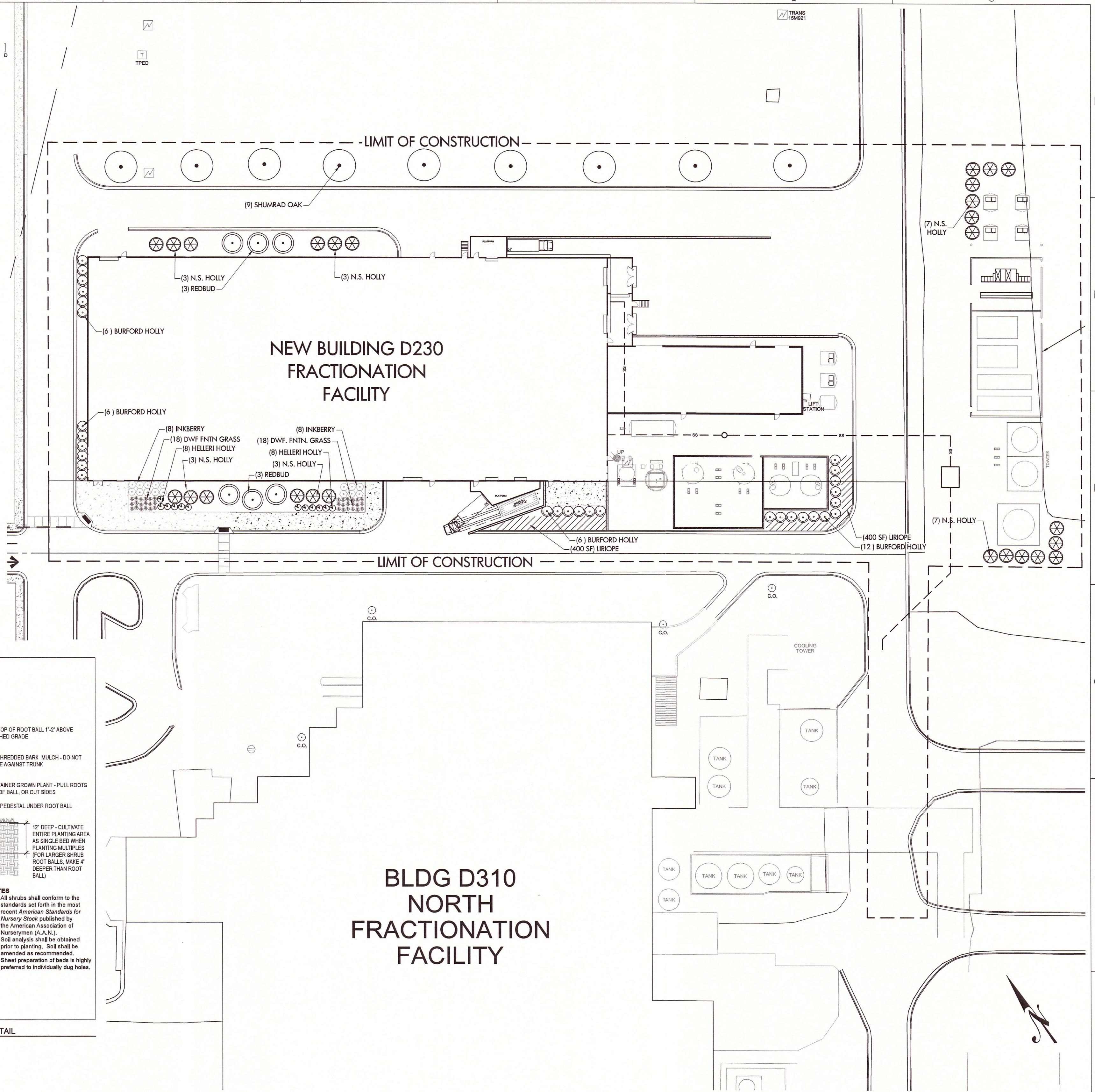
- All landscaping shall conform to the standards set forth by the Town of Clayton Code of Ordinances.
- The standards for all plant material, including the minimum height, root ball size, number of branches and width shall conform to the American Standard for Nursery Stock (ANSI Z60.1), 2014 addition by Americanhort, for the type specified.
- Soil preparation for landscape beds must include the addition of organic amendments tilled to a depth of 8 to 12 inches.
- All landscape beds to be mulched with 3" double-shredded hardwood mulch.
- Landscaping may not obstruct the view of materials using any street, driveway, or parking aisle.
- Plant symbols override plant counts, should there be a discrepancy.
- All disturbed areas that are not in a landscape area or in a landscape bed, to be Tifway Bermuda sod or seed.
- Ensure there are no conflicts with proposed trees and light poles, by maintaining a minimum 20' of separation.



1 TYPICAL TREE PLANTING DETAIL
L-300 NTS



2 TYPICAL SHRUB, GROUND COVER, PERENNIAL PLANTING DETAIL
L-300 NTS



CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
2840 Plaza Place, Suite 103
Raleigh, NC 27612
919.277.0494 Ph.
919.277.0495 Fax
NC FIRM LICENSE NO F-0113
JOB NO. 7759.00

NO.	DATE	BY	APP.	REVISION	NO.	DATE	BY	APP.	REVISION

Electronic Signatures:

Issued for Permits

CCR no.:

GRIFOLS

Project: D230 - FRACTIONATION BUILDING
Building: D230 - FRACTIONATION BUILDING
Func. Type: BUILDING- LANDSCAPE PLAN
Title 2:
Equip. no.:

DCR no.:

Rev. Date:

08-31-16

Status:

ISSUED FOR PERMITS

Name:

S20760

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PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, November 7, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following special use application:

- Grifols D230 NFB Building Height Special Use Permit, 2016-180-SUP. The request is to allow a maximum building height of 71 ½ feet, which exceeds the maximum height permitted outright in the Unified Development Code, for a proposed D230 NFB Building for Grifols. Parcel Number 167800-32-6472. Tag Number 05I05001F.

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

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

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
Wednesday, October 26, 2016
Wednesday, November 2, 2016

Affidavit of publication required.



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

PETITION FOR VOLUNTARY ANNEXATION

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

Applications are due by 5pm on the first working day of each month.

Request Information

☒ **Contiguous Annexation**

☐ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

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

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: 9-23-2016

Petition No.: 2016-198

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

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

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

2. The area to be annexed is ☒ contiguous, ☐ non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	<u>20.1506</u>
Existing housing units:	<u>0</u>
Population of acreage to be annexed:	<u>0</u>
Existing Zoning District*:	<u>PD-MU</u>
Proposed Town Zoning District*:	<u>N/A</u>
Reason for petitioner to annex:	☒ Receive Town Services
	☐ Other (please specify): _____

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

The River at Glen Laurel, LLC
Please Print

Eric Brownlee manager
Please Print

Signature

Eric Brownlee
Signature

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

Sworn and subscribed before me, Eric Brownlee, a Notary Public for the above State and County, this 15th day of September, 2016.



Anita C. Mitchell
Notary Public

My Commission Expires: 8-8-2019

Voluntary Annexation Plat Checklist

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

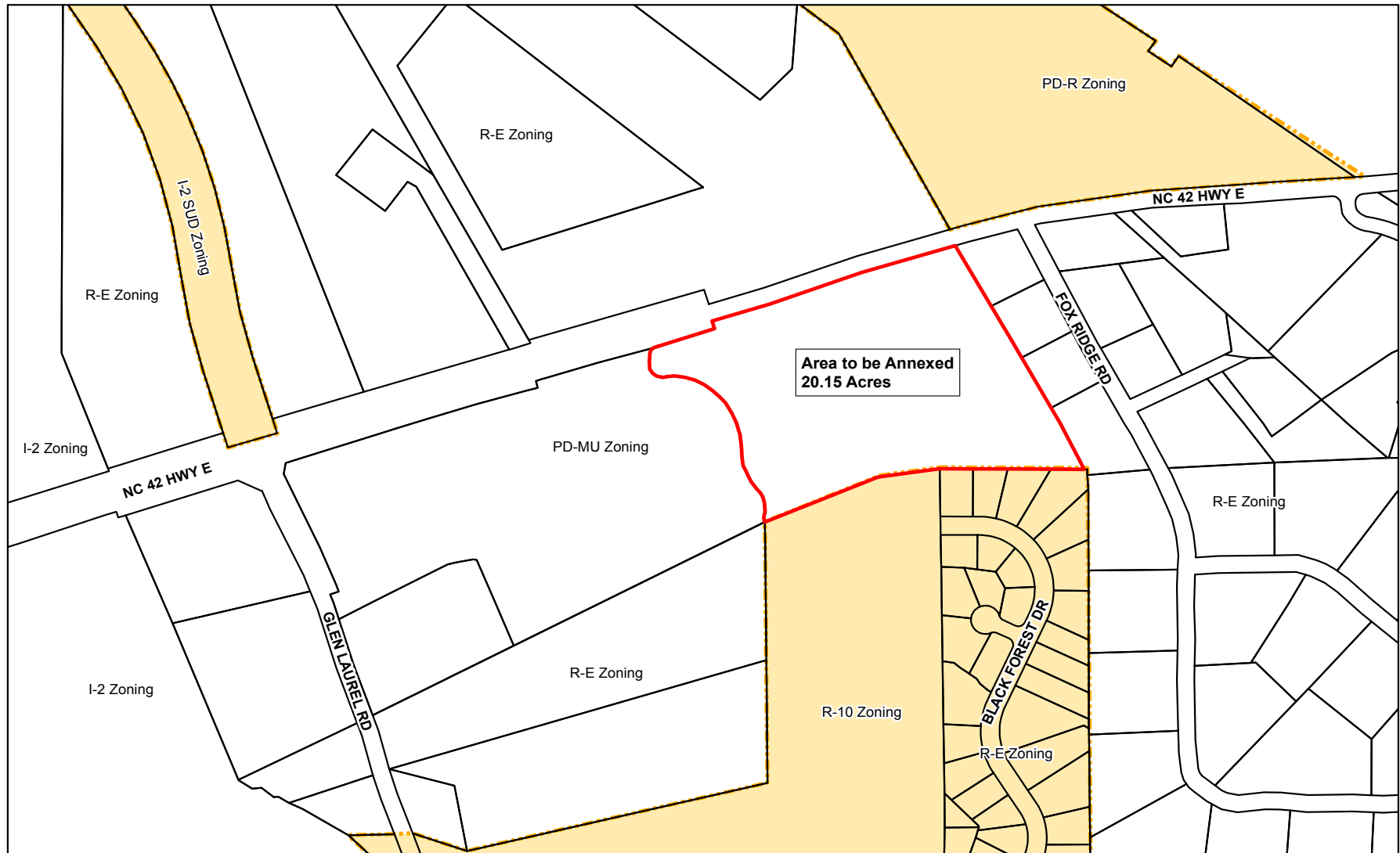
LEGAL DESCRIPTION FOR ANNEXATION OF

LOT 1 – PROPERTY OF

THE PINES AT GLEN LAUREL, LLC

Commencing at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing r/w monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to the Point and Place of BEGINNING, said point being on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 153.72 feet and having a chord bearing of N 73°04'18"E and a chord distance of 153.72 to an existing r/w monument; thence continuing with the said southern r/w of N.C. Highway 42, N 72°18'22"E, 228.61 feet to an existing r/w monument; thence N 17° 45'11"W, 30.00 feet to an existing r/w monument; thence N 72°04'24"E, 314.01 feet to a point on a curve having a radius of 56,177.56 feet; thence with said curve as it turns to the right an arc length of 586.17 feet and having a chord bearing of N 72°34'26"E and a chord distance of 586.16 feet to an iron pipe set being the northwest corner of the property of Earl Stevenson Wilson & Marjorie Wilson as referenced in Deed Book 1002, Page 134 and recorded in the Johnston County Registry; thence leaving the said r/w of N. C. Hwy 42 and with the common line of the said Wilson property, S 28°38'24"E, 892.04 feet to an existing concrete monument being the northeast corner of the property of Venable Babcock Burwell, Jr. as referenced in Deed Book 2666, Page 414 and recorded in the Johnston County Registry; thence with the common line of the said Burwell, Jr. property, N 89°47'19"W, 708.04 feet to an existing iron pipe being a common corner with the property of the Town of Clayton as referenced in Plat Book 35, Page 393 and recorded in the Johnston County Registry; thence continuing with the said Town of Clayton line, S 61°25'10"W, 451.52 feet to an existing iron pipe, said pipe being the northeast corner of the property of Shirley Smith Bullock, as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence continuing with the said Bullock property line, S 63°35'01"W, 57.34 feet to a point; thence leaving the said Bullock property line, N 26°24'59"W, 41.00 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the left an arc length of 83.80 feet and having a chord bearing of N 37°08'00"W and a chord distance of 83.31 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the right an arc length of 190.88 feet and having a chord bearing of N 30°27'23"W and a chord distance of 187.96 feet to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the left an arc length of 388.57 feet and having a chord bearing of N 48°23'29"W and a chord distance of 364.42 feet to a

point on a curve having a radius of 65.88 feet; thence with the said curve as it turns to the right an arc length of 132.18 feet and having a chord bearing of N 26°14'34"W and a chord distance of 111.10 feet to the Point and Place of BEGINNING and containing 20.1506 acres.



Legend

- Clayton Town Limits
- Parcels
- Area to be Annexed

Produced by: TOC Planning
September 23, 2016

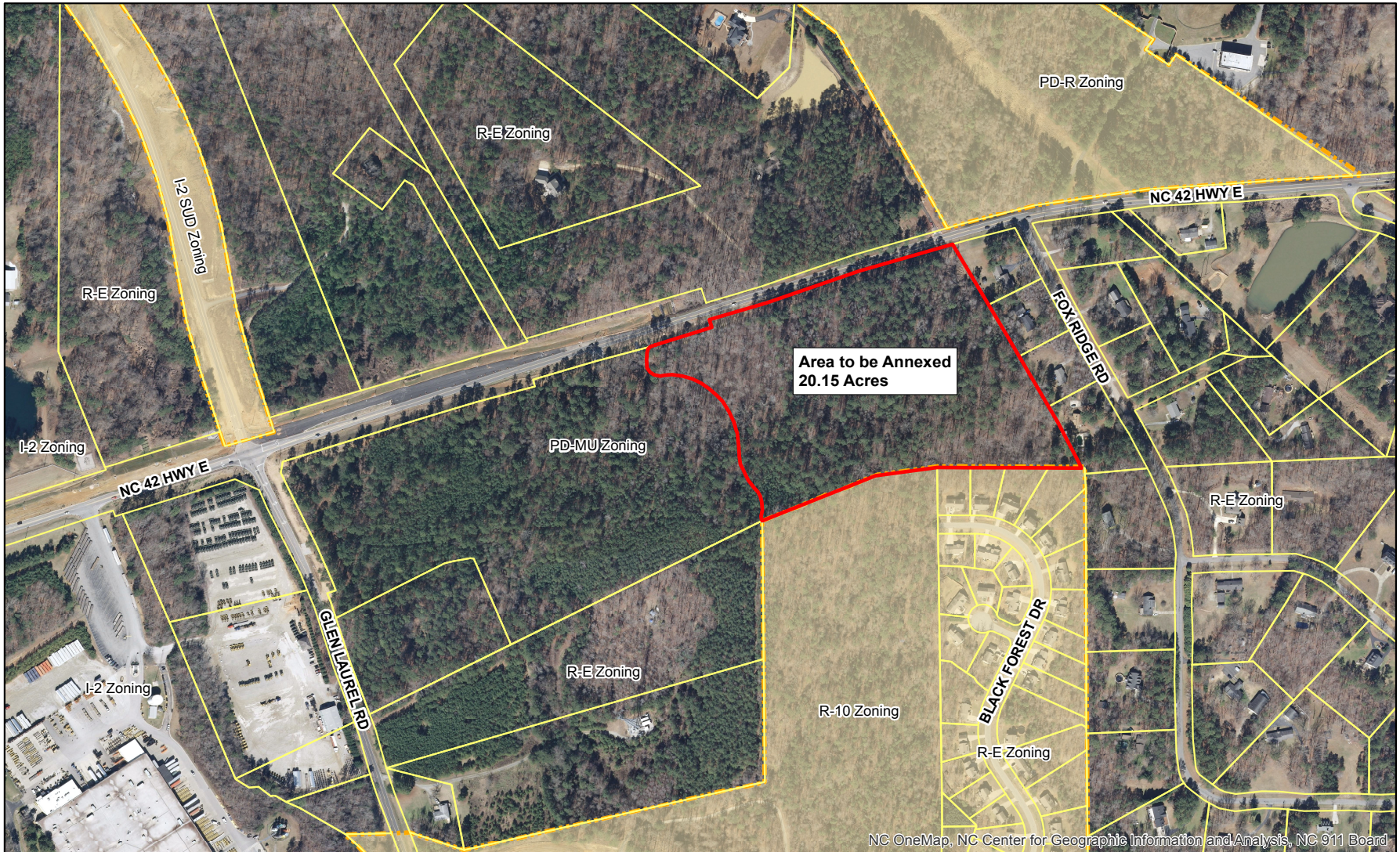
Annexation Map

Applicant(s): The Pines at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Pines at Glen Laurel, LLC
Parcel Number(s) Portion of 05I04003
File Number(s): 2016-198 ANX The Pines at Glen Laurel
Lot 1 PB 83 Pg. 369

N
W E
S
1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): The Pines at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Pines at Glen Laurel, LLC
Parcel Number(s) Portion of 05104003
File Number(s): 2016-198 ANX The Pines at Glen Laurel
Lot 1 PB 83 Pg. 369



1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed 09/21/2016 03:21:59 PM
DEED BOOK: 4835 PAGE: 313-315 INSTRUMENT # 2016503856
Real Estate Excise Tax: \$544.00 Deputy/Assistant Register of Deeds: Donna Carter

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Taxes Due: \$544.00

Drafted by: R. W. Harrison, Jr., Narron & Holdford, P.A., P. O. Drawer 279, Wilson, NC 27894-0279
Return to: Weatherspoon & Voltz LLP, 3605 Glenwood Ave., Ste. 480, Raleigh, NC 27612

State of North Carolina Out of PIN: 167800-29-8988
County of Johnston

THIS DEED made this 19th day of September, 2016, by JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, of 6653-D Governor Hunt Road, Lucama, NC 27851; and ROBERT BRAME HUNT and wife, MARGARET H. HUNT, of 1441 NC 42 East, Clayton, NC 27527, the GRANTORS, to THE PINES AT GLEN LAUREL, LLC, a North Carolina limited liability company, the GRANTEE, whose mailing address is c/o Commercial Properties, Inc. of Raleigh, 1004 Wake Forest Road, Raleigh, NC 27604, Attn: C. Brantley Tillman, Jr.

