The Town Of Clayton
Town Council Work Session Meeting Agenda
Monday, March 21, 2016 @ 6:30 PM
Council Chambers

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

a. Draft Minutes - March 7, 2016
Cover - Minutes
March 7 2016 DRAFT Minutes

b. Budget Amendments
- Fund 300 - Vinson Road
- Fund 612
- General Fund & Special Revenue - PED Connector

Cover - Budget Amendments
Fund 300 Budget Amendment Vinson Road
Fund 612 Budget Amendment
General Fund & Special Revenue Fund PED Connector Budget Amendment

POTENTIAL ACTION: Approval of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Hazard Mitigation Plan Adoption and Resolution
Presented By: Kevin Madsen, Emergency Management Coordinator

Cover - Hazard Mitigation Plan
Hazard Mitigation Plan
Resolution - Hazard Mitigation

POTENTIAL ACTION: Place Resolution on April 4, 2016 Consent Agenda

b. Gregory Poole Plaque Presentation
Presented By: Paul Calton, Territory Sales Manager

Cover - Gregory Poole Plaque Presentation

POTENTIAL ACTION: None - Presentation Only

c. Introduction of New Employees
Presented By: Dale Medlin, Electrical Systems Director & David DeYoung, Planning Director
Cover - Introductions of New Employees

POTENTIAL ACTION: None - Informational

d. Mondo Roots Cultural Arts & Music Festival Presentation- June 4, 2016
Presented By: Dave Brown - Mondo Roots Festival Representative

Cover - Mondo Roots Festival

POTENTIAL ACTION: None - Presentation Only

6. ITEMS SCHEDULED FOR THE REGULAR MEETING

a. Mondo Roots Request for Street Closure
Presented By: David DeYoung, Planning Director

Cover - Mondo Roots Festival Request Street Closure
Application - Mondo Roots Cultural Arts & Music Festival
Staff Report - Mondo Roots Cultural Arts & Music Festival
Resolution - Mondo Roots

POTENTIAL ACTION: Approval/Disapproval of Resolution #2016-08

b. 2016 DDA Concert Series - Resolution to Amend Concert Dates
Presented By: David DeYoung, Planning Director

Cover - DDA Concert Date Changes
Resolution - DDA Concert Series Date Change

POTENTIAL ACTION: Approval/Disapproval of Resolution # 2016-09

c. Clayton Road Race Presentation & Request for Street Closure - May 14, 2016
Presented By: Matt Lorion, Program Supervisor

Cover - Clayton Road Race
Map - Clayton Road Race
Resolution - Clayton Road Race

POTENTIAL ACTION: Approval/Disapproval of Resolution# 2016-10

d. Master Site Plan: 2015-82-SP Novo Nordisk Bright Sky
Presented By: Jay McLeod, Planner

Cover - Novo Nordisk Bright Sky

Application - Novo Nordisk Bright Sky Major Site Plan
Staff Report - Novo Nordisk Master Site Plan
Map - Novo Nordisk Bright Sky Master Site Plan
Neighborhood Meeting - Novo Nordisk Bright Sky Master Site Plan
Site Plan - Novo Nordisk Bright Sky Building Master Site Plan
PB Recommendation - Novo Nordisk Bright Sky Master Site Plan

POTENTIAL ACTION: Set Public Hearing for April 4, 2016

e. **Special Use Permit: 2016-20-SUP Novo Nordisk Bright Sky Building Height**
Presented By: Jay McLeod, Planner

Cover - Novo Nordisk Bright Sky SUP
Application - Novo Nordisk Bright Sky Building Height
Staff Report - Novo Bright Sky Building Height
Map - Novo Nordisk Bright Sky Building Height
Neighborhood Meeting - Novo Nordisk Bright Sky Building Height
PB Recommendation - Novo Nordisk Bright Sky Building Height
Public Notice - Novo Nordisk Bright Sky Building Height

POTENTIAL ACTION: Set Public Hearing for April 4, 2016

f. **Rezoning: 2015-84-RZ - Clayton Northside Substation**
Presented By: David DeYoung, Planning Director

Cover - 2015-84-RZ Clayton Northside Substation Rezoning
Application - Clayton Northside Substation Rezoning
Staff Report - Clayton Substation Rezoning
Map - Clayton Northside Substation Rezoning
Neighborhood Meeting - Clayton Northside Substation Rezoning
PB Recommendation - Clayton Northside Substation Rezoning
Public Notice - Rezonings Cameron Powhatan Northside

POTENTIAL ACTION: Set Public Hearing for April 4, 2016

g. **Rezoning: 2016-13-RZ - 3900 Powhatan Road**
Presented By: David DeYoung, Planning Director

Cover - Powhatan Road Rezoning
Application - 3900 Powhatan Road Rezoning
Staff Report - 3900 Powhatan Road Rezoning
Map - 3900 Powhatan Road Rezoning
Email - Correspondence from Jim Lee - 3900 Powhatan Road Rezoning
Email - Correspondence from Johnston County Planning Director - 3900 Powhatan Road Rezoning

PB Recommendation - 3900 Powhatan Road Rezoning
Public Notice - Rezonings Cameron Powhatan Northside

POTENTIAL ACTION: Set Public Hearing for April 4, 2016

h. Rezoning: 2016-24-RZ - Cameron Way
Presented By: Jay McLeod, Planner

Cover - 2016-24-RZ Cameron Way Rezoning
Application - Cameron Way Rezoning
Staff Report - Cameron Way Rezoning
Map - Cameron Way Rezoning
Neighborhood Meeting - Cameron Way Rezoning
PB Recommendation - Cameron Way Rezoning
Public Notice - Rezonings Cameron Powhatan Northside

POTENTIAL ACTION: Set Public Hearing for April 4, 2016

i. Text Amendments - Unified Development Code
Presented By: Jay McLeod, Planner
Cover - Text Amendments Unified Development Code
Staff Report - 2016-41-OA - to TC - Ordinance Amendment
Staff Report - Addendum - 2016-41-OA - on March 14, 2016
UDC Ordinance Amendment, 2016-41-OA - Articles 100-400, 600-800
PB Recommendation - Text Amendments
Public Notice - Text Amendments

POTENTIAL ACTION: Place on April 4, 2016 Consent Agenda

7. ITEMS CONTINGENT FOR THE REGULAR MEETING

a. Report on Calendar Year 2016 Street Improvements
Presented By: Steve Biggs, Town Manager

Cover - Report on Calendar Year Street Improvements

POTENTIAL ACTION: None - Informational

8. ITEMS FOR DISCUSSION

9. OLD BUSINESS

10. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

12. ADJOURNMENT

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Consent

Meeting Date:
March 21, 2016

ITEM TITLE:
Minutes

DESCRIPTION:
Town Council draft minutes from March 7, 2016 are submitted for approval.

POTENTIAL ACTION:

DEPARTMENT:
Clerks

PRESENTER:
Kimberly Moffett, Town Clerk

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

The Town Of Clayton
Regular Town Council Meeting Minutes
Monday, March 7, 2016 @ 6:30 PM
Council Chambers

COUNCIL PRESENT:

Mayor

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

STAFF PRESENT:

Steve Biggs, Town Manager
Nancy Medlin, D/Town Manager
Kimberly Moffett, Town Clerk
Katherine Ross, Town Attorney
Ann Game, Customer Serv. Director
Dale Medlin, Electrical System Director
Robert McKie, Finance Director
Tim Simpson, Public Works Director
David DeYoung, Planning Director
Jay McLeod, Planner

COUNCIL ABSENT:

1 CALL TO ORDER

a) Mayor McLeod called the meeting to order at 6:33 p.m.

Boy Scout Troop #24 who are affiliated with the Civitan Club were present and served as Color Guard as well as leading everyone in the Pledge of Allegiance. Mayor McLeod offered the Invocation. Two of the scouts spoke about the hopes of Troop #24 to take the lead in the planning and organizing of a large scale community service day. The Mayor and Town Council thanked the troop for their service and dedication.

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) Customer Service - Hours of Operation Modification

b) Warranty and Easement Acceptance - Riverwood Haven Off-Site (Senior Living Facility)

c) Draft Minutes

ACTION: Approval of Consent Agenda as Presented

Motion: Council Member Thompson

Second: Council Member Lawter
Vote: Unanimous

4 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Arbor Day Proclamation

Public Information Officer, Stacy Beard, provided information regarding the Proclamation. This is the 10th year that Clayton is being recognized as Tree City USA. Arbor Day is Friday, March 18th and the Town in coordination with Clayton High School will celebrate with the planting of trees at the school. Final details regarding this events are being worked out. Mayor McLeod was presented with the Tree City USA Award.

ACTION: Approval of Proclamation

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

b) Delta Sigma Theta Sorority 5K Race - April 2, 2016

Ms. Beard introduced members of the Johnston County Chapter of Delta Sigma Theta, who are the sponsors of this 5K Race, 'Taking Strides Against Violence". This event will be held on April 2, 2016.

Ms. Evelyn Sanders, who serves as President of the Chapter was present and provided information regarding this event. She stated this is the 5th year of this event and it will benefit Harbor of Johnston County. She stated this race is being staffed by volunteers and also that the Police Department would be along Front Street. She further stated they are working to provide notification of the race to neighborhoods. Ms. Sanders stated the community support is greatly appreciated.

ACTION: Approval of Rolling Street Closures

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

5 PUBLIC HEARINGS

a) 2016-4-ANX Clayton Northside 230KV Substation

Mayor McLeod opened the Public Hearing at 6:55 p.m.

Mr. Biggs provided background regarding this 7.56 acre property, which is owned by the town. Mr. Biggs provided additional information regarding town acquired properties and annexation.

With there being no one coming forward to speak, the Public Hearing was

closed and turned over to Council for deliberation.

ACTION: Approval of Annexation

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

b) 2015-79-RZ Carolina Park Rezoning

Mayor McLeod opened the Public Hearing.

Mr. McLeod. Planning Department, provided information regarding this rezoning request. Applicant is requesting rezoning of this 3.2 acre parcel from Highway Business - Special Use District (B-3 SUD) to Highway Business (B-3).

Mr. McLeod stated request is being made to help assist in speeding the process of allowing tenants to acquire space. The required neighborhood meeting was held. The Planning Board and Staff recommend approval of the requested rezoning.

The applicant, Mr. Kamalpasha, was present and thanked the Council for consideration of the request.

With no one else wishing to speak, the Public Hearing was closed.

ACTION: Approval of Rezoning

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

c) 15-60-01-SD Saint John's Woods Phase 3 Major Subdivision

Mr. DeYoung, Planning Director, asked those wishing to offer testimony to stand and be issued the Administration of Oath. The Administration of Oath was completed via Oath of Affirmation by Kimberly Moffett, Town Clerk. Attorney Ross provided additional information and details regarding a quasi judicial hearing and the types of testimony that could be considered.

Mayor McLeod opened the Public Hearing at 7:01 p.m.

Mr. McLeod, Planning Department, offered information regarding this project. Saint John's Wood Phase III is located at the end of the current Knights Bridge Road, which is off of Ranch Road and south of the US 70 Bypass. Applicant is requesting preliminary subdivision plat approval for 16 lots as an extension of the existing Saint John's Wood neighborhood. Current use is vacant. Water and sewer will be provided by County.

Project is consistent with Comprehensive Plan, the Unified Development Code

and Surrounding Land Uses. Applicant has addressed Findings of Fact. Required Neighborhood meeting was held on December 8, 2015.

Mayor Pro Tem Grannis had requested approval from Fire Department with regard to 1900' drive. Approval was received from Fire Marshal Atkinson.

Applicant is requesting to pay fee-in-lieu of recreations fees, waiver to maximum cul-de-sac length, waiver from requirement of intersecting cross street every 1500 linear street feet, waiver from curb and gutter and waiver from providing sidewalks as roads of proposed neighborhood will not connect to roads with sidewalks.

Planning Board and Staff recommend approval with conditions and waivers as indicated in Staff Report.

Brief discussion was held regarding lot #36 and confirmation that it is part of the subdivision. There was question regarding street connection. Mr. DeYoung stated it was his belief that original intention was for road to loop and connect, however, with recession property was split up into multiple parties, so northern part of property is owned by someone else.

The applicant, James Lipscomb, 328 E. Main Street, stated there were a couple of reasons regarding the above. First there is riparian buffer which would required separate permitting as well as being quite costly to cross and secondly owner of the parent tract wishes to retain that land and does not want road.

Mr. Lipscomb addressed the covenant and stated he was involved as real estate agend in phase II and covenant was recorded which included an HOA but since so development was small it was never activated. He stated he has spoken with several homeowners who show an interest in starting HOA and stated he is aware there are some that do not want an HOA. He stated he will willing to go with majority. He stated it is his plan to record covenant exactly as Phase II.

Mayor Pro Tem Grannis confirmed that lot 36 would be recorded, but would be retained by the Marshburn's long term. There was discussion regarding cluster boxes and recently allowance from NCDOT to be allowed in right of way, which allows a bit more freedom. Possible location would be end of cul-de-sac.

There was discussion regarding concerns of neighbors and drainage. Mayor Pro Tem Grannis asked what timeline was to bring in engineer. Mr. Lipscomb stated as soon as approval was received, engineer would begin design work and his report will need to meet all County codes and requirements prior to any work being started.

Council Member Satterfield confirmed that lot #36 would not be part of the subdivision. Mr. Lipscomb confirmed and stated he would not be taking

ownership of that lot.

Mayor McLeod opened for the floor for anyone wishing to speak.

Mr. Jason Montleon of 96 Knights Bridge Drive stated he had concerns regarding water drainage and easement on the front of properties. He stated they is already a good amount of storm water and has concerns about additional drainage and is not happy with the possibility of diverting that run off to backyards. He also stated he is not happy with the possibility of an HOA. It was his understanding when he purchased the property there was not an HOA. While he understands that some folks may want an HOA he does feel he should be forced into one.

With no one else wishing to speak, floor was turned over to applicant.

Mr. Lipscomb stated that with reference to the above house, this was a resale and it is possible that information and possibility of an HOA was not provided. Again, Mr. Lipscomb stated he would go along with whatever majority of homeowners wanted and will record exact same document as was recorded in Phase II. He also addressed the issue of drainage and possibility of diverting it by lot #35 and installing a permanent feature to slow the water down, this would be a proposal presented and Johnston County would have final word of approval.

Council Member Satterfield had questions about forcing people into an HOA and Mr. Lipscomb provided information regarding the restrictive covenant included a provision for an HOA.

Floor was opened for anyone else wishing to speak.

Mr. Scott Childers, owner of lot #19, stated he also shared concerns regarding storm water and stated he was told at the December neighborhood meeting that someone would be hired at that time. His concern is that project is approved and no work takes place regarding the drainage. He also had a concern regarding mailbox placement in front of house versus cluster box mailboxes.

Mr. Lipscomb stated new phases are required to have cluster boxes per the United States Postal Service. He again stated all that is required by the County regarding drainage will be done. He further stated that the County does follow up on process with water drainage.

With no one else that had been administered the oath coming forward the Public Hearing was closed and turned over to Council for deliberation at 7:33 p.m.

ACTION: Approval of Subdivision with Conditions and Waivers as Included in Staff Report

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

6 OLD BUSINESS

a) Clayton/Raleigh Project - Bid Awards

Mr. Biggs provided background of this project. This project was bid in two contracts. Contract #1 is for the Pipeline and Contract #2 is for the Force Main. The low bidder is J.F. Wilkerson for Contract #1 and low bidder for Contract #2 is R.D. Braswell Construction.

ACTION: Approval of Resolution Awarding Bids

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

b) Clayton/Johnston County/Raleigh - Sewer Capacity Agreement Amendment

Mr. Biggs provided background on the this agreement which was originated nine years ago between the City of Raleigh, Johnston County and Clayton. In cooperation with Johnston County it was separated into two separate agreements between Clayton and the City of Raleigh and Johnston County and the City of Raleigh. Johnston County has subsequently assigned their capacity to Clayton. This consolidated agreement would also extend the term of said agreement to ten years. This agreement has been approved by Johnston County Board of Commissioners and will be presented to the City of Raleigh for consideration.

ACTION: Approval of Agreement

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

7 NEW BUSINESS

a) Budget Amendments

Mr. McKie provided information regarding three budget amendments. The first is Water & Sewer Fund, the second is the CAMPO LAPP Projects and the third is General Fund and Special Revenue Fund.

ACTION: Placed on March 21, 2016 Consent Agenda

b) Potential Refinance Opportunities per Analysis by Davenport & Co.

Mr. Biggs provided information regarding periodic evaluation of financial opportunities for savings and stated the Town had recently requested that

Davenport review and advise of any opportunities for the restructure of existing debt.

Two cases were presented with substantial savings to the town with restructure.

Both would realize 1.134 to 1.135 million in savings, in long term return. In short term it would have an impact on cash flow. It is requested that an affirmative statement be issued in favor of Case #1, however, if unsuccessful with LGC we revert to Case #2. There would be no direct out of pocket expense for the refinance.

ACTION: Approval to Move Forward with Case #1

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

8 STAFF REPORTS

a) Town Manager

Quarterly Financial Reports were provided by Mr. Biggs. Reports included; Sales & Use Tax, Revenue Report and Expense Report.

b) Town Attorney

c) Town Clerk

d) Other Staff

Mr. DeYoung stated a new bicycle rack will be installed at the Library.

9 OTHER BUSINESS

a) Informal Discussion & Public Comment

Mr. Todd Sutton who is a candidate for JC Board of Education introduced himself and provided information regarding his interest in running for the school board. He stated his desire is to be an advocate for all children and parents. He spoke briefly about the need for a 3-5 year strategic plan to retain teachers, growth management, maintaining community based schools and finally believes each school should be equipped with some sort of an automatic lockdown button.

b) Council Comments

10 ADJOURNMENT

a)

With there being nothing further the meeting was adjourned at 8:10 p.m.

ACTION: Motion to Adjourn

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

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Consent

Meeting Date:
March 21, 2016

ITEM TITLE:
Budget Amendments

DESCRIPTION:
Fund 300 amendment to the 15-16 Budget (Water & Sewer). Fund 612 amendment to Capital Project Budget (construction, NCDOT TIP Project & due from General Fund). Amendment to General Fund Special Revenue Fund to the 15-16 Budget.

POTENTIAL ACTION:

DEPARTMENT:
Finance Department

PRESENTER:
Robert McKie, Finance Director

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

Town of Clayton
Amendment to the FY 15-16 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON
that the following amendments shall be made to the FY 15-16 Budget:

Fund: Water & Sewer Fund

Line Item	Previous Appropriation	Adjustment	Revised Appropriation
Expenditures			
300-56-95-58 30	Water Line Improvements $40,000	+138,403	$178,403
Revenues			
300-56-00-48 99	Fund Balance Appropriated $620,852	+138,403	$759,255

Amendment necessary to appropriate fund balance to complete the Vinson Road Water Line Extension Project, which is required for compliance with G.S. 159-15:

Duly adopted this ____ day of _____, 2016 while in regular session.

_____
Jody L. McLeod
Mayor

Attest:

_____
Kimberly A. Moffett
Town Clerk

Town of Clayton
Amendment to the Capital Project Budget Ordinance

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the CAMPO LAPP Projects Budget Ordinance:

Fund: CAMPO LAPP Projects

Line Item	Previous Appropriation	Adjustment	Revised Appropriation
Expenditures			
612-58 01	Construction $2,183,500	+1,562,805	$3,746,305
Revenues			
612-45 65	NCDOT TIP Project $1,902,800	+1,076,354	$2,979,154
612-49 80	Due from General Fund $491,700	+486,451	$978,151

Explanation: Amendment to the capital project budget ordinance to reflect higher construction costs for the Pedestrian Connector and the consolidation of two Sam's Branch projects into one project for construction purposes. This amendment is required for compliance with G.S. 159-13.2. The following LAPP projects comprise the above amount:

1. Pedestrian Connector (Design – $16,000; Construction – $1,610,305)
2. Sam's Branch Phase II (Design – $195,000; Construction – $2,136,000)

Duly adopted this ____ day of _____, 2016 while in regular session.

_____
Jody L. McLeod
Mayor

Attest:

_____
Kimberly A. Moffett
Town Clerk

Town of Clayton
Amendment to the FY 15-16 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON
that the following amendments shall be made to the FY 15-16 Budget:

Fund: General Fund and Special Revenue Fund

Line Item		Previous Appropriation	Adjustment	Revised Appropriation
Expenditures				
100-59 23	Transfer to Capital Project Fund	$0	+207,691	$207,691
100-55-95-58 00	Capital Projects	$1,038,462	-1,038,462	$0
210-59 23	Transfer to Capital Project Fund	$0	+272,251	$272,251
Revenues				
100-55-02-45 65	NCDOT TIP Reimbursement	$830,771	-830,771	$0
210-48 99	Fund Balance Appropriated	$0	+272,251	$272,251

Amendment necessary to realign the budget for the local contribution needed to complete the PED Connector Project, which is required for compliance with G.S. 159-15.

Duly adopted this ____ day of _____, 2016 while in regular session.

_____
Jody L. McLeod
Mayor

Attest:

_____
Kimberly A. Moffett
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
March 21, 2016

ITEM TITLE:
Hazard Mitigation Plan Adoption and Resolution

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

POTENTIAL ACTION:
Place on Consent Agenda

DEPARTMENT:
Administration

PRESENTER:
Steve Biggs, Town Manager

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

JOHNSTON COUNTY EMERGENCY SERVICES

Post Office Box 530, 120 South Third Street
Smithfield, NC 27577
(919) 989-5050
(919) 989-5052 (Fax)

MEMORANDUM

TO: Kimberly Moffett, Town Clerk

FROM: Sandy Wood, Emergency Management Planner

DATE: March 1, 2016

SUBJECT: Agenda Item – Hazard Mitigation Plan Adoption and Resolution

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Johnston County Emergency Services, in collaboration with North Carolina Emergency Management, has received approval from FEMA to be a part of the Cape Fear Regional Hazard Mitigation Plan. This regional effort is in conjunction with multiple counties in the Domestic Preparedness Region to increase Emergency Management efforts. In order to be a part of this regional effort, Johnston County and its local municipalities must adopt the Cape Fear Regional Hazard Mitigation Plan. As part of this process, Johnston County is required to update/revise its specific portion of the plan every five years which includes the Town of Clayton as well as the other local municipalities. In the latest update, the Johnston County Emergency Services staff has performed a complete rewrite to follow the most recent guidelines from our State and Federal partners.

Johnston County Emergency Services respectfully requests the Clayton Town Council to review the Cape Fear Regional Hazard Mitigation Plan which includes the section specific to the Town of Clayton and consider a resolution adopting the Cape Fear Regional Hazard Mitigation Plan. Staff from our Emergency Services Department will be on hand at your Town Council meeting to answer any questions.

In the meantime, please do not hesitate to contact me at (919) 209-8325 if I can answer any questions prior to the Council's next meeting.

RESOLUTION TO ADOPT THE
CAPE FEAR REGIONAL HAZARD MITIGATION PLAN

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

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

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

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

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

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

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

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

1. Adopts the Cape Fear Regional Hazard Mitigation Plan; and

2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Duly adopted this the 4th day of April, 2016.

_____
Jody McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
March 21, 2016

ITEM TITLE:
Gregory Poole Plaque Presentation

DESCRIPTION:
Gregory Poole Construction Company, along with representatives from Caterpillar, will make a special presentation highlighting the great partnership between the Town and these companies. Clayton had a full-color feature article in "Governmental Solutions" magazine which showcases the wonderful cooperation between the Town and these companies that's helped construct important public projects right in the backyard of these successful corporate giants. The plaque is a framed copy if the feature article to be hung in Town Hall.

POTENTIAL ACTION:

DEPARTMENT:

PRESENTER:
Gregory Poole, Gregory Poole Construction Company

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
March 21, 2016

ITEM TITLE:
Introductions of New Employess

DESCRIPTION:
Introductions of New Town Employees will take place

POTENTIAL ACTION:
None – Informational Only

DEPARTMENT:
Administration

PRESENTER:
Dale Medlin, Electric Systems Director &
David DeYoung, Planning Director

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Introductions & Special Presentations

Meeting Date:
March 21, 2016

ITEM TITLE:
Mondo Roots Cultural Arts & Music Festival

DESCRIPTION:
Mondo Roots is a Festival for art, music & bands. The event will be held on Saturday, June 4, 2016, starting at 8:00am - 11:00pm. Location of the event will be Town Square and along Main Street. Estimated to attend will be 1000 + guest.

POTENTIAL ACTION:
None – Informational Only

DEPARTMENT:

PRESENTER:
David Brown, Mondo Roots Representative

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Mondo Roots Cultural Arts & Music Festival Request for Street Closure by Resolution 2016-08

DESCRIPTION:
Request street closure by Resolution 2016-08 for the Mondo Roots Cultural Arts & Music Festival. The following streets are requesting to be closed:
Main Street, between O'Neil Street and Church Street along with Fayetteville Street, between Second Street and First Street.
The event will be held on Saturday, June 4, 2016 during the hours of 8:00am - 10:00pm.

POTENTIAL ACTION:
Approval/Disapproval

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

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: Mondo Roots Cultural Arts and Music Festival
Applicant Name and Title: Dave Brown - President -
Organization: Earthplow Productions
Mailing (Billing) Address: 567 Rock Pillar Road
City: Clayton State: NC Zip Code: 27520
Daytime Phone: 919-386-0325 Cell: 919-812-6969 Email: dave@earthplow.org

EVENT INFORMATION

Event Location: Town Square and along Main Street
Event Address: 110 W. Main St. Clayton Parcel ID :
Date(s) of Event: May 21, 2016
Event Start Time: 10pm Event End Time: 10pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 8am 06/04 Clean Up Ends: 11pm 06/04
Estimated Attendance: 1000+guests (Not sure yet)
Description of Event:

TOWN OF CLAYTON STAFF USE ONLY

Date Received: 10/26/2015 DB Amount Paid: N/A Permit Number: 2015-22

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: Bring arts to Clayton; Spark the imagination and creativity in the hearts of Clayton youth.

Name of Organization: Clayton Visual Arts (CVA)

Organization Address: P.O. Box 698
Clayton, NC 27528-0698

Organization Contact Name: Amy Beshgatoorian Phone Number: 919-522-8578

Organization Email:

Federal Identification Number: 273777515

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?	35-100			
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.*	10'x10'			
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?	N/A			

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	2		
3. Will the event use amplified sound?	☒	☐	
If yes, please list start time and finish time.	Start Time: 1pm	Finish Time: 10pm	

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?	Beer & Wine		

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.* CVA will sell tickets for wine & Beer			
5. List times that alcohol will be served	Start Time: 1pm	Finish Time: 10pm	
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? *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.*	☒	☐	
2. Please list/describe rides and attractions: Rock climbing wall			
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: *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.*	☐	☐	

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? Food and drink			

Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates	Styrofoam Cups / Plates	Other
☒	☐	☒	☒	☒	☐

	Number	
3. How many trash roll-out carts are needed?	10	
4. How many recycle roll-out carts are needed?	10	
5. Delivery location?	Town Square	
6. Date rollout carts are to be delivered\picked up?	Delivered: 6/3	Picked-up: 6/5

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: 6/3	Picked-up: 6/5

9. What is the clean-up plan for the event? Clean up team will clean until all trash is picked up and nothing is left behind.

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?	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:

1pm to 10pm

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.

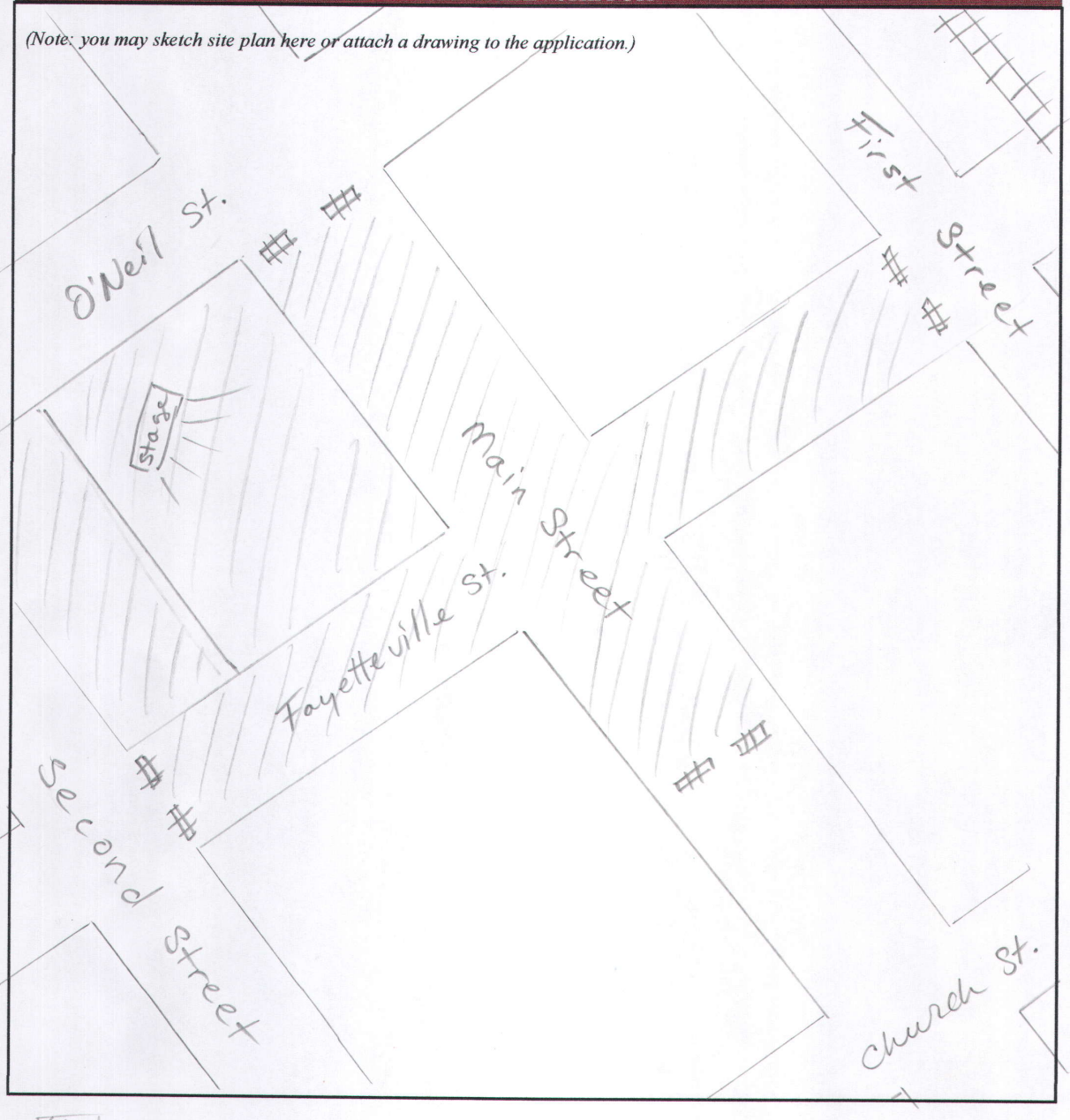
SITE PLAN

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.)