The property described herein is not the principal residence of the GRANTORS.

W I T N E S S E T H:

In consideration of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTORS by the GRANTEES, the receipt of which is hereby acknowledged, the GRANTORS have bargained and sold, and by these presents do hereby bargain, sell and convey to the GRANTEE, its successors and assigns, that certain tract or parcel of land both lying and being situate in Clayton Township, JOHNSTON COUNTY, North Carolina, and more particularly described as follows:

Fronting on NC Highway 42 East and being that 20.1506 acre tract designated as Lot 1 on the map of the James B. Hunt, Jr. and Robert Brame Hunt property recorded in Plat Book 83, Page 369 of the Johnston County Registry and reference is hereby made to said map for a more particular description. This being a portion of the 45.75 acre tract located at the Southeast corner of Highway 42 and Glen Laurel Road and having a Johnston County Parcel ID No. of 05104003 and a postal enumeration of 1430 NC Highway 42, Clayton, NC. This being a portion of the property conveyed by Deed recorded in Book 509, Page 31 of the Johnston County Registry.

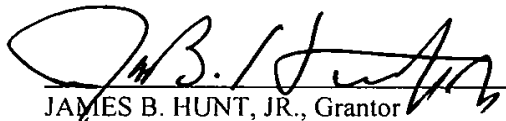
WARWHHUNT,THE PINES AT GLEN LAUREL-DEED.DOC (9/19/16)

TO HAVE AND TO HOLD the above lands and all privileges and appurtenances thereto belonging to the GRANTEE and its successors and assigns in fee simple forever.

SUBJECT, HOWEVER, to the right-of-way of the adjacent road, such easements and permits of record and any utilities over, under or across the property which may or may not be of record.

The GRANTORS, for themselves, their heirs and assigns, covenant to and with the GRANTEE, its successors and assigns, that they are seized of the said premises in fee and have full right to convey the same in fee simple; that there are no encumbrances other than those referred to hereinabove and that they do warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands the day and year first above written.

 (SEAL)
JAMES B. HUNT, JR., Grantor

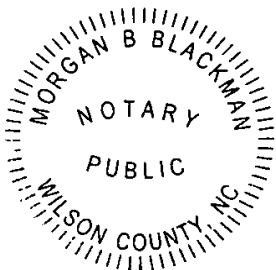
 (SEAL)
CAROLYN L. HUNT, Grantor

NORTH CAROLINA

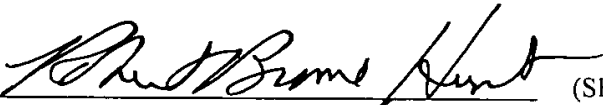
WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017


ROBERT BRAME HUNT, Grantor (SEAL)

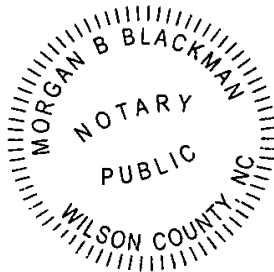

MARGARET H. HUNT, Grantor (SEAL)

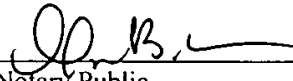
NORTH CAROLINA

WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me ROBERT BRAME HUNT and wife, MARGARET H. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017

ANNEXATION PETITION 2016-198-ANX
The Pines at Glen Laurel Lot 1 PB 83 Pg. 369
Parcel Portion of 05I04003
Owners: The Pines at Glen Laurel, LLC
Contiguous; 21.15 acres

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

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

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at Town Hall at 6:30 PM on Monday, November 7, 2016.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Commencing at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing r/w monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to the Point and Place of BEGINNING, said point being on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 153.72 feet and having a chord bearing of N 73°04'18"E and a chord distance of 153.72 to an existing r/w monument; thence continuing with the said southern r/w of N.C. Highway 42, N 72°18'22"E, 228.61 feet to an existing r/w monument; thence N 17° 45'11"W, 30.00 feet to an existing r/w monument; thence N 72°04'24"E, 314.01 feet to a point on a curve having a radius of 56,177.56 feet; thence with said curve as it turns to the right an arc length of 586.17 feet and having a chord bearing of N 72°34'26"E and a chord distance of 586.16 feet to an iron pipe set

being the northwest corner of the property of Earl Stevenson Wilson & Marjorie Wilson as referenced in Deed Book 1002, Page 134 and recorded in the Johnston County Registry; thence leaving the said r/w of N. C. Hwy 42 and with the common line of the said Wilson property, S 28°38'24"E, 892.04 feet to an existing concrete monument being the northeast corner of the property of Venable Babcock Burwell, Jr. as referenced in Deed Book 2666, Page 414 and recorded in the Johnston County Registry; thence with the common line of the said Burwell, Jr. property, N 89°47'19"W, 708.04 feet to an existing iron pipe being a common corner with the property of the Town of Clayton as referenced in Plat Book 35, Page 393 and recorded in the Johnston County Registry; thence continuing with the said Town of Clayton line, S 61°25'10"W, 451.52 feet to an existing iron pipe, said pipe being the northeast corner of the property of Shirley Smith Bullock, as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence continuing with the said Bullock property line, S 63°35'01"W, 57.34 feet to a point; thence leaving the said Bullock property line, N 26°24'59"W, 41.00 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the left an arc length of 83.80 feet and having a chord bearing of N 37°08'00"W and a chord distance of 83.31 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the right an arc length of 190.88 feet and having a chord bearing of N 30°27'23"W and a chord distance of 187.96 feet to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the left an arc length of 388.57 feet and having a chord bearing of N 48°23'29"W and a chord distance of 364.42 feet to a point on a curve having a radius of 65.88 feet; thence with the said curve as it turns to the right an arc length of 132.18 feet and having a chord bearing of N 26°14'34"W and a chord distance of 111.10 feet to the Point and Place of BEGINNING and containing 20.1506 acres and being all of Lot 1 according to a plat by Bass, Nixon & Kennedy, INC, entitled "Final Subdivision Plat for James B. Hunt, Jr, & Robert Brame Hunt", dated September 15, 2016 and recorded in Plat Book 83 Page 369, Johnston County Registry.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 17th day of October 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:30 PM on Monday, November 7, 2016, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2016-198-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Fronting on NC Highway 42 East and being that 20.1506 acre tract designated as Lot 1 on the map of James B. Hunt, Jr, & Robert Brame Hunt property recorded in Plat Book 83 Page 369 of the Johnston County Registry.

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

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

Clayton News-Star

Please advertise on the following date:

October 26, 2016

Affidavit of publication required.



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

PETITION FOR VOLUNTARY ANNEXATION

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

Applications are due by 5pm on the first working day of each month.

Request Information

☒ Contiguous Annexation

☐ Non-Contiguous Annexation

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

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

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: 9-23-2016

Petition No.: 2016-199

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

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

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

2. The area to be annexed is X contiguous, non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	21.3152
Existing housing units:	0
Population of acreage to be annexed:	0
Existing Zoning District*:	PD-MU
Proposed Town Zoning District*:	N/A
Reason for petitioner to annex:	X Receive Town Services
	Other (please specify):

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

The Shepper at Glen Laurel, LLC
Please Print

Please Print

Signature

Eric Browlee, manager

Please Print

Signature

Eric R. L. mgr.

Signature

Signature

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me, Eric Brownlee, a Notary Public for the above State and County, this 15th day of September, 2016.

Anita C. Mitchell

Notary Public

Johnston County, NC

My Commission Expires August 8, 2019

SEAL

[Signature]
Notary Public

Notary Public

My Commission Expires: 8-8-2019

Voluntary Annexation Plat Checklist

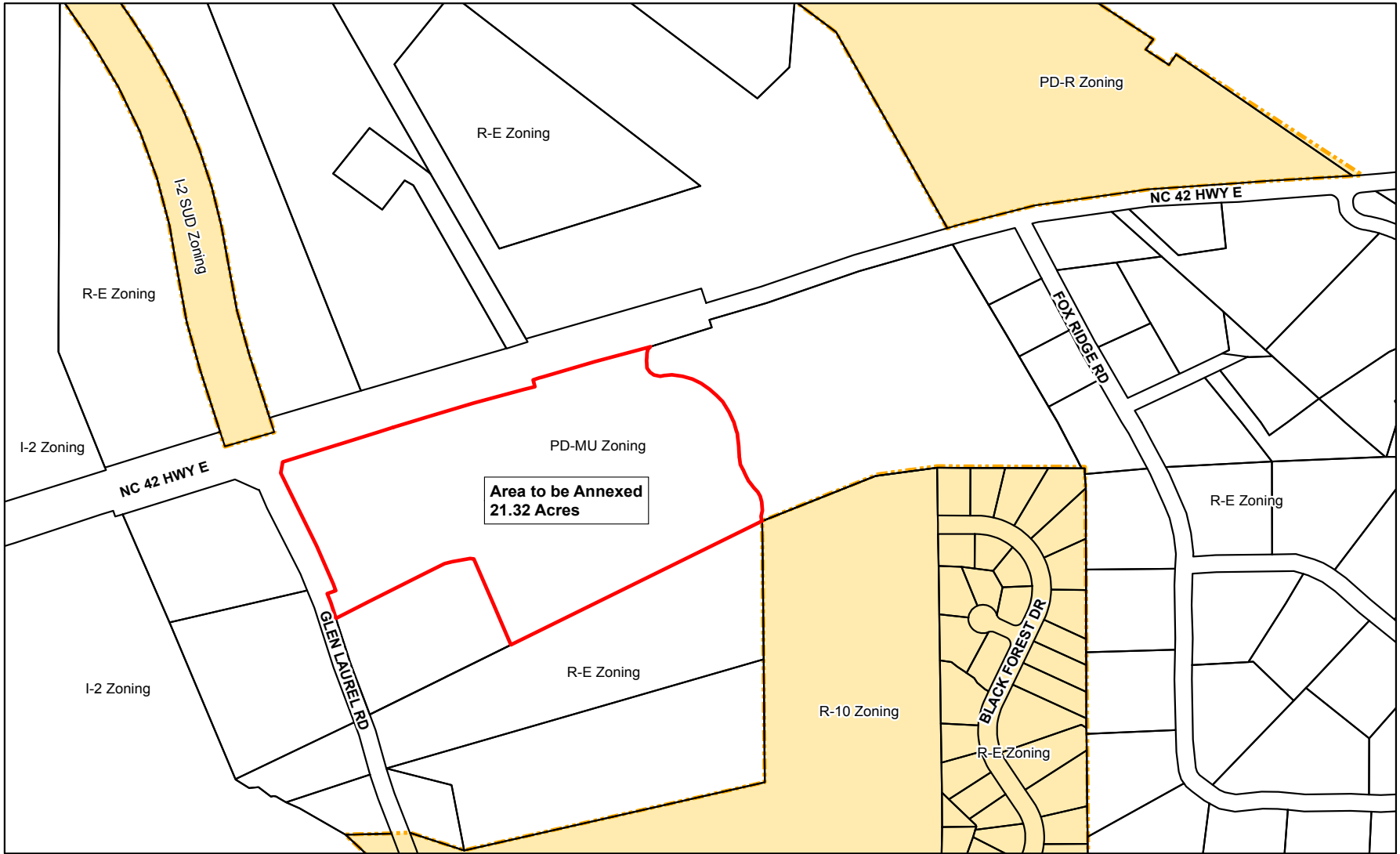
#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and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

LEGAL DESCRIPTION FOR ANNEXATION OF

LOT 2 – PROPERTY OF

THE SHOPPES AT GLEN LAUREL, LLC

BEGINNING at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing right-of-way monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to a point on a curve having a radius of 65.88 feet; thence leaving the said N.C. Hwy 42 r/w and with the said curve as it turns to the left an arc length of 132.18 feet and having a chord bearing of S 26°14'34"E and a chord distance of 111.10 to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the right, an arc length of 388.57 feet and having a chord bearing of S 48°23'29"E and a chord distance of 364.42 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the left an arc length of 190.88 feet and having a chord bearing of S 30°27'23"E and a chord distance of 187.96 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the right an arc length of 83.80 feet and having a chord bearing of S 37°08'00"E and a chord distance of 83.31 feet to a point; thence S 26°24'59"E, 41.00 feet to a point in the line of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence with the common line of the said Bullock property, S 63°35'01"W, 909.65 feet to a point; thence leaving the said Bullock property, N 26°24'59"W, 337.29 feet to a point; thence S 88°33'34"W, 12.30 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the left an arc length of 63.32 feet and having a chord bearing of S 76°00'19"W and a chord distance of 62.82 feet to a point; thence S 63°35'01"W, 417.43 feet to a point on a curve having a radius of 57,071.37 feet in the said eastern r/w of Glen Laurel Road; thence continuing with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 93.33 feet and having a chord bearing of N 18°17'49"W and a chord distance of 93.33 feet to an existing r/w monument; thence N 69°20'25"E, 29.57 feet to an existing r/w monument; thence N 20°24'42"W, 24.71 feet to an existing r/w monument on a curve having a radius of 1511.32 feet; thence with said curve as it turns to the left an arc length of 144.93 feet and having a chord bearing of N 22°58'29"W and a chord distance of 144.88 feet to an existing r/w monument; thence N 25°44'31"W, 285.91 feet to an existing r/w monument; thence N 09° 41'52"E, 39.78 feet to the Point and Place of BEGINNING and containing 21.3152 acres.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): The Shoppes at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Shoppes at Glen Laurel, LLC
Parcel Number(s) Portion of 05I04003
File Number(s): 2016-199 ANX The Shoppes at Glen Laurel
Lot 2 PB 83 Pg. 369



1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Legend

- Area to be Annexed
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Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed 09/21/2016 03:21:59 PM
DEED BOOK: 4835 PAGE: 316-318 INSTRUMENT # 2016503857
Real Estate Excise Tax: \$576.00 Deputy/Assistant Register of Deeds: Donna Carter

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Taxes Due: \$576.00

Drafted by: R. W. Harrison, Jr., Narron & Holdford, P.A., P. O. Drawer 279, Wilson, NC 27894-0279
Return to: Weatherspoon & Voltz LLP, 3605 Glenwood Ave., Ste. 480, Raleigh, NC 27612

State of North Carolina Out of PIN: 167800-29-8988
County of Johnston

THIS DEED made this 19th day of September, 2016, by JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, of 6653-D Governor Hunt Road, Lucama, NC 27851; and ROBERT BRAME HUNT and wife, MARGARET H. HUNT, of 1441 NC 42 East, Clayton, NC 27527, the GRANTORS, to THE SHOPPES AT GLEN LAUREL, LLC, a North Carolina limited liability company, the GRANTEE, whose mailing address is c/o Commercial Properties, Inc. of Raleigh, 1004 Wake Forest Road, Raleigh, NC 27604, Attn: C. Brantley Tillman, Jr.

The property described herein is not the principal residence of the GRANTORS.

W I T N E S S E T H:

In consideration of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTORS by the GRANTEES, the receipt of which is hereby acknowledged, the GRANTORS have bargained and sold, and by these presents do hereby bargain, sell and convey to the GRANTEE, its successors and assigns, that certain tract or parcel of land both lying and being situate in Clayton Township, JOHNSTON COUNTY, North Carolina, and more particularly described as follows:

Fronting on NC Highway 42 East and Glen Laurel Road and being approximately 21.3152 acres designated as Lot 2 on the map of the James B. Hunt, Jr. and Robert Brame Hunt property recorded in Plat Book 83, Page 369 of the Johnston County Registry and reference is hereby made to said map for a more particular description. This being a portion of the 45.75 acre tract located at the Southeast corner of Highway 42 and Glen Laurel Road and having a Johnston County Parcel ID No. of 05104003 and a postal enumeration of 1430 NC Highway 42, Clayton, NC. This being a portion of the property conveyed by Deed recorded in Book 509, Page 31 of the Johnston County Registry.

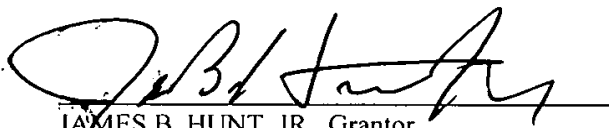
WARWHUNT,THE SHOPPES AT GLEN LAUREL-DEED.DOC (9/19/16)

TO HAVE AND TO HOLD the above lands and all privileges and appurtenances thereto belonging to the GRANTEE and its successors and assigns in fee simple forever.

SUBJECT, HOWEVER, to the right-of-way of the adjacent road, such easements and permits of record and any utilities over, under or across the property which may or may not be of record.

The GRANTORS, for themselves, their heirs and assigns, covenant to and with the GRANTEE, its successors and assigns, that they are seized of the said premises in fee and have full right to convey the same in fee simple; that there are no encumbrances other than those referred to hereinabove and that they do warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands the day and year first above written.

 (SEAL)
JAMES B. HUNT, JR., Grantor

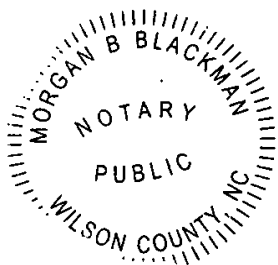
 (SEAL)
CAROLYN L. HUNT, Grantor

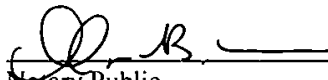
NORTH CAROLINA

WILSON COUNTY

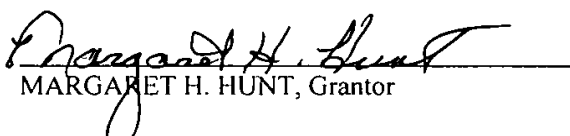
I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017


ROBERT BRAME HUNT, Grantor (SEAL)

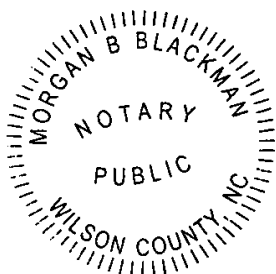

MARGARET H. HUNT, Grantor (SEAL)

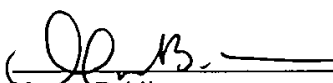
NORTH CAROLINA

WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me ROBERT BRAME HUNT and wife, MARGARET H. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 26th, 2017

ANNEXATION PETITION 2016-199-ANX
The Shoppes at Glen Laurel Lot 2 PB 83 Pg. 369
Parcel Portion of 05I04003
Owners: The Shoppes at Glen Laurel, LLC
Contiguous; 21.32 acres

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

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

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at Town Hall at 6:30 PM on Monday, November 7, 2016.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

BEGINNING at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing right-of-way monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to a point on a curve having a radius of 65.88 feet; thence leaving the said N.C. Hwy 42 r/w and with the said curve as it turns to the left an arc length of 132.18 feet and having a chord bearing of S 26°14'34"E and a chord distance of 111.10 to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the right, an arc length of 388.57 feet and having a chord bearing of S 48°23'29"E and a chord distance of 364.42 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the left an arc length of 190.88 feet and having a chord bearing of S 30°27'23"E and a chord distance of 187.96 feet to a point on a curve having a radius of 224.00 feet; thence with the said

curve as it turns to the right an arc length of 83.80 feet and having a chord bearing of S 37°08'00"E and a chord distance of 83.31 feet to a point; thence S 26°24'59"E, 41.00 feet to a point in the line of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence with the common line of the said Bullock property, S 63°35'01"W, 909.65 feet to a point; thence leaving the said Bullock property, N 26°24'59"W, 337.29 feet to a point; thence S 88°33'34"W, 12.30 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the left an arc length of 63.32 feet and having a chord bearing of S 76°00'19"W and a chord distance of 62.82 feet to a point; thence S 63°35'01"W, 417.43 feet to a point on a curve having a radius of 57,071.37 feet in the said eastern r/w of Glen Laurel Road; thence continuing with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 93.33 feet and having a chord bearing of N 18°17'49"W and a chord distance of 93.33 feet to an existing r/w monument; thence N 69°20'25"E, 29.57 feet to an existing r/w monument; thence N 20°24'42"W, 24.71 feet to an existing r/w monument on a curve having a radius of 1511.32 feet; thence with said curve as it turns to the left an arc length of 144.93 feet and having a chord bearing of N 22°58'29"W and a chord distance of 144.88 feet to an existing r/w monument; thence N 25°44'31"W, 285.91 feet to an existing r/w monument; thence N 09° 41'52"E, 39.78 feet to the Point and Place of BEGINNING and containing 21.3152 acres and being all of Lot 2 according to a plat by Bass, Nixon & Kennedy, INC, entitled "Final Subdivision Plat for James B. Hunt, Jr, & Robert Brame Hunt", dated September 15, 2016 and recorded in Plat Book 83 Page 369, Johnston County Registry.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 17th day of October 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:30 PM on Monday, November 7, 2016, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2016-198-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Fronting on NC Highway 42 East and being that 21.3152 acre tract designated as Lot 2 on the map of James B. Hunt, Jr, & Robert Brame Hunt property recorded in Plat Book 83 Page 369 of the Johnston County Registry.

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

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

Clayton News-Star

Please advertise on the following date:

October 26, 2016

Affidavit of publication required.



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

PETITION FOR VOLUNTARY ANNEXATION

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

Applications are due by 5pm on the first working day of each month.

Request Information

☒ **Contiguous Annexation**

☐ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

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

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: 9-23-2016

Petition No.: 2016-200

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

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

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

2. The area to be annexed is X contiguous, _____ non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	<u>4.1836</u>
Existing housing units:	<u>0</u>
Population of acreage to be annexed:	<u>0</u>
Existing Zoning District*:	<u>PD-MU</u>
Proposed Town Zoning District*:	<u>N/A</u>
Reason for petitioner to annex:	<u>X</u> Receive Town Services
	_____ Other (please specify): _____

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

Tellico Greens, LLC
Please Print

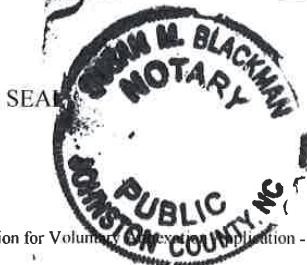
C. Brady
Signature Member Manager

Please Print

Signature

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

Sworn and subscribed before me, Susan M. Blackman Notary Public for the above State and County, this 15th day of September, 2016.



Susan M. Blackman
Notary Public

My Commission Expires: October 19, 2016

Voluntary Annexation Plat Checklist

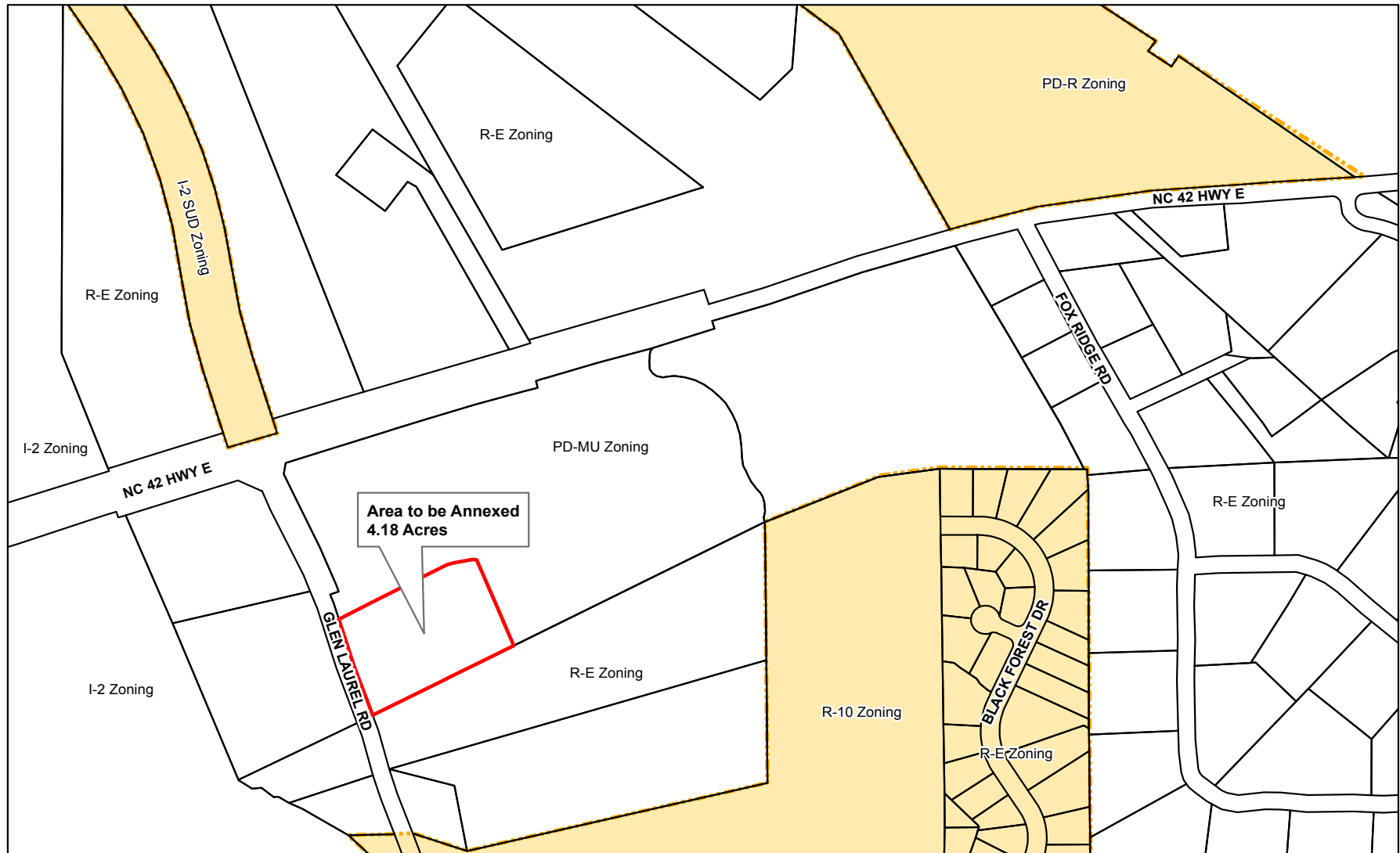
#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and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

LEGAL DESCRIPTION FOR ANNEXATION OF

LOT 3 – PROPERTY OF

GLEN LAUREL SELF STORAGE, LLC

BEGINNING at an existing r/w monument in the eastern r/w of Glen Laurel Road, S.R. 1902, a variable public right-of-way, and said monument being the northwest corner of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry and said monument being a point on a curve having a radius of 57,071.37 feet; thence with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 353.16 feet and having a chord bearing of N 18°04'22"W and a chord distance of 353.16 feet to a point; thence leaving the said r/w of Glen Laurel Road, N 63°35'01"E, 417.43 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the right an arc length of 63.32 feet and having a chord bearing of N 76° 00'19"E and a chord distance of 62.82 feet to a point; thence N 88°33'34"E, 12.30 feet to a point; thence S 26°24'59"E, 337.29 feet to a point in the common line of the said Bullock property; thence with the common line of the said Bullock property, S 63°35'01"W, 251.04 feet to an existing concrete monument; thence S 64°52'55"W, 290.22 feet to the Point and Place of BEGINNING and containing 4.1836 acres.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

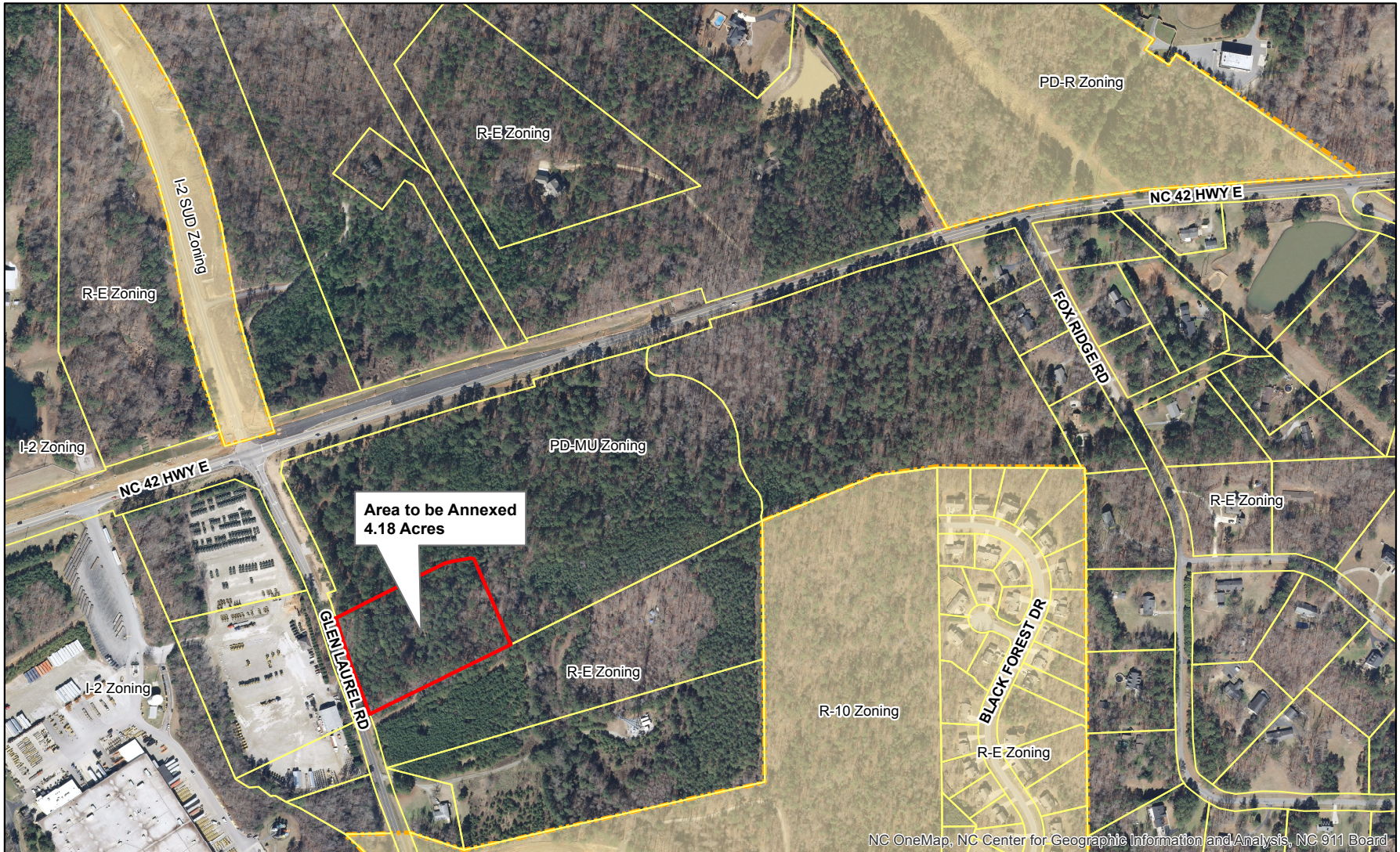
Applicant(s): Glen Laurel Self Storage, LLC c/o Brantley Tillman
Property Owner(s): Tellico Greens, LLC
Parcel Number(s) Portion of 05I04003
File Number(s): 2016-200 ANX Glen Laurel Self Storage, LLC
Lot 3 PB 83 Pg. 369



1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): Glen Laurel Self Storage, LLC c/o Brantley Tillman
Property Owner(s): Tellico Greens, LLC
Parcel Number(s) Portion of 05104003
File Number(s): 2016-200 ANX Glen Laurel Self Storage, LLC
Lot 3 PB 83 Pg. 369



1 inch = 450 feet



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NORTH CAROLINA GENERAL WARRANTY DEED

Excise Taxes Due: \$2,880.00

Drafted by: R. W. Harrison, Jr., Narron & Holdford, P.A., P. O. Drawer 279, Wilson, NC 27894-0279
Return to: Weatherspoon & Voltz LLP, 3605 Glenwood Ave., Ste. 480, Raleigh, NC 27612

State of North Carolina Out of PIN: 167800-29-8988
County of Johnston

THIS DEED made this 19th day of September, 2016, by JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, of 6653-D Governor Hunt Road, Lucama, NC 27851; and ROBERT BRAME HUNT and wife, MARGARET H. HUNT, of 1441 NC 42 East, Clayton, NC 27527, the GRANTORS, to TELLICO GREENS, LLC, a North Carolina limited liability company, the GRANTEE, whose mailing address is c/o Commercial Properties, Inc. of Raleigh, 1004 Wake Forest Road, Raleigh, NC 27604, Attn: C. Brantley Tillman, Jr.