Shaded areas = where event will occupy

= Barricades/street closures

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
☐	☒	☐	☒	☐	☐

	Number
3. How many participants are expected? 100	
4. How many floats will participate? None	
5. How many vehicles will participate? None	

	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
Fayetteville Street (Second to First)	8am	10pm
Main Street (O'Neil to Church)	10am	10pm

	Number
2. How many participants are expected?	

EVENT ROUTE — Staff Notes

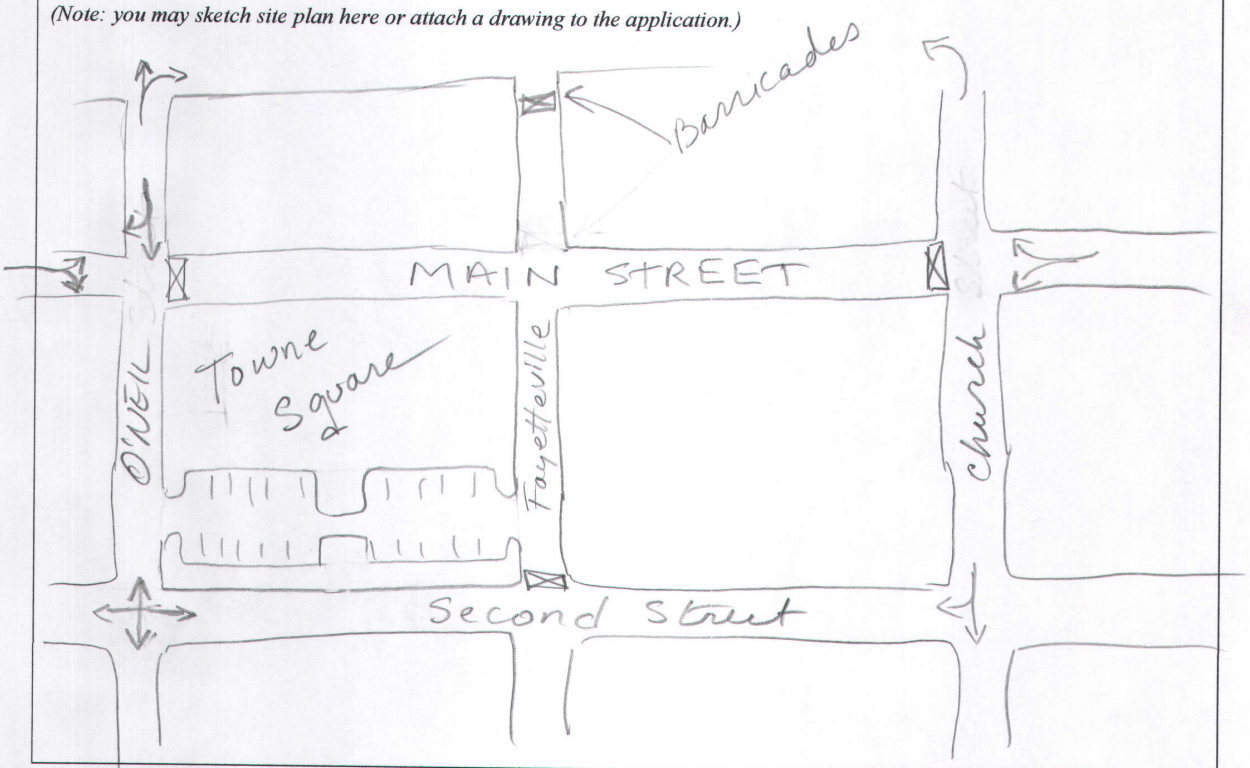
DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).*

Please note that 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.).

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.

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:** Oct. 2. 15

Town
Planning
111 E. Second Street, Clay
P.O. Box 879, Clay
Phone:
Fax:

SPECIAL EVENT ACTION ITEM REPORT

Planning Staff Contact:

EVENT INFORMATION:

Event Name: Mondo Roots Cultural Arts/Music **File Number:** 2015-22

Event Description: Music Festival

Event Date(s): 6/4/2016 **Event Time(s):** Set up time: 8 am to 10 pm. Event Time: 1pm to 10pm

Event Location: 110 W. Main Street – Town Square

Event Coordinator: Dave Brown **Contact Number:** 919-386-0325

Contact Email: dave@carthplow.org

Attendees (Per Day): 1000

TOWN SERVICES REQUESTED:

Department / Division	Requested Services	Date/Time	Primary Contact	Contact Phone #
Operations	10 trash roll out carts	Deliver to Town Square 6/3/16 – 6/5/16	Steve Blasco	359-1287
	10 recycle roll outs	6/3/16 – 6/5/16	Steve Blasco	359-1287
	Barricades	6/3/16 – 6/5/16	Steve Blasco	359-1287
Public Works	Road and parking lot barricade/cones - Town square - Second and Fayetteville - Main and Fayetteville Closure time:	Deliver to appropriate areas for Police or Volunteers to put in place	Steve Blasco	
Town Council	Authorize use of Town Square			
Electric Dept.	Use of power source on Town Square		Dale Medlin	359-1292
NCDOT	Closure of Fayetteville Street from Second to Front Street			

STAFF USE:

SEC Approval	☒ Approved ☐ Denied	Date: 12/2/2015	☐ No Council Action needed
Council Action	Presentation	Date:	☐ Approved ☐ Denied
	Consent Agenda	Date:	Date:
Pending Actions	☐ DOT Road Closure Approval ☐ ABC Permit Submittal ☐ Other		☐ Issue Permit Date:

(SEC – Special Event Committee)

Resolution #2016-08

RESOLUTION REQUEST
STREET CLOSURE
2016 MONDO ROOTS
CULTURAL ARTS & MUSIC FESTIVAL

WHEREAS, the Clayton Town Council has received a request from Earthplow Productions to close a portion of Main Street and O'Neil Street during the 2016 Mondo Roots Cultural Arts and Music Festival

WHEREAS, the Clayton Town Council believes that it is in the best interest of the citizens of Clayton that they act favorably on said request and formally notify the North Carolina Department of Transportation for the closing of Main Street between O'Neil Street and Church Street along with Fayetteville Street, between Second Street and First Street at said dates and times as listed:

Saturday – June 4, 2016
8:00 a.m. – 10:00 p.m.

NOW, THEREFORE, the Clayton Town Council does hereby resolve as follows:

That the Clayton Town Council agrees to be the governmental entity making a request for the closing of said road at said times and for obtaining compliance with those requirements of the North Carolina Department of Transportation for conducting of said road closure.

Duly adopted this the 21st day of March, 2016.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Anna Anastasi
Deputy Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Amending Resolution 2016-05 / Change in Concert Dates

DESCRIPTION:
Request to amend Resolution 2016-05 regarding DDA Concert Series. There has been a change in two of concert dates originally requested. Dates to be changed are as follows: Saturday, June 18, 2016 has been moved to Thursday, June 16, 2016 and concert scheduled for Thursday, August 18, 2016 has been moved to Saturday, August 20, 2016.

POTENTIAL ACTION:
Approval/Disapproval

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:

Resolution #2016-09

RESOLUTION REQUEST
TO AMEND RESOLUTION #2016-05
STREET CLOSURE
2016 DOWNTOWN DEVELOPMENT ASSOCIATION
CONCERT SERIES

WHEREAS, the Clayton Town Council has received a request from the Clayton Downtown Development Association to amend Resolution #2016-05 with reference to schedule change of two 2016 concert dates.

WHEREAS, the request to amend the concert schedule is as follows:

Saturday – June 18, 2016 CHANGED to Thursday – June 16, 2016
AND
Thursday – August 18, 2016 CHANGED to Saturday – August 20, 2016.

Duly adopted this the 21st day of March, 2016.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Anna Anastasi
Deputy Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Clayton Road Race

DESCRIPTION:
This event is a 5K road race that will be held on May 14, 2016. The event will start and end at The Clayton Center. The event times will be 8:00am - 11:00am and expect 400 + attendees.

POTENTIAL ACTION:
Approval/Disapproval

DEPARTMENT:
Parks + Recreation

PRESENTER:
Matt Lorion, Program Supervisor

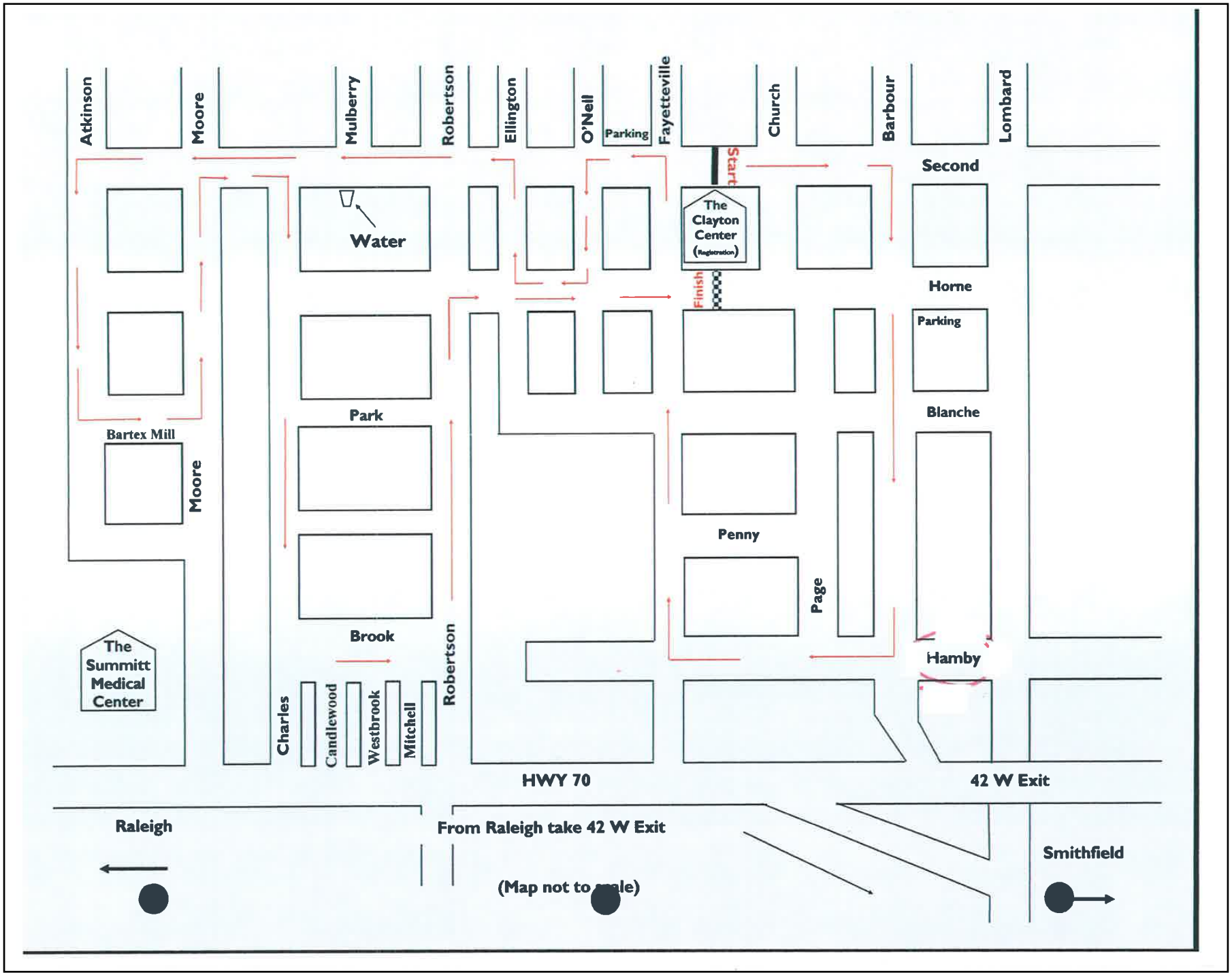
ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided:


Atkinson
Moore
Mulberry
Robertson
Ellington
O'Neil
Parking
Fayetteville
Church
Barbour
Lombard
Start
Second
The Clayton Center (Registration)
Water
Finish
Horne
Parking
Park
Blanche
Bartex Mill
Moore
Penny
Page
Brook
Hamby
The Summitt Medical Center
Charles
Candlewood
Westbrook
Mitchell
Robertson
HWY 70
42 W Exit
Raleigh
From Raleigh take 42 W Exit
(Map not to scale)
Smithfield

Resolution #2016-10

RESOLUTION REQUEST
STREET CLOSURE
2016 CLAYTON ROAD RACE

WHEREAS, the Clayton Town Council has received a request from the Clayton Parks and Recreation Department to close a portion of Robertson Street furring the 2016 Clayton Road Race.

WHEREAS, the Clayton Town Council believes that it is in the best interest of the citizens of Clayton that they act favorably on said request and formally notify the North Carolina Department of Transportation for the closing of Robertson Street at the below stated dates and times:

Saturday – May 14, 2016
8:00 a.m. – 11:00 a.m.

NOW, THEREFORE, the Clayton Town Council does hereby resolve as follows:

That the Clayton Town Council agrees to be the governmental entity making a request for the closing of said road at said times and for obtaining compliance with those requirements of the North Carolina Department of Transportation for conducting of said road closure.

Duly adopted this the 21st day of March, 2016.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Anna Anastasi
Deputy Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Novo Nordisk Bright Sky Major Site Plan

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

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
Jay McLeod, Planner

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

MAJOR SITE PLAN APPLICATION

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

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

SITE INFORMATION

☒ New Major Site Plan ☐ Major Modification to an approved site plan
Project Modified: _____

Name of Project: Bright Sky Project **Acreage of Property:** 296 Acres

County Tag #: 05E99010N, 05I05008A,05105008J, 05105022A , 05105021A, **NC PIN:** 167804-50-7128, 167804-60-8595,167700-68-5440, 167700-67-6564, 167700-47-9545

Address/Location: Powhatan Road, 1988 Gordon Road, and 2304 Gordon Road, Clayton, NC

Existing Use: Agriculture **Proposed Use:** Industrial

Zoning District: I-1 - Light Industrial

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

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

FOR OFFICE USE ONLY

Date Received: DEC 2 8 2015 Amount Paid: $1980.00 File Number: 2015-82-SP

RECEIVED DEC 28 2015 Town of Clayton Planning Department

PROPERTY OWNER INFORMATION

Name: Novo Nordisk Pharmaceutical Industries, Inc.

Mailing Address: 3612 Powhatan Road, Clayton, NC 27527

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

Email Address: galo@novonordisk.com

APPLICANT INFORMATION

Applicant: Novo Nordisk Pharmaceutical Industries, Inc.

Mailing Address: 3612 Powhatan Road, Clayton, NC 27527

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

Contact Person: Gary Lohr

Email Address: galo@novonordisk.com

REQUIRED INFORMATION (*to be submitted with the application*)

The following items must accompany a Major Site Plan application.

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

EXPLANATION OF PROJECT

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

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

APPLICANT AFFIDAVIT

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

Gary Lohr	Gary Lohr	21 Dec 2015
Print Name	*Signature of Applicant*	*Date*

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

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

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information provided at the Neighborhood Meeting:

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

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

Information provided to Planning Department:

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

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

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

SAMPLE NEIGHBORHOOD MEETING LETTER
(PLACE ON AGENT'S OR OWNER'S LETTERHEAD)

<Date>

Dear Clayton Area Property Owner:

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

Meeting Date: _____ Meeting Time: _____

Meeting Location: _____

Type of Application: _____

Project/proposal property address: _____

Description of project/proposal: _____

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

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

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

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

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Dept.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application: _____

Location/Date: _____

	NAME	ADDRESS
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NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____

Date of Mailing: _____

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

Printed Name: _____ Signature: _____

Date of Meeting: _____ Time of Meeting: _____

Location of Meeting: _____

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

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

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

Planning Board
February 22, 2016

STAFF REPORT

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

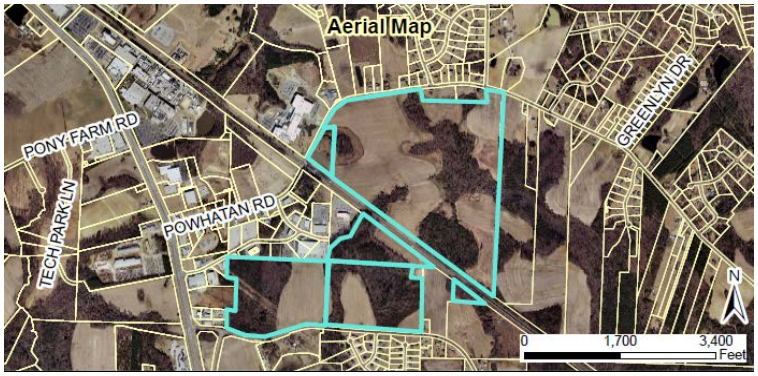
NC PIN: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9547
Tag #: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I0521C
Town Limits/ETJ: ETJ
Overlay: partly in the Watershed Protection Overlay
Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
Owner: Novo Nordisk Pharmaceutical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

Public Noticing:

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

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

SITE DATA:
Acreage: ±296.65 acres
Existing Use: Vacant



ADJACENT ZONING AND LAND USES:

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

DEVELOPMENT DATA:

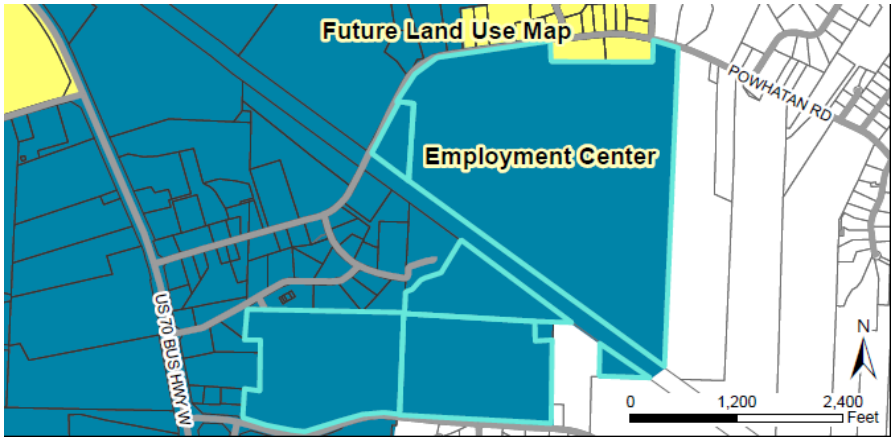
Proposed Uses:	Industrial
Buildings:	17
Number of Stories:	1-5
Impervious Surface:	10.1%
Access/Streets:	There will be two permanent entrances off of Powhatan Road. There will also be one entrance located off of Gordon Road.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Duke Energy

STAFF ANALYSIS:

Overview

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

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



Consistency with Adopted Plans:

- **2040 Comprehensive Plan**
  The 2040 Comprehensive Plan designates the subject parcels as "Employment Center". Employment Centers consist of uses such as industrial, research and development, and warehouse. The proposed uses of the subject parcels are industrial and are consistent with the 2040 Comprehensive Plan.

- **Unified Development Code**
  The proposed building height of the development exceeds what is permitted in the I-1 zoning district. However, the applicant has submitted a Special Use Permit application to run concurrently with this plan, to obtain approval from Town Council to allow a maximum building height of 90'.

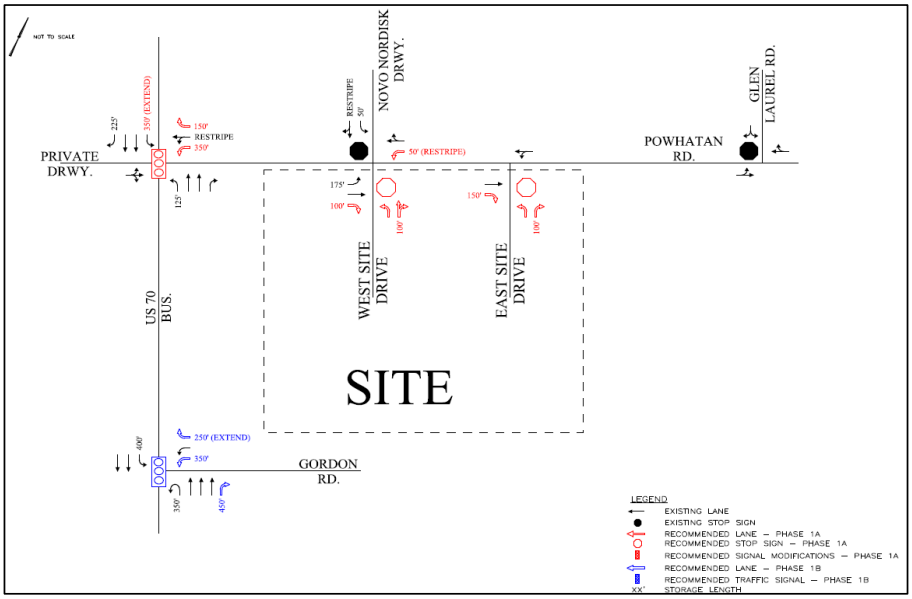
Landscaping and Buffering

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

Traffic Impact Analysis

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

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



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

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

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

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

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

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

Construction Activities
The construction of Phase 1 is expected to last ±5 years. This is a very large project and to capture the impact that it will have on the community, the applicant has included in the site plans a Temporary Construction Facilities Plan sheet detailing their maximum impact at peak construction activity. This involves contractor's trailers, a cantina, on-site fabrication facility, batching concrete plant, and other construction supportive uses. The company's stated ethic and plan attempts to minimize their impact on their neighbors though keeping as much construction activities on-site as possible.
Even the concrete used in the construction will be created on-site at the batching plant. This alone will keep hundreds of concrete trucks off of Powhatan Road. There is also a wash station planned for trucks before they leave the site, to keep construction dirt and debris off of the public road network.
Staff does still have some concern regarding the potential impact of the concrete batching plant location, which is very close to Powhatan Rd and neighboring residential properties. Staff has discussed the possibility of switching the location of the batching plant with nearby dirt storage piles as a way to move the plant closer to the interior of the site and to provide additional sound and visual buffering for the adjacent residential properties. The applicant's site engineers are currently considering the proposed location switch and its feasibility for construction operations.

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

CONSIDERATIONS:

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

FINDINGS:

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

CONDITIONS:

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

1. Following Board approvals, three copies of the Master Plan, meeting the requirements of the Conditions of Approval, shall be submitted to the Planning Department for final approval.

2. The Master Plan shall record the Conditions of Approval on it, as well as any related Conditions of Approval from associated Special Use Permits or Temporary Use Permits.

3. The development of the site is limited to the uses approved by the Town Council. Modifications to the approved Master Plan shall require review and approval in accordance with Section 155.705 of the Unified Development Code.

4. The Master Plan establishes the bulk, area, and dimensional standards for the overall development, and all subsequent specific development approvals of the buildings or phases shall be reviewed by staff as Minor Site Plans, unless they are deemed "substantial deviations" (per §155.707). These Minor Site Plan reviews shall not require review and approval by the Planning Board so long as they meet the requirements of the Unified Development Code. If there is uncertainty, the Planning Director may choose to require Major Site Plan review by the Planning Board for any particular building or phase of construction.

5. The maximum building height of 90 feet is contingent upon and subject to the Conditions of Approval of Special Use Permit 2016-20-SUP.

6. All off-site roadway improvements recommended by the Traffic Study, NCDOT Congestion Management, and the Town shall be installed or bonded prior to the issuance of a Certificate of Occupancy for the for the portion of the development that generates the roadway improvement.

7. At such time as it may be desirable to pursue Phase 2 development, the applicant shall submit an updated Traffic Impact Analysis and accommodate roadway improvements at the time that those improvements are warranted by the updated TIA.

8. A Temporary Use Permit for the entirety of construction activities up to and including those shown on the Temporary Construction Facilities Plan sheet shall be obtained via separate approval from the Planning Director.

9. The concrete/asphalt batching plant shall only be used for on-site construction activities, and shall require a separate Temporary Use Permit, issued by the Planning Director.

10. Any off-premises signage shall be coordinated and implemented by NCDOT in their right-of-way.

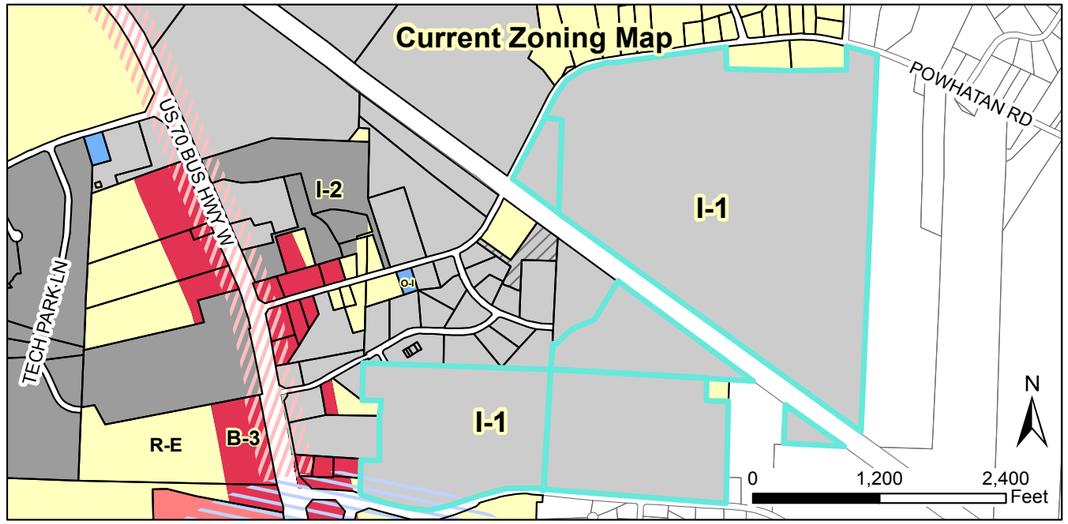
STAFF RECOMMENDATION:

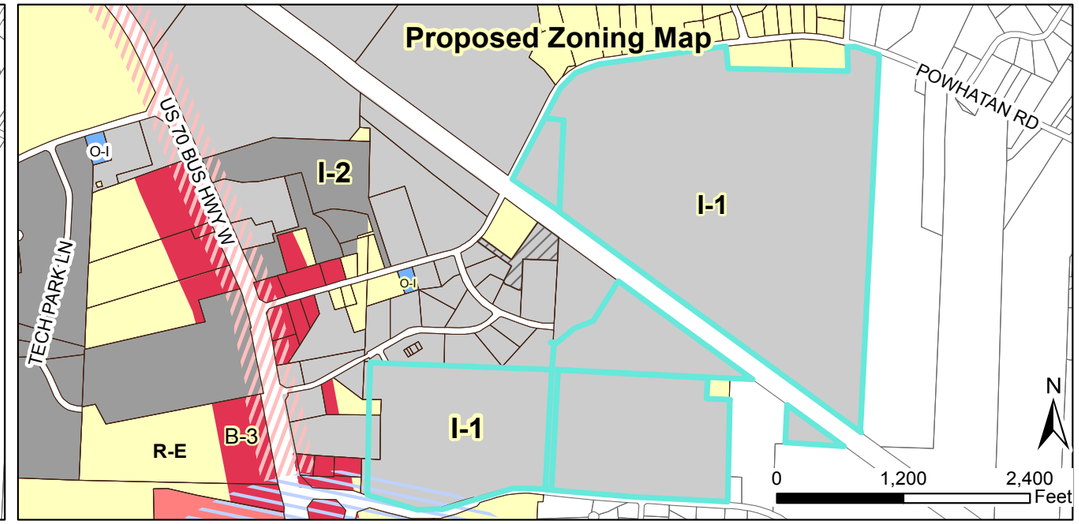
Staff is recommending approval with conditions of the proposed Major Site Plan 2015-82-SP (acting as a Master Plan).