The property described herein is not the principal residence of the GRANTORS.

W I T N E S S E T H:

In consideration of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTORS by the GRANTEES, the receipt of which is hereby acknowledged, the GRANTORS have bargained and sold, and by these presents do hereby bargain, sell and convey to the GRANTEE, its successors and assigns, that certain tract or parcel of land both lying and being situate in Clayton Township, JOHNSTON COUNTY, North Carolina, and more particularly described as follows:

Fronting on Glen Laurel Road and being 4.1836 acres more or less as shown on the map as Lot 3 of the map of the James B. Hunt, Jr. and Robert Brame Hunt property recorded in Plat Book 83, Page 369 of the Johnston County Registry and reference is hereby made to said map for a more particular description. This being a portion of the 45.75 acre tract located at the Southeast corner of Highway 42 and Glen Laurel Road and having a Johnston County Parcel ID No. of 05104003 and a postal enumeration of 1430 NC Highway 42, Clayton, NC. This being a portion of the property conveyed by Deed recorded in Book 509, Page 31 of the Johnston County Registry.

WARWHUNT,TELLICO GREENS-DEED.DOC (9/19/16)

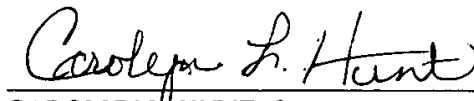
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The GRANTORS, for themselves, their heirs and assigns, covenant to and with the GRANTEE, its successors and assigns, that they are seized of the said premises in fee and have full right to convey the same in fee simple; that there are no encumbrances other than those referred to hereinabove and that they do warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands the day and year first above written.

 (SEAL)
JAMES B. HUNT, JR., Grantor

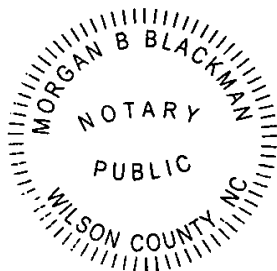
 (SEAL)
CAROLYN L. HUNT, Grantor

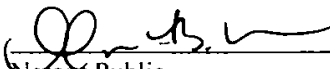
NORTH CAROLINA

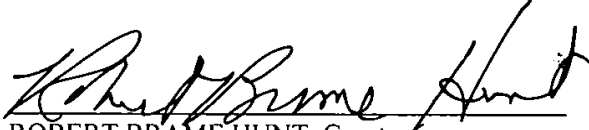
WILSON COUNTY

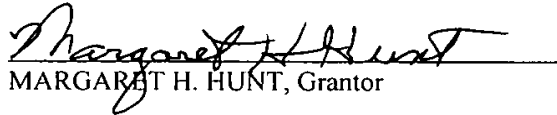
I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017

 (SEAL)
ROBERT BRAME HUNT, Grantor

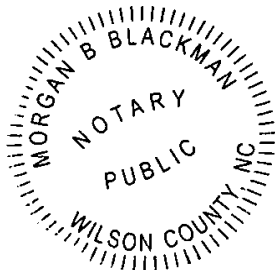
 (SEAL)
MARGARET H. HUNT, Grantor

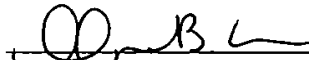
NORTH CAROLINA

WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me ROBERT BRAME HUNT and wife, MARGARET H. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 26th, 2017

**ANNEXATION PETITION 2016-200-ANX
Glen Laurel Self Storage Lot 3 PB 83 Pg. 369
Parcel Portion of 05104003
Owners: Tellico Greens, LLC
Contiguous; 4.18 acres**

**TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

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

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

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Subdivision Plat for James B. Hunt, Jr, & Robert Brame Hunt", dated September 15, 2016 and recorded in Plat Book 83 Page 369, Johnston County Registry.

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Duly adopted this 17th day of October 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk

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

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

Clayton News-Star

Please advertise on the following date:

October 26, 2016

Affidavit of publication required.



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

AGENDA LOCATION:

Items Scheduled for Regular Meetings

Meeting Date:

October 17, 2016

ITEM TITLE:

Code of Ordinance - Chapter 32 - Board

DESCRIPTION:

Amendments to Chapter 32 Code of Ordinance with reference to volunteer boards.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

Planning + Zoning

PRESENTER:

David DeYoung, Planning Director

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:

BOARD OF ADJUSTMENT

§ 32.010 ESTABLISHMENT; ~~DUTIES~~COMPOSITION.

~~For provisions concerning the Board of Adjustment, see §§ 151.24, 152.42 and see also Chapter 155.~~

(A) Establishment. The Board of Adjustment is established pursuant to G.S. § 160A-388 and Chapter 32 of the Town's Code of Ordinances.

(B) Composition.

(1) Number and term.

(a) The Board of Adjustment shall consist of seven members with four members residing in the corporate limits and three members residing within the town's extraterritorial jurisdiction (ETJ); and each member is to be appointed for three years.

(b) In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the Town Council may appoint certain members for less than three years to the end that thereafter the terms of all members shall not expire at the same time.

(2) Membership.

(a) Membership on the Board of Adjustment shall include representatives from the ETJ.

(b) Any member of the Board of Adjustment representing the ETJ shall be appointed by the Town Council, subject to approval by the Johnston County Board of County Commissioners.

~~Alternate members.~~

~~The Town Council may, in its discretion, appoint and provide compensation for two alternate members to serve on the Board of Adjustment in the absence of any regular member. One alternate member shall be from the town and one alternate member shall be from the ETJ.~~

~~Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members.~~

~~Each alternate member, while attending any regular or special meeting and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.~~

(3) Attendance. All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The ~~secretary clerk~~ to the Board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called meetings. If at any time a member either fails to attend two-thirds of the scheduled

meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the Board shall notify the Chairman of the Board.- ~~The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Council liaison and the Town Clerk. The Town Clerk, Town Council liaison, and the Planning Director shall include the letter as an item on the next available Town Council meeting agenda requesting that the Council as a whole make a decision on this member's continued service to the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Clerk. The Town Clerk shall include the letter as an item on the next available Town Council meeting agenda requesting Council as a whole make a decision on this member's continued service to the Board.~~

§ 32.011 ORGANIZATION

(A) Proceedings.

(1) Meetings. All meetings of the Board of Adjustment shall be held at a regular place and shall be open to the public.

(2) Minutes. The Board of Adjustment shall keep minutes of proceedings in a book maintained for that purpose only, showing the vote of each member upon each question, or if absent or failing to vote, an indication of such fact; and final disposition of appeals shall be by recorded resolution, indicating the reasons of the Board, all of which shall be a public record.

(3) Quorum. A quorum shall consist of four members. If there are not seven regular members in attendance, one or both of the alternate members may hear and vote on any matter coming before the Board of Adjustment regardless of the geographical area in which the alternate member resides; however, the total voting membership shall not exceed seven members in any case.

§ 32.012 POWERS AND DUTIES.

(A) Powers and duties. In execution of the provisions of this chapter, the Board of Adjustment shall have the following powers and duties.

(1) General authority. The Board of Adjustment may exercise additional powers as may be described elsewhere in this chapter and as permitted by North Carolina General Statutes.

(2) Final authority. The Board of Adjustment shall be responsible for final action regarding the following:

(a) Conditional Use Review (§ 155.710); and

(b) Variances (§ 155.716); and

(Am. Ord. 2007-04-05, passed 4-2-07)

COMMUNITY APPEARANCE COMMISSION

~~§ 32.020 ESTABLISHMENT; COMPOSITION.~~

~~—There is hereby created and established the Clayton Community Appearance Commission, which shall be composed of seven members appointed by the Town Council.~~

~~(Ord. passed 7-19-82)~~

~~§ 32.021 QUALIFICATIONS, TERM, AND COMPENSATION OF MEMBERS.~~

~~—(A) Where possible, appointments to the Community Appearance Commission shall be made in such a manner as to maintain on the Community Appearance Commission at all times a majority of members who have had special training or experience in a design field, such as architecture, landscape, horticulture, city planning, or a closely related field.~~

~~—(B) The term of office of the members shall be four years.~~

~~—(C) Members of the Community Appearance Commission shall serve without pay, but may be reimbursed for actual expenses incidental to the performance of their duties within the limits of funds available to the Community Appearance Commission.~~

~~—(D) All members shall be residents of the town's area of planning and zoning jurisdiction at the time of appointment.~~

~~(Ord. passed 7-19-82)~~

Statutory reference:

~~—Membership and appointment of Community Appearance Commission, see G.S. § 160A-451~~

~~§ 32.022 ORGANIZATION.~~

~~—(A) The Community Appearance Commission, within 30 days of its appointment, shall meet and elect from its membership a Chairperson, Vice Chair person, Treasurer, and a Secretary. The Secretary need not be a member of the Community Appearance Commission. It shall also adopt bylaws to govern the conduct of its business.~~

~~—(B) The Community Appearance Commission shall maintain a record of its members' attendance, and of its actions, findings, and recommendations, which record shall be open to the public.~~

~~—(C) A quorum of five members shall be necessary to take any official action authorized or required by this subchapter.~~

~~—(D) The Community Appearance Commission shall hold at least nine meetings per year. All of its meetings shall be open to the public.~~

~~(Ord. passed 7-19-82)~~

~~§ 32.023 POWERS AND DUTIES.~~

- ~~—The Community Appearance Commission shall have the following powers and duties:~~
- ~~—(A) Initiate, promote, and assist in the implementation of programs of general community beautification in the town and its extraterritorial planning jurisdiction;~~
- ~~—(B) Seek to coordinate the activities of individuals, agencies, and organizations, public and private, whose plans, activities, and programs bear upon the appearance of the town;~~
- ~~—(C) Provide leadership and guidance in matters of area or community design and appearance to individuals, and to public and private organizations, and agencies;~~
- ~~—(D) Make studies of the visual characteristics and problems of the town, including surveys and inventories of an appropriate nature, and recommend standards and policies of design for the entire area, any portion or neighborhood thereof, or any project to be undertaken;~~
- ~~—(E) Prepare both general and specific plans for the improved appearance of the town. These plans may include the entire area or any part thereof and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the town or any part thereof within its area of planning and zoning jurisdiction, including public ways and areas, open spaces, and public and private buildings and projects;~~
- ~~—(F) Request from the proper officials of any public agency or body, including agencies of the state and its political subdivisions, its plans for public buildings, facilities, or projects to be located within the town;~~
- ~~—(G) Review these plans and make recommendations regarding their aesthetic suitability to the appropriate agency, or to the municipal or county planning or governing board. All plans shall be reviewed by the Community Appearance Commission in a prompt and expeditious manner, and all recommendations of the Community Appearance Commission with regard to any public project shall be made in writing. Copies of the recommendation shall be transmitted promptly to the planning or governing body of the town or county, and to the appropriate agency;~~
- ~~—(H) Formulate and recommend to the Town Council the adoption or amendment of ordinances (including the zoning ordinance, subdivision regulations, and other local ordinances regulating the use of property) that will, in the opinion of the Community Appearance Commission, serve to enhance the appearance of the town and its surrounding areas;~~
- ~~—(I) Direct the attention of town officials to needed enforcement of any ordinance that may in any way affect the appearance of the town;~~
- ~~—(J) Seek voluntary adherence to the standards and policies of its plans;~~
- ~~—(K) Enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys;~~
- ~~—(L) Promote public interest in and an understanding of its recommendations, studies, and plans, and to that end to prepare, publish, and distribute to the public those studies and reports as will, in the opinion of the Community Appearance Commission, advance the cause of improved municipal appearance.~~

~~—(M) Conduct public meetings and hearings giving reasonable notice to the public thereof.~~

~~(Ord. passed 7-19-82)~~

Statutory reference:

~~—Powers and duties of Community Commission, see G.S. § 160A-452~~

~~§ 32.024 ANNUAL REPORT; BUDGET.~~

~~—The Community Appearance Commission shall, no later than April 15 of each year, submit to the Town Council a written report of its activities, a statement of its expenditures to date for the current fiscal year, and its requested budget for the next fiscal year. All accounts and funds of the Community Appearance Commission shall be administered substantially in accordance with the requirements of the Municipal Fiscal Control Act (G.S. § 160A-454).~~

~~(Ord. passed 7-19-82)~~

~~§ 32.025 ADVISORY COUNCIL AND COMMITTEES.~~

~~—The Community Appearance Commission may establish an advisory council when, in the judgment of the Community Appearance Commission, such a council will be an aid to the performance of its duties. However, the Community Appearance Commission shall not delegate to the advisory council any of its official powers or duties. In addition, the Community Appearance Commission may from its own membership, establish any temporary or permanent committees needed to assist it in the study of specific questions and problems.~~

~~(Ord. passed 7-19-82)~~

~~§ 32.026 STAFF AND TECHNICAL SERVICES.~~

~~—The Community Appearance Commission may recommend to the Town Council suitable arrangements for the procurement or provision of staff or technical services for the Commission.~~

~~(Ord. passed 7-19-82)~~

PLANNING BOARD

§ 32.075 MEMBERS; TERMS; VACANCIES.

(A) ~~—The Planning Board shall consist of nine regular members and two alternate members. Five of the regular members shall be citizens and residents of the town, and four shall be residents of the county who reside in the Ttown's Eextraterritorial Jjurisdiction (ETJ). One alternate member shall reside within the extraterritorial jurisdiction of the town and the other shall reside within the corporate limits of the town.~~ The Town Council shall appoint all regular members ~~and alternate members~~ who reside within the tTown's corporate limits. All regular and alternate members residing outside the corporate limits but within the Ttown's extraterritorial

~~jurisdiction~~ETJ shall be recommended for approval by the County Board of County Commissioners. In the event the County Board of County Commissioners fails to make the requested appointments within 90 days of receipt of the request, the Town Council shall make the appointments. ~~Alternate members shall hear matters and vote only in the absence of a regular member.~~

(B) ~~—Regular and alter~~Mmembers shall be appointed for three year terms. Vacancies occurring for reasons other than expiration of terms shall be filled for the unexpired term only, by the legislative body responsible for original appointment.

(C) ~~—All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The~~ secretary-clerk to the Board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called meetings. If at any time a member either fails to attend two-thirds of the scheduled meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the Board shall notify the Chairman of the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Council liaison and the Town Clerk. The Town Clerk, Town Council liaison, and the Planning Director shall ~~include the letter as an item on the next available Town Council meeting agenda requesting that the Council as a whole~~ make a decision on this member's continued service to the Board.

('71 Code, § 2-151) (Ord. passed 11-6-72; Am. Ord. passed 11-2-92; Am. Ord. passed 1-23-95; Am. Ord. passed 11-4-96; Am. Ord. 2003-07-01, passed 7-21-03; Am. Ord. 2008-06-04, passed 6- 16-08; Am. Ord. 2011-12-01, passed 12-5-11)

§ 32.076 OFFICERS; RULES; RECORDS.

(A) ~~—Within 30 days after appointment, the Planning Board shall meet and elect a Chairperson and create and fill those offices as it may determine. The term of the Chairperson and other officers shall be one year, with eligibility for re-election. Elections shall be held at the January meeting each year.~~

(B) ~~—The Planning Board shall adopt rules for transaction of business and shall keep a record of its members' attendance, and its resolutions, discussions, findings, and recommendations, which record shall be a public record.~~

('71 Code, § 2-152) (Ord. passed 11-6-72 ; Am. Ord. passed 11-4-96)

§ 32.077 MEETINGS; QUORUM.

(A) ~~—The Planning Board shall hold at least one meeting monthly, and all of its meetings shall be open to the public.~~

(B) ~~—A quorum shall consist of five members. If there are not nine regular members in attendance, one or both of the alternate members may hear and vote on any matter coming before~~

~~the Planning Board regardless of the geographical area in which the alternate member resides; however, the total voting membership shall not exceed nine members in any case.~~

(B)

~~—(C)—All members are expected to attend scheduled meetings. Any member who either fails to attend two-thirds of regularly scheduled meetings during a calendar year or misses three regularly scheduled meetings in succession without an excuse deemed reasonable by the Chairperson shall resign from their appointment upon notice by the Chairperson. Any decision by the Chairperson concerning an excuse for an absence may be appealed to the Planning Board membership. Upon a four-fifths vote of the entire membership, the decision of the Chairperson shall be overturned.~~

('71 Code, § 2-152) (Ord. passed 11-6-72; Am. Ord. passed 1-23-95; Am. Ord. passed 11-4-96; Am. Ord. 98-01-02, passed 1-20-98; Am. Ord. 2003-07-01, passed 7-21-03 ; Am. Ord. 2008-06-04, passed 6-16-08)

§ 32.078 POWERS AND DUTIES.

(A) —The Planning Board shall ~~make careful review and/or make recommendations on~~ studies of present ~~conditions~~ and ~~the probable~~ future development of the ~~T~~town and its ~~environs~~ETJ. These studies may include, but shall not be limited to, land use surveys; population studies; economic studies; school, park, and recreation studies; traffic and parking studies; urban renewal studies, housing and market analysis, and annexation studies.

(B) —The Planning Board shall ~~formulate and maintain~~review and make recommendations on ~~the Town's a-e~~Comprehensive ~~P~~plan ~~of the to the t~~Town ~~Council and its environs for t~~ The purpose of the Comprehensive Plan is to establish a vision of the future with long range goals, objectives and strategies to manage growth and guide the future actions of the Town. achieving a coordinated, adjusted, and harmonious development of the town which would promote, in accordance with present and future needs, the safety, morals, order, convenience, prosperity, and general welfare of its citizens; efficiency and economy in the process of development; convenience of traffic; safety from fire and other dangers; adequate light and air; healthful and convenient distribution of population; provision of adequate open spaces; good civic design and arrangement; wise and efficient expenditures of public funds; and adequate provision for public utilities and other matters pertaining to the public requirements.— The Ceomprehensive Pplan shall consists of a number of parts-elements which may include, but shall-is not be limited to, the following: a land use, downtown development, economic development, recreation and open space, housing, mobility, utilities, intergovernmental coordination, natural resources, and arts and culture. plan, a major thoroughfare plan, a utilities plan, a plan for economic develop- ment, a recreation plan, a school plan, a community facilities plan, a zoning plan, and plans for housing improvement.

(C) —The Planning Board shall review and make recommendations to the Town Council ~~upon the extent, location, and design of all public structures and facilities; the acquisition and disposal of public properties; the opening, abandonment, widening, extension, narrowing, or other change to streets and other public ways; the construction, extension, expansion, or abandonment of utilities, whether publicly or privately owned; and on matters pertaining to zoning and subdivision of land.~~ The Planning Board shall have final approval authority over major site plans.

(D) The Planning Board shall not make a recommendation that requires Town Council approval unless the applicant (or a representative of the applicant knowledgeable about the applicant's proposal) is present at the meeting and answers the Board's and staff's questions about the applicant's proposal, except by a unanimous vote of the Board members present. ~~This attendance and unanimous vote requirement shall not apply to rezoning petitions. However, in the absence of a recommendation from the Planning Board after the expiration of 30 days from the date on which the question has been submitted in writing to the Planning Board, the Town Council may, if it deems wise, take final action.~~

(E) ~~—(D)~~The Planning Board shall perform any other related duties assigned or directed by Town Council. ~~may conduct those public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the comprehensive plan.~~

~~—(E) Members or employees of the Planning Board, when duly authorized by the Planning Board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation, and the Planning Board may, by formal and affirmative vote, pay, within the Planning Board's budget, the reasonable traveling expenses incident to such attendance.~~

~~—(F) The Planning Board shall, in May of each year, submit in writing to the Town Council a written report of its activities, an analysis of the expenditures to date for the current fiscal year, proposed planning program for the next fiscal year, and a proposed budget for the next fiscal year.~~

~~—(G) The Planning and Zoning Board members shall serve as the Urban Forestry Board members.~~

('71 Code, § 2-154) (Ord. passed 11-6-72; Am. Ord. passed 1-16-01; Am. Ord. 2006-10-02, passed 10-17-06)

Statutory reference:

Duties of planning agency, see G.S. § 160A-361

§ 32.079 EXPENDITURES; GIFTS.

~~—The expenditures of the Planning Board, exclusive of gifts or grants, shall be within the amount appropriated for the purpose by the Town Council. No indebtedness for which the town shall be liable shall be contracted or incurred by the Planning Board unless an appropriation is made by the Town Council for that purpose, as authorized by law, and then only to the extent of the appropriation. The Planning Board shall have the right to accept gifts and donations for the exercise of its functions and may expend the money received from gifts and donations in a manner, which in the judgment of the Planning Board, is consistent with the best interest of the planning program.~~

('71 Code, § 2-153) (Ord. passed 11-6-72)

§ 32.080 URBAN FORESTRY BOARD.

~~—(A) *Establishment.* There is established an Urban Forestry Board.~~

~~—(B) *Purpose.* It is the purpose of this section to promote and protect the public health, safety, and general welfare by providing for the regulation of the planting, maintenance, and removal of trees, shrubs, and other plants within the town.~~

~~—(C) *Definitions.* For purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—***PARK TREES.*** Trees and all other woody vegetation in public parks having individual names, and all areas owned by the town, or to which the public has free access as a park.~~

~~—***PUBLICLY-OWNED TREES.*** Trees and all other woody vegetation within public rights-of-way or on municipal property.~~

~~—***STREET TREES.*** Trees and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the town.~~

~~—(D) *Membership; terms; vacancies.*~~

~~—(1) The Urban Forestry Board shall consist of the same members as the Planning & Zoning Board. The Town Council shall appoint all regular members and alternate members who reside within the town's corporate limits. All regular and alternate members residing outside the corporate limits but within the town's extraterritorial jurisdiction shall be recommended for approval by the County Board of Commissioners.~~

~~—(2) Regular and alternate members shall be appointed to three year terms. Vacancies occurring for reasons other than the expiration of terms shall be filled for the unexpired term only by the legislative body responsible for original appointment.~~

~~—(E) *Compensation.* Members of the Board shall serve without compensation.~~

~~—(F) *Duties and responsibilities.*~~

~~—(1) It shall be the responsibility of the Urban Forestry Board to develop a written plan for the care, preservation, pruning, planting, replanting, removal, and/or disposition of trees and shrubs in parks, along streets, and in other public areas. Such plan will be updated annually and presented to the Town Council and upon approval shall be the Comprehensive Town Tree Plan.~~

~~—(2) The Urban Forestry Board shall supervise a tree inventory for street, park, and publicly-owned trees. The inventory shall be updated with the results of ground inspections every three years.~~

~~—(3) The Urban Forestry Board, when requested by the Town Council, shall consider and report upon any matter coming within the scope of its work. It is the Urban Forestry Board's duty to generate recommendations to the Town Council and to consider the impact a particular proposal would have on the community and its trees or other woody vegetation. The preferred standards for the maintenance, care, and appearance of trees shall be incorporated into the general design guidelines and as necessary by revisions to this section.~~

~~—(4) The Urban Forestry Board shall approve species of street yard trees to be utilized in new subdivisions and review trees that are part of an approved landscape plan or buffer planting scheme.~~

~~—(G) *Officers; rules; records.* The Urban Forestry Board shall keep minutes of its proceedings, which shall be a public record. The standing Chairperson of the Planning and Zoning Board shall serve as the Chairperson of the Urban Forestry Board. A majority of the members shall be a quorum for the transaction of business.~~

(Ord. 2006-10-02, passed 10-17-06)

~~TECHNICAL REVIEW COMMITTEE~~

~~§ 32.140 TECHNICAL REVIEW COMMITTEE ESTABLISHED; DUTIES.~~

~~The Technical Review Committee shall be appointed by the Town Manager for the purpose of reviewing subdivisions, site plans, and any other land development activities which involve adherence to the relative regulations of the town and/or State of North Carolina. The Committee shall advise the Manager on matters related to these processes and in the case of final subdivision plats may approve plans subject to the specified terms of the Subdivision Regulations.~~

~~(Ord. passed 8-18-97)~~

~~§ 32.141 MEMBERS; OFFICERS; RULES; RECORDS.~~

~~(A) The Technical Review Committee shall be composed of the Planning Director, the Public Works Director, the Electric System Director, the Fire Chief and the Chief Building Inspector. Any of these persons may designate responsible persons to represent them and they shall have full voting authority during the meeting. Other agencies shall be designated as resource and support members of the committee without voting responsibility and shall include the Town's Consulting Engineer, North Carolina Department of Transportation, Police Chief, Recreation Director, Rescue Chief, and Johnston County Environmental Health.~~

~~(B) The Town Manager shall designate a Chairman of the committee, who shall be responsible for arranging meetings and setting the agenda. The Town Manager shall also designate a Secretary of the committee who shall be responsible for preparation of minutes of each meeting and circulation of same to the Town Manager, Mayor and Town Council, and any others requesting copies.~~

~~(C) Meetings shall be scheduled by the Chairman and held at least once per month. At least 48 hours notice will be provided to each member in advance of the meeting. Other meetings may be scheduled as deemed necessary by the Chairman.~~

~~(D) A quorum of members for purpose of voting shall consist of a simple majority of the appointed members or their designee. All votes, except approval of final subdivision plats for recording, shall require a simple majority of those voting for approval of a motion. Approval of a final subdivision plat for recording shall require a unanimous vote of those members or designees in attendance.~~

~~(Ord. passed 8-18-97)~~

**RESOLUTION REQUEST
TO AMEND RESOLUTION #2016-27
STREET CLOSURE
2016 THE SHINDIG**

WHEREAS, the Clayton Town Council has received a request from the Clayton Mid Day Rotary to amend Resolution #2016-27 with reference to schedule change of The Shindig event date; and

WHEREAS, this change is necessary and requested as original event date of Saturday, October 8, 2016 was cancelled due to the potentially dangerous and inclement weather of Hurricane Matthew; and

WHEREAS, the request to amend the event date is as follows:

Original Event Date: Saturday –October 8, 2016

CHANGED TO

New Event Date: Sunday – November 13, 2016

Duly adopted this the 17th day of October, 2016.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

Introductions & Special Presentations

Meeting Date:

October 17, 2016

ITEM TITLE:

Veterans Day Event

DESCRIPTION:

This event will include outside displays and an inside programming honoring veterans. Event is scheduled to be held on Sunday, November 6, 2016. Request for closure of Town Square and parking lot from 9:00 a.m. until 7 :00 p.m.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

PRESENTER:

Michael Sims and Jim Lee

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



**Town of Clayton
Planning Department**

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the \$100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: VETERANS DAY EVENT
Applicant Name and Title: Michael Sims
Organization: Veterans Committee
Mailing (Billing) Address: 671 AVERAS BOULEVARD
City: CLAYTON State: NC Zip Code: 27520
Daytime Phone: 919 606 5012 Cell: 919 606 5012 Email: SSMSBGA@AOL.COM

EVENT INFORMATION

Event Location: TOWN SQUARE
Event Address: 111 E. SECOND STREET Parcel ID: _____
Date(s) of Event: NOV. 6 2016
Event Start Time: 12:00 PM Event End Time: 6:00 PM
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 9:00 AM Clean Up Ends: 7:00 PM
Estimated Attendance: 400-600
Description of Event: OUTSIDE DISPLAYS AND INSIDE PROGRAM HONORING VETERANS

TOWN OF CLAYTON STAFF USE ONLY

Date Received: SEP 09 2016 Amount Paid: Fee Waived Permit Number: 2016-18

TOWN OF CLAYTON
PLANNING DEPARTMENT

April 2014

ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☐ N/A

Is the Organization a 501(c) 3? ☐ Yes ☒ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☒	☐
2. Is the organization a 501(C)3	☐	☒

Briefly describe the purpose of the organization: TO HONOR VETERANS

Name of Organization: VETERANS COMMITTEE
 Organization Address: _____

Organization Contact Name: Michael Sims Phone Number: 919 606 5012
 Organization Email: SSMSBGD@AOL.COM
 Federal Identification Number: _____

TENTS & MEMBRANE STRUCTURES

**** A TENT is a structure, enclosure, or shelter, with or without sidewalls or drops****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will tents be used at the event?	☒	☐		
2. How many tents will be used?	<u>1</u>			
3. What is the size of the tents being used? Please note that tents greater than 240 square feet in size require a building permit and associated inspections.				
4. Are there multiple tents without sidewalls being placed side by side? Please note that 12 feet of separation is required between all tents larger than 700 square feet.	☐	☒		

**** A MEMBRANE structure is an air-inflated or air supported structure ****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will a membrane structure(s) be used at the event?	☐	☒		
2. How many membrane structures will be used?				

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators?	☐	☒	
2. Will you use a Town of Clayton power source?	☒	☐	
PLEASE NOTE: NO direct wiring to any power source is permitted.			

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☐	☒	
If yes, state the number of bands:			
2. Will a temporary stage be utilized?	☐	☒	
If yes, please state the number of stages			
3. Will the event use amplified sound?	☐	☒	
If yes, please list start time and finish time.	Start Time	Finish Time	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? <i>If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.</i>	☐	☒	
2. Will there be any portable heaters?	☐	☒	
3. Will there be any deep fat fryers?	☐	☒	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? <i>If yes, please contact the Fire Marshall for more 919-553-1520 information.</i>	☐	☒	

ALCOHOL

	Yes	No	Staff Notes
1. Will alcoholic beverages be served? <i>If yes, an ABC permit is required.</i>	☐	☒	
2. Will alcoholic beverages be sold? <i>If yes, an ABC permit is required.</i>	☐	☒	
3. What type of alcohol will be served?			
Draft Beer Can/Bottle Beer Wine Liquor ☐ ☐ ☐ ☐			
4. Who will be serving the alcohol? <i>Please identify on the site plan the locations within event site where alcohol will be served.</i>			
List times that alcohol will be served	Start Time	Finish Time	
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.			

VENDORS

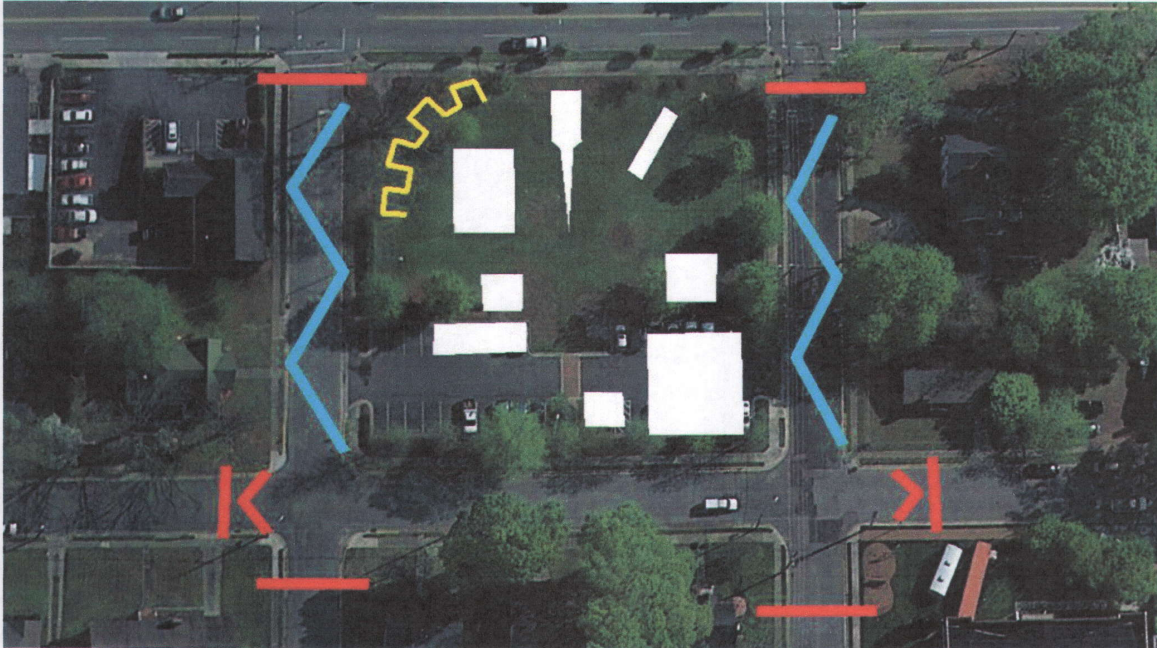
	Yes	No	Staff Notes
1. Will the event include mechanical rides, or other similar attractions? <i>Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.</i>	☐	☒	
2. Please list/describe rides and attractions:			
3. Does the event have food vendors?	☐	☒	
If yes, check all that apply:			
Served	Sold	Free	Catered
☐	☐	☐	☐
4. If the event includes food concessions and/or cooking areas: <i>Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.</i>			
Served Outdoors	Other		
☐	☐		