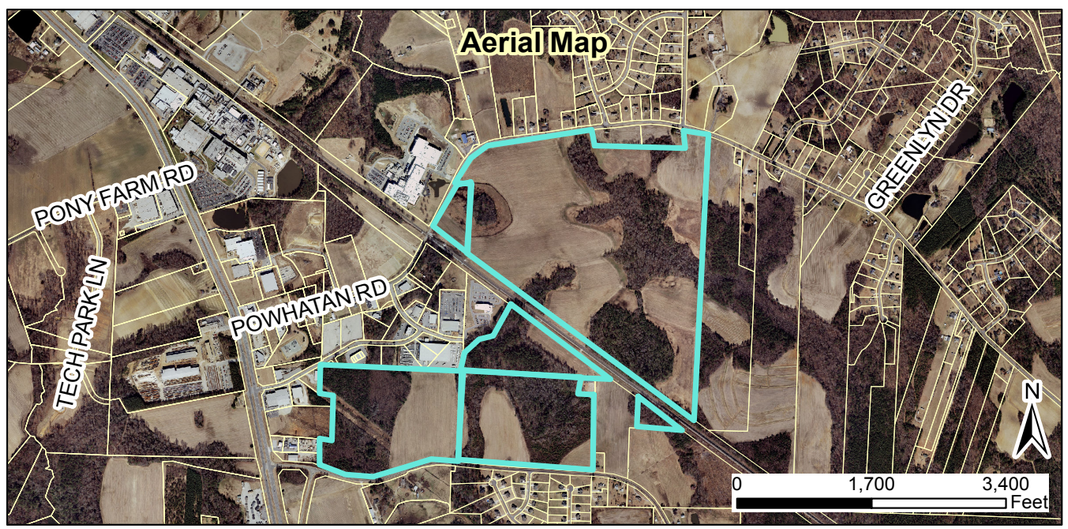
ATTACHMENTS:

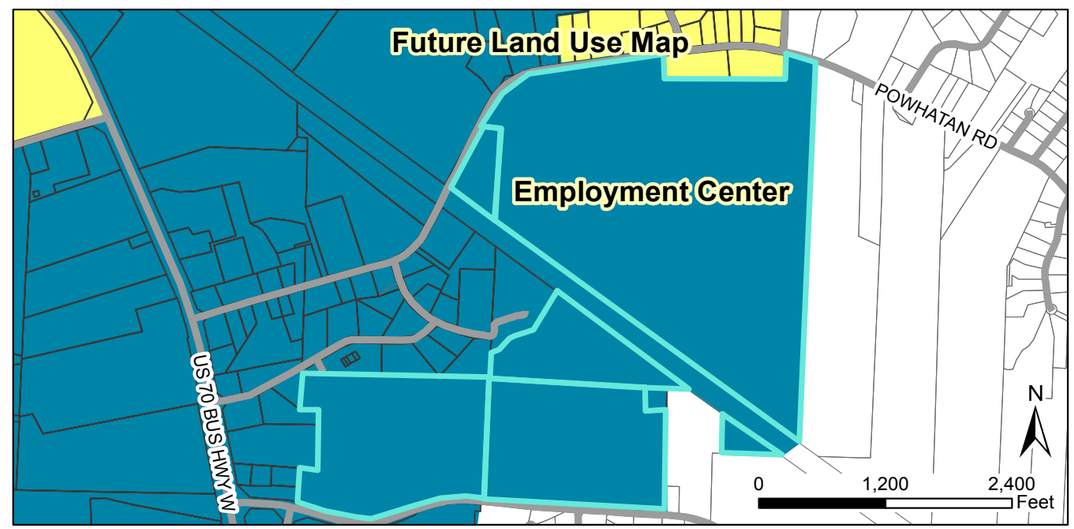
1) Staff report maps

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









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

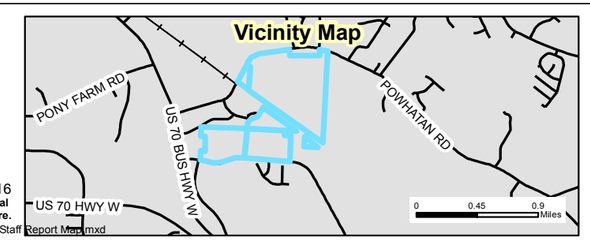
Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
Property Owners: Novo Nordisk Pharmaceutical Industries, Inc.
Parcel IDs: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9547
Tag #s: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I0521C

N

Site
Parcels_03202015_All
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay

2/3/16

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



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January 28, 2016

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

Meeting Date: February 9, 2016 Meeting Time: 6:00 pm

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

Type of Application: Major Site Plan and Special Use Permit

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

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

Novo Nordisk Pharmaceutical Industries, Inc.
3612 Powhatan Road
Clayton, NC 27527
T: 919-550-2200
F: 919-553-3670
www.novonordisk-clayton.com

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

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

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

Sincerely,

Gary Lohr

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

Cc: Town of Clayton Planning Department

Novo Nordisk Pharmaceutical Industries, Inc.
3612 Powhatan Road
Clayton, NC 27527
T: 919-550-2200
F: 919-553-3670
www.novonordisk-clayton.com

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____

Date of Mailing: _____

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

Printed Name: _____ Signature: _____

Date of Meeting: 09Feb2016 Time of Meeting: 1800 or 6:00pm

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

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

* See Attached Novo Nordisk Meeting Minutes*

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application:

Location/Date:

	NAME	ADDRESS
1	Allen Wellon	Smithfield NC
2	Haley Hugg	Town of Clayton, Staff
3	JAY McLEOD	" " " "
4	Jackie Dunn	305 Deerfield Dr.
5	Barry Fant	FLUOR CORP.
6	Beth Deen	Kimley-Horn
7	Benny + Debbie Faircloth	19 Stafford Dr Clayton NC
8	Rick Hester	Po Box 1098 Smithfield
9	Bergie Goddis	P.O. Box 1809, Smithfield, N.C.
10	Deborah Porto	JCC Clayton
11	MIKE WILLEY	3416 Kennebunk CT Raleigh
12	Carol Willey	3416 Kennebunk CT Raleigh
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application:

Location/Date:

	NAME	ADDRESS
1	DAVID DZYOUNK	111 EAST 2ND ST. CLAYTON 27520
2	Matt Kuntz	
3	Gary Lohr	
4	Gwen Lohr	
5	Norwood Thompson	442½ E. main St
6	JANE BIZZELL	120 S. THIRD ST. SMITHFIELD
7		
8		
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Minutes

Meeting: NNPII DAPI US Neighborhood Meeting

Date of meeting: 09Feb2016 at 1800

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

Meeting organiser: Gary Lohr

Note Taker: Beth Reed/Jessica Gadbois

Copy: Town of Clayton

Topic/Action	Responsible	Deadline

Meeting commenced at 18:14 with Gary Lohr
• Introduced self & DAPI US Project
• Introduced groups present:
  ○ Kimley-Horn
  ○ Town of Clayton
  ○ Johnston County
  ○ NC-DOT
  ○ Fluor
  ○ Jo Co Sheriff's Department
  ○ Neighbors of NNPII DAPI US Project
	Gary Lohr	N/A

PowerPoint utlized by Gary Lohr to present & discuss DAPI US Expansion Project
• Agenda included:
  ○ Welcome
  ○ Safety & Practicalities
  ○ Novo Nordisk overview
  ▪ Origin of Novo Nordisk as a company
  ▪ Product lines
  • Introduced GLP1-Oral Protien potential
  ▪ Worldwide Pandemic of Diabetes
  • Supply vs Demand
  • Need for additional insulin production
  ○ See Q & A section: #1
  ○ Novo Nordisk in Clayton
  ▪ History/Development of existing facility
  • Expansions to meet continued supply & demand
  • 2014 Expansion utilized remaining Novo Nordisk property W. of Powhatan Rd.
  ▪ Novo's commitment to their Triple Bottom Line:
  • Financial, Social & Environmental responsibility: Focus on Social & Environmental
 	
Continued on page 2
	Gary Lohr	N/A

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

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

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

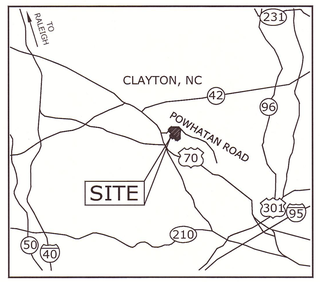
Novo Nordisk Diabetes API-US

3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

SITE MASTER PLAN PACKAGE

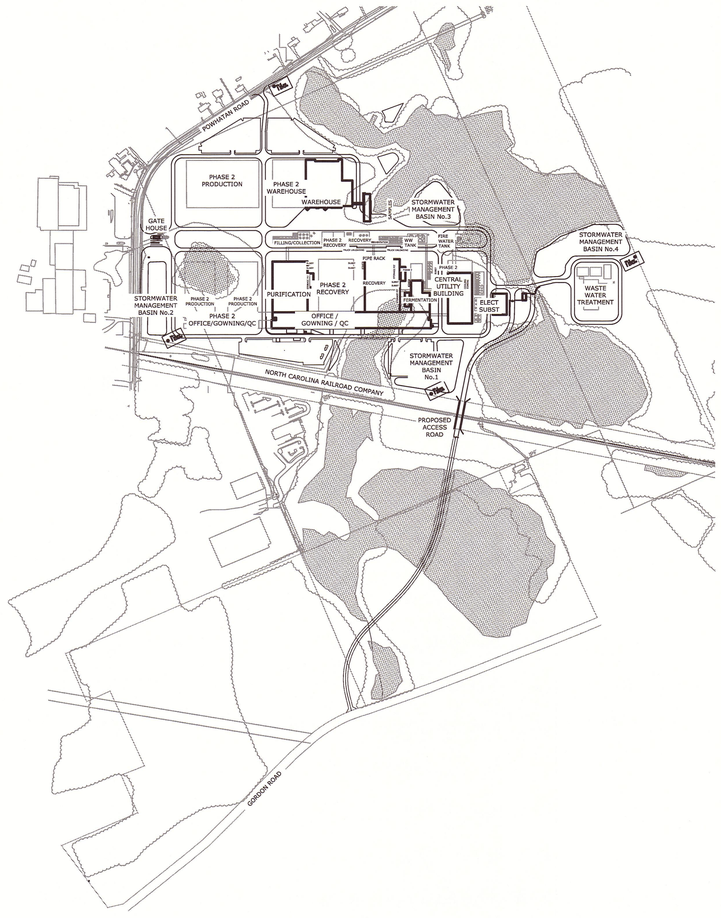
DRAWING LIST

DRAWING NUMBER	DRAWING DESCRIPTION
CIVIL DRAWINGS	
CL XX DAPI-US 3 15 00 010	CIVIL - SITE MASTER PLAN - COVER SHEET
CL XX DAPI-US 3 15 00 002	CIVIL - EXISTING SITE CONDITIONS PLAN
CL XX DAPI-US 3 15 00 004	CIVIL - SITE MASTER PLAN 1 OF 2
CL XX DAPI-US 3 15 00 005	CIVIL - SITE MASTER PLAN 2 OF 2
CL XX DAPI-US 3 15 00 007	CIVIL - TEMPORARY CONSTRUCTION FACILITIES PLAN
CL ZZ DAPI-US 3 15 00 004	CIVIL - SITE MASTER PLAN WITH AERIAL
ARCHITECTURAL DRAWINGS	
CL-XX-DAPI-US-2-10-0(001	ARCHITECTURAL - COVER SHEET
CL-XX-DAPI-US-2-10-0(002	ARCHITECTURAL - ELEVATIONS
CL-XX-DAPI-US-2-10-0(003	ARCHITECTURAL - ELEVATIONS
CL-XX-DAPI-US-2-10-0(004	ARCHITECTURAL - AERIAL VIEWS
SURVEY DRAWINGS	
R.1.3.0.0407	BOUNDARY SURVEY SHEET
R.1.3.0.0407	BOUNDARY SURVEY SHEET
R.1.3.0.0408	TOPOGRAPHIC SURVEY SHEET
R.1.3.0.0408	TOPOGRAPHIC SURVEY SHEET



LOCATION MAP

NTS



SCALE 1"=400'

DEVELOPER

Novo Nordisk
3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

PARCEL OWNER

Novo Nordisk
3612 POWHATAN ROAD
CLAYTON, NORTH CAROLINA
USA

SURVEYOR

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

ENGINEER

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

ARCHITECT

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

LANDSCAPE ARCHITECT

TBD

RECEIVED
JAN 28 2016
TOWN OF CLAYTON
PLANNING DEPARTMENT

Know what's below. Call before you dig.

Rev.	Rev. date:	Design init.:	Revisions:
D	27JAN16	CIT	REVISED PER REVIEW COMMENTS
C	06JAN16	AFV/CIT	ISSUED FOR PERMIT
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
A	16NOV15	AFZ/CIT	ISSUED FOR REVIEW

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Drawing checked: | Drawing approved: | Document classification

novo nordisk
Novo Nordisk A/S
Powhatan Road
Clayton, North Carolina
USA

Novo Nordisk
Diabetes API-US

Creation date:	03NOV15
Revision date:	27JAN16
Drawn By:	TRH
Design By:	AFZ
Scale:	1"=400'
Page no.:	

CIVIL
COVER SHEET
SITE MASTER PLAN PACKAGE

CL XX DAPI-US 3 15 00010

PLOT DATE:P:\CAD\210\DWG\CL XX DAPI-US 3 15 00010.dwg 01-27-16 11:35 am Printed By: tay16284

STATE PLANE NORTH

NOTES:

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

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

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

LEGEND:

	EXISTING
TREES	
LOW BRUSH	
FENCE	—x—x—
BUILDING	
ROAD	
PROPERTY LINE	
CONTOUR	—(285)—
EP	EXISTING EDGE OF PAVEMENT
PP	POWER POLE
ROW	RIGHT OF WAY
I-1	PROPERTY ZONING

ADJACENT LAND OWNERS:

#	ID	Tax Id	NCPIN	OWNER	SITE ADDRESS	BOOK	PAGE	ACERAGE
1	05E99007S	4305566	167804-91-0564	POWHATAN ROAD LIMITED PARTERSHIP		4270	489	4.09
2	05E99007H	4352303	167804-91-5923	GORDAN, CHARLES B & POWHATAN ROAD LIMITED PARTERSHIP	2990 POWHATAN ROAD	3544	488	28.57
3	05I05006K	4320363	167804-81-4402	ISSA, YAZAN HASSAN	23 GLEN LAUREL ROAD	1852	652	0.92
4	05I05006L	4320329	167804-81-2521	HAMILTON, CONSTANCE	3094 POWHATAN ROAD	1517	982	0.92
5	05I05006M	4380942	167804-81-1501	JANCUSKA, THOMAS	3116 POWHATAN ROAD	4472	761	0.94
6	05I05006N	4320330	167804-71-9581	LOGAN, LAUREN MICHELLE	3138 POWHATAN ROAD	3810	674	0.94
7	05I050060	4320359	167804-71-8550	MCZORN, DEBRA L	3160 POWHATAN ROAD	3831	925	0.94
8	05I05006P	4320360	167804-71-6494	GENSEL, LARRY D	100 MOHICAN TRAIL	1539	435	0.92
9	05I05006Q	4320348	167804-71-4452	POOLE, EARL WAYNE & NANCY E	101 MOHICAN TRAIL	1564	537	0.93
10	05I05006R	4320324	167804-71-2399	SMOOT, WARREN DOUGLAS & SHARON BOND	3248 POWHATAN ROAD	3774	515	0.92
11	05I05005A	4375730	167804-71-1317	HILL, WILLIAM ROGER	3276 POWHATAN ROAD	1079	217	1.04
12	05I05005	4308756	167804-61-9916	HILL, WILLIAM ROGER & GINGER SMITH		1827	240	13.96
13	05I05004A	4304331	167804-61-7520	SMITH, LARRY & LINDA T	3352 POWHATAN ROAD	3598	783	1.67
14	05I05004C	4382239	167804-61-5488	SCOTT, TERESA SMITH	3366 POWHATAN ROAD			1.67
15	05I05004	4376261	167804-62-3275	KAN D HOLDINGS LLC		4394	143	21.12
16	05I05012	4361282	167804-61-0681	GRIFOLS THERAPEUTICS INC		4016	306	7.25
17	05I05013	4277996	167804-51-8252	POWHATAN FREE WILL BAPTIST	3468 POWHATAN ROAD			2.86
18	05E99010G	4424422	167804-41-9237	NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC	3612 POWHATAN ROAD	3834	908	54.3
19	05I05014A	4320370	167700-59-3446	SON, YOUNG MUM & SON HAE SOOK	3733 POWHATAN ROAD	3049	156	4
20	0505019Q	4320374	167700-59-6259	LAM MEDIA GROUP LLC	3755 POWHATAN ROAD	3439	837	4.15
21	05I05008K	4352508	167700-68-0854	JOHNSON COUNTY INDUSTRIAL DEVELOPMENT CORPORATION	135 BEST WOOD DRIVE	2612	865	8.01
22	05I05022C	4320400	167700-77-4839	NEW BETHEL CHURCH	1814 GORDAN ROAD			
23	05I05023	4320375	167700-77-7532	MITCHELL, BETTY L	2367 GORDAN ROAD			14.68
24	05I05024A	4359701	167700-86-5850	SPENCE, MATTHEW E	1650 GORDAN ROAD	4009	497	29.81
25	05J06001B	4357432	167804-90-0621	WOODALL, EUGENE D BETTY SUE		674	534	50
26	05I05022A	4425791	167700-67-6564	COUNTY OF JOHNSON	1988 GORDAN ROAD	4702	650	45.79
27	05I05019O	4348876	167700-58-6227	NEUSE RIVER LEASING INC		1843	505	2.79
28	05E99010H	4357872	167800-40-6294	NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC		1389	114	8.27
29	05I05010	4348873	167804-71-6196	POWHATAN PROPETIES LLC		3638	840	3.76
30	05E99006M	4407917	167804-81-3106	ELLIS, JAMES TERRY & SANDRA STEPHENSON	3059 POWHATAN ROAD	3626	755	3.37

NOT FOR CONSTRUCTION

0 150' 300' 600' 900' 1200' 1500'

SCALE: 1"=300'

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

Rev.	Rev. date:	Design int.:	Revisions:
E	27JAN16	CIT	REVISED PER REVIEW COMMENTS
D	12JAN16	CIT	ISSUED FOR LAND DISTURBANCE PERMIT
C	06JAN16	AZT/CIT	ISSUED FOR PERMIT
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
A	16DEC15	AFZ/CIT	ISSUED FOR REVIEW

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

Drawing checked: Drawing approved: Document classification

novo nordisk

Novo Nordisk A/S
Powhatan Road
Clayton, North Carolina
USA

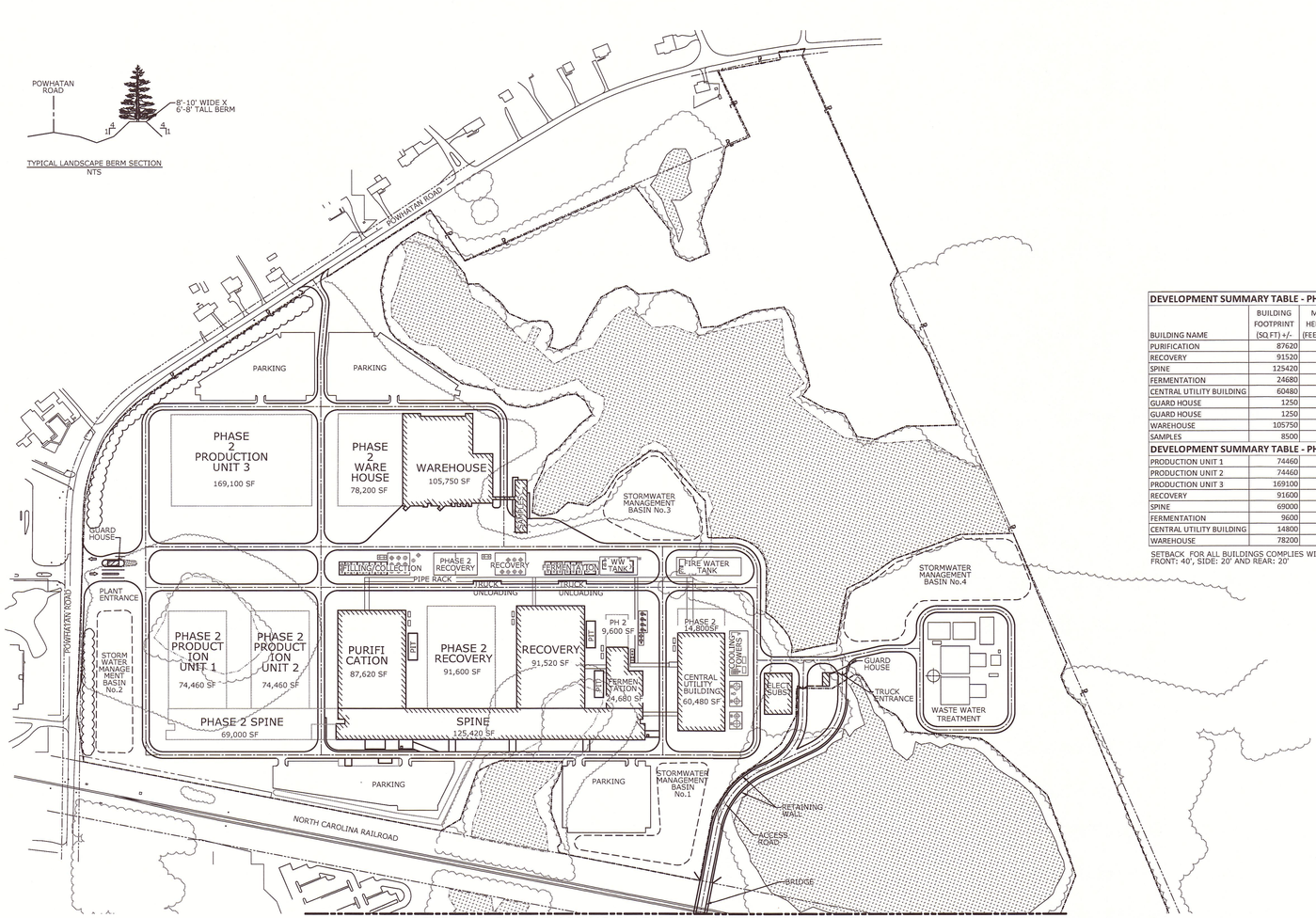
Novo Nordisk
Diabetes API-US

Creation date:	29OCT15
Revision date:	27JAN16
Drawn By:	CIT
Design By:	AFZ
Scale:	1"=200'
Page no.:	

CIVIL
EXISTING
SITE CONDITIONS
PLAN

CL XX DAPI-US 3 15 00002

PLOT DATE:P:\CAD\210\DWG\CL XX DAPI-US 3 15 00002.dwg 01-27-16 11:42 am Printed By: tayl16284



REFER TO CL XX DAPI-US 3 15 00005 FOR CONTINUATION

LEGEND:

	EXISTING	PROPOSED
WETLANDS		
TREES		
LOW BRUSH		
FENCE		
BUILDING		
ROAD		
PROPERTY LINE		
LIMITS OF DISTURBANCE		
LANDSCAPED BERM		

DEVELOPMENT SUMMARY TABLE - PHASE 1

BUILDING NAME	BUILDING FOOTPRINT (SQ.FT) +/-	MAX HEIGHT (FEET) +/-	HEIGHT OCCUPIED (FEET) +/-
PURIFICATION	87620	60	55
RECOVERY	91520	60	55
SPINE	125420	60	55
FERMENTATION	24680	90	85
CENTRAL UTILITY BUILDING	60480	60	55
GUARD HOUSE	1250	20	15
GUARD HOUSE	1250	20	15
WAREHOUSE	105750	60	55
SAMPLES	8500	60	55
DEVELOPMENT SUMMARY TABLE - PHASE 2			
PRODUCTION UNIT 1	74460	60	55
PRODUCTION UNIT 2	74460	60	55
PRODUCTION UNIT 3	169100	60	55
RECOVERY	91600	60	55
SPINE	69000	60	55
FERMENTATION	9600	90	85
CENTRAL UTILITY BUILDING	14800	60	55
WAREHOUSE	78200	60	55

SETBACK FOR ALL BUILDINGS COMPLIES WITH MINIMUM FRONT: 40', SIDE: 20' AND REAR: 20'

SITE IMPACTS SUMMARY

IMPACT AREA	ACRES	FILL VOL (CU YD)
USACE JURISDICTIONAL WETLANDS IMPACTED (SITE)	2.31	37,096
USACE JURISDICTIONAL WETLANDS IMPACTED (ACCESS ROAD NORTH OF RR)	0.52	12,584
NCDWR JURISDICTIONAL ISOLATED WETLAND IMPACTED	2.18	10,558
LIMITS OF DISTURBANCE - NORTH OF RR	93.5	
LIMITS OF DISTURBANCE - SOUTH OF RR	TBD	

BUILDING FOOTPRINT AREAS (SF)

PHASE	AREA REQ'D	AREA AVAILABLE
PHASE 1	495,470	495,470
PHASE 2	581,220	581,220

SITE DATA TABLE

PROJECT NAME:	NOVO NORDISK DIABETES, API-US
PIN:	REAL ID NUMBER:
167804-50-7128,	4212965
67804-50-8595,	4212958
167700-68-5440,	4212964
167700-67-6564,	4171775
167700-47-9545	4239723
ADDRESS:	3612 POWHATAN ROAD CLAYTON, NORTH CAROLINA USA
ZONING: (EXISTING)	I-1
ZONING: (PROPOSED)	I-1
SITE AREA: (GROSS)	222.38 AC 178.01 AC NORTH 44.37 AC SOUTH
PROPOSED DEVELOPMENT: PHARMACEUTICAL PRODUCTION FACILITY	11.37 AC IN SEVEN BUILDINGS
BUILDING LOT COVERAGE:	11.37 ACRES = 5.1% OF TOTAL SITE
MAXIMUM BUILDING HEIGHT:	90'
NUMBER OF STORIES:	1-5
PROPOSED DEVELOPMENT SETBACKS:	FRONT 40' SIDE 20' REAR 20'
IMPERVIOUS AREA	22.5 AC (10.1%)

Rev.:	Rev. date:	Design init.:	Revisions:
F	22JAN16	CIT	REVISED PER REVIEW COMMENTS
E	12JAN16	CIT	ISSUED FOR LAND DISTURBANCE PERMIT
D	22DEC15	TRH	ISSUED FOR PERMIT
C	17DEC15	AFZ/CIT	ISSUED FOR PERMIT
B	23NOV15	AFZ/CIT	ISSUED FOR CLIENT REVIEW AND APPROVAL
G	27JAN16	CIT	REVISED PER REVIEW COMMENTS

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NOT FOR CONSTRUCTION

0 100' 200' 400' 600' 800' 1000'

SCALE: 1"=200'

novo nordisk

Novo Nordisk A/S
Powhatan Road
Clayton, North Carolina
USA

Novo Nordisk
Diabetes API-US

Creation date:	29OCT15
Revision date:	
Drawn By:	CIT
Design By:	AFZ
Scale:	1"=200'
Page no.:	

CIVIL
SITE MASTER PLAN - NORTH

CL XX DAPI-US 3 15 00004

PLOT DATE:P:\CAD\210\DWG\CL XX DAPI-US 3 15 00004.dwg 01-27-16 11:45 am Printed By: tay16284

STATE PLANE NORTH

LEGEND:

	EXISTING	PROPOSED
WETLANDS		
TREES		
LOW BRUSH		
FENCE		
BUILDING		
ROAD		
PROPERTY LINE		
LIMITS OF DISTURBANCE		
EP	EXISTING EDGE OF PAVEMENT	
PP	POWER POLE	
ROW	RIGHT OF WAY	
LANDSCAPED BERM		

NOT FOR CONSTRUCTION

0 100' 200' 400' 600' 800' 1000'

SCALE: 1"=200'

Rev.:	Rev. date:	Design init.:	Revisions:
B	06JAN16	AZT/CIT	ISSUED FOR PERMIT
A	22DEC15	TRH	ISSUED FOR PERMIT

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Revision date:	
Drawn By:	CIT
Design By:	AFZ
Scale:	1"=200'
Page no.:	