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEPTICLES/ROLL-OUT CARTS	Yes	No	Staff Notes
1. Does the event require roll-out carts?	☒	☐	
2. What types of trash will be discarded?			
Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates
☐	☐	☐	☐
Styrofoam Cups / Plates			
☐			
Other			
☒			
3. How many trash roll-out carts are needed?	Number 3		
4. How many recycle roll-out carts are needed?	0		
5. Delivery location?	Town Square		
6. Date rollout carts are to be delivered/picked up?	Delivered Nov 6 2016	Picked-up Nov 6 2016	← morning of Nov. 5?
PUBLIC PROPERTY CLEAN-UP			
7. Will portable toilets be used during the event?	☐	☒	
8. Date portable toilets will be delivered/and removed?	Delivered	Picked-up	
9. What is the clean-up plan for the event?	ROTC will be used from Local HIGH schools		
<i>Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.</i>			

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ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of \$1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

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EVENT BOUNDARY AND ROAD TRAFFIC PLAN

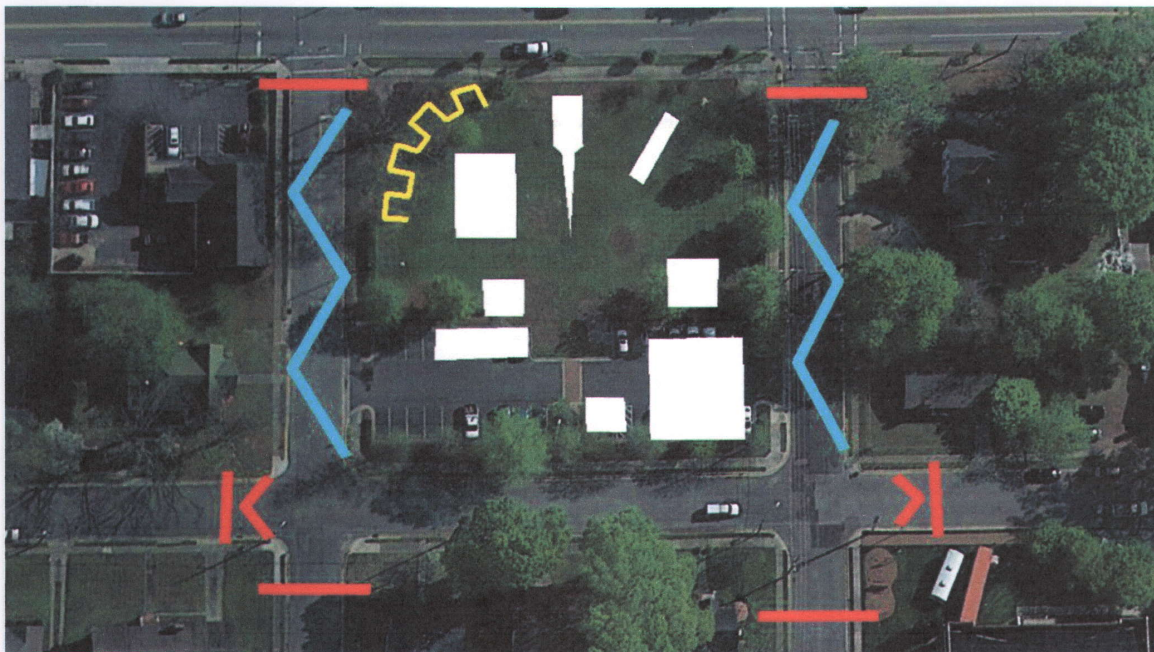
EVENT TYPE						Yes	No	Staff Notes
1. Will the event include use of public streets?						☒	☐	
2. How will the route be utilized?								
Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other			
☐	☒	☐	☐	☐	☐			
3. How many participants are expected?						Number		
						25		
4. How many floats will participate?						0		
5. How many vehicles will participate?						0		
						Yes	No	
6. Will animals participate in the event?						☐	☒	
7. If yes, please list the types of animals:								
EVENT BOUNDARIES								
Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).								

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE			Staff Notes
1. List the street(s) and times in which street(s) will need to be closed (Please note that NC and US roadways require approval from the North Carolina Department of Transportation):			
Street(s):	Begins	Ends	
O'Neil, Second St, Fayetteville			
2. How many participants are expected?			
EVENT ROUTE			Staff Notes
DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).			
Please note that <u>white temporary water-base paint</u> can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).			

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SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

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SAFETY AND SECURITY					Yes	No
10. Will security be used during the event?					☐	☒
11. Will overnight security be used?					☐	☒
12. How many off duty officers will be used?					N/A	
13. Please check the type(s) of security that will be used:						
Alcohol Security	Stage Security	Event Area Security	Gate Security	Money Handling Security	Other	
☐	☐	☐	☐	☐	☐	
14. Date(s) and time(s) security will be on site:						
Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.						

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

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7. If the event will utilize Home Square, a \$250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☒	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Special Event 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.

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature: _____

Michael Smith

Date: _____

Sept. 8 2016

April 2014

NORTH CAROLINA
JOHNSTON COUNTY



INDEMNIFICATION AGREEMENT

I, Michael Sims have submitted an application for a Special Event Permit for VETERANS DAY EVENT on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Michael Sims

Signature of Applicant & Authorized Representative of Event

Sworn to (or affirmed) and subscribed before me this the _____ day of _____, 20____.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires: _____



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

AGENDA LOCATION:

Items Scheduled for Regular Meetings

Meeting Date:

October 17, 2016

ITEM TITLE:

Special Event #2016-16 - 2016 Christmas Parade

DESCRIPTION:

The 2016 Christmas Parade is scheduled to be held on Saturday - December 10, 2016. Request is to close Main Street from S. Robertson to Fayetteville from 11:00 a.m. until 5:00 p.m. Municipalities, per NCGS 20-169 have authority to regulate the use of state roads by procession or assemblages via ordinance. A letter of intent has been forwarded to NCDOT advising of the date,time & location of closure of Main Street for the 2016 Christmas Parade.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

PRESENTER:

Marty Bizzell, Clayton Rotary

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the \$100.00 application fee (if applicable). All fees are due when the application is submitted.

NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: Clayton Christmas Parade

Applicant Name and Title: Jim Perricone, Parade Chairperson, Clayton Rotary Club

Organization: Clayton Rotary Club

Mailing (Billing) Address: _____

City: Clayton

State: NC

Zip Code: _____

Daytime Phone: 919-628-9063

Cell: 919-628-9063

Email: jim3591@outlook.com

EVENT INFORMATION

Event Location: Downtown Clayton

Event Address: Main St & S Robertson St

Parcel ID : N/A

Date(s) of Event: December 10, 2016

Event Start Time: 3 PM

Event End Time: 5 PM

Will roads need to be closed: ☒ Yes ☐ No

Set Up Begins: 11 AM

Clean Up Ends: 7 PM

Estimated Attendance: 10,000

Description of Event: Parade: floats, bands, vehicles, dancers & politicians

TOWN OF CLAYTON STAFF USE ONLY

Date Received: 8/22/16

Amount Paid: NA

Permit Number: 2016-16

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ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☐ N/A

Is the Organization a 501(c) 3? ☒ Yes ☐ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☐	☒
2. Is the organization a 501(C)3	☐	☒

Briefly describe the purpose of the organization: Rotary: local, regional, national & international community service

Name of Organization: Clayton Rotary Club

Organization Address: PO Box 462

Clayton NC 27528-0462

Organization Contact Name: Jim Perricone

Phone Number: 919-628-9063

Organization Email: jim3591@outlook.com

Federal Identification Number: _____

TENTS & MEMBRANE STRUCTURES

**** A TENT is a structure, enclosure, or shelter, with or without sidewalls or drops****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will tents be used at the event?	☐	☒		
2. How many tents will be used?				
3. What is the size of the tents being used? <i>Please note that tents greater than 240 square feet in size require a building permit and associated inspections.</i>				
4. Are there multiple tents without sidewalls being placed side by side? <i>Please note that 12 feet of separation is required between all tents larger than 700 square feet. .</i>	☐	☒		

**** A MEMBRANE structure is an air-inflated or air supported structure ****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will a membrane structure(s) be used at the event?	☐	☒		
2. How many membrane structures will be used?				

April 2014

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators?	☐	☒	
2. Will you use a Town of Clayton power source?	☐	☒	
PLEASE NOTE: NO direct wiring to any power source is permitted.			

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☒	☐	
If yes, state the number of bands:	TBD		
2. Will a temporary stage be utilized?	☐	☒	
If yes, please state the number of stages			
3. Will the event use amplified sound?	☐	☒	
If yes, please list start time and finish time.	Start Time	Finish Time	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.	☐	☒	
2. Will there be any portable heaters?	☐	☒	
3. Will there be any deep fat fryers?	☐	☒	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? If yes, please contact the Fire Marshall for more 919-553-1520 information.	☐	☒	

ALCOHOL

	Yes	No	Staff Notes
1. Will alcoholic beverages be served? If yes, an ABC permit is required.	☐	☒	
2. Will alcoholic beverages be sold? If yes, an ABC permit is required.	☐	☒	
3. What type of alcohol will be served?			
Draft Beer	Can/Bottle Beer	Wine	Liquor
☐	☐	☐	☐
4. Who will be serving the alcohol? Please identify on the site plan the locations within event site where alcohol will be served.			
5. List times that alcohol will be served	Start Time	Finish Time	
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.			

VENDORS

	Yes	No	Staff Notes		
1. Will the event include mechanical rides, or other similar attractions? <i>Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.</i>	☐	☒			
2. Please list/describe rides and attractions:					
3. Does the event have food vendors?	☐	☒			
If yes, check all that apply:					
Served	Sold	Free	Catered	Served Outdoors	Other
☐	☐	☐	☐	☐	☐
4. If the event includes food concessions and/or cooking areas: <i>Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.</i>	☐	☐			

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEPTICLES/ROLL-OUT CARTS						Yes	No	Staff Notes
1. Does the event require roll-out carts?						☒	☐	
2. What types of trash will be discarded?								
Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates	Styrofoam Cups / Plates	Other			
☒	☒	☒	☐	☐	☐			
3. How many trash roll-out carts are needed?						Number		
						TBD		
4. How many recycle roll-out carts are needed?						TBD		
5. Delivery location?						along Parade route		
6. Date rollout carts are to be delivered/picked up?						Delivered	Picked-up	
PUBLIC PROPERTY CLEAN-UP						Yes	No	
7. Will portable toilets be used during the event?						☐	☒	
8. Date portable toilets will be delivered/and removed?						Delivered	Picked-up	
9. What is the clean-up plan for the event?								
Volunteers by section along parade route will handle getting loose trash into containers.								
Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.								

SAFETY AND SECURITY		Yes	No
10. Will security be used during the event?		☐	☒
11. Will overnight security be used?		☐	☒
12. How many off duty officers will be used?		TBD with CPD	
13. Please check the type(s) of security that will be used:			
Alcohol Security	Stage Security	Event Area Security	Gate Security
☐	☐	☐	☐
			☒
14. Date(s) and time(s) security will be on site:		90 minutes before Parade start and 60 minute after Parade end.	
Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.			

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

April 2014

EVENT BOUNDARY AND ROAD TRAFFIC PLAN

EVENT TYPE						Yes	No	Staff Notes
1. Will the event include use of public streets?						☒	☐	
2. How will the route be utilized?								
Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other			
☒	☐	☐	☐	☐	☐			
3. How many participants are expected?					Number			
					TBD			
4. How many floats will participate?					TBD			
5. How many vehicles will participate?					TBD			
					Yes	No		
6. Will animals participate in the event?					☒	☐		
7. If yes, please list the types of animals:								
EVENT BOUNDARIES								
<i>Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).</i>								
E Second & Main Streets to S Robertson St to High School								

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE			Staff Notes
1. List the street(s) and times in which street(s) will need to be closed <i>(Please note that NC and US roadways require approval from the North Carolina Department of Transportation):</i>			
Street(s):	Begins	Ends	
Main St	2 Pm	4 PM	
S Robertson St	2 PM	4 PM	
2. How many participants are expected?		Number	
EVENT ROUTE			Staff Notes
<i>DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).</i>			
E Second & Main Streets to S Robertson St to High School			
<i>Please note that white temporary water-base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).</i>			

ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of \$1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

April 2014

7. If the event will utilize Horne Square, a \$250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☐	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Special Event 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.

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature:

Date:

8/19/2016

April 2014

**NORTH CAROLINA
JOHNSTON COUNTY**



INDEMNIFICATION AGREEMENT

I, _____ have submitted an application for a Special Event Permit for _____ on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Signature of Applicant & Authorized Representative of Event

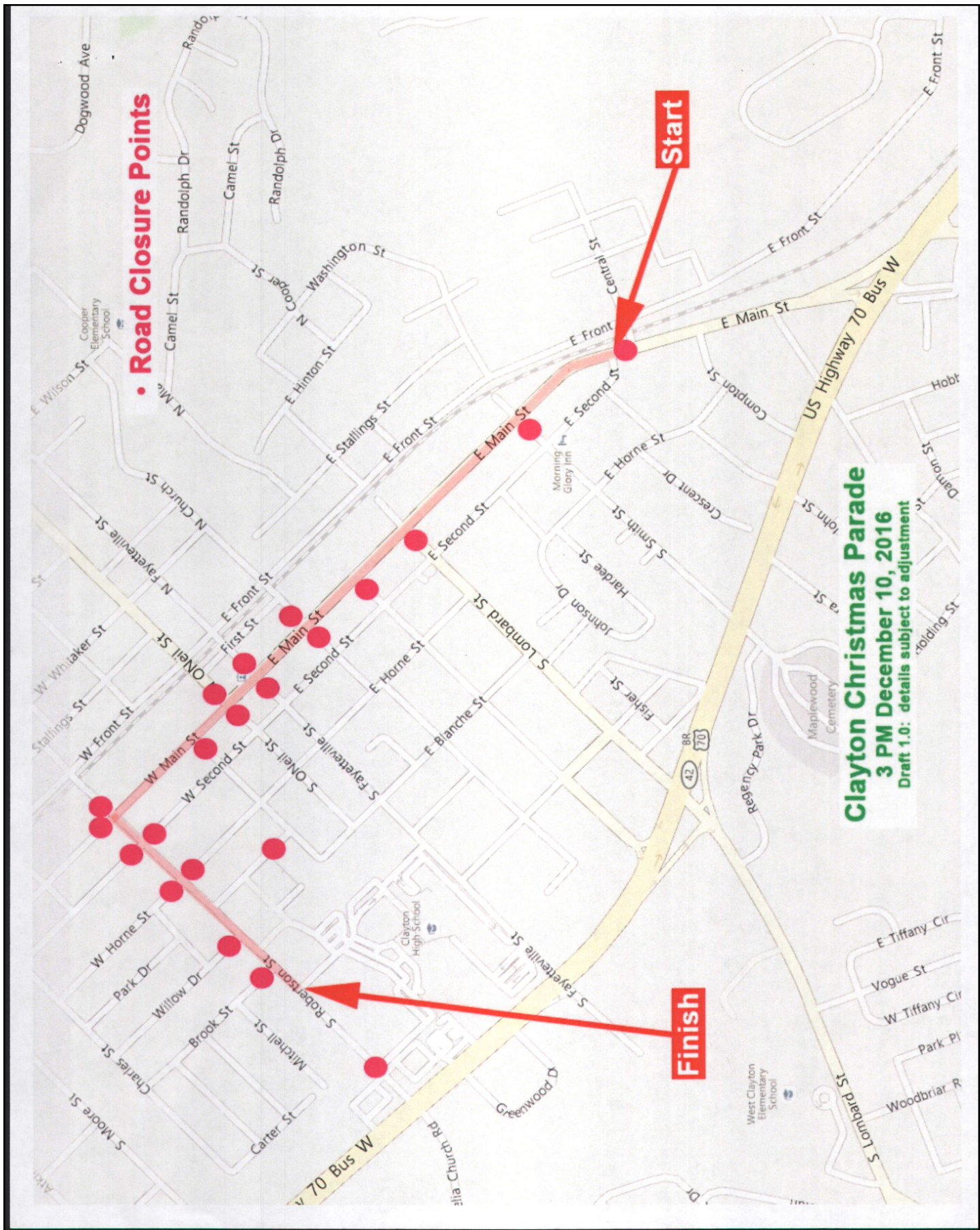
Sworn to (or affirmed) and subscribed before me this the _____ day of _____, 20____.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My commission expires: _____



Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

TOWN MANAGER



Adam Lindsay
Bob Satterfield
Art Holder
Jason Thompson
R.S. "Butch" Lawter, Jr.
COUNCIL MEMBERS
Michael Grannis
MAYOR PRO TEM

October 11, 2016

Todd Lewis
Division Engineer
NCDOT -Division IV PO Box 3165
Wilson, NC 27895-3165

Sent Via Email: ctlewis@ncdot.gov

RE: 2016 Christmas Parade

Dear Mr. Lewis

Please be advised that the Town of Clayton will be enacting an ordinance on October 17, 2016 in accordance with NCGS §20-169 to close Main Street (between S. Robertson and Fayetteville Streets) on the following date and time:

Saturday – December 10, 2016
11:00 a.m. – 5:00 p.m.

A copy of the executed ordinance will be forwarded to your office.

Should you have any questions/concerns, please feel free to contact me directly at 919-359-9334 or via email at kmoffett@townofclaytonnc.org. Thanking you in advance for your assistance.

Sincerely,

Kimberly A Moffett, CMC, NCCMC
Town Clerk

CC: Nancy Medlin, Deputy Town Mgr.
Lee Barbee, Fire Chief
Tim Simpson, Public Works Director
Kaitlin Russo, Downtown Development Coordinator

Steve Blasko, Streets/Property Maintenance Supervisor
R.W. Bridges, Police Chief
Chief John Coley, Police Captain
Scotty Henley, Executive Director - Clayton Center

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

WHEREAS, the Clayton Town Council acknowledges a long tradition of an annual Christmas parade for the pleasure of its citizens; and

WHEREAS, the Clayton Town Council acknowledges a parade will require signage and traffic control prior to the start and upon the completion of the parade;

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

DATE: Saturday – December 10, 2016

TIMES: 11:00 a.m. – 5:00 p.m.

ROAD CLOSURE: Main Street between S. Robertson and Fayetteville St.

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

Duly adopted this this 17th day of October, 2016.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

AGENDA LOCATION:

Old Business

Meeting Date:

October 17, 2016

ITEM TITLE:

Cemetery Information Update

DESCRIPTION:

Mr. Simpson will provide updated information regarding cemeteries as requested by council at the September 19, 2016 meeting. At the September 19, 2016 meeting, Customer Service Director provided information regarding unpaid cemetery plots and requested direction from Council how to proceed with collection.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Public Works/Operations

PRESENTER:

Tim Simpson, Public Works Director.

ITEM HISTORY:

Date:

September 19,
2016

Action Taken:

Requested staff for additional information

Information Provided:

Date:

Action Taken:

Information Provided:

TOWN OF CLAYTON

OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

Date: October 12, 2016

To: Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager

Copy: Tim Simpson, Public Works and Utilities Director
Ann Game, Customer Service Director

From: Heather Probst, Sr. Admin. Support Specialist *HP*

Subject: Town of Clayton Cemetery Grave Survey

Please find below the information requested for Maplewood Cemetery and Forest Hills Cemetery. The summary includes available, sold/committed but un-occupied, occupied and unusable graves. The information is effective through 09/22/2016.

Cemetery	Available Graves	Sold/Committed	Occupied	Unusable	Total
Maplewood	823	1,825	2,747	197	5,592
Forest Hills	1,244	436	779	10	2,469
Totals	2,067	2,261	3,526	207	8,061

Available Graves: Available for purchase

Sold/Committed: Graves are sold or under contract w/no interment

Occupied: Sold w/ interment

Unusable: Can not use due to obstruction (tree, space too small, etc.)



Cemetery Collection Issues

Council Update
September 19, 2016

Current Situation

- 79 collection letters mailed in April
 - 34 paid as requested (14 in full)
 - 18 letters returned as undeliverable
 - 45 customers past due
- Currently past due balance = \$51,695
- Unpaid graves = 82
- Two customers are on a monthly pay arrangement to pay off balance.

Current Ordinance

- 92.01 SALE OF USE LICENSE FOR CEMETERY LOTS
- ...Any contracts not paid in full by June 30 of the year the contract was executed will be terminated and no refunds will be granted. ...

Staff Recommendation for Existing Unpaid Lots

- Send certified letters to the 45 customers
- Effective February 1, 2017 for all unpaid invoices, we will terminate the exiting contracts due non payment and refund NO monies.

Staff Recommendation for Ordinance Changes

92.01 SALE OF USE LICENSE FOR CEMETERY LOTS

© All persons desiring to purchase a use license for cemetery lots on an installment basis will be subject to the following: A down payment of not less than \$100 will be required. A contract for purchase of the use license must be executed by the purchaser and the Public Works and Utilities Director or their designee detailing price, term and payment due dates. ~~The terms are to allow for installment payments with payment in full for each cemetery lot to be completed by June 30 regardless of the date the contract for the use license is executed.~~ The terms are to allow for payment in full of one lot at the time of purchase with any additional lot purchases to be paid in full by June 30 of the following year. Any contracts not paid in full by June 30 of the year the contract was executed will be terminated and no refunds will be granted. Hardship cases will be determined by the Town Manager or his designee. As stipulated in division (A) of this section, no burials will take place and no use licenses will be issued until payment in full is made.

Questions?



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

AGENDA LOCATION:

Old Business

Meeting Date:

October 17, 2016

ITEM TITLE:

Special Events Policy

DESCRIPTION:

This item was presented to Council on April 18, 2016 and May 16, 2016. Council has requested additional information and Mr. DeYoung will present an updated draft policy.

POTENTIAL ACTION:

Place on Consent Agenda

DEPARTMENT:

Planning + Zoning

PRESENTER:

David DeYoung, Planning Director

ITEM HISTORY:

Date:

April 18, 2016

Action Taken:

Placed on May 16, 2016 Agenda

Information Provided:

Information & Policy

Date:

May 16, 2016

Action Taken:

Additional information from staff is required. Staff will bring back to council at a later date.

Information Provided:

Information & Policy

TOWN OF CLAYTON

Special Events Support Policy

A. Purpose

Special events provide opportunities to improve quality of life, build a sense of community, showcase local and regional talent, enrich cultural opportunities, draw first-time visitors to the Town of Clayton and contribute to the local economy.

This policy outlines a process for facilitation of special events in the Town of Clayton. It further aids in identification of resources required and cost allocation for the provision of those resources.

It is the policy of the Town of Clayton that ~~any approved~~ special events should not result in the expenditure of excessive public resources.

This policy is intended to work in concert with all other applicable rules, regulations, laws, and ordinances of the Town of Clayton and the State of North Carolina.

This policy does ~~NOT~~ not apply to rental or use of The Clayton Center. ~~In general~~ This policy does ~~NOT~~ not ~~generally~~ apply to the rental or use of Town parks ~~operated by the Parks and Recreation Department~~, however the ~~The~~ Parks and Recreation Department may at their discretion require applicants to submit to the Special Event process if the proposed event is deemed to have significant impact on Town resources.

B. Definitions

Event Organizer: Any individual, firm, or organization proposing a special event on public property or property controlled by the Town of Clayton.

Public Property: Refers to all Town and State-owned property, squares, streets, sidewalks, rights-of-way and greenways.

Special Event: An event, public or private, occurring on public property as defined above. This includes, but is not limited to road races, public gatherings, demonstrations, competitions, concerts, festivals, neighborhood events, fund raisers, and entertainment/amusement events. If the special event is on private property, the Town reserves the right to require event organizers to submit a special event permit application pursuant to this policy if the nature and scope of the event ~~encumbers public property or~~ requires Town services and/or resources.

Private Event: Activities where the general public is not invited, events such as weddings or family reunions that occur on Town Square, Horne Square, Town parks or greenways or similar spaces. ~~Private events~~ are required to submit ~~either~~ a Special Event permit application or temporary use permit application as determined by the Planning Department.

Road Race: Organized activity involving running, biking, walking or other means of transportation, with three or more participants ~~and utilizing a fixed course/route~~ that involves the use or obstruction of Town street rights-of-way, Town sidewalks, Town parks or greenways.

Parade/Demonstration: An organized activity involving movement of or gathering of a group, with three or more participants and utilizing ~~a fixed route or destination over~~ Town street rights-of-way, Town sidewalks, parks, greenways or squares. ~~These events require a p~~Parades ~~and~~ demonstrations ~~require a~~ permit to be issued by the Clayton Police Department.

Neighborhood Block Party: ~~An O~~rganized, small-scale activity that closes or blocks public streets or sidewalks. These small-scale gatherings are ~~generally~~ initiated by and are intended to attract only local residents who live on or in close proximity to the street being closed. ~~They are not intended for the general public.~~

Video Production: ~~On~~ An organized activity involving video and/or still photography production that necessitates closure or blocking public streets, sidewalks or spaces.

Special Event Permit Application: An application required by the Town of Clayton ~~of an event organizer prior~~ to utilization ~~of~~ public property and/or public resources for a special event. ~~The application will be submitted to the Planning Department. Upon approval by~~ Special Event applications require approval from the Special Events Committee and ~~must meeting~~ all conditions ~~imposed on the event~~, ~~a Special Event Permit and/or a parade/ demonstration permit will be issued granting use of public facilities for a Special Event.~~

Special Events Committee: ~~The Town of Clayton Special Events Review Committee~~ A committee established for the purpose of reviewing and approving Special Events. The Special Events Committee does not authorize the closure or use of roads and public ~~property~~. Note: The Town Council has sole authority to close roads and public property.

Support Services: Services provided by the Town of Clayton to ensure that ~~a~~ special events ~~is are~~ conducted in a safe and healthy manner, ~~with protection of~~ people and property. ~~When appropriate each Department Director or designee shall estimate the Town Support Service requirements and related costs for each special event.~~ This includes manpower, equipment, supplies, and consumables required to service the special event.

Town-Sponsored / Partnered Special Event: An event that ~~either~~ originates from within a Town of Clayton department such as Downtown Development, Parks & Recreation, and Library, or any affiliated individual, group or organization which, ~~by action of Town Council, is partnering has an agreement and/or a budgeted allocation with the Town of Clayton to offer a special events. Support offered by the~~ Town of Clayton for Sponsored/Partnered Special Events ~~may require a will be consistent with the terms and conditions of these separate agreement which specifies the responsibilities of each party.~~

Staff Hours: The total number of hours dedicated by any Town staff-person involved in the planning, organizations, promotion, and execution of a Special Event, but not inclusive of time associated with processing a Special Event Application.

Yearly Event Limits: The maximum number of events permitted in a calendar year.

C. Categories of Special Events (See Appendix A for List of Known Events)

Category-Class A: A special event that that meets either of the following criteria (excludes road races/walks):

- a) ~~May-Requires~~ 80 or more extra staff hours by Town employees, or
- b) Is expected to draw approximately 5,000 or more spectators/participants.

~~Up to~~ No more than 6 Class A special events will be permitted each year by the Special Events Committee. The Special Events Committee may consider exceeding the 6 events if an event organizer agrees to pay for all Town expenses required of that event.

~~No more than two Class A special events can occur within 60 days of each other~~

Category-Class B: A special event that meets either of the following criteria (excludes road races/walks):

- a) ~~May-Requires~~ 24 to 80 extra staff hours by Town employees, or
- b) Is expected to draw approximately ~~500-up~~ to 5,000 spectators/participants.

No more than 10 Class B special events will be permitted each year by the Special Events Committee. The Special Events Committee may consider exceeding the 10 events if an event organizer agrees to pay for all Town expenses required of that event.

~~No more than two Class B special event can occur within 30 days of each other~~

Category-Class C: A special event that that meets either of the following criteria (excludes road races/walks):

- a) Does not exceed 24 staff hours by Town employees, or
- b) Is expected to draw approximately 500 or less spectators/participants within a consecutive 24 hour period

No more than 25 Class C special events will be permitted each year by the Special Events Committee. The Special Events Committee may consider exceeding the 25 events if an event organizer agrees to pay for all Town expenses required of that event.

~~There is no limit to the number of Class C events in a 30 day period, however, the Special Events Committee can require alternate dates based on the scheduling of other events and the amount of staff time and Town resources required or available.~~

Category-Class R: Road Races/Walks

- No more than 2 Class R special events will be permitted each year per neighborhood, park or greenway.
- ~~No more than one~~ Class R special events that utilize street right-of-way may not occur within 30 days of each other- within the same general area/neighborhood regardless of the route. ~~The Special Events Committee can require alternative dates based on the scheduling of other events and the amount of staff time required.~~

The Special Events Committee will consider exceeding any of the above Class limits if an event organizer has the ability to pay for all Town expenses required of that event.

D. Special Events Permit Process

- a) **Pre-Application Meeting:** Prior to any Special Event Application submittal, the Event Organizer must schedule and hold a pre-application meeting with a Planning Department/Special Events Committee staff member. ~~to review the Application.~~
- b) **Submittal Deadline:**
 - Applications are due the first Wednesday of each month.
 - Applications must be submitted a minimum of 60 days prior to the special event.
 - If the event involves the closure of an NCDOT street/road, the application is required 120 days before the event to allow adequate time for processing and approval.
- c) **Application:** Special Event -organizers must submit a complete Special Event Application with all applicable fees prior to Special Event Committee review. Incomplete applications will either be returned to the organizer or delayed until all required items have been submitted. and pay all applicable fees no later than 60 days prior to an event, or 120 days if the event involves the closure of an NCDOT street/road. Applications are due the first Wednesday of each month, without exceptions. Special Event Application forms are available on the Town of Clayton website (www.townofclaytonnc.org) or in the Planning Department.
- d) **Reservation of Dates:** Dates for events will be reserved on a first-come, first-serve basis by the Planning Department/Special Events Committee. The following restrictions shall apply:
 - Recurring events will be given first priority.
 - Conflicts will be resolved by the Planning Department/Special Events Committee.
 - The Special Events Committee can require alternative dates based on the scheduling of other events and the amount of staff time required.

Special Events Committee Review: ~~The Special Events Committee and T~~ the applicant must be present at the Special Events Committee meeting ~~meet~~ to review their application and address identified issues. The committee may make specific recommendations concerning the proposed location, scope, date and time for the special event. They will also evaluate the type and amount and of anticipated Town resources needed for the special event. Costs will be calculated based on the current Town of Clayton Fee Schedule (Appendix AB) ~~or an analysis of time expected necessary to support the event.~~

The criteria for evaluating Special Event Permit Applications are as follows:

- Completeness of application and event layout
- Impact and cost of the event on public health, ~~welfare and safety, and welfare~~
- Impact and cost of the event on Town support services
- Impact of the event on the environment and public property
- Frequency of the same or similar event(s) as well as potential conflicts with previously approved events
- Impact on the surrounding businesses or residences
- Ability for the public place to remain open to other users, ~~unless a street closure permit has been issued~~
- Perceived benefit of event for Town of Clayton residents and businesses
- Likelihood of participation by Town of Clayton residents and businesses
- Previous history of event organizer in facilitating successful special events
- Ability of event organizer to achieve goals set forth for special events

- e) **Town Council Review:** ~~The Special Events committee will submit a tentative events calendar to Town Council annually to support event planning and notice.~~ The Town Council ~~will review for approval~~ approval is required ~~requests to use/close Public Properties and/or streets for Special Events. Town Council will receive periodic updates of upcoming approved Special Events.~~

Presentation to Town Council

- For special events requiring road closures or use of Town resources, the applicant is required to attend a Town the Council meeting and ~~is required to~~ make a formal presentation ~~to Council~~ regarding the event. Presentations should provide information about planned event activities, requested closures, and should address projected numbers of attendees. Failure to make a presentation to Council may place the special event in jeopardy of being denied a permit.
- Town staff shall be responsible for ~~presenting requested road closures and an analysis addressing concerns or questions regarding~~ of the projected use of Town resources to the Council.

- f) **Post Event Review:** Following a Special Event, the Special Events Committee ~~will may~~ review all a special event ~~where concerns regarding~~ for consistency with town goals, public safety, and ~~appropriateness~~ review criteria listed above were identified during the special event. ~~The~~ Based on post event review, the Special Events Committee reserves the right to reject future Special Event Applications for any events failing to meet Town goals or standards.

g)

- g) **Notice Requirements:** In an effort to improve communications and keep impacted citizens, businesses and other establishments fully informed of all Special Events notices are required to include ~~the Special Events Committee requires the following notice:~~

g)

- g) **Notice Components:** ~~All notices must include~~ the information listed below. Postcards, door hangers and flyers should be black ink on brightly colored yellow paper. The Planning Department will provide a list of the addresses identified by the Special Events Committee that lie within the appropriate notice zone. Event organizers are reminded it is a Federal offense to place materials in or on mailboxes.

1. Name of eEvent
2. Name of sponsoring organization
3. Date and timeframe of event
4. Description of associated road closures and the timeframe of road closures, ~~if different than timeframe of event~~

5. Description of event and information about the noise impacts of event, such as music or fireworks, and their timeframe
6. Name and contact information of event organizer (including a phone number and email address)
7. Website address associated with event, if applicable
8. Statement that this notice is placed in accordance with requirements of the Town of Clayton, with Town of Clayton contact information.