CIVIL
SITE MASTER PLAN - SOUTH

CL-XX-DAPI-US-3-15-00-005

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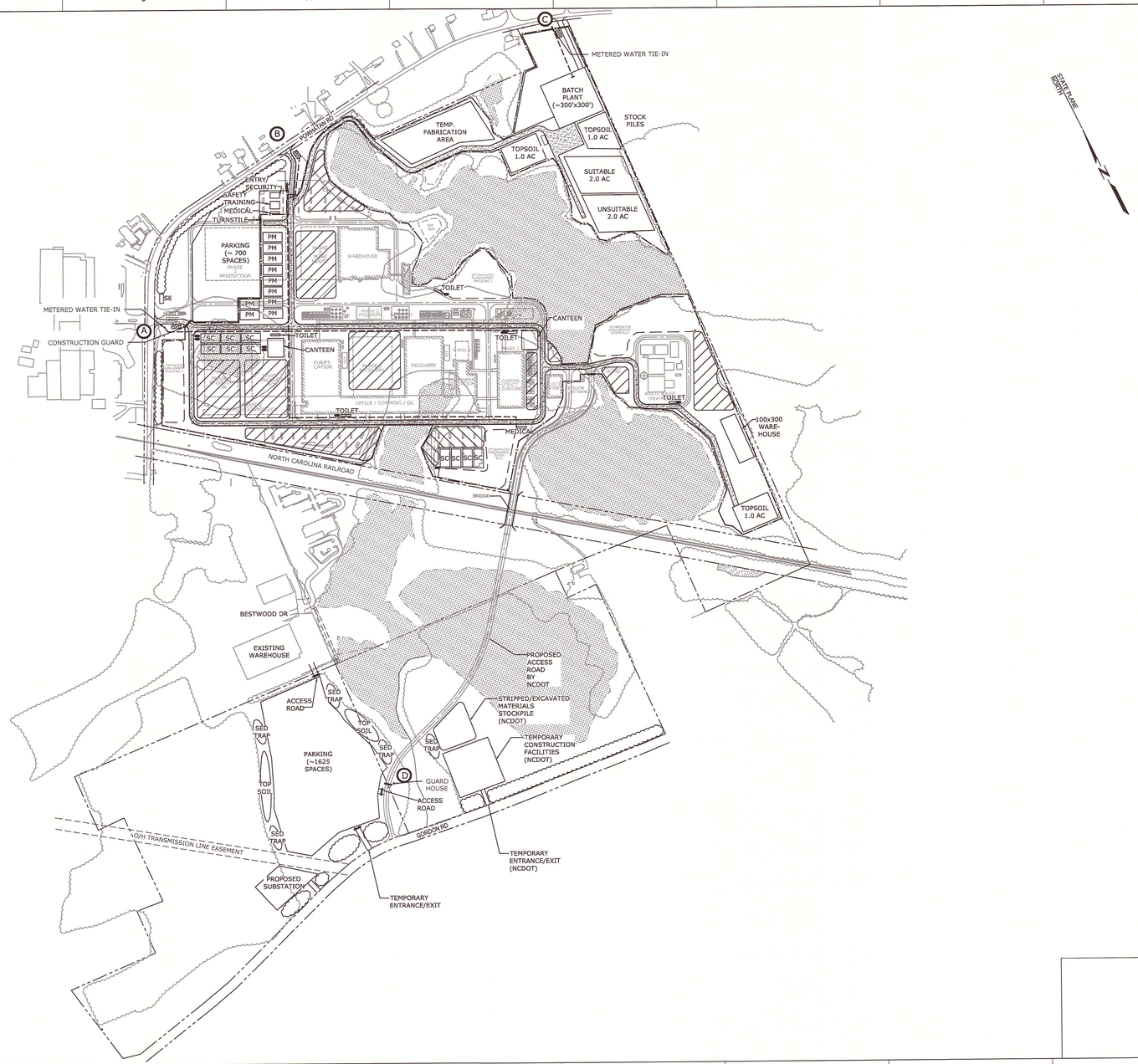

LEGEND

	EXISTING	PROPOSED
WETLANDS AREA		
TREE LINE		
LOW BRUSH		
FENCE		
BUILDING		
ROAD		
PROPERTY LINE		
HAUL ROAD		
LAYDOWN AREA		
LANDSCAPED BERM		
UNDERGROUND SANITARY HOLDING TANK		
POTABLE WATER LINE		
TIRE WASH STATIONS 30' X 50'		

CONSTRUCTION ENTRANCES:

- (A) BADGED AND EMERGENCY VEHICLE ENTRANCE
- (B) PERSONAL VEHICLE ENTRY
- (C) EARLY DELIVERIES BATCH PLANT SUPPLIES (UN-MANNED)
- (D) DELIVERIES

CONSTRUCTION BUILDINGS

PROJECT MANAGEMENT (PM)	(10) 60x120
SUBCONTRACTORS (SC)	(9) 60x120
SITE ESTABLISHMENT (SE)	(1) 60X24
WAREHOUSE	(1) 30,000 SQ FT
ENTRY/SECURITY	(1) 36x60
SAFETY TRAINING	(1) 48x60
CANTEEN	(2) 100X120
MEDICAL	(2) 12x60
TOILET	(5) 12x60

NOT FOR CONSTRUCTION

0 150' 300' 600' 900' 1200' 1500'

SCALE: 1"=300'

Rev.:	Rev. date:	Design init.:	Revisions:
B	22DEC15	AFZ/CIT	ISSUED FOR PERMIT
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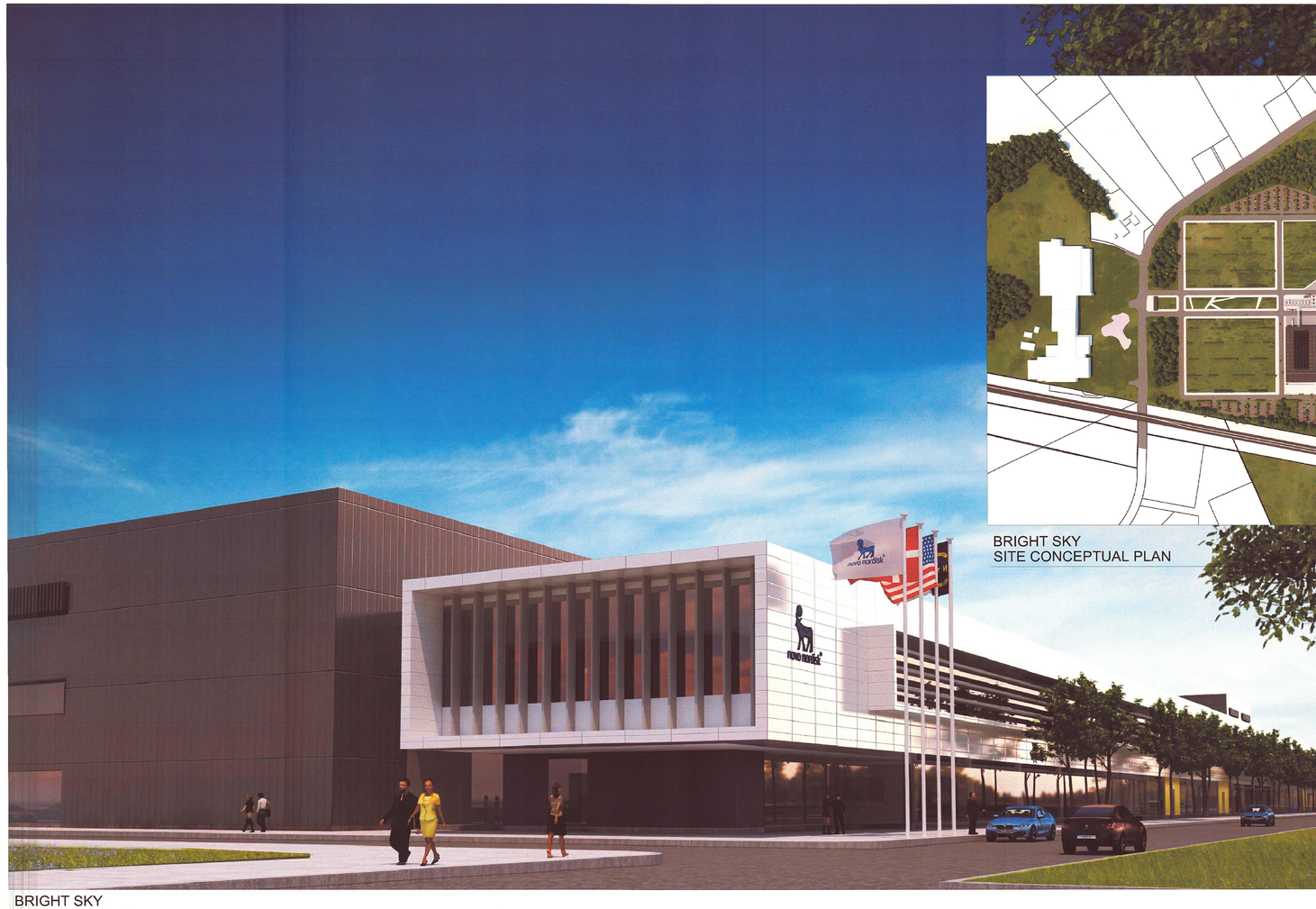
Design By:	AFZ
Scale:	1"=300'
Page no.:	

CIVIL
TEMPORARY CONSTRUCTION FACILITIES PLAN

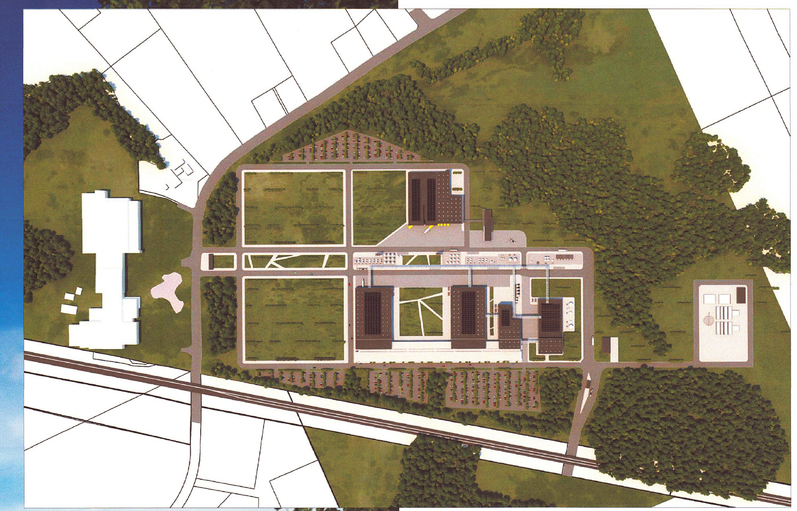
CL-XX-DAPI-US-3-15-00-007

PLOT DATE:P:\CAD\210\DWG\CL-XX-DAPI-US-3-15-00-007.dwg 12-23-15 2:17 pm Printed By: zue34026

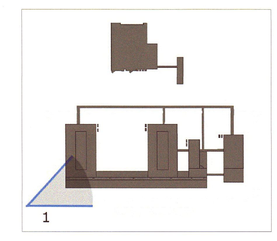


BRIGHT SKY
CONCEPTUAL

MAIN ENTRY



BRIGHT SKY
SITE CONCEPTUAL PLAN



KEY PLAN

Rev.:	Rev. date:	Design init.:	Revisions:
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A	18DEC15	TM	ISSUED FOR REVIEW

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COVER SHEET

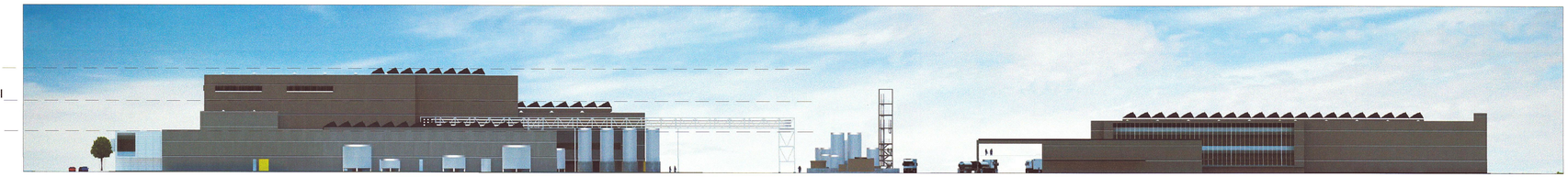
CL-XX-DAPI-US-2-10-00-001

PLOT DATE:P:\CAD\220\PDP\For Submittal\120815\SHEET1.dwg 12-22-15 12:02 pm Printed By: bom21583

Fermentation Roof Level
86'-0"

Recovery and Purification Roof Level
56'-0"

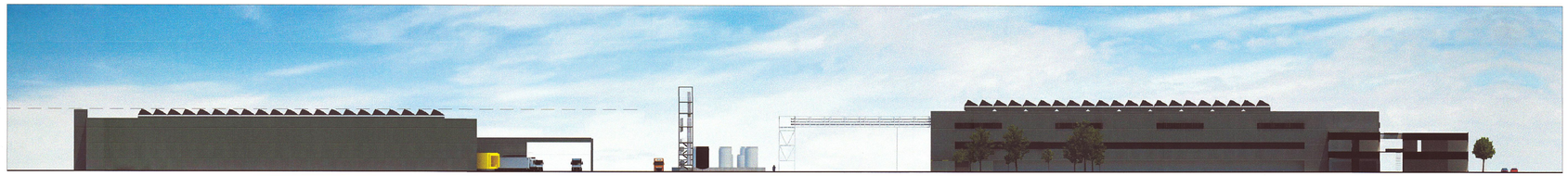
Spine Roof Level
38'-0"



BRIGHT SKY
CONCEPTUAL

EAST FACADE

Warehouse Roof Level
50'-0"



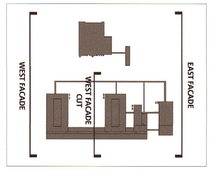
BRIGHT SKY
CONCEPTUAL

WEST FACADE - CUT

Warehouse Roof Level
50'-0"

BRIGHT SKY
CONCEPTUAL

WEST FACADE



KEY PLAN

Rev.:	Rev. date:	Design init.:	Revisions:
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ELEVATIONS

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

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

Fermentation Roof Level
86'-0"
Recovery and Purification Roof Level
56'-0"
Spine Roof Level
38'-0"

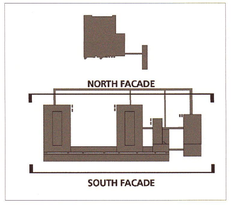
BRIGHT SKY
CONCEPTUAL

NORTH FACADE

Fermentation Roof Level
86'-0"
Recovery and Purification Roof Level
56'-0"
Spine Roof Level
38'-0"

BRIGHT SKY
CONCEPTUAL

SOUTH FACADE



KEY PLAN

Rev.:	Rev. date:	Design init.:	Revisions:
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A	16DEC15	TM	ISSUED FOR REVIEW

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Revision date:	
Drawn By:	DB
Design By:	TM
Scale:	N.T.S.
Page no.:	

ELEVATIONS

CL-XX-DAPI-US-2-10-00-003

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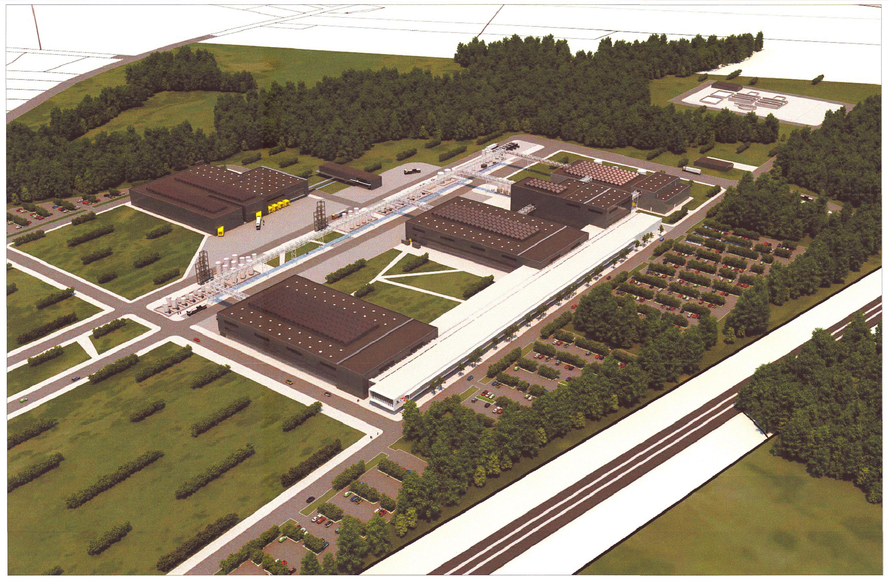
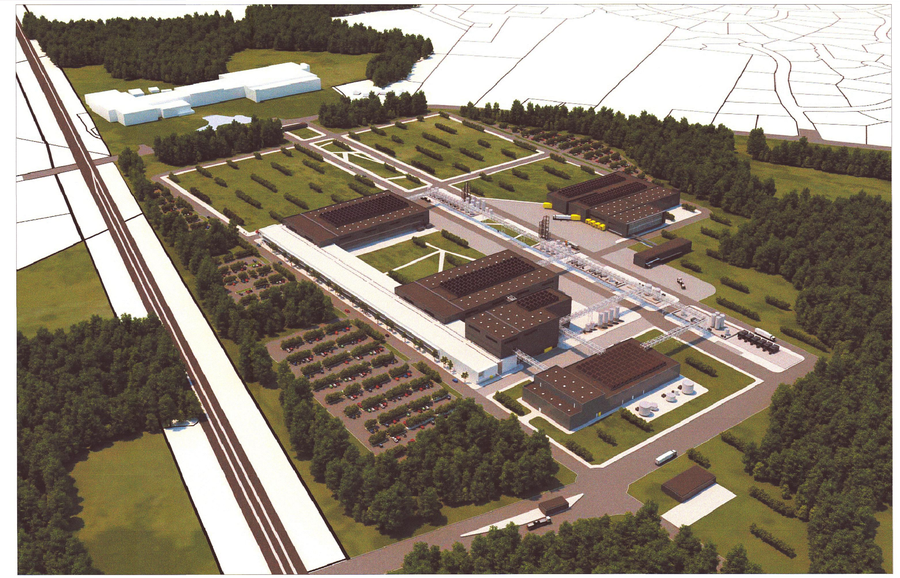


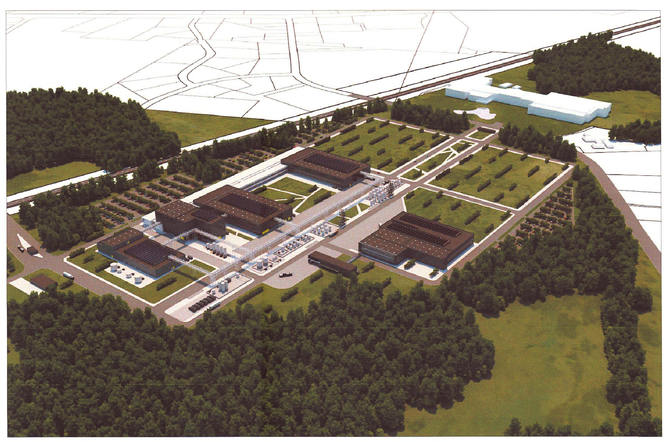
BRIGHT SKY
CONCEPTUAL

AERIAL VIEW 1



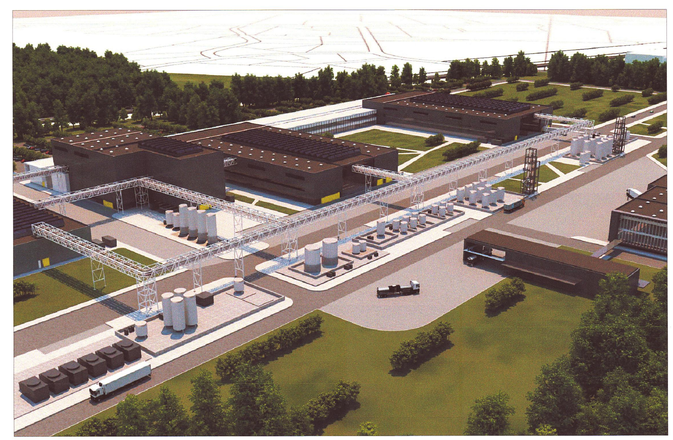
BRIGHT SKY
CONCEPTUAL

AERIAL VIEW 2



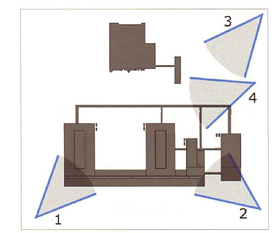
BRIGHT SKY
CONCEPTUAL

AERIAL VIEW 3



BRIGHT SKY
CONCEPTUAL

AERIAL VIEW 4



KEY PLAN

Rev.:	Rev. date:	Design init.:	Revisions:
B	22DEC15	TM	ISSUED FOR PERMIT
A	16DEC15	TM	ISSUED FOR REVIEW

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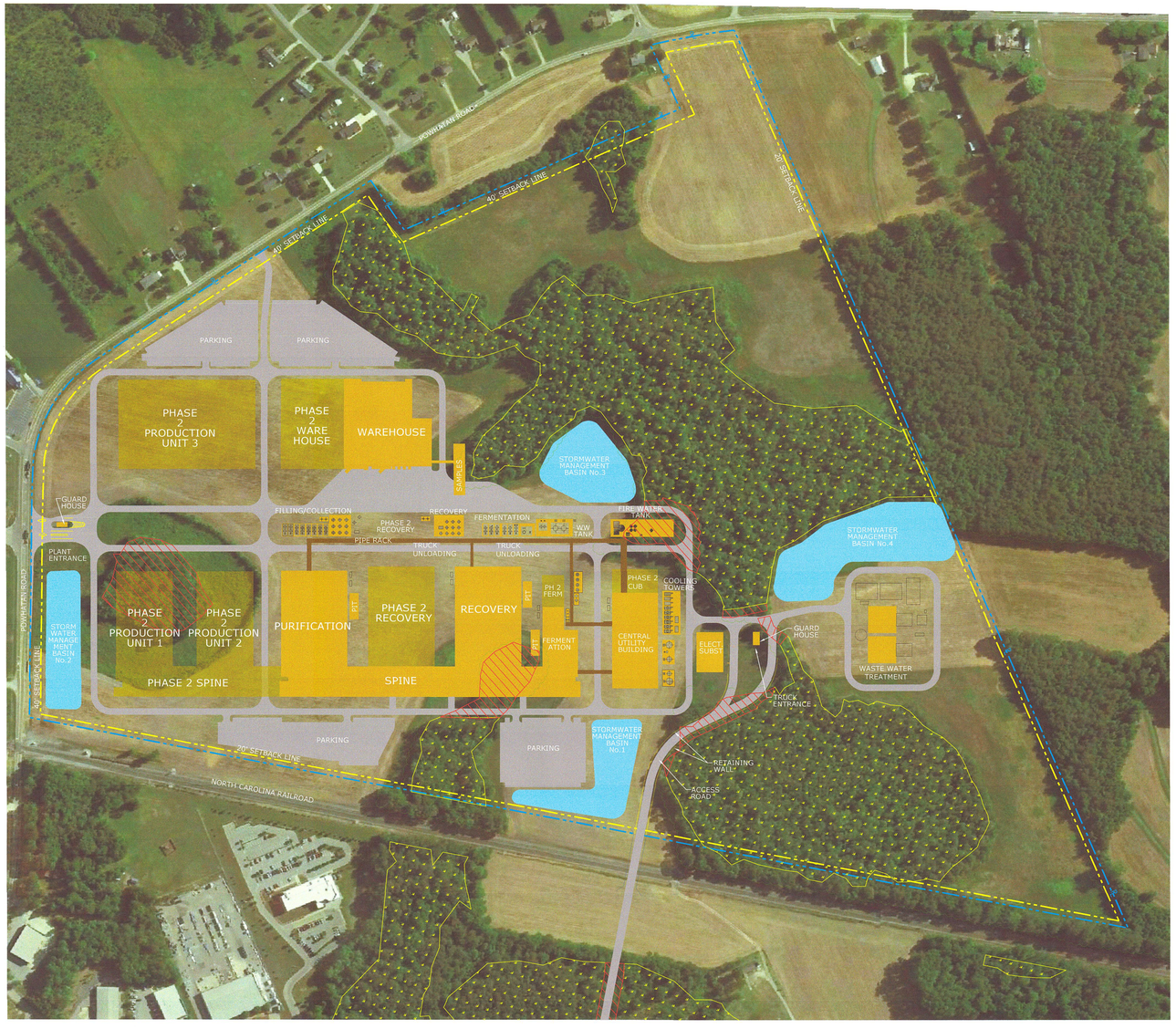
-
AERIAL VIEWS
-

CL-XX-DAPI-US-2-10-00-004

PLOT DATE:P:\CAD\220\PDF\For Submittal\120815\SHEET4.dwg 12-22-15 12:05 pm Printed By: bom21583



STATE PLANE NORTH

NOTES:

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

LEGEND:

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

NOT FOR CONSTRUCTION

0 100' 200' 400' 600' 800' 1000'

SCALE: 1"=200'

Rev.:	Rev. date:	Design init.:	Revisions:
A	27JAN16	CIT	ISSUED FOR REVIEW

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Creation date:	29OCT15
Revision date:	
Drawn By:	TRH
Design By:	AFZ
Scale:	1"=200'
Page no.:	

CIVIL
SITE MASTER PLAN
WITH AERIAL

CL ZZ DAPI-US 3 15 00004

PLOT DATE:P:\CAD\210\DWG\CL ZZ DAPI-US 3 15 00004.dwg 01-27-16 11:59 am Printed By: tayl6284

– LEGEND –

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

– NOTES –

1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES IN "U.S. SURVEY FEET. (UNLESS OTHERWISE STATED)
2. ALL BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD 1983\NSRS 2011). THE PROJECT IS LOCALIZED ABOUT REBAR & CAP MCKIM & CREED "#1" WITH A COMBINED FACTOR OF 0.999984119.
3. THERE ARE NO BURIAL GROUNDS OR CEMETERIES VISIBLE ON THIS PROPERTY.
4. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY IS SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
5. THIS PROPERTY IS LOCATED IN "ZONE "X." AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SHOWN ON FIRM PANEL 1678, MAP NUMBER 3720167800J WITH AN EFFECTIVE DATE OF DECEMBER 2, 2005.
6. THE GRID COORDINATES SHOWN ON THIS PLAT WERE DERIVED BY VRS (VIRTUAL REFERENCE STATION) GPS OBSERVATIONS USING A DUAL FREQUENCY RECEIVER. THIS METHOD RESULTS IN "NAD83/2011 POSITIONS AND NAVD88 ELEVATIONS USING THE CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) MAINTAINED BY NORTH CAROLINA GEODETIC SURVEY.
7. THIS PROPERTY IS ZONED I-1.

I, RANDY S. RAMBEAU, SR., PLS L-2520, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM INFORMATION SHOWN IN DEED BOOKS REFERENCED ON MAP AND MAP BOOKS REFERENCED ON MAP. THAT ANY LINES NOT ACTUALLY SURVEYED APPEAR AS BROKEN LINES AND ARE DRAWN AS SHOWN. THAT BOUNDARIES SHOWN IN THE PLAT, THAT THE RATIO OF PRECISION AS CALCULATED IS BETTER THAN 1:10,000; THAT THE AREA IS COMPUTED BY COORDINATE METHOD; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS THE 18th DAY OF DECEMBER A.D.2015.

Randy S. Rambeau, Sr.

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

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

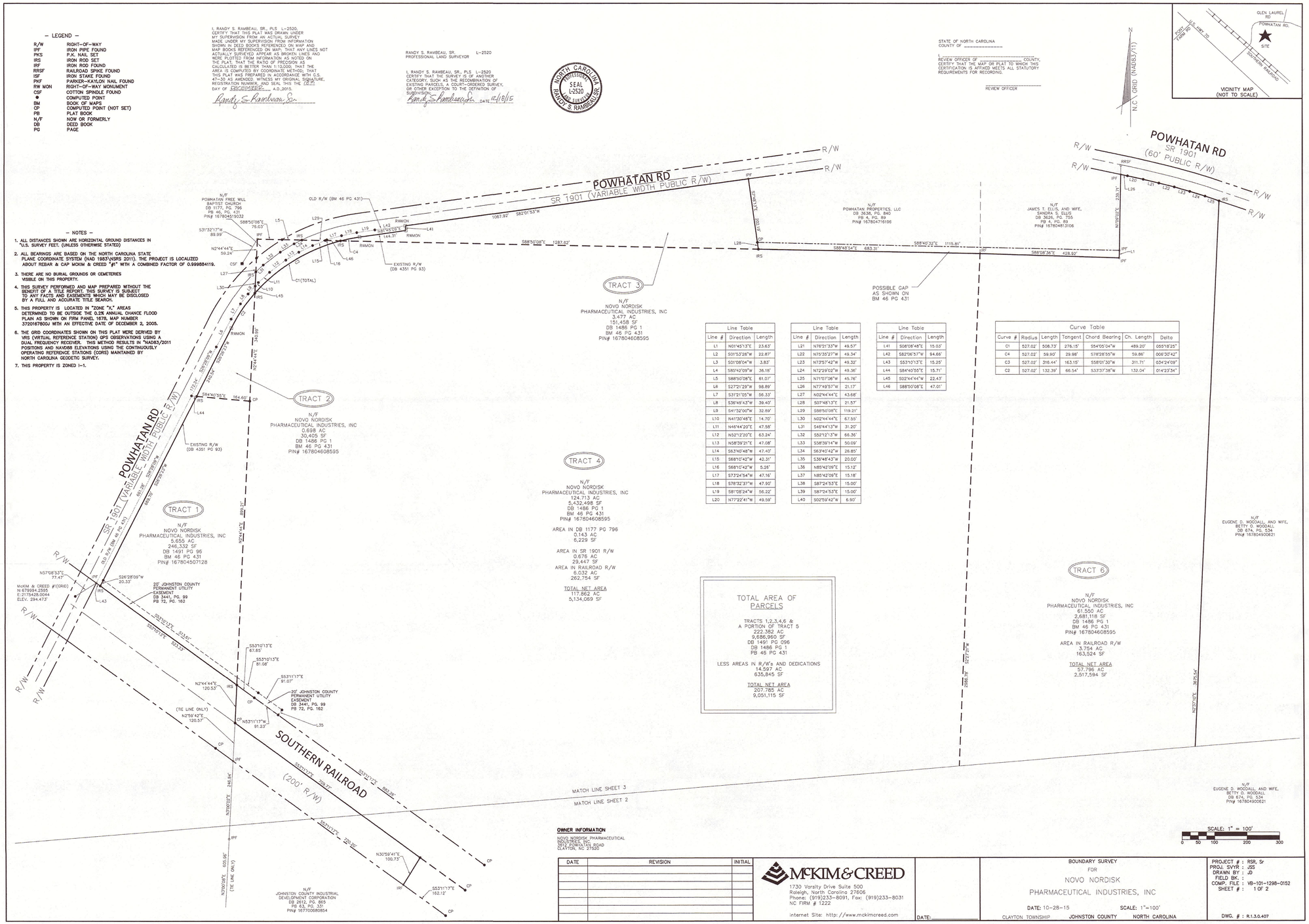
Randy S. Rambeau, Sr. DATE 12/18/15

NORTH CAROLINA PROFESSIONAL SEAL L-2520 RANDY S. RAMBEAU, SR.

STATE OF NORTH CAROLINA
COUNTY OF _____

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

_____
REVIEW OFFICER



Line Table		
Line #	Direction	Length
L1	N01°45'13"E	23.63'
L2	S01°53'28"W	22.87'
L3	S01°08'04"W	3.83'
L4	S85°42'09"W	36.18'
L5	S88°50'08"E	61.07'
L6	S27°21'29"W	98.89'
L7	S31°21'05"W	56.33'
L8	S35°49'43"W	39.40'
L9	S41°32'00"W	32.69'
L10	N41°30'48"E	14.70'
L11	N46°44'20"E	47.58'
L12	N52°12'20"E	63.24'
L13	N58°39'21"E	47.08'
L14	S83°40'48"W	47.40'
L15	S68°10'42"W	42.31'
L16	S68°10'42"W	5.28'
L17	S73°24'54"W	47.16'
L18	S76°52'31"W	47.90'
L19	S81°08'24"W	56.22'
L20	N77°22'41"W	49.59'

Line Table		
Line #	Direction	Length
L21	N76°21'33"W	49.57'
L22	N75°35'27"W	49.34'
L23	N73°57'42"W	49.32'
L24	N72°29'02"W	49.36'
L25	N71°07'06"W	45.76'
L26	N77°49'57"W	21.17'
L27	N02°44'44"E	43.68'
L28	S07°48'13"E	21.57'
L29	S88°50'08"E	119.21'
L30	N02°44'44"E	67.50'
L31	S48°44'13"W	31.20'
L32	S52°12'13"W	66.36'
L33	S58°39'14"W	50.09'
L34	S63°40'42"W	28.85'
L35	S36°48'43"W	20.00'
L36	N85°42'09"E	15.12'
L37	N85°42'09"E	15.18'
L38	S87°24'53"E	15.00'
L39	S87°24'53"E	15.00'
L40	S02°59'42"W	6.90'

Line Table		
Line #	Direction	Length
L41	S08°08'48"E	15.03'
L42	S82°06'57"W	94.66'
L43	S53°10'13"E	15.25'
L44	S84°40'55"E	15.71'
L45	S02°44'44"W	22.43'
L46	S88°50'08"E	47.01'

Curve Table						
Curve #	Radius	Length	Tangent	Chord Bearing	Ch. Length	Delta
C1	527.02'	508.73'	276.15'	S54°05'04"W	489.20'	055°18'25"
C4	527.02'	59.90'	29.98'	S78°28'55"W	59.86'	006°30'42"
C3	527.02'	316.44'	163.15'	S58°01'30"W	311.71'	034°24'09"
C2	527.02'	132.39'	66.54'	S33°37'38"W	132.04'	014°23'34"

TOTAL AREA OF PARCELS

TRACTS 1,2,3,4,6 &
A PORTION OF TRACT 5
222.382 AC
9,686,960 SF
DB 1491 PG 096
DB 1486 PG 1
PB 46 PG 431

LESS AREAS IN R/W's AND DEDICATIONS
14.597 AC
635,845 SF

TOTAL NET AREA
207.785 AC
9,051,115 SF

OWNER INFORMATION
NOVO NORDISK PHARMACEUTICAL INDUSTRIES, INC.
2613 POWHATAN ROAD
CLAYTON, NC 27520

DATE	REVISION	INITIAL

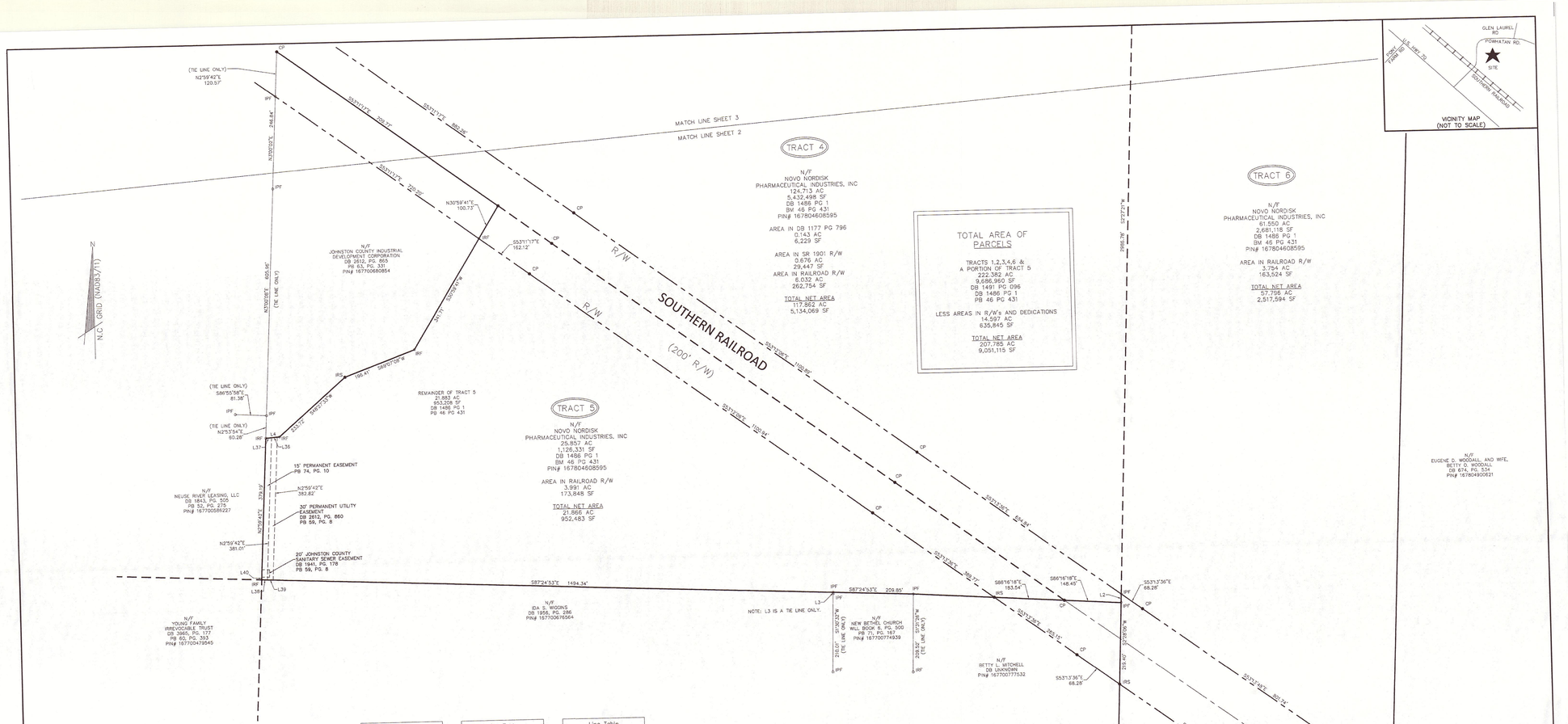
McKIM&CREED
1730 Varsity Drive Suite 500
Raleigh, North Carolina 27606
Phone: (919)233-8091, Fax: (919)233-8031
NC FIRM # 1222
internet Site: http://www.mckimcreed.com

DATE: _____

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

PROJECT # : RSR, Sr
PROJ. SVYR : JSS
DRAWN BY : JD
FIELD BK. :
COMP. FILE : VB-101-1298-0152
SHEET # : 1 OF 2

DWG. # : R.1.3.0.407



– LEGEND –

R/W	RIGHT-OF-WAY
IPF	IRON PIPE FOUND
PKS	P.K. NAIL SET
IRS	IRON ROD SET
IRF	IRON ROD FOUND
RRSF	RAILROAD SPIKE FOUND
ISF	IRON STAKE FOUND
PKF	PARKER-KAYLON NAIL FOUND
RW MON	RIGHT-OF-WAY MONUMENT
CSF	COTTON SPINDLE FOUND
●	COMPUTED POINT
BM	BOOK OF MAPS
CP	COMPUTED POINT (NOT SET)
PB	PLAT BOOK
N/F	NOW OR FORMERLY
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Line Table

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L4	S85°42'09"W	36.18'
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L7	S31°21'05"W	56.33'
L8	S36°49'43"W	39.40'
L9	S41°32'00"W	32.89'
L10	N41°30'48"E	14.70'
L11	N46°44'20"E	47.58'
L12	N52°12'20"E	63.24'
L13	N58°39'21"E	47.05'
L14	S63°40'48"W	47.40'
L15	S69°10'42"W	42.31'
L16	S68°10'42"W	5.25'
L17	S73°24'54"W	47.16'
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L27	N02°44'44"E	43.68'
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L29	S88°50'08"E	119.21'
L30	N02°44'44"E	87.55'
L31	S46°44'13"W	31.20'
L32	S52°12'13"W	66.36'
L33	S58°39'14"W	50.09'
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INDUSTRIES, INC.
3612 POWHATAN ROAD
CLAYTON, NC 27520

DATE	REVISION	INITIAL

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Raleigh, North Carolina 27606
Phone: (919)233-8091, Fax: (919)233-8031
NC FIRM # 1222
Internet Site: http://www.mckimcreed.com

NORTH CAROLINA PROFESSIONAL SEAL L-2520 RANDY S. RAMBERG JR.
DATE: 12/18/15

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

PROJECT # : RSR, Sr
PROJ. SYYR : JSS
DRAWN BY : JD
FIELD BK. :
COMP. FILE : VB-101-1298-0152
SHEET # : 2 OF 2
DWG. # : R.1.3.0.407

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7. THIS PROPERTY IS ZONED I-1.
8. ONE FOOT CONTOUR INTERVALS

I, RANDY S RAMBEAU, SR, PLS L-2520, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (EXCEPT WHERE OTHERWISE NOTED) AND THAT IT WAS PERFORMED TO STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA WITHIN THE ORIGINAL SURVEY. WITNESS MY ORIGINAL SIGNATURE THIS THE 28 DAY OF October, A.D. 2015.

Randy S. Rambeau Sr.

RANDY S. RAMBEAU, SR. L-2520

NORTH CAROLINA PROFESSIONAL SEAL L-2520 LAND SURVEYOR RANDY S. RAMBEAU, JR.

STATE OF NORTH CAROLINA
COUNTY OF _____

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

REVIEW OFFICER _____

TOTAL AREA OF PARCELS

TRACTS 1,2,3,4,6 & A PORTION OF TRACT 5
222.382 AC
9,686,960 SF
DB 1491 PG 096
DB 1486 PG 1
PB 46 PG 431

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CLAYTON, NC 27520

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Phone: (919)233-8091, Fax: (919)233-8031
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DATE: _____

TOPOGRAPHIC SURVEY
FOR
NOVO NORDISK
PHARMACEUTICAL INDUSTRIES, INC

DATE: 10-28-15 SCALE: 1"=100'
CLAYTON TOWNSHIP JOHNSTON COUNTY NORTH CAROLINA

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DRAWN BY : JD
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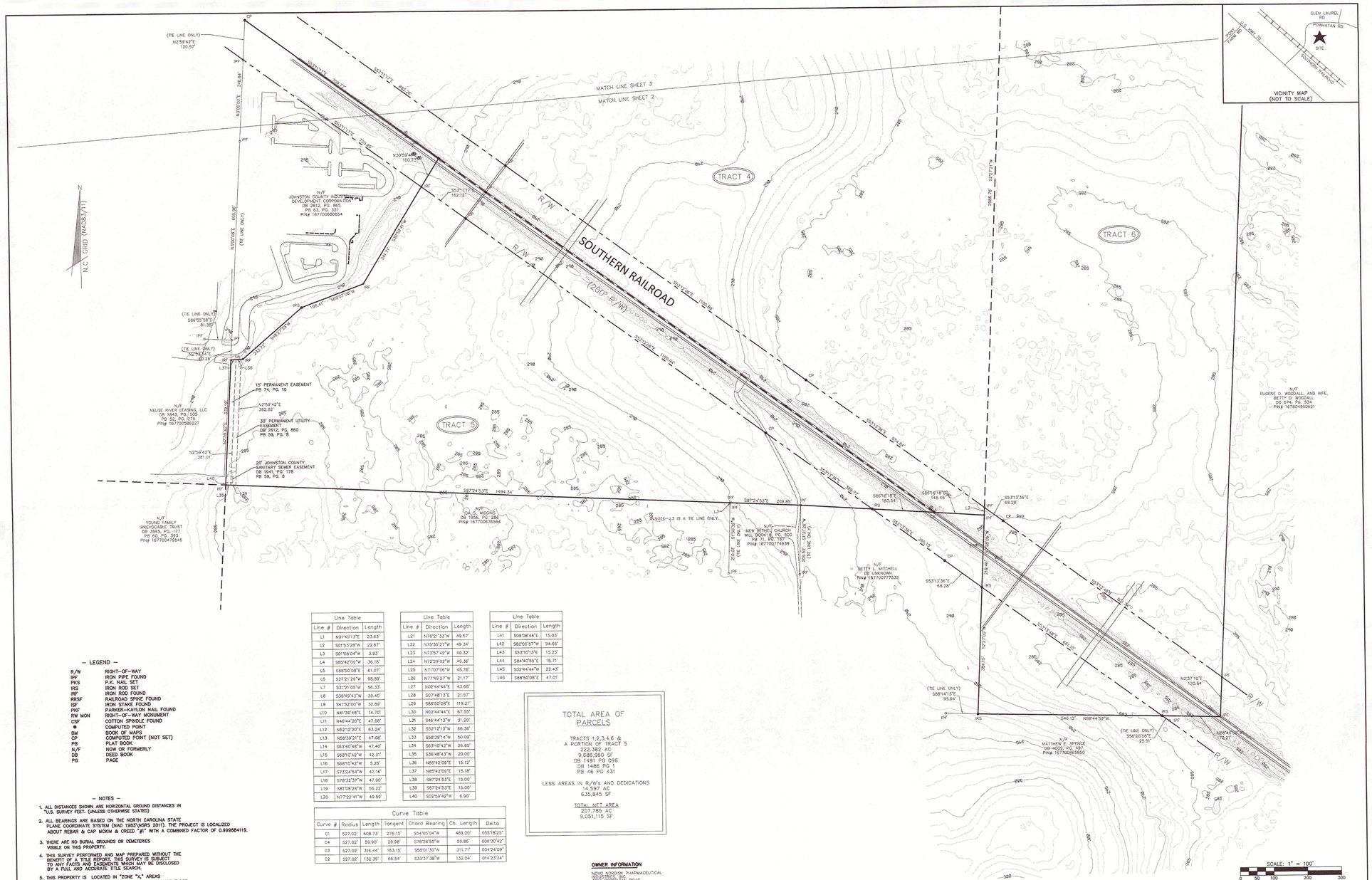

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CLAYTON, NC 27520

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DATE:

TOPOGRAPHIC SURVEY
FOR
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PHARMACEUTICAL INDUSTRIES, INC

DATE: 10-28-15 SCALE: 1"=100'
CLAYTON TOWNSHIP JOHNSTON COUNTY NORTH CAROLINA

PROJECT # : RSR, Sr
PROJ. SVYR : JSS
DRAWN BY : JD
FIELD BK. :
COMP. FILE : VB-101-1298-0152
SHEET # : 2 OF 2

DWG. # : R.1.3.0.408

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

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

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

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

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

_____

_____

_____

_____

☐ Recommend denial of the request to Town Council.

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

Signed:

Frank Price, Planning Board Chair

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Novo Nordisk Bright Sky Building Height SUP

DESCRIPTION:
Requesting a Special Use Permit to allow a maximum building height for the associated Master Plan to be 90 feet, which exceeds the limit permitted in the UDC.

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
Jay McLeod, Planner

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.

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

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

APPLICATION TYPE

☒ **New Special Use Permit** ☐ **Major Modification to an approved SUP**
Permit Modified: _____

SITE INFORMATION

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

Existing Use: Agriculture **Proposed Use:** Industrial
Is project within a Planned Development? ☒ No ☐ Yes
Planned Development District (if applicable): _____
Is project within an Overlay District: ☒ No ☐ Yes
Overlay District (if applicable): _____

OFFICE USE ONLY

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

PROPERTY OWNER INFORMATION

Name: Novo Nordisk Pharmaceutical Industries, Inc.

Mailing Address: 3612 Powhatan Road, Clayton, NC 27527

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

Email Address: galo@novonordisk.com

APPLICANT INFORMATION

Applicant: Novo Nordisk Pharmaceutical Industries, Inc.

Mailing Address: 3612 Powhatan Road, Clayton, NC 27527

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

Contact Person: Gary Lohr

Email Address: galo@novonordisk.com

REQUIRED INFORMATION (*to be submitted with the application*)

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

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

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

REQUIRED FINDINGS OF FACT

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

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

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

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

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

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

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

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

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

EXPLANATION OF PROJECT

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

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

APPLICANT AFFIDAVIT

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

Gary Lohr		26 Jan 2016
Print Name	***Signature of Applicant***	***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

February 22, 2016

STAFF REPORT

Application Number: 2016-20-SUP
Project Name: Novo Nordisk Bright Sky Building Height Special Use Permit

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

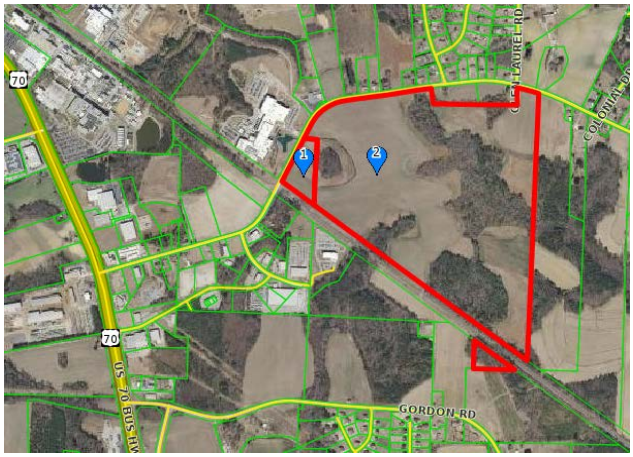
Public Noticing:

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

REQUEST: The applicant is requesting a Special Use Permit to allow a maximum building height for the associated Master Plan to be 90 feet, which exceeds the limit permitted in the UDC.

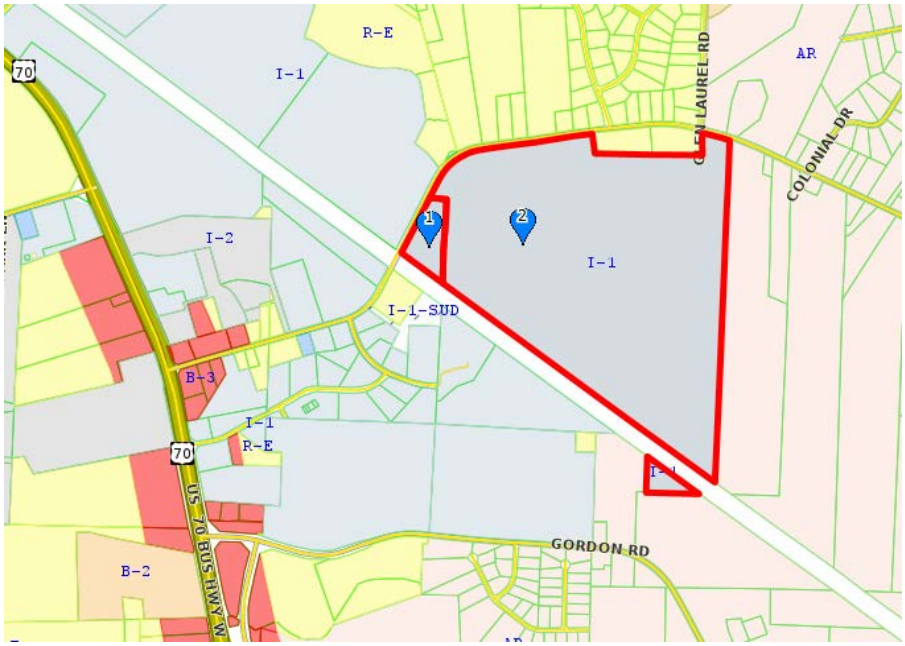
SITE DATA:

Acreage:	±180.76 acres
Existing Use:	Vacant



ADJACENT ZONING AND LAND USES:

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



STAFF ANALYSIS:

Overview
The applicant is requesting a Special Use Permit to allow a maximum building height of 90 feet for the buildings that will be a part of the new production facility for Novo Nordisk Pharmaceuticals. This request is running concurrently with a Major Site Plan (acting as a Master Plan) for the development. The subject sites are 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 this maximum height limit.

Consistency with Adopted Plans:

- **2040 Comprehensive Plan**
  The request is consistent with the 2040 Comprehensive Plan, which designates this area as an Employment Center.

Associated Site Plan

The applicant is requesting Major Site Plan (acting as a Master Plan) approval concurrently with this request. The development standards proposed as part of the plan have the maximum building height exceeding what is permitted in the subject zoning district. The fermentation building is the only building proposed to reach a maximum building height of 90 feet, while the majority of the other buildings are proposed to reach a maximum height of 60 feet. The exact heights proposed for each building is provided in the Master Plan as shown below:

DEVELOPMENT SUMMARY TABLE - PHASE 1			
BUILDING NAME	BUILDING FOOTPRINT (SQ.FT) +/-	MAX HEIGHT (FEET) +/-	HEIGHT OCCUPIED (FEET) +/-
PURIFICATION	87620	60	55
RECOVERY	91520	60	55
SPINE	125420	60	55
FERMENTATION	24680	90	85
CENTRAL UTILITY BUILDING	60480	60	55
GUARD HOUSE	1250	20	15
GUARD HOUSE	1250	20	15
WAREHOUSE	105750	60	55
SAMPLES	8500	60	55
DEVELOPMENT SUMMARY TABLE - PHASE 2			
PRODUCTION UNIT 1	74460	60	55
PRODUCTION UNIT 2	74460	60	55
PRODUCTION UNIT 3	169100	60	55
RECOVERY	91600	60	55
SPINE	69000	60	55
FERMENTATION	9600	90	85
CENTRAL UTILITY BUILDING	14800	60	55
WAREHOUSE	78200	60	55

SETBACK FOR ALL BUILDINGS COMPLIES WITH MINIMUM FRONT: 40', SIDE: 20' AND REAR: 20'

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 of 90 feet so long as all safety requirements are met for the individual buildings. When each building comes in for Minor Site Plan approval, the Fire Department will review the plans and will address all safety requirements as part of the review process.

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(I) 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 (2016-20-SUP).

CONDITIONS OF APPROVAL:

1. All buildings exceeding the maximum height limitation for this zoning district (currently 50 feet) shall be located at least 10 feet from the present day project limits (defined as the outermost property line of the parcels included in this Special Use Permit) for every 1 foot that the building exceeds the height of 50 feet.

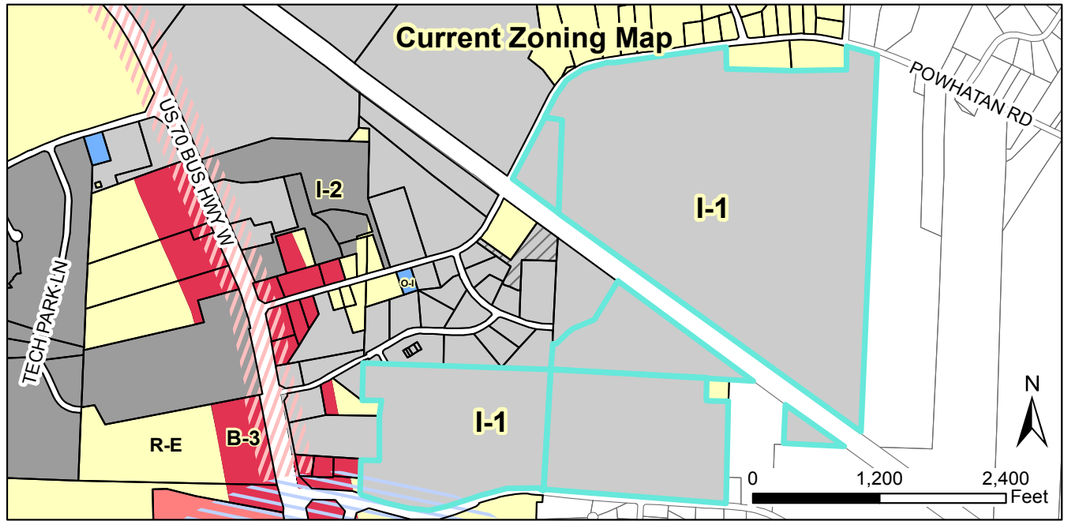
2. The building height specifications identified in the approved Master Plan shall be the extent to which each particular building height may be exceeded.

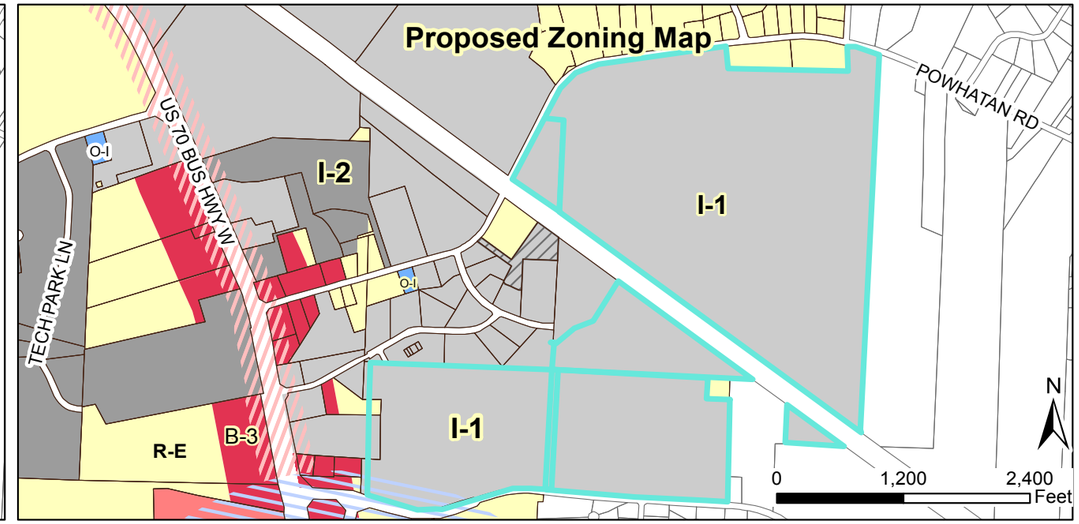
3. This Special Use Permit shall only apply to this Master Plan, and shall be null and void should any portion of the property in the future be split off from the current project.

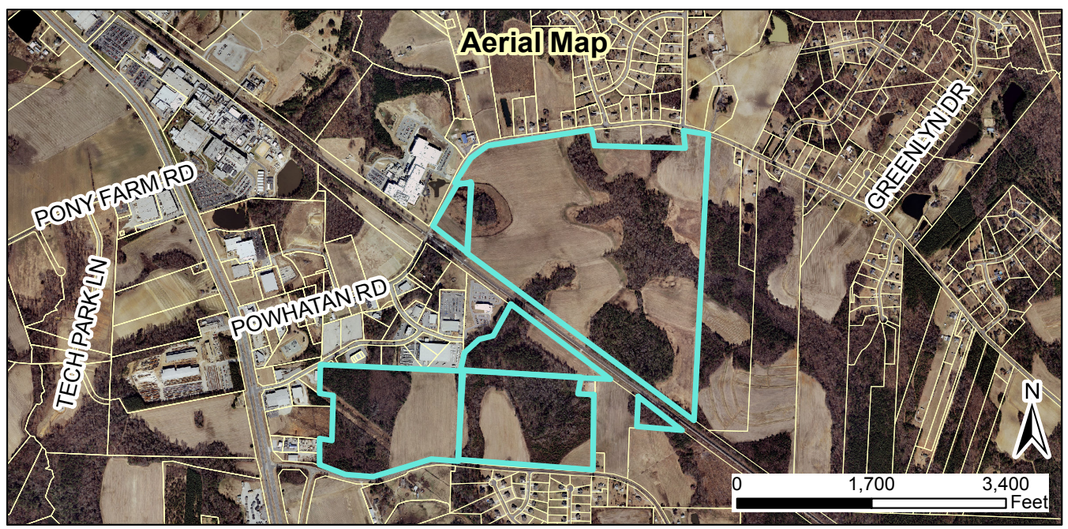
4. This Special Use Permit shall only apply to the two parcels on the north side of the railroad tracks.

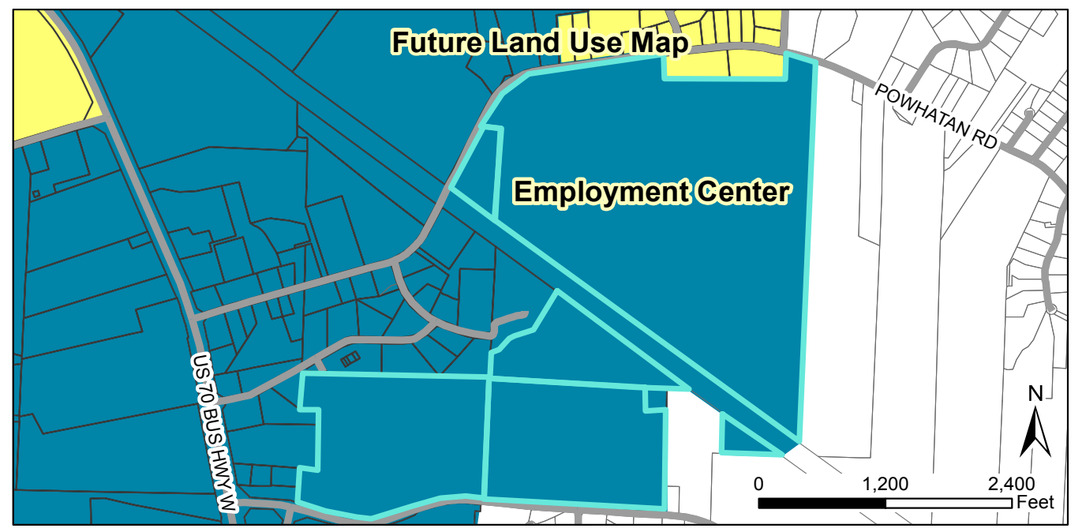
ATTACHMENTS:

1) Staff Report Map
2) Application
3) Neighborhood Meeting Materials
4) Associated Site Plan, 2015-82-SP









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

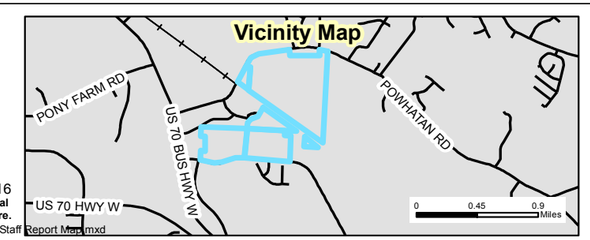
Applicant: Novo Nordisk Pharmaceutical Industries, Inc.
Property Owners: Novo Nordisk Pharmaceutical Industries, Inc.
Parcel IDs: 167804-50-7128, 167804-60-8595, 167700-68-5440, 167700-67-6564, 167700-47-9547
Tag #s: 05E99010N, 05I05008A, 05I05008J, 05I05022A, 05I0521C

N

Site
Parcels_03202015_All
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay

2/3/16

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



Document Path: O:\PLANNING\SITE PLANS\Major Site Plans\2015\2015-82-SP Novo Nordisk Bright Sky\Maps\Novo Nordisk Bright Sky- Staff Report Maps.mxd

January 28, 2016

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

Meeting Date: February 9, 2016 Meeting Time: 6:00 pm

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

Type of Application: Major Site Plan and Special Use Permit

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

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

Novo Nordisk Pharmaceutical Industries, Inc.
3612 Powhatan Road
Clayton, NC 27527
T: 919-550-2200
F: 919-553-3670
www.novonordisk-clayton.com

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

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

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

Sincerely,

Gary Lohr

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

Cc: Town of Clayton Planning Department

Novo Nordisk Pharmaceutical Industries, Inc.
3612 Powhatan Road
Clayton, NC 27527
T: 919-550-2200
F: 919-553-3670
www.novonordisk-clayton.com

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____

Date of Mailing: _____

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

Printed Name: _____ Signature: _____

Date of Meeting: 09Feb 2016 Time of Meeting: 1800 or 6:00pm

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

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

* See Attached Novo Nordisk Meeting Minutes*

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application:

Location/Date:

	NAME	ADDRESS
1	Allen Wellons	Smithfield, NC
2	Haley Hugg	Town of Clayton, Staff
3	JAY McLEOD	" " " "
4	Jackie Dunn	305 Deerfield Dr.
5	Barry Fant	FLUOR CORP.
6	Beth Deen	Kimley-Horn
7	Benny + Debbie Faircloth	19 Stafford Dr Clayton NC
8	Rick Hester	Po Box 1095 Smithfield
9	Bergie Goddis	P.O. Box 1809, Smithfield, N.C.
10	Deborah Porto	JCC Clayton
11	MIKE WILLEY	3416 Kennebunk CT Raleigh
12	Carol Willey	3416 Kennebunk CT Raleigh
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Bright Sky Project

Application:

Location/Date:

	NAME	ADDRESS
1	DAVID DZYOUNK	111 EAST 2ND ST. CLAYTON 27520
2	Matt Kuntz	
3	Gary Lohr	
4	Gwen Lohr	
5	Norwood Thompson	442½ E. main St
6	JANE BIZZELL	120 S. THIRD ST. SMITHFIELD
7		
8		
9		
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Minutes

Meeting: NNPII DAPI US Neighborhood Meeting

Date of meeting: 09Feb2016 at 1800

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

Meeting organiser: Gary Lohr

Note Taker: Beth Reed/Jessica Gadbois

Copy: Town of Clayton

Topic/Action	Responsible	Deadline

Meeting commenced at 18:14 with Gary Lohr
• Introduced self & DAPI US Project
• Introduced groups present:
  ○ Kimley-Horn
  ○ Town of Clayton
  ○ Johnston County
  ○ NC-DOT
  ○ Fluor
  ○ Jo Co Sheriff's Department
  ○ Neighbors of NNPII DAPI US Project
	Gary Lohr	N/A

PowerPoint utlized by Gary Lohr to present & discuss DAPI US Expansion Project
• Agenda included:
  ○ Welcome
  ○ Safety & Practicalities
  ○ Novo Nordisk overview
  ▪ Origin of Novo Nordisk as a company
  ▪ Product lines
  • Introduced GLP1-Oral Protien potential
  ▪ Worldwide Pandemic of Diabetes
  • Supply vs Demand
  • Need for additional insulin production
  ○ See Q & A section: #1
  ○ Novo Nordisk in Clayton
  ▪ History/Development of existing facility
  • Expansions to meet continued supply & demand
  • 2014 Expansion utilized remaining Novo Nordisk property W. of Powhatan Rd.
  ▪ Novo's commitment to their Triple Bottom Line:
  • Financial, Social & Environmental responsibility: Focus on Social & Environmental
 	
Continued on page 2
	Gary Lohr	N/A

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Bright Sky Project

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

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

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

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
SPECIAL USE PERMIT

Novo Nordisk Bright Sky
Building Height Special Use Permit
2016-20-SUP

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

Recommendation to the Town Council to:

☑ approve the request with the conditions presented by staff.

☐ approve the request with the following modified or added conditions:

_____

_____

_____

_____

☐ deny the request.

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

Signed:

Frank Price, Planning Board Chair

PUBLIC NOTICE

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

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

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

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

Haley Hogg, Planner
919-553-5002

The Clayton News Star

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

Affidavit of publication required.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
2015-84-RZ Clayton Northside Substation Rezoning

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

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

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

REZONING APPLICATION

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

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

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

SITE INFORMATION

Name of Project: ~~Sam's Branch Substation~~ Clayton Northside 230 KV Substation Rezoning **Acreage of Property:** 78.54

County Tag Number: 05H02199W **NC PIN:** 166900-96-3977

Address/Location: Located along Sam's Branch Greenway

Existing Zoning District: R-E (Residential Estate)

Proposed Zoning District: P-F (Public Facilities)

Is project within an Overlay District? ☑ No ☐ Yes (list): _____

APPLICANT INFORMATION

Applicant: Town of Clayton

Mailing Address: PO Box 879 Clayton, NC 27528

Phone Number: 919-553-5002 **Fax:** _____

Contact Person: Planning Dept. - Haley Hogg or Jay McLeod

Email Address: hhogg@townofclaytonnc.org or jwm@townofclaytonnc.org

FOR OFFICE USE ONLY

Date Received: RECEIVED DEC 30 2015 Town of Clayton Planning Department

Amount Paid: Town initiated

File Number: 2015-84-RZ

PROPERTY OWNER INFORMATION

Name: Town of Clayton

Mailing Address: PO Box 879 Clayton, NC 27528

Phone Number: _____ **Fax:** _____

Email Address: _____

EXPLANATION OF PROJECT

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

Rezoning of subject parcel from R-E to P-F to accomodate future Town substation

REQUIRED INFORMATION (*to be submitted with the application*)

The following items must accompany a Rezoning application.

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

RECEIVED DEC 2 0 2018

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

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

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

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

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

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

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

   The PF zoning district is designed to specificcilly differentiate Public Facilities and services.

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

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

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

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

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

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

APPLICANT AFFIDAVIT

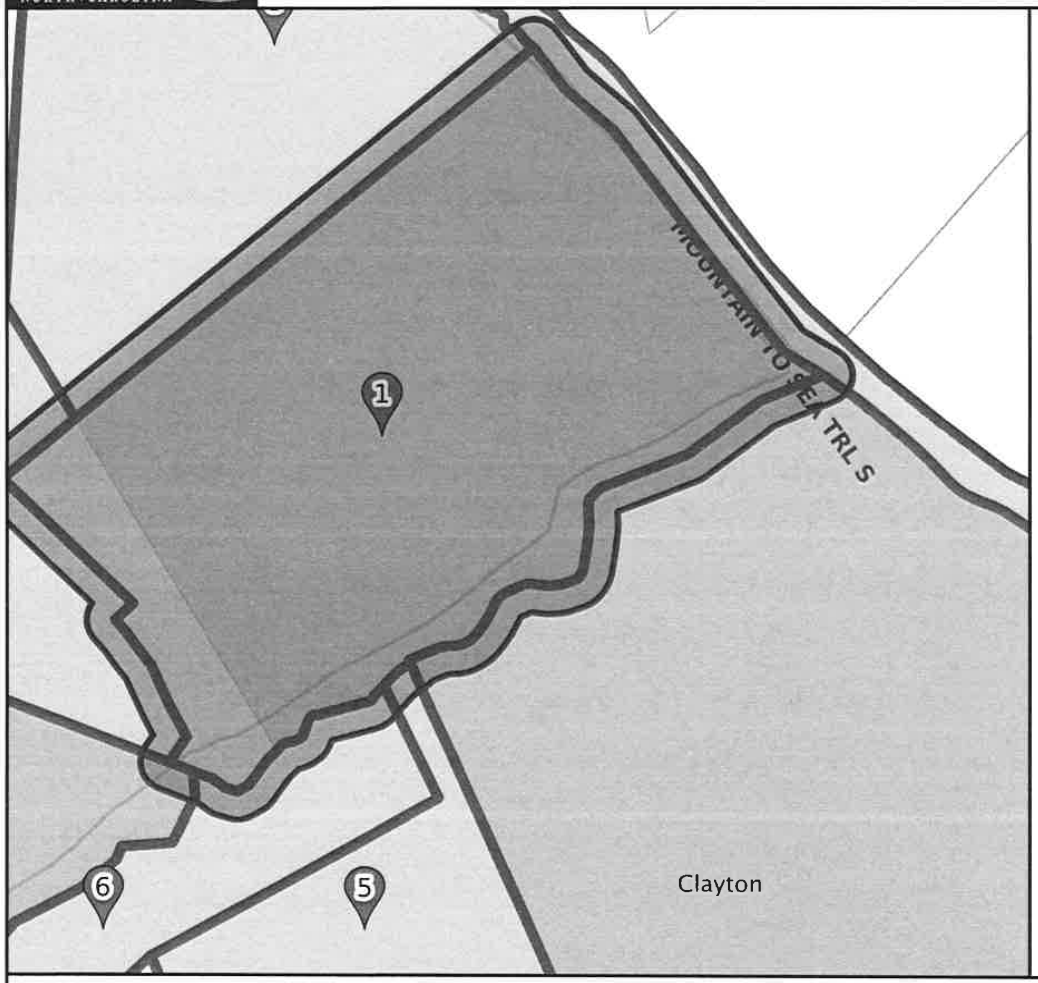
I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested. I hereby certify that I have full legal right to request such action and that the statements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

Hailey Hogg	Hailey Hogg	12-30-15
Print Name	***Signature of Applicant***	***Date***

JOHNSTON COUNTY NORTH • CAROLINA

* * * DISCLAIMER * * *

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



Result 1

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

Result 2

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

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

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

Johnston County GIS
December 30, 2015

JOHNSTON COUNTY NORTH • CAROLINA

*** * * DISCLAIMER * * ***

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

Result 3

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

Result 4

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

Result 5

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

Result 6

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

Result 7

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

Result 8

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

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

Planning Board
February 22, 2016

STAFF REPORT

Application Number: 2015-84-RZ
Project Name: Clayton Northside 230 KV Substation Rezoning

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

Public Noticing:

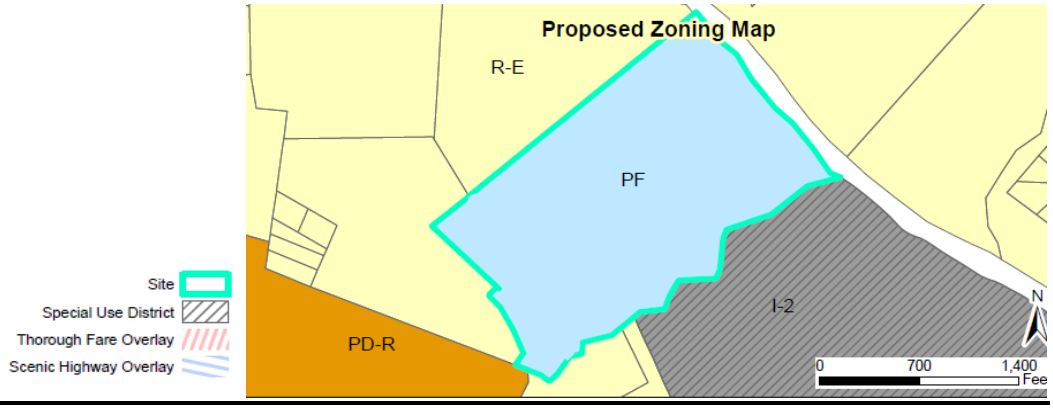
- Neighborhood meeting: February 3, 2016
- Sign posted prior to February 12, 2016
- Letters mailed prior to March 24, 2016
- Newspaper ad posted prior to March 24, 2015

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

SITE DATA:
Acreage: ±79.1 acres
Existing Use: Vacant

ADJACENT ZONING AND LAND USES:

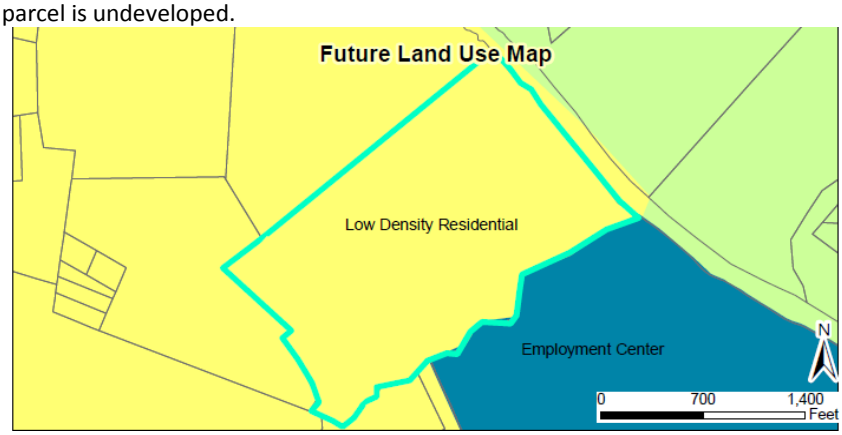
Direction	Zoning	Existing Use
North	Residential-Estate (R-E)	Vacant
South	Industrial-Heavy (I-2)	Caterpillar R&D Facility and Vacant
East	Residential-Estate (R-E)	Vacant/Residential
West	Residential-Estate (R-E) and Planned Development Residential (PD-R)	Vacant and Ashcroft Subdivision (currently approved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



STAFF ANALYSIS AND COMMENTARY:

Overview

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



Compatibility with Surrounding Land Uses
The proposed rezoning is compatible with surrounding land uses.

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

CONSIDERATIONS:

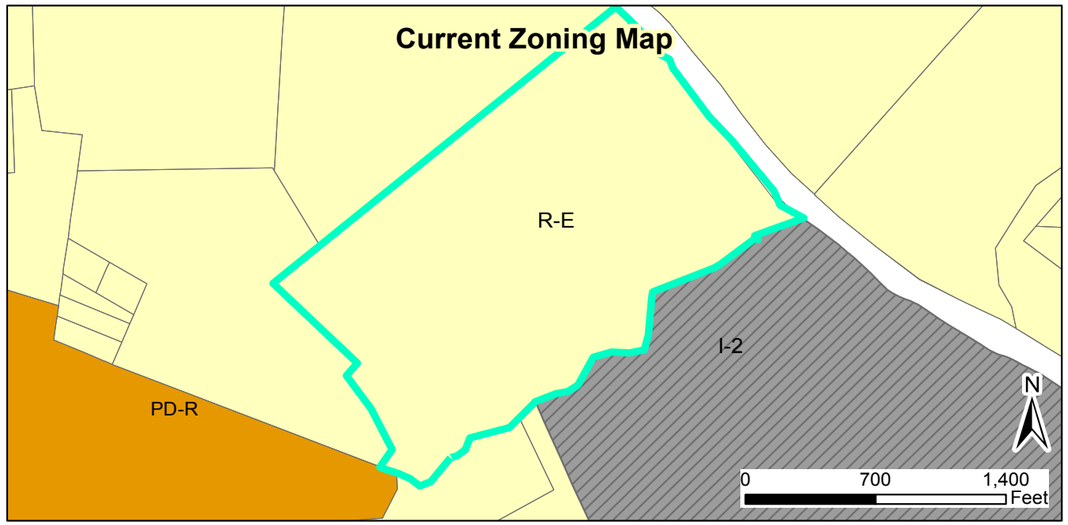
- Rezonings are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining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

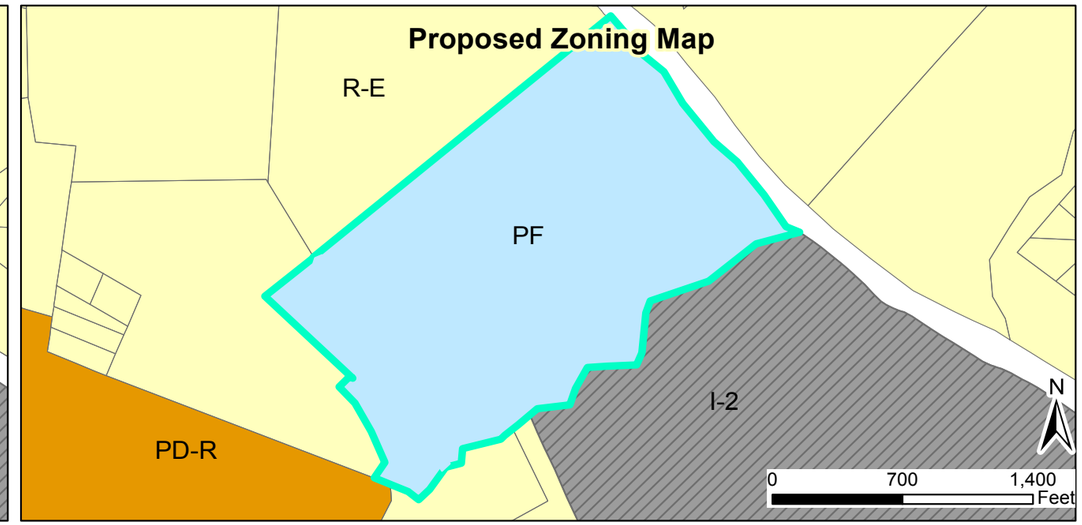
STAFF RECOMMENDATION:

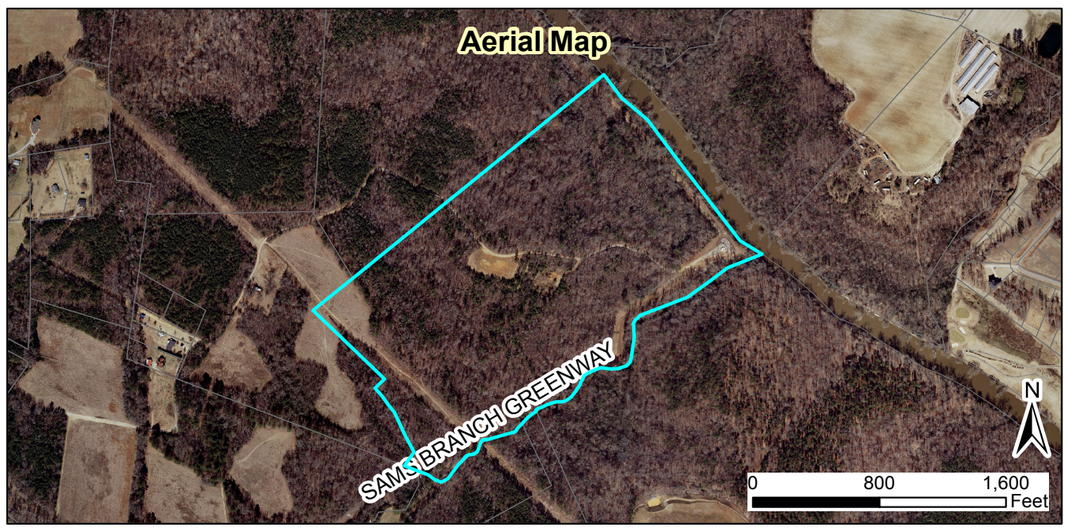
Staff is recommending approval of the rezoning of the subject parcel from Residential Estate (R-E) to Public Facilities (PF).

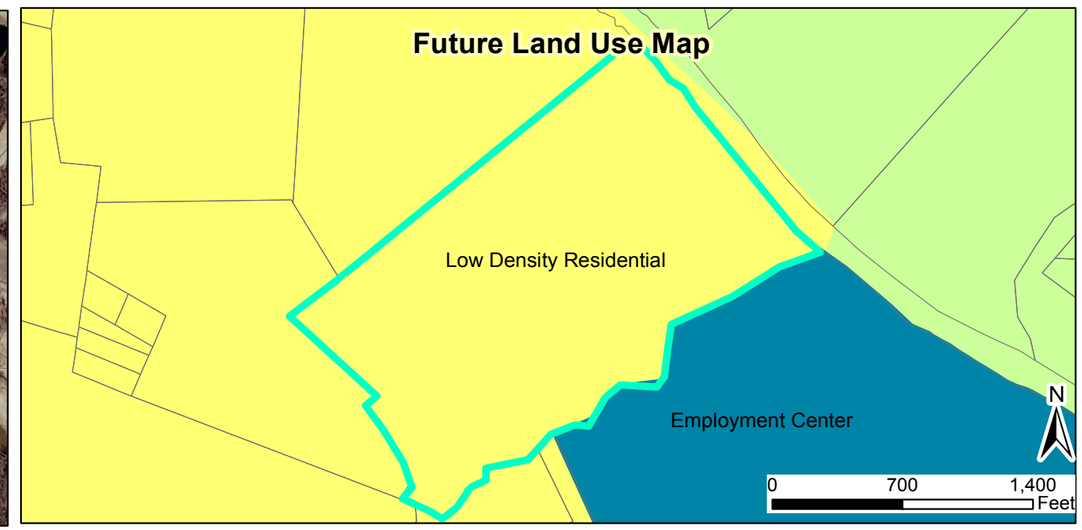
ATTACHMENTS:

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









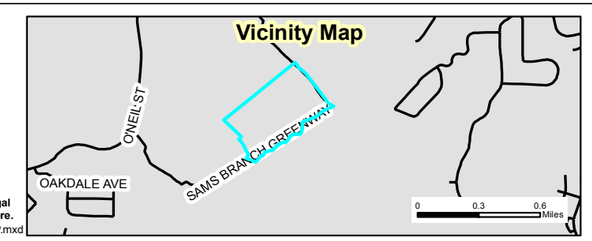
2015-84-RZ- Clayton Northside 230KV Substation Rezoning
2016-06-SP- Clayton Northside 230KV Substation Major Site Plan
Requests: To rezone the subject parcel from R-E to PF,
and to develop a new electrical substation for the Town of Clayton

Applicant: Town of Clayton
Property Owners: Town of Clayton
Parcel ID: 166900-96-3977
Tag #: 05H02199W

N

ETJ_Parcels
Site
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay

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



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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

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

Application: Rezoning and Major Site Plan

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

	NAME	ADDRESS
1	Haley Hogg	Town of Clayton; Staff
2	Dale Medlin	Town of Clayton Electric Director
3	Tony Pearce	Utility Elec. Consultants
4		
5		
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11		
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13		
14		
15		
16		
17		
18		
19		
20		

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER

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

Michael Grannis
MAYOR PRO TEM

January 19, 2016

Dear Clayton Area Property Owner:

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

Meeting Date: February 3, 2016

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

Time: 6:00pm

Type of Application: Rezoning & Major Site Plan

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

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

Sincerely,

Haley Hogg
Town Planner
Town of Clayton

cc: Clayton Planning Dept.

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

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

Clayton Northside Electric Substation
2015-84-RZ

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

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

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

Signed:

Frank Price, Planning Board Chair

PPAB 2575888v1

PUBLIC NOTICE

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

- **3900 Powhatan Road Rezoning, 2016-13-RZ, for parcel number 167700-39-3255. The requested change is from Highway Business (B-3) and Residential Estate (R-E) to Industrial Light (I-1).**

- **Cameron Way Rezoning, 2016-24-RZ, for parcel numbers 165911-55-3881, 165911-55-5881, 165911-55-7668, 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, and 165911-55-1332. The requested change is from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).**

- **Clayton Northside Substation Rezoning, 2015-84-RZ, for parcel number 166900-96-3977. The requested change is from Residential Estate (R-E) to Public Facilities (PF).**

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

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

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
Wednesday, March 23, 2016
Wednesday, March 30, 2016
Dates are the two Wednesdays prior to the hearing

Affidavit of publication required.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
2016-13-RZ Powhattan Rezoning

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

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
David DeYoung, Planning Director

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

REZONING APPLICATION

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

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

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

SITE INFORMATION

Name of Project: 3900 Powhatan Rd **Acreage of Property:** 2.45 ac.
County Tag Number: 05i05017c **NC PIN:** 167700-39-3255
Address/Location: 3900 Powhatan Rd, Clayton, NC 27527

Existing Zoning District: split b/w B-3 & R-E
Proposed Zoning District: I-1 (light industrial
Is project within an Overlay District? ☐ No
☒ Yes (list): Watershed Protection Overlay

APPLICANT INFORMATION

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

FOR OFFICE USE ONLY

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

PROPERTY OWNER INFORMATION

Name: Walthom Group III LLC

Mailing Address: 442 ½ E Main St, Clayton 27520

Phone Number: _____ **Fax:** _____

Email Address: jlee@walthomgroup.com

EXPLANATION OF PROJECT

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

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

REQUIRED INFORMATION (*to be submitted with the application*)

The following items must accompany a Rezoning application.

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

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

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

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

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

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

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

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

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

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

This is correct; they are not violated.

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

There will be no adverse effect.

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

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

APPLICANT AFFIDAVIT

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

JAY McLEOD	(on behalf of T.O.C.)	01/11/2016
Print Name Town Planner	*Signature of Applicant*	*Date*

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

Planning Board
February 22, 2016

STAFF REPORT

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

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

Public Noticing:

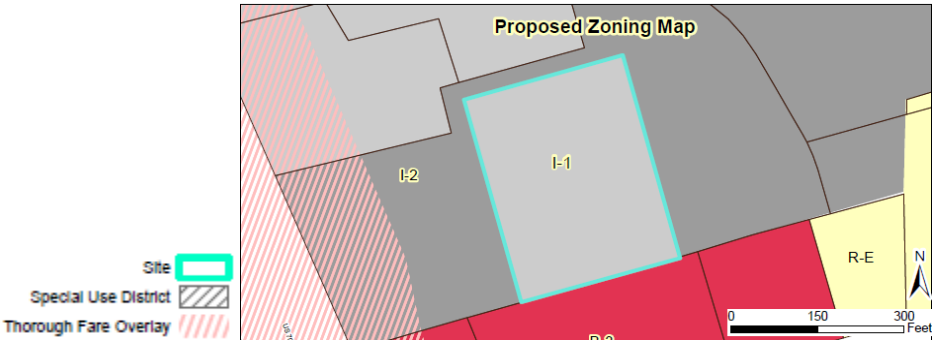
- Neighborhood meeting: February 3, 2016
- Signs Posted prior to February 12, 2016
- Letters mailed to adjacent property owners prior to March 24, 2016
- Newspaper ad noticed prior to March 24, 2016

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

SITE DATA:
Acreage: ±2.4 acres
Existing Uses: Commercial/Warehouse

ADJACENT ZONING AND LAND USES:

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



STAFF ANALYSIS AND COMMENTARY:

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

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

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

CONSIDERATIONS:

- Rezonings are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.

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

APPROVAL CRITERIA:

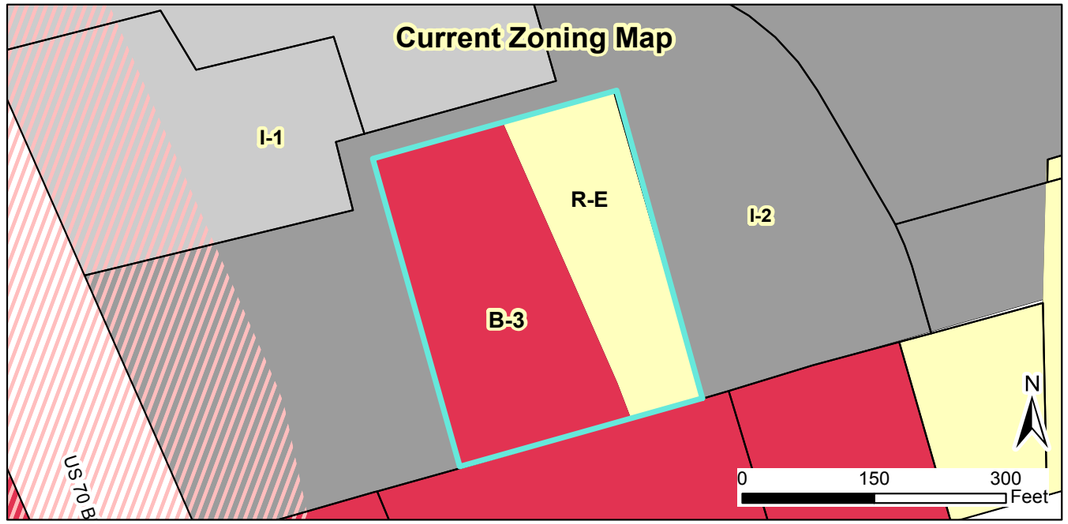
The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant's responses are incorporated as an attachment to the Staff Report.

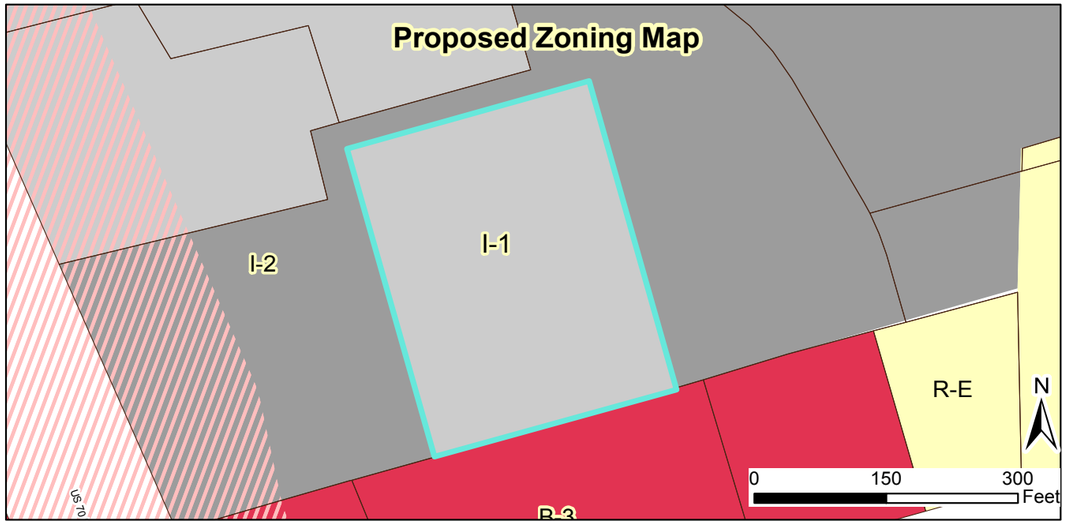
STAFF RECOMMENDATION:

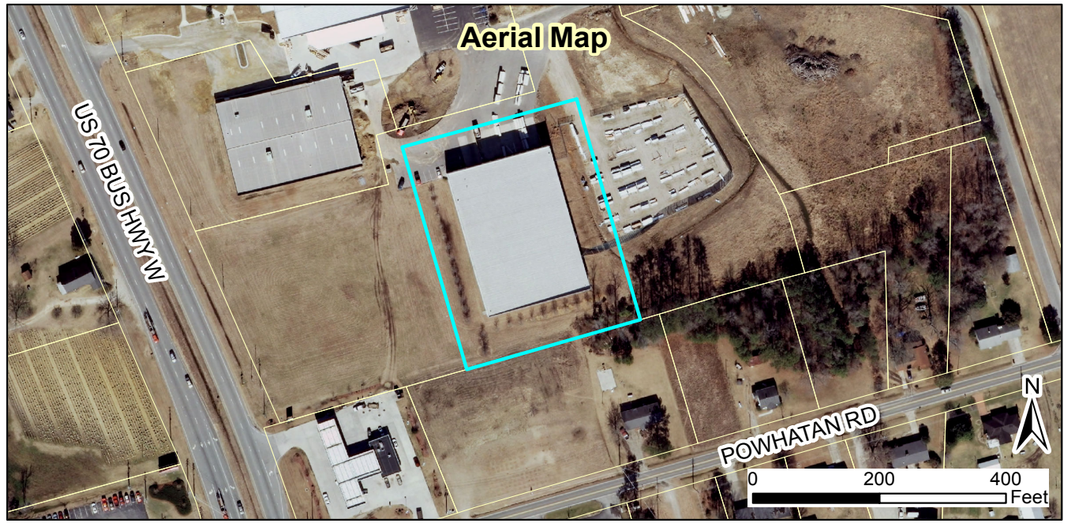
Staff is recommending ***approval*** of the rezoning of the subject parcels from Highway Business (B-3) and Residential Estate (R-E) to Light Industrial (I-1).

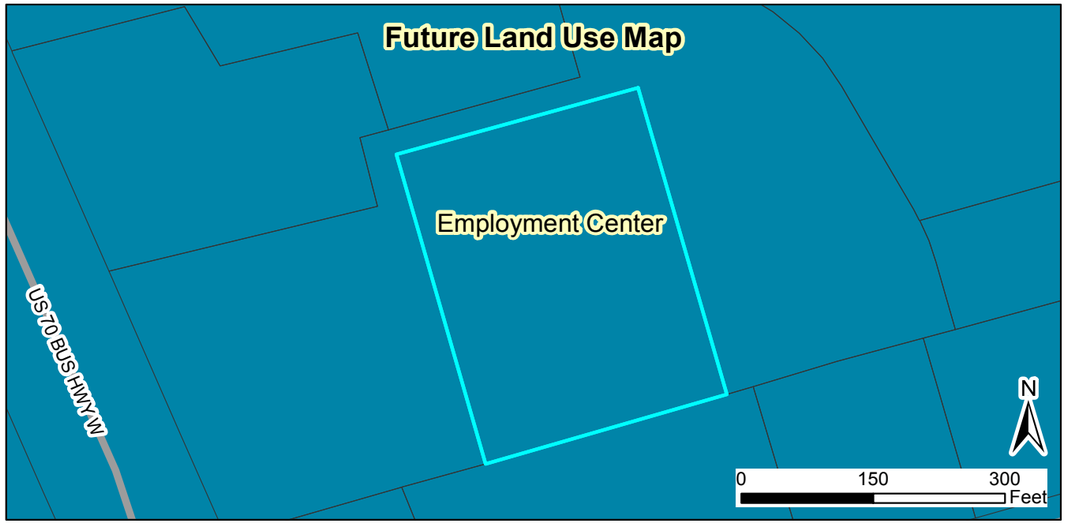
ATTACHMENTS:

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









2016-13-RZ- 3900 Powhatan Road Rezoning

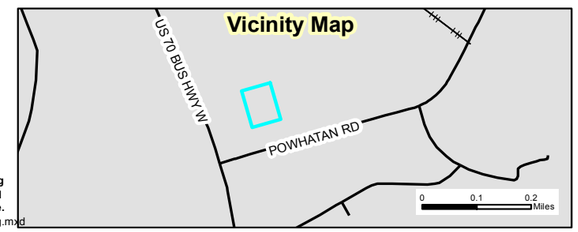
Request: To rezone the subject parcel from B-3 and R-E to I-1

Applicant: Town of Clayton
Property Owners: Walthom Group III LLC
Parcel ID: 167700-39-3255
Tag #: 05I05017C

N

Site
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay

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



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

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

Town of Clayton
Planning Department
Jay McLeod
David DeYoung

December 1, 2015

Dear David and Jay,

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

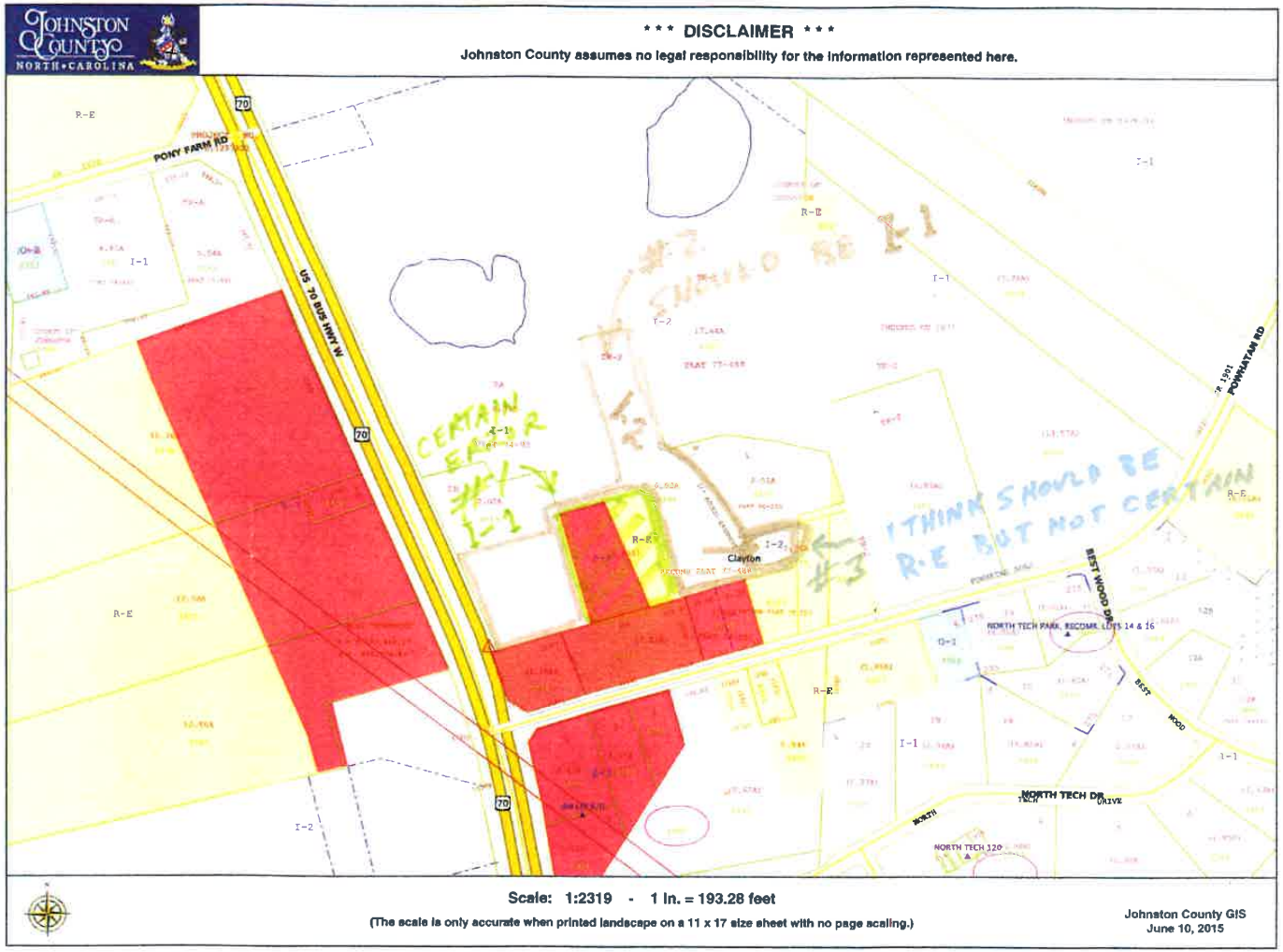
I see three errors of which at least 2 were created (I think) when the town expanded the ETJ land several years ago.

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

I appreciate your help in seeing that this is corrected.

Jim Lee

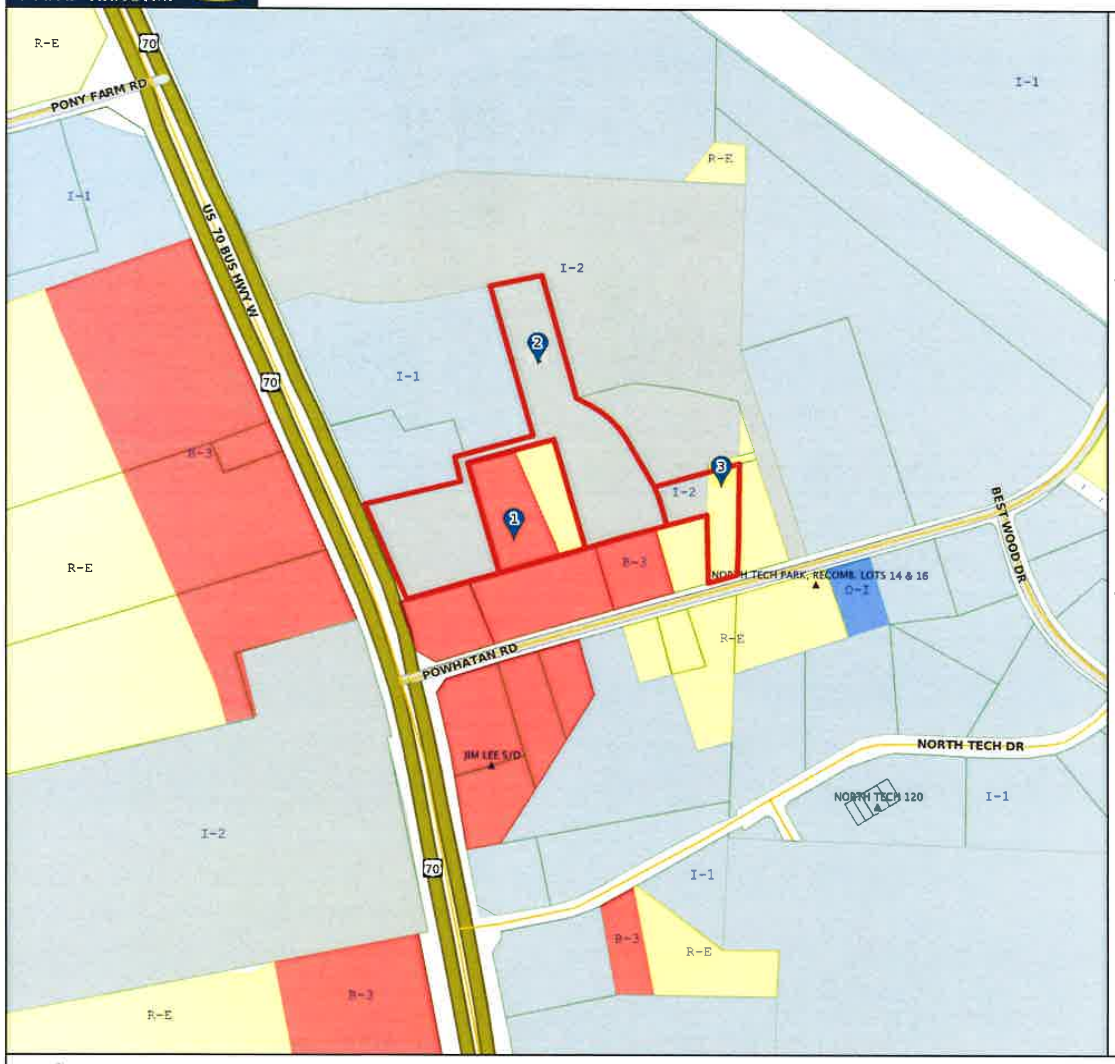
Manager Member
Walthom Group III, LLC


JOHNSTON COUNTY
NORTH • CAROLINA
*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.
PONY FARM RD
US 70 BUS HWY W
70
R-E
I-1
I-2
CERTAIN ERROR #1 I-1
#2 SHOULD BE I-1
#3 I THINK SHOULD BE R-E BUT NOT CERTAIN
Clayton
POWHATAN RD
BEST WOOD DR
NORTH TECH DR
NORTH TECH PARK, RECOMB. LOTS 14 & 16
NORTH TECH 120
Scale: 1:2319 - 1 In. = 193.28 feet
(The scale is only accurate when printed landscape on a 11 x 17 size sheet with no page scaling.)
Johnston County GIS
June 10, 2015

JOHNSTON COUNTY
NORTH • CAROLINA

*** DISCLAIMER ***

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



Result 1

Id:	05105017C
Tag:	05105017C
Tax Unique Id:	4217543
NCPin:	167700-39-3255
Mapsheet No:	1677
Owner Name 1:	WALTHOM GROUP III, LLC
Owner Name 2:	
Mail Address 1:	442 1/2 E MAIN ST
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-0000
Site Address 1:	3900 POWHATAN RD
Site Address 2:	CLAYTON, NC 27527-
Book:	04933
Page:	0678
Market Value:	1714680
Assessed Acreage:	2.43
Calc. Acreage:	2.446
Sales Price:	0
Sale Date:	2000-05-10

Result 2

Id:	05105017D
Tag:	05105017D
Tax Unique Id:	4225219
NCPin:	167700-39-3594
Mapsheet No:	1677
Owner Name 1:	WALTHOM GROUP V LLC
Owner Name 2:	
Mail Address 1:	442 1/2 EAST MAIN STREET
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-0000
Site Address 1:	8182 US 70 BUS HWY
Site Address 2:	CLAYTON, NC 27527-
Book:	04213
Page:	0905
Market Value:	578130
Assessed Acreage:	6.92
Calc. Acreage:	6.97
Sales Price:	0
Sale Date:	2012-12-04

Result 3

Id:	05105019D
Tag:	05105019D
Tax Unique Id:	4276966
NCPin:	167700-39-9377
Mapsheet No:	1677
Owner Name 1:	LEE, BRAXTON A
Owner Name 2:	LEE, JIM W JR
Mail Address 1:	401 PATE STREET
Mail Address 2:	
Mail Address 3:	APEX, NC 27502-0000
Site Address 1:	
Site Address 2:	
Book:	04213
Page:	0901
Market Value:	93710
Assessed Acreage:	1.42
Calc. Acreage:	1.3
Sales Price:	0
Sale Date:	2012-12-04

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

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

Johnston County GIS
December 2, 2015

Jay McLeod

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

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

Beth,

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

Berry

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

Hey David,

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

Berry Gray
Planning Director

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

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

Jay McLeod

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

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

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

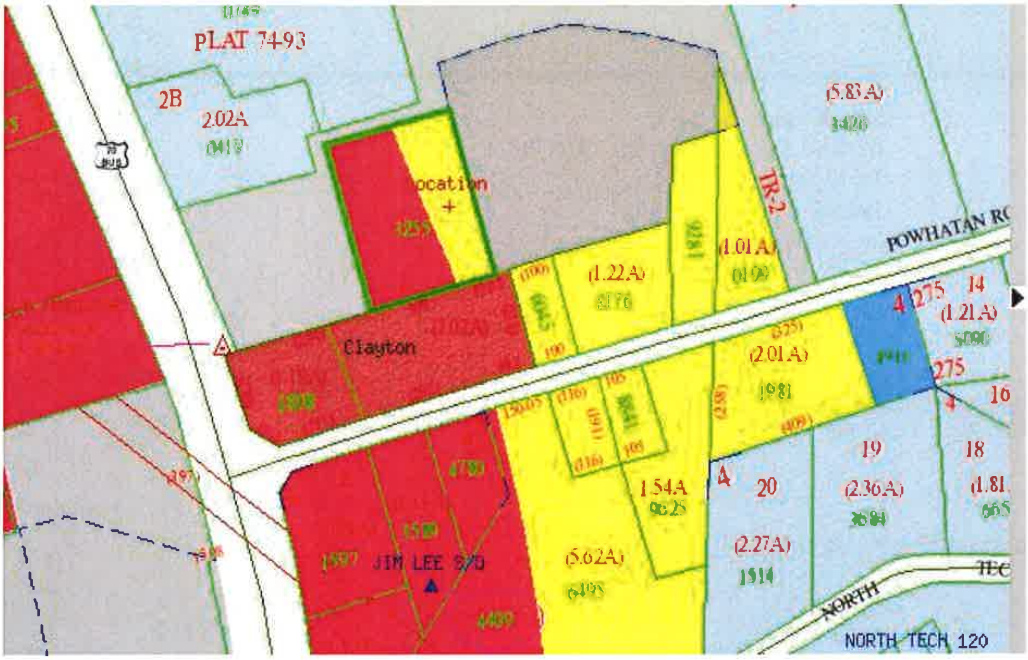
Berry Gray
Planning Director

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

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

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

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



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

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

3900 Powhatan Road Rezoning
2016-13-RZ

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

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

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

Signed:

Frank Price, Planning Board Chair

PPAB 2575888v1

PUBLIC NOTICE

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

- **3900 Powhatan Road Rezoning, 2016-13-RZ, for parcel number 167700-39-3255. The requested change is from Highway Business (B-3) and Residential Estate (R-E) to Industrial Light (I-1).**

- **Cameron Way Rezoning, 2016-24-RZ, for parcel numbers 165911-55-3881, 165911-55-5881, 165911-55-7668, 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, and 165911-55-1332. The requested change is from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).**

- **Clayton Northside Substation Rezoning, 2015-84-RZ, for parcel number 166900-96-3977. The requested change is from Residential Estate (R-E) to Public Facilities (PF).**

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

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

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
Wednesday, March 23, 2016
Wednesday, March 30, 2016
Dates are the two Wednesdays prior to the hearing

Affidavit of publication required.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
2016-24-RZ Cameron Way Rezoning

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

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
Jay McLeod, Planner

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

REZONING APPLICATION

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

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

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

SITE INFORMATION

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

APPLICANT INFORMATION

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

FOR OFFICE USE ONLY

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

RECEIVED
TOWN OF CLAYTON
PLANNING DEPARTMENT

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

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

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

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

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

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

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

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

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

   yes that's correct

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

   We feel no adverse impact will effect adjoining property owners or with property values

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Corporate Developers, LLC

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

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

PARCEL NUMBER	NAME	ADDRESS
TAX # 05902005A TAX ID: 4317221	LEE Brothers Rental	400 W. Main ST, Clayton, NC 27520
TAX # 05602005X TAX ID: 4356833	Mr. Mike Manuel	2127 Willow Hill LN, Clayton, NC 27520
TAX # 05602205C TAX ID: 4417130	Promenade Apts, LLC	439 Executive Pl Ste 200, Fayetteville, NC 28305-5989
TAX # 05026073 TAX ID 4360412	Mrs. Stella Caps	3620 Wind Sock CT, Eastover, NC 28312-9303
TAX # 05026073P TAX ID 4315836	Tree House Properties	P.O. Box 4206, Greensboro, NC 27404
TAX # 05602005C TAX ID 4317222	Tri Arc Food Systems Inc	4905 Waters Edge Dr. Raleigh NC 27606-2405
TAX # 05026073M NCDIN- 6409 TAX-ID 4315835	Mr. & Mrs. Durham	1198 Peel Road, Clayton, NC 27527

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

OWNER'S CONSENT FORM

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

Project Name: "Cameron Way Rezoning" 2016-24-RZ **Address or PIN #:** See Attached Lots 1,2,3,5,6,7,8,9

AGENT/APPLICANT INFORMATION:

Corporate Developers, LLC
Gregory N. Nelson
(Name - type, print clearly)

155 Bennett Place
(Address)
Clayton, NC 27527
(City, State, Zip)

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

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

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

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

OWNER AUTHORIZATION:

Carol Nelson
(Name - type, print clearly)

155 Bennett Place
(Address)

Carol Nelson, member
(Owner's Signature)

Clayton, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF Johnston

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

SEAL

DEBRA S. BREWER
Notary Public
Johnston County
My Commission Expires
02/05/2018
NORTH CAROLINA

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

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

OWNER'S CONSENT FORM

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

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

AGENT/APPLICANT INFORMATION:
Corporate Developers LLC
GREGORY N. NEASON
(Name - type, print clearly)

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

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

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

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

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

OWNER AUTHORIZATION:
EDWIN RAY HALES
TRUDY W. HALES
(Name - type, print clearly)

403 PARKRIDGE DRIVE
(Address)

CLAYTON, NC 27527
(City, State, Zip)

(Owner's Signature)

STATE OF NC
COUNTY OF Johnston

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

SEAL

CATHERINE J. HOPKINS NOTARY PUBLIC JOHNSTON COUNTY, NC

Catherine J. Hopkins
Notary Public

My Commission Expires: 9/29/2020

October 2013

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

Planning Board
February 22, 2016

STAFF REPORT

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

NC PIN / Tag #: 165911-55-3881 / 05026073T, 165911-55-5881 / 05026073S, 165911-55-7668 / 05026073E, 165911-55-4651 / 05026073O, 165911-55-3487 / 05026073N, 165911-55-4126 / 05026073J, 165911-55-2285 / 05026073I, 165911-55-1332 / 05026073H
Town Limits/ETJ: Town
Overlay: None
Applicant: Greg Nelson
Owner: Corporate Developers LLC
Location: Located east of Shotwell Road, along Cameron Way, Enterprise Drive, and Mechanical Drive.

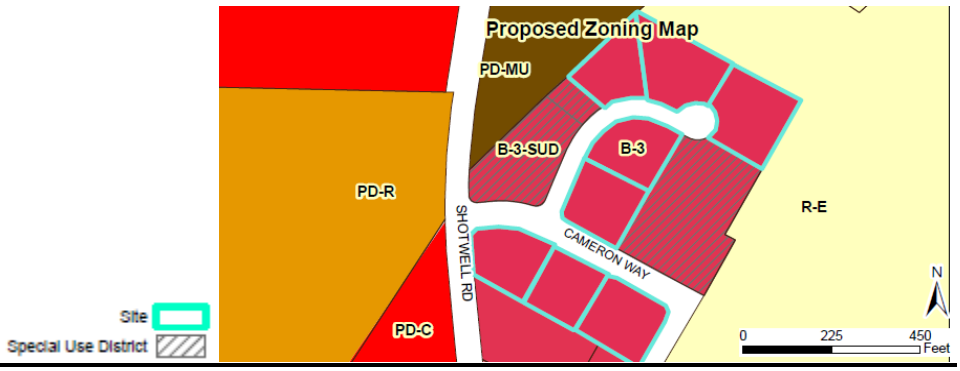
Public Noticing:
- Neighborhood meeting: February 11, 2016
- Signs Posted prior to February 12, 2016
- Letters mailed to adjacent property owners prior to March 24, 2016
- Newspaper ad noticed prior to March 24, 2016

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

SITE DATA:
Acreage: +/- 5.54 acres
Existing Uses: Vacant

ADJACENT ZONING AND LAND USES:

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

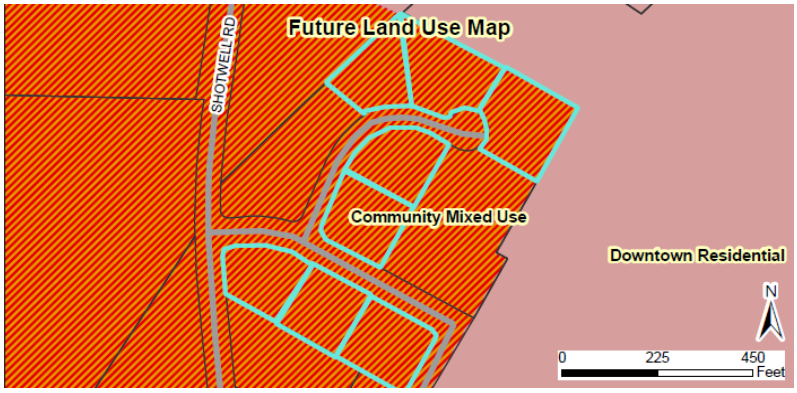


STAFF ANALYSIS AND COMMENTARY:

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

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

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



CONSIDERATIONS:

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

APPROVAL CRITERIA:

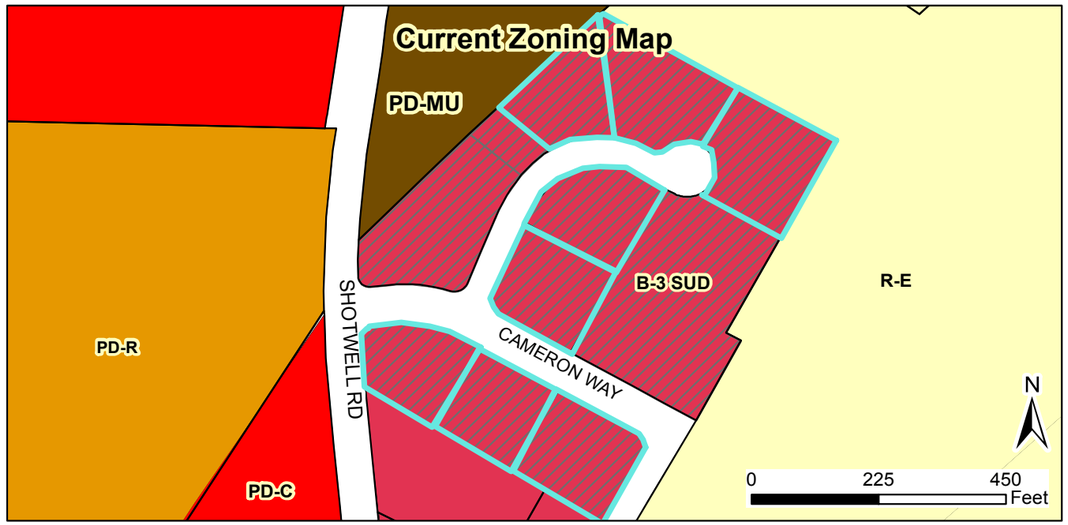
The applicant has addressed the Rezoning Approval Criteria outlined in §155.704. The applicant's responses are incorporated as an attachment to the Staff Report.

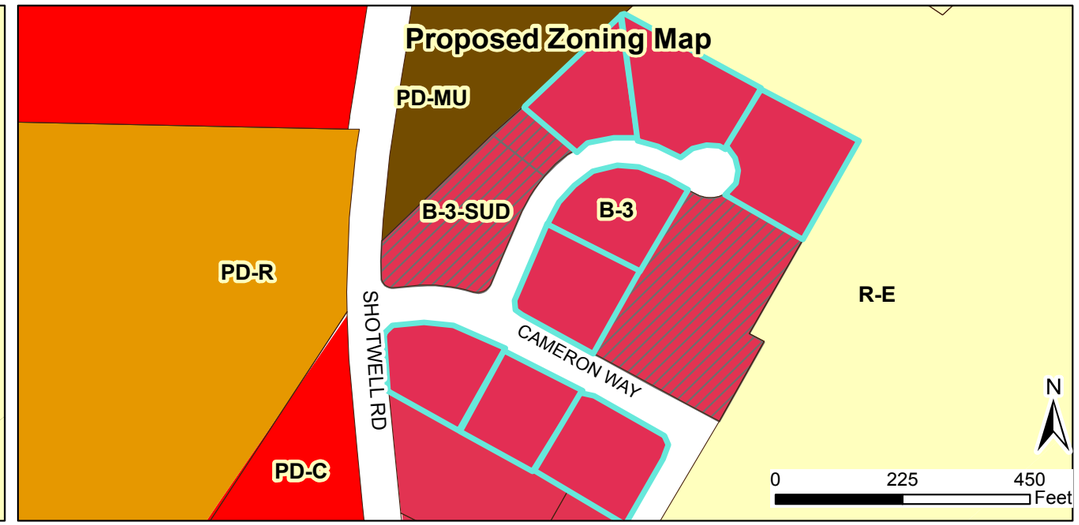
STAFF RECOMMENDATION:

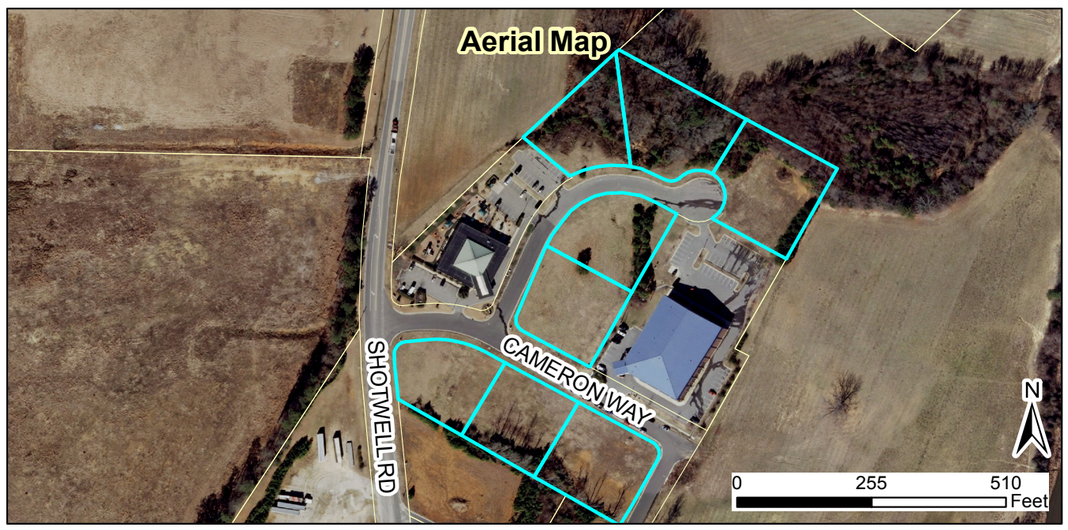
Staff is recommending ***approval*** of the rezoning of the subject parcels from Highway Business – Special Use District (B-3 SUD) to Highway Business (B-3).

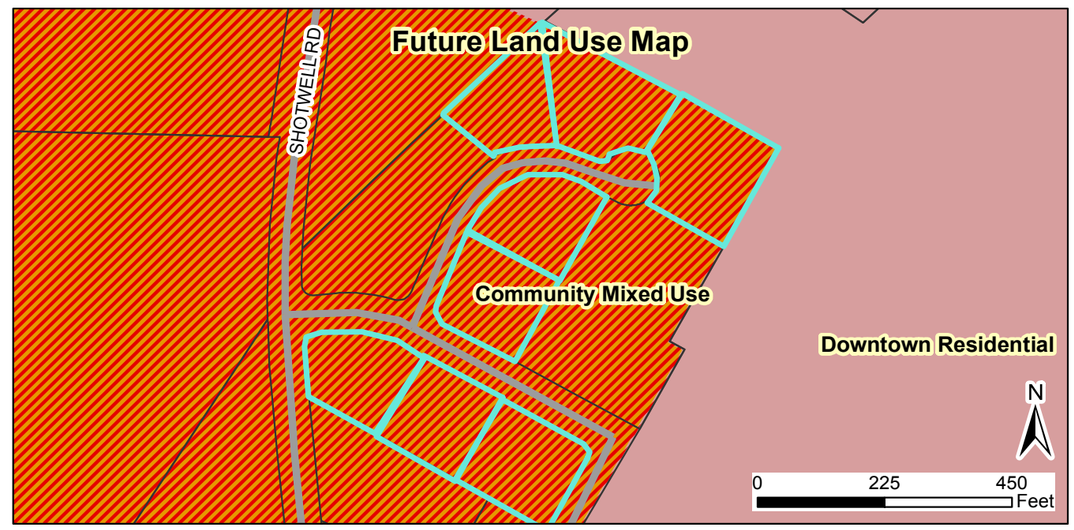
ATTACHMENTS:

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









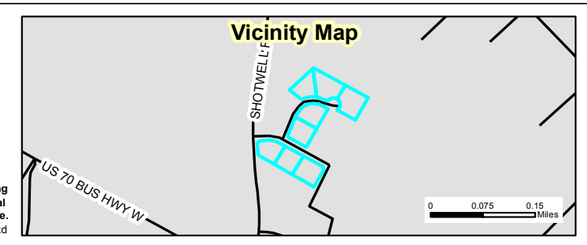
2016-24-RZ - Cameron Way Rezoning
Request: To rezone subject parcels from B-3 SUD to B-3

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

N

Site
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay

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



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

Corporate Dunlopen, LLC
Meeting Feb 11, 2016

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

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

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information provided to Planning Department:

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

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

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

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: Feb 1, 2016

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

Printed Name: Gregory N. Nelson Signature: Gregory N. Nelson

Date of Meeting: Feb 11, 2016 Time of Meeting: 6:30 pm

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

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

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

Only one phone call has been received as of Feb 12, 2016. I received a phone call from Mr. Capps (Tag No 05026073, PIN No 165911-65-2257) pertaining to the letter he received dated Feb 1, 2016. He questioned the change in zoning and was fine with the request and understood the need to change the zoning. He was very supportive and wished us luck on future property sales.

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

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Corporate Developers, LLC 2/11/2016

Location/Date: McCalls BBQ, 10365 US 70 Bus, Clayton, NC 27527

	NAME	ADDRESS
1	Ray Hall	403 Parkridge Drive, Clayton, NC 27527
2	Gregory Nelson	155 Bennett Place, Clayton, NC 27527
3		
4		
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7		
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9		
10		
11		
12		
13		
14		
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16		
17		
18		
19		
20		

List of Adjacent Property Owners Mailing List

Cameron Way Rezoning Project

Neighborhood Meeting Feb 11, 2016

Project Name: 2016-24-RZ

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

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

Copy of Letter

Corporate Developers, LLC

Feb 1, 2016

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

Ref: Cameron Park
Phase I& II Development

Dear Clayton Area Property,

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

Meeting Date: Feb 11, 2016 **Meeting Time: 6:30 pm**

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

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

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

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

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

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

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

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

Sincerely,

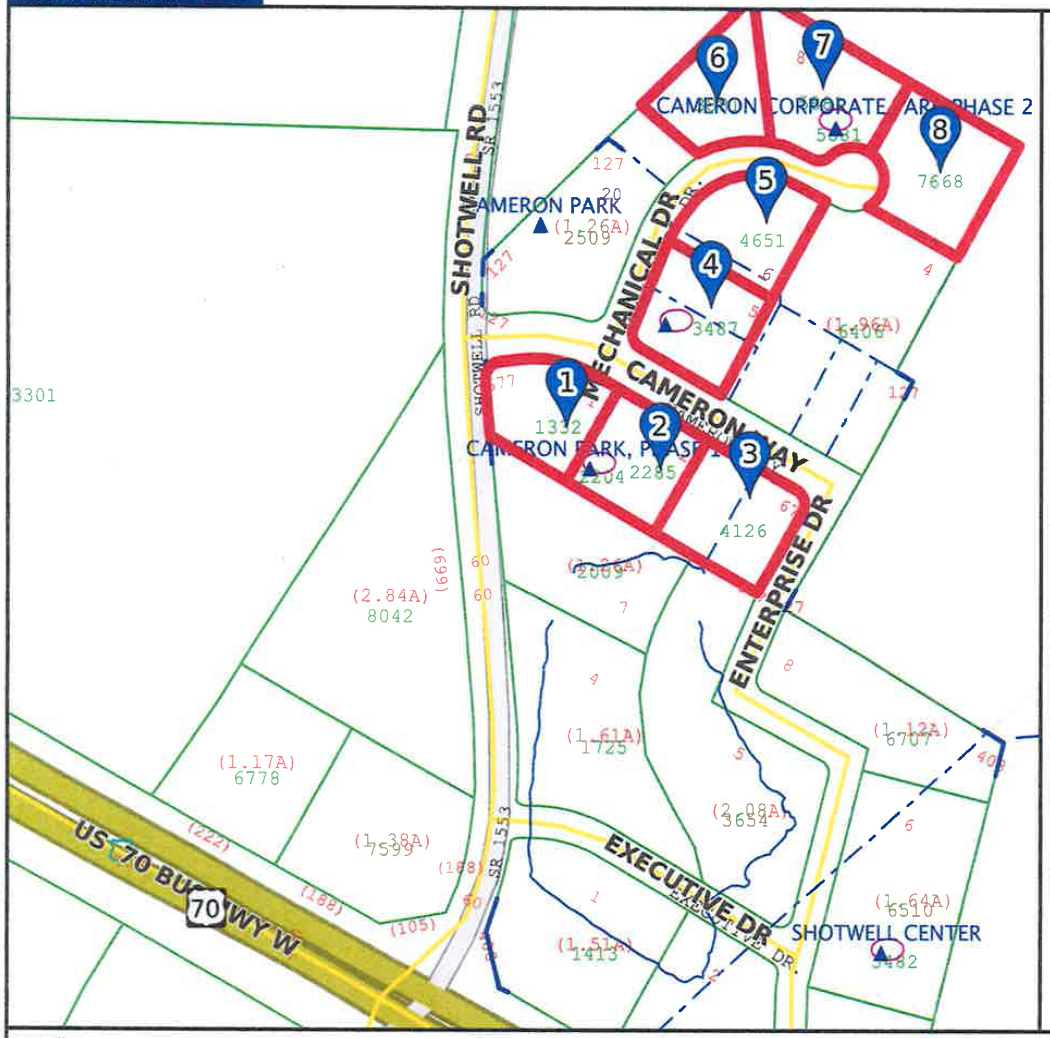
Gregory N. Nelson
Member

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

JOHNSTON COUNTY NORTH • CAROLINA

***** DISCLAIMER *****

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



Result 1

id:	05026073H
Tag:	05026073H
Tax Unique Id:	4371463
NCPin:	165911-55-1332
Mapsheet No:	165911
Owner Name 1:	CORPORATE DEVELOPERS LLC
Owner Name 2:	
Mail Address 1:	155 BENNETT PLACE
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27527-0000
Site Address 1:	
Site Address 2:	
Book:	02317
Page:	0715
Market Value:	172720
Assessed Acreage:	0.61
Calc. Acreage:	0.595
Sales Price:	1075000
Sale Date:	2002-10-29

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

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

Johnston County GIS
January 31, 2016

INFORMATION PACKET

Date	1-Feb-16

Property Descriptions for Corporate Developrs LLC

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

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

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

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

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

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

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

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

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

Total Acres = 5.49

List of Adjacent Property Owners

Cameron Way Rezoning Project

Neighborhood Meeting Feb 11, 2016

Project Name: 2016-24-RZ

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

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

MapClick
JOHNSTON COUNTY, NORTH CAROLINA

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Map Info | Locate | Query | Select | Themes & Analysis | Reports | Measure | Reset

Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

id	05G02005X
Tag	05G02005X
Tax Unique Id	4356833
NCPin	165911-55-2009
Mapsheet No	165911
Owner Name 1	MARVEL, MICHAEL L
Owner Name 2	PLAZA DEVELOPMENT CO, LLC
Mail Address 1	2127 WILLOW HILL LN
Mail Address 2	
Mail Address 3	CLAYTON, NC 27520-5943
Site Address 1	
Site Address 2	
Book	03049
Page	0325
Market Value	417130
Assessed Acreage	1.26
Calc. Acreage	1.257
Sales Price	0
Sale Date	2006-01-13

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Saved Parcel Information

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

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

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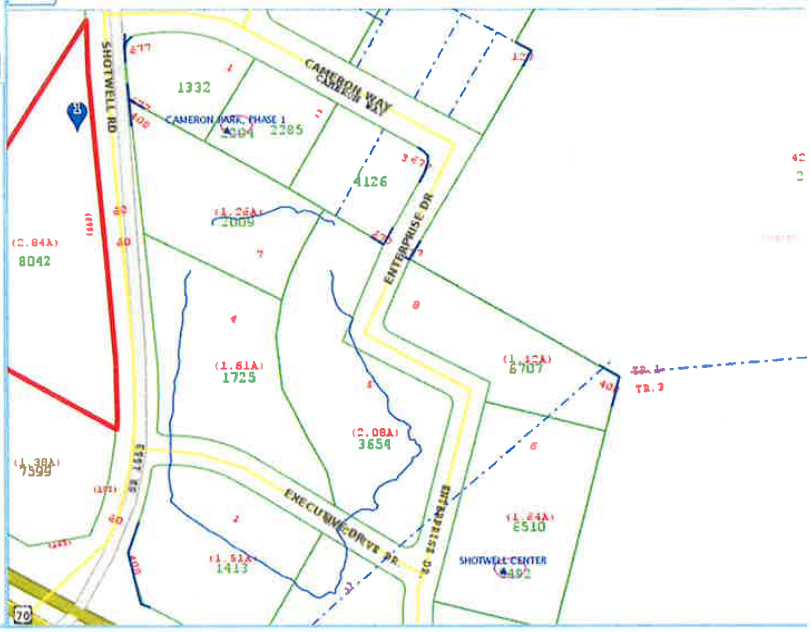

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

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

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

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

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

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

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Single-Parcel Tax Info

Click on a parcel.

Results for item 1

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

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Single-Parcel Tax Info

Click on a parcel.

Results for Item 1

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

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Saved Parcel Information

ZONING DEFINITIONS

Zoning Definitions

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

Jump to:
Benson | Clayton | Four Oaks | Johnston County | Kenly | Micro | Pine Level | Princeton | Selma | Smithfield | Wilson's Mills

Zoning Codes

Johnston County - (919) 989-5150

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

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

R-MHP: Residential-Mobile Home Parks.

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

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

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

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

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

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

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

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

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

AHH: Airport Height Hazard District.

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

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

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

CLD: County Landfill.

Benson - (919) 894-4953

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Clayton - (919) 553-5002

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Four Oaks - (919) 963-3112

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

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

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

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

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

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

Cameron Way Rezoning
2016-24-RZ

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

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

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

Signed:

Frank Price, Planning Board Chair

PPAB 2575888v1

PUBLIC NOTICE

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

- **3900 Powhatan Road Rezoning, 2016-13-RZ, for parcel number 167700-39-3255. The requested change is from Highway Business (B-3) and Residential Estate (R-E) to Industrial Light (I-1).**

- **Cameron Way Rezoning, 2016-24-RZ, for parcel numbers 165911-55-3881, 165911-55-5881, 165911-55-7668, 165911-55-4651, 165911-55-3487, 165911-55-4126, 165911-55-2285, and 165911-55-1332. The requested change is from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).**

- **Clayton Northside Substation Rezoning, 2015-84-RZ, for parcel number 166900-96-3977. The requested change is from Residential Estate (R-E) to Public Facilities (PF).**

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

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

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
Wednesday, March 23, 2016
Wednesday, March 30, 2016
Dates are the two Wednesdays prior to the hearing

Affidavit of publication required.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Scheduled for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Text Amendments Unified Development Code

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

POTENTIAL ACTION:
Set Public Hearing

DEPARTMENT:
Planning + Zoning

PRESENTER:
Jay McLeod, Planner

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

Planning Board
February 22, 2016

STAFF REPORT

Application Number: 2016-41-OA
Project Name: UDC Glitch Bill 2016 (Ordinance Amendment)

Applicant: Town

Public Noticing:
- Newspaper ad posted prior to March 23, 2016

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

SECTIONS PROPOSED FOR AMENDMENT:

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

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

STAFF ANALYSIS AND COMMENTARY:

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

Approval Criteria:

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

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

- **Correction of existing errors**
  The request largely represents correction, clarification, or refinement of existing Code language.

- **Compliance with state or federal statutes or case law**
  The request is consistent with all known state, federal, and case laws.

CONSIDERATIONS

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

STAFF RECOMMENDATION:

Staff is recommending approval.

CONDITIONS:

Staff has no recommendation of Conditions.

ATTACHMENTS:

1) Draft Ordinance Amendment, in strikethrough/underline.

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

MEMORANDUM

Date: March 14, 2016

To: Town Council

From: Planning Staff

Subject: Notice of amendment to Ordinance Amendment 2016-41-OA

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

Text Amendment to Unified Development Code, 2016-41-OA

Routine Update to Articles 100-400, and 600-800

(Note: Following approval, tables and text will be reformatted and/or reorganized by alphabetical order and/or in accordance with the standard numbering system for the document.)

§155.109(D)	Transitional Provisions

Existing text (with strikethrough/underline)

~~(D) **DISTRICT CONVERSION**~~

~~(***Commentary:*** The table below translates Existing text zoning districts to the new zoning districts in this Chapter.) The zoning district names in effect prior to the effective date of this Chapter are converted as shown below.~~

~~Previous Zoning Districts~~		~~New Zoning Districts~~	
~~AR/R-40/20~~	~~Residential District~~	~~R-E~~	~~Residential Estate~~
~~R-10~~	~~Residential District~~	~~R-10~~	~~Residential~~
~~R-8~~	~~Residential District~~	~~R-8~~	~~Residential~~
~~R-6~~	~~Residential District~~	~~R-6~~	~~Residential~~
	~~New~~	~~O-R~~	
~~O-I~~	~~Office and Institutional District~~	~~O-I~~	~~Office-Institutional~~
~~B-1~~	~~Central Business District~~	~~B-1~~	~~Central Business~~
~~B-2~~	~~Neighborhood Business District~~	~~B-2~~	~~Neighborhood Business~~
~~B-3~~	~~Highway Business District~~	~~B-3~~	~~Highway Business~~
~~I-1~~	~~Industrial District~~	~~I-1~~	~~Industrial-Light~~
~~I-2~~	~~Industrial District~~	~~I-2~~	~~Industrial-Heavy~~
~~-~~	~~New~~	~~PD-R~~	~~Planned Development-Residential~~
~~-~~	~~New~~	~~PD-C~~	~~Planned Development-Commercial~~
~~-~~	~~New~~	~~PD-I~~	~~Planned Development-Industrial~~
~~MU-PD~~	~~Mixed Use Planned Development Overlay District~~	~~PD-MU~~	~~Planned Development-Mixed Use~~
~~TOD~~	~~Thoroughfare Overlay District~~	~~TOD~~	~~Thoroughfare Overlay District~~
~~TOD-II~~	~~Thoroughfare Overlay District II~~	~~TOD-II~~	~~Thoroughfare Overlay District II~~
~~WS~~	~~Water Supply Watershed Protection Overlay District~~	~~WP~~	~~Watershed Protection Overlay~~

~~(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2007-04-05, passed 4-2-07)~~

Comment

This section relates to the 2008 transition of areas into the Extra-Territorial Jurisdiction from

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

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

(3) Scenic Highway Overlay (SHO)

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

(4) Downtown Overlay District (DOD)

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

Comment

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

§155.201	Measurements and Exceptions

Existing text (with strikethrough/underline)

(A) **GENERAL**

No lot, even though it may consist of one or more adjacent lots of record in single ownership, shall be reduced in size so that the lot area per dwelling unit, lot width, yard and lot coverage requirements, and other requirements of this chapter are not maintained. This prohibition shall not be construed to prevent the purchase or condemnation of narrow strips of land for public utilities or street right-of-way purposes.

~~(B) **BUILDING COVERAGE**~~

~~The maximum area of the lot that is permitted to be covered by buildings, including both principal structures and accessory buildings. Building coverage does not include paved areas such as driveways, uncovered porches or patios, decks, swimming pools or pool cages, or roof overhangs of less than three feet.~~

~~(C) **IMPERVIOUS SURFACE**~~

~~The maximum area of the lot that is permitted to be covered by buildings, including both principal structures and accessory buildings, paved areas such as driveways, uncovered porches or patios, or solid decks.~~

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~~(A) **BUILDING SEPARATION**~~

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

(B) **GROSS FLOOR AREA**

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

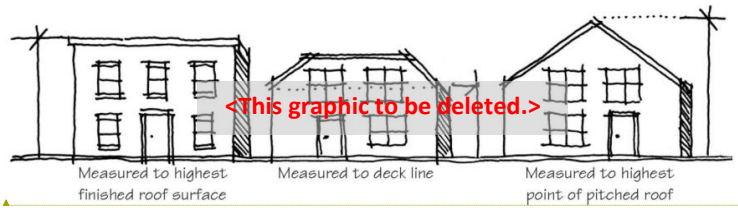
~~(3) The area of each floor of the structure;~~

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

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

(C) **HEIGHT**

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



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(2) No structure shall be erected or altered so as to exceed the height limit or density regulations of this ~~subchapter~~ article for the district in which it is located.

(3) The Board of Adjustment may grant a C~~c~~onditional U~~u~~se P~~p~~ermit in accordance with § 155.710 for structures such as spires, belfries, cupolas, domes not intended for human occupancy, monuments, water tanks/towers, transmission and telecommunication towers, chimneys, flagpoles, aerials or antennas, or other similar structures which, by design or function, must exceed established height limits of the district in which it is to be located.

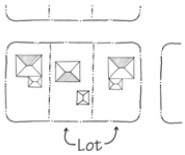
(4) The Town Council may grant a S~~s~~pecial U~~u~~se P~~p~~ermit in accordance with § 155.711 for structures exceeding the maximum height limits of any district.

(D) **AREA**

Area shall be measured in gross square feet or acres.

(1) **Lot**

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

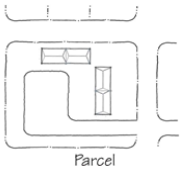


~~(a)~~(b) Lot area shall be that area included in a single, undivided piece of land.

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

(2) **Parcel**

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



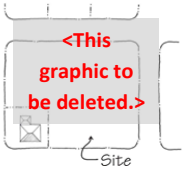
~~(a)~~(b) Parcel area shall be that area required for each individual building in a multi-building project. A parcel may include multiple lots.

~~(3) **Site**~~

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

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

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



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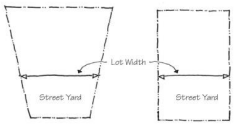
(E) **WIDTH**

(1) **Building Width**

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

(2) **Parcel or Lot Width**



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

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

(F) **DENSITY**

(1) Density shall be allocated to each development parcel as follows:

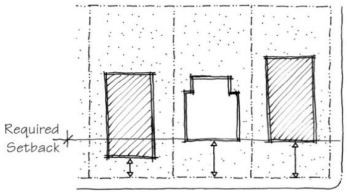
(a) One hundred percent of the district density for the area outside of resource conservation areas; and

(b) Fifty percent of the district density for any resource conservation areas.

(2) Density for ~~single-family~~residential development ~~districts~~ shall be calculated by dividing one acre of land (43,560 square feet) by the minimum lot area (in square feet) ~~single-family detached lot size~~ for the district, and then rounding down to the nearest whole number.

(G) **YARDS AND SETBACKS**

(1) **General**



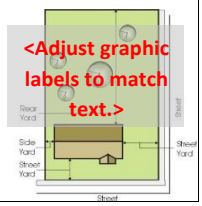
(a) All ~~street~~ front yard and side ~~yard (street)~~street yard setbacks shall be measured from the edge of the right-of-way.

(b) The minimum ~~street~~ front yard requirements of this ~~subchapter~~ article for residential dwellings shall not apply on any lot where the average ~~street~~ front yard of existing dwellings located on either side of the lot in question within the same block and zoning district and fronting on the same side of the street is less than the minimum required ~~street~~ front yard. In such cases, the ~~street~~ front yard on such lots may be less than the required ~~street~~ front yard, but not less than the adjacent dwelling with the greatest ~~street~~ front yard depth.

(c) Every part of every required yard shall be open and unobstructed above the general ground level of the graded lot upward to the sky except as provided or as otherwise permitted in this ~~chapter~~section.

(d) No part of a yard or other open space required about any structure or use for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another structure or use.

(2) **Types of Yards**

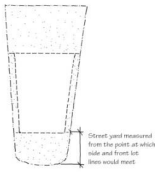


(a) There are four types of yards ~~–~~ ~~street~~front, ~~side (street),~~side street (also commonly known as street side) ~~side (interior~~side interior~~)~~, and rear. ~~yards.~~

(b) ~~Double frontage lots have two street yards~~.

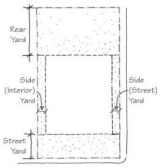
(3) **Measurement of Yards**

(a) Depth of a required ~~street~~ front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot lines, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding.



(b) Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

(c) Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.



(4) **Yard Encroachments**

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

(a) Parking structures may extend into the rear yard of a dwelling unit.

(b) Chimneys, pre-fabricated chimneys, flues, or smokestacks may extend a maximum of four feet into a required yard.

(c) Building eave or roof overhang may extend up to 24 inches into a required yard; provided that such extension is at least three feet from the property line, its lower edge is at least seven and one-half feet above the ground elevation, and it is located at least five feet from any other building or eave.

(d) Sills and ornamental features may project up to 24 inches into any required yard.

(e) Except in the B-1 District, fire escapes may project up to eight feet into any required yard.

(f) Signs may extend into required yards in conformance with standards found in § 155.403.

(g) Pedestrian bridges, breezeways, building connections, and supports of these structures may extend into required yards upon findings by the approving authority that the connecting feature is necessary to provide safe pedestrian access or to improve transit access.

(h) Security gates and guard stations may be located within any required yard.

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

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

…

Comment

Some of this text is redundant as these terms are already defined in Defined Terms (§155.802).
Some of this text has been modified to clarify measurements and terms.
The method of calculation for "Density" may deserve some additional analysis and revision.
(Note that labels and graphics will be adjusted to reflect any approved text changes.)

§155.202(B), Table 2-1 | **Table 2-1, Use Regulations**

Existing text (with strikethrough/underline)

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

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

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Utility, Major											P	P	P	§155.307(E)
Waste Service											C	P	P	§155.307(F)

	Key:
	P – Permitted
	C – Conditional Use permitted in the zoning district only if approved by the Board of Adjustment (BOA) (§ 155.710)
	S – Special Use permitted in the zoning district only if approved by the Town Council (TC) ~~)~~ (§ 155.711)

Comment

Adjustments to the Use Table.
(Note that references in the "Specific Use Section" column will be adjusted according to changes.)

§155.204(B)	Watershed Protection Overlay [standards]

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~~(H)~~(B) **WATERSHED PROTECTION OVERLAY (-WP)**

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

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Comment

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§155.301-.307	Residential Use Standards

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155.301

(A) **ADULT CARE HOME**

(1) An assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services to residents, either directly or, for scheduled needs, through formal written agreement with licensed home care or hospice agencies. Some licensed adult care homes provide supervision to persons with cognitive impairments whose decisions, if made independently, may jeopardize the safety or well-being of themselves or others and therefore require supervision.

(2) In the R-E District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 4,000 square feet of lot area per occupant.

(3) In the R-10 District, an adult care home shall provide at least 150 square feet of gross floor area per occupant and 2,000 square feet of lot area per occupant.

(4) In the R-8 District, an adult care home shall provide at least 150 square feet of gross floor

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

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

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

155.302

(A) **ASSEMBLY~~, NOT FOR PROFIT~~**

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

155.305

~~(A)~~(E) ~~**CONTRACTOR**~~ **STORAGE YARD**

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

155.305

~~1.~~(M) **LOUNGE, COCKTAIL**

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

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

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

155.305

(S) **PARKING LOT**

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

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~~1.~~(T) **PAWN SHOP**

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

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

155.307

~~1.~~(B) **RENEWABLE ENERGY FACILITY**

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

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Comment

Separation of Adult Care Homes is allowed per NC General Statutes §168-22.
Parking Lot added per change in Use Table.

§155.402	Landscaping, Screening, and Buffering

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155.402(D)

(2) **Vehicular Use Areas**

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

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

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

(a) ***Perimeter Screening***

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

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

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

~~2.~~3. ~~At the time of installation, such screening shall be at least 30 inches in height.~~ Any vegetative screen shall be maintained at a minimum height of 36 inches within two years of planting.

155.402(E)(2)

(A) **BUFFERS**

(1) **Buffer Defined**

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

(2) **Buffer Types**

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

(a) ***Street Buffers***

1. All new development with frontage on a commercial street or designated minor thoroughfare shall provide a Class A buffer as set forth in (E)(3) of this section.

2. Double frontage lots abutting a collector street or residential collector street shall provide a Class A buffer along the entire rear yard frontage.

(b) ***Parking Buffers***

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

(c) ***Compatibility Buffers***

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

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

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

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

155.402(E)

~~(c)~~(3) ***Project Boundary Buffers***

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

~~1.~~(a) Open Space Residential Subdivision

A Class C buffer is required along all project boundaries of an open space subdivision (see § 155.203(H)(8)).

~~2.~~(b) Planned Development

1. A Class C buffer is required along all project boundaries of a planned development.
2. The continuous visual barrier of Class C buffers