- **Notice Requirement specific to Road Races/Walks:**

APPROXIMATELY 6 WEEKS ~~OUT FROM~~ PRIOR TO EVENT:

- Using the Town's notification template, ~~C~~ommunicate event details via first class mail ~~door-hanger or mass phone contact (Town service—fee applies)~~ with each business, church or school located along the event route or side street along the event route. A mass phone contact (code red call) can be performed by the Town in lieu of a mailing, subject to a Town service fee.
- Share the text of the ~~A~~ copy of all communications ~~shall be provided to~~ with the Planning-Department Public Information Office and the Planning Department.

AT LEAST 15 DAYS ~~ONE TO TWO WEEKS~~ OUT ~~PRIOR FROM TO~~ EVENT:

- Public Information Office will ~~C~~ommunicate event details via ~~door-hanger or~~ mass phone contact (Town service – fee applies) with all residents located along the event route or side street along the event route.
- Share the text of the communications with the Planning Department.
- In the event of a large apartment or business complex with one main lobby, it is acceptable ~~a~~ requirement of the applicant to hang (with the building owner/manager's permission) a flyer notification in a highly visible main area. Otherwise information must be distributed to each unit in the complex.

- **Notice Requirement specific to Neighborhood Block Parties:**

At Least

15 DAY ~~TWO TO THREE WEEKS~~ OUT ~~FROM~~ PRIOR TO EVENT:

- Event Organizers must notify every resident, business, place of learning or worship within the area 300 feet of the road closure, or in close enough proximity that they will be inconvenienced by the road closures and/or noise impacts associated with the event.
- Using the Town's notification template, ~~T~~he event organizer ~~can use any form of communication,~~ provided that the notification covers all required components and ~~shall mail the notification~~ notifies all residents and establishments at least 15 days prior to the event within the timeframe noted above.
- A copy of all communications shall be provided to the Public Information Office and the Planning Department.

- **Notice Requirement specific to Filming/Commercial Video Production:**

Approximately

72 HOURS ~~FROM~~ PRIOR TO EVENT:

- Event Organizers must notify every resident, business, and place of learning and worship located within the area 300 feet of the road closure,
- or in close enough proximity that they may be inconvenienced by the road closures and/or noise impacts associated with the activities. The event organizer can use any form of communication, provided that the notification covers all required components and notifies all establishments and residents at least 72 hours prior to the event.
- Using the Town's notification template, the event organizer shall mail the notification prior to the event within the timeframe noted above.
- A copy of all communications shall be provided to the Public Information Office and the Planning Department.

- **Notice Requirements for oOther Special Events:**

Generally, other special events will not be required to notify adjacent property owners. At the sole discretion of the Special Events Committee, ~~however, other a~~ special events may be deemed subject to the notification requirements. ~~if the event will be unusually disruptive to the surrounding property owners.~~

NOTE: News, public and community-oriented videography is exempted from these requirements.

- h) **Evaluation of Notice.** Failure to comply with these requirements ~~will result in a reduced event evaluation score and~~ may affect an event organizer's ability to host events in the future. ~~Event organizers are solely responsible for the costs associated with compliance with the notice requirements. The Special Events Committee shall determine the notice requirements based on the nature and impact of the event.~~

- i) **Denial & Appeal:** A Special Event Permit application may be denied if it is found that it's granting would not be in the public interest. Any applicant denied a Special Event Permit shall receive a written notice for the denial. The applicant may appeal the decision to the Town Council within fifteen working days (15) of the notice. The findings and the determination of the Town Council shall be final.

Payment of Fees: ~~Special Event Fees are listed in the Comprehensive List of Fees and Charges ("List") and in Appendix AB. The List is updated periodically by the Town Council time to time and can be found on the Town's website (www.townofclaytonnc.org). Special event fees must be paid in advance or the Special Event will be cancelled and the Special Event Permit will become void.~~

j)

- The application review fee is due at time of submittal.
- All Special Event fees and deposits must be paid no later than thirty (30) days prior to the event.
- Event organizers are solely responsible for the all costs associated with compliance with the notice requirements.
- No Special Event permits ~~shall~~ will not be issued until all fees and deposits are paid.

- k) **Issuance of Event Permit:** No Special Event shall take place without a Town issued Special Event Permit. The Permit must be available for inspection on site at the event at all times.

- l) **Permit Revocation:** The Town may revoke a Special Event Permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the Application; ~~or~~
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations; ~~or~~
3. Violated any local, State or Federal law; ~~or~~
4. Operated the Special Event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse; or
5. Failed to pay all Special Event fees.

- m) **Day of Event Requirements:** The event organizer or their designee must be on site at all times and reachable. The ~~S~~pecial ~~E~~vent ~~P~~ermit must be available for inspection on site at all times.

Special Event Fees

~~Special Event Fees are listed in the Comprehensive List of Fees and Charges ("List") and in Appendix B. The List is updated periodically by the Town Council and can be found on the Town's website (www.townofclaytonnc.org). Special event fees must be paid in advance or the Special Event will be cancelled and the Special Event Permit will become void.~~

E. Event Rejection/Cancellation/Refund of Fees

If the special event is rejected or cancelled after the payment of fees because of conditions beyond the control of the event organizer, the Town may consider a partial refund of fees paid, however application fees are not refundable. The Special Events Committee will assess any costs already incurred by the Town and coordinate with the affected Department Directors to calculate the amount of refund.

F. Rules and Prohibitions

- **Adherence to Town Ordinances and Rules:** All applicants must adhere to all Town ~~O~~rdinances and Rules of Use for Town Square and Horne Square, as applicable. rules-of-use.
- **Alcohol:** Event organizers must acquire all required permits from the North Carolina Alcohol Beverage Commission. Alcohol sales, consumption and possession are prohibited on Town property, unless the following criteria is met:
 - A copy of the approved NCABC permit is submitted with the Special Events Permit Application
 - Off-duty Town of Clayton police officers must be hired for security during permitted times of alcohol sales or consumption. The number of officers is determined by the Special Events Committee.
- **Alterations to Public Property:**
 - Alterations to public property including the attachment or installation of decorations or displays are strictly prohibited unless advance permission has-been granted by the Town.
 - Alteration or tampering with infrastructure (electric panels, irrigation, meters, etc.) is strictly prohibited, will result in the revocation of the permit, and will affect the event organizer's ability to host events in the future.
- **Repairs.** Repairs necessary due to damage to any structure, irrigation system, landscaping, or infrastructure will be billed to the event organizers at replacement cost plus a fifteen percent premium on labor. The Town reserves the right to regulate placement and method of placement of items or structures on any public property. Please reference the rules and procedures regarding damage Rules of Use Policy for Town Square and Horne Square.
- **Signage:** ~~Banners and signs~~Signage promoting the event ~~are-is~~ allowed in a limited number of areas within Town limits, subject to review and approval by the Planning Department, as provided in the Special Event Signage and Banner Application Permit Process.
- **Event Equipment and Layout:** A layout of the event area, including locations of all tables, chairs, tents, stages, vendor set-up, portable restrooms, road closures, parking plans, and other equipment must be submitted with the application and may be modified by the Special Event Committee. No event equipment will be provided by the Town of Clayton. Organizers are not permitted to drive stakes into the ground on any Town of Clayton property.
- **Town of Clayton Promotion of an Event:** If deemed appropriate by the Town, A special event may be promoted via the Town of Clayton's various communication tools if the event organizer submits a brief, written description of the event by electronic means to the Public Information Office no less than one week prior to the event. The description should cover Who, What, When, Where, Why, and a photograph, flyer, and link to a website or other online location for more event details. Commercial events/activities will-be generally not ~~be~~-promoted on the Town of Clayton website unless the event is in partnership with the Town. Event promotion will be performed on a time available basis and will be secondary to other ~~P~~ublic ~~I~~nformation ~~O~~ffice functions.
- **Food Sales:** Any intention to sell food must comply with any and all State Sanitation laws. Copies of any State required permits must be supplied to the Planning Department prior to the event. Fire Code requires a fire extinguisher at each cooking location.
- **Safety, Security, Medical:** The event organizer may be required to hire off-duty Town of Clayton police officers to provide security to ensure public safety. EMS services may be required to be present to support medical needs.

- **Parking:** Participants must adhere to all parking regulations established by the Town of Clayton. Event organizers are prohibited from charging patrons for parking in public spaces without the express written consent of the Town of Clayton. Event organizers must secure adequate on- or off-site parking for large events. When off-site parking is utilized, use of shuttles for transport must be approved by Special Events Committee. Likewise, a pedestrian circulation plan may be required.
- **Resource Estimates:** The Special Events Committee reserves the right to be the final authority in estimates of attendance, need for additional staff hours, and/or assignment of manpower and equipment ~~for~~ at special events.
- **Restroom Facilities:** For all events which are 4-hours duration or longer, portable toilets may be required. The Special Events Committee will assist the event organizer in determining the number and placement of toilets. ~~needed, although a ratio of one toilet per 100 attendees can be used as a guide.~~ In compliance with the Americans with Disabilities Act, the event organizer must provide a sufficient number of handicap accessible portable toilets. It is the event organizer's responsibility to make all arrangements (contacting, reserving, coordinating drop-off, pumping during the event, and pick-up) ~~and pay any rental including the payment of all associated~~ fees.
- **Sanitation:** ~~Garbage and recycling carts.~~ If deemed necessary by the Special Events Committee, Planning Department or ~~Streets Public Works~~ Department, garbage and recycling carts, must be rented from the Town of Clayton. Fees will be charged to the event organizer at the prevailing rate from the Town's contracted solid waste vendor. The Special Events Committee will assist the event organizer to determine the number and placement of garbage and recycling carts required for the event. It is the event organizer's responsibility to collect any garbage and recycling and ensure the carts are returned to their original drop-off location on site following the event in order to ensure return of the deposit.
- **Clean-up & Damage:** It is the event organizer's responsibility to ensure the event location is returned to its original condition following an event. The event site will be inspected after an event and any work needed to clean-up or repair will be charged to the event organizer and may result in forfeiture of deposit and revocation of future event privileges.
- **Noise:** All events must be in compliance with the Town of Clayton Noise Ordinance, located in Section 98.01 of the Town's Code of Ordinances. Sound system equipment is not provided by the Town of Clayton. The event organizer must indicate on the Special Event Permit Application of any intended use of a sound system or any amplified sound during the event.
- **Utilities:** Specific requirements for the use of electricity and water must be submitted with the application. Electricity and water are not available without permission from the Town. A flat utility fee will be charged for events less than one day. Events exceeding one day will be required to establish a utility account and pay for consumed utilities.

G. Insurance

For events on Town of Clayton property, applicants must provide proof of General Liability insurance coverage in amounts at least equal to those carried by the Town. The Town must be named as an "additional insured" and a certificate showing such must be provided prior to the issuance of the Special Event Permit.

H. Release and Indemnity

Each event organizer must execute a release and indemnity agreement as included in the Special Event Permit Application. Event organizers must demonstrate that they are either personally or organizationally responsible for liability, ~~and~~ will guarantee orderly behavior, ~~and~~ will underwrite any damage of the premises. Liability is assumed by the applicant in regard to any personal or property damage rising out of activities ~~of the~~ related to the applicant event. It is the responsibility of the event organizer to read the application form completely and understand fully his/her responsibilities.

I. Assignment

The event organizer shall be prohibited from assigning any rights ~~under this agreement~~ granted through the Special Use Permit Process and may not convey to the use of the premises to any other party.

J. Discrimination

The applying organization, association, or entity shall not discriminate or advocate discrimination on account of race, color, religion, creed, national origin, age, gender, sexual orientation or disability.

APPENDIX A

Month	Town Sponsored/Partnered Event	Event Class	Attendance	Staff Hours								Organizer	Street Closures?
				Public Works	Police	PD Off Duty	Fire	Electric	Planning	Parks & Rec	Total		
July	July 4th Celebration	A	10,000	2.00	160.00	-	30.00	4.00	2.00	100.00	298.00	Parks & Rec	Yes
Sept	Harvest & Music Festival	A	20,000	28.00	252.00	-	28.00	10.00	3.00	-	321.00	Chamber of Commerce	Yes
December	Christmas Village & Tree Lighting	A	5,000	58.00	80.00	-	11.00	1,500.00	60.00	-	1,709.00	CDDA	Yes
December	Christmas Parade	A	10,000	32.00	150.00	-	20.00	6.00	20.00	-	228.00	Chamber of Commerce	Yes
May	Halloween Parade	B	300	28.00	30.00	-	-	2.00	2.00	20.00	82.00	Parks & Rec	No
May	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
June	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
July	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
August	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
September	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
Mar	Easter Egg Hunt	C	300	-	-	-	6.00	2.00	2.00	10.00	20.00	Parks & Rec	No
April	Flag of Truce	C	1,000	8.00	-	-	-	2.00	2.00	-	12.00	Library/CHA	No
May/August	Movie Nights	C	600	10.00	-	-	-	2.00	40.00	-	52.00	CDDA	No
May	Clayton Road Race	R	500	36.00	75.00	-	10.00	2.00	-	30.00	153.00	Parks & Rec	Yes
Subtotal				297.00	748.00	30.00	105.00	1,540.00	431.00	160.00	3,311.00		

Month	Known Private Events	Event Class	Attendance	Staff Hours								Organizer	Street Closures?
				Public Works	Police	PD Off Duty	Fire	Electric	Planning	Parks & Rec	Total		
June	Mondo Roots Music & Art Faire (formerly Millstock)	B	1,200	36.00	-	-	-	4.00	3.00	-	43.00	Clayton Visual Arts	Yes
October	Squealin' On the Square	B	200	18.00	0.50	6.50	-	4.00	2.00	-	31.00	Chamber of Commerce	Yes
October	The Shindig	B	1,500	24.00	0.50	6.50	-	2.00	3.00	-	36.00	Mid-Day Rotary	Yes
October	CHS Homecoming Parade	C	800	-	12.00	-	-	2.00	2.00	-	16.00	Clayton High School	Yes
October	Truck or Treat	C	100	5.00	-	-	-	2.00	2.00	-	9.00	Horne UMC	No
December	Community Christmas Eve Service	C	100	-	-	-	-	2.00	2.00	-	4.00	Greater Heights UMC	No
December	Santa Baby Road Race	R	200	36.00	5.00	32.00	-	2.00	2.00	-	77.00	Reciprocity Events	Yes
March	Run for the Rockets	R	200	20.00	1.00	2.00	-	2.00	2.00	-	27.00	Cooper PTA	Yes
May	Heart Chase	R	300	8.00	1.00	2.00	-	2.00	2.00	-	15.00	American Heart Association	Yes
May	AlzNC - Johnston County Walk	R	200	8.00	-	-	-	2.00	2.00	-	12.00	Alzheimer's NC	No
September	Kid's Bubble Run	R	200	8.00	-	-	-	2.00	2.00	-	12.00	Little Believers Academy	No
Subtotal				163.00	20.00	49.00	-	26.00	24.00	-	282.00		
Grand Total				460.00	768.00	79.00	105.00	1,566.00	455.00	160.00	3,593.00		

Note: Specific events listed are for illustrative purposes and do not imply or guarantee a reservation. All events are subject to the Special Events Permitting process.

APPENDIX ~~AB~~

Special Event Fees	Town of Clayton Taxpayer	Non-Town of Clayton Taxpayer
Application Review Fee	\$100	\$200
Sanitation Deposit <i>Deposit is refundable within 30 days of the end of an event provided a post event inspection finds no unsatisfactory conditions.</i>	Class A = \$250 Class B = \$125 Class C = \$50 Class R = \$50	Class A = \$500 250 Class B = \$250 125 Class C = \$100 50 Class R = \$100 50
Rental of Town/Horne Square	\$25/day	\$50/day
Street Closure (including electronic message board)	\$50/day	\$100/day
Type III Barricade Rental	\$5/barricade/day	\$10/barricade/day
Police Detail Fee <i>Number of officers dependent on security needs/length of street closures and alcohol sales</i>	\$35/officer/hour (3 hour minimum)	\$35/officer/hour + \$100 administration fee (3 hour minimum)
Rental of GarbageGarbage/Recycling Containers <i>4 roll-out container minimum - 2 garbage/2 recycling</i>	\$13/container/day (\$52 minimum)	\$13/container/day + \$50 administration fee (102 minimum)
Electricity/Water fee <i>Events that are more than one day shall pay metered consumption. All other events are charged a flat rate.</i>	\$10/utility	\$20/utility
Generating Notice Addresses	\$25/hour (1 hour minimum)	\$50/hour (1 hour minimum)
Code Red Call/Mass Phone Contact	\$50	\$100

NOTE: Town sponsored events are exempt from all fees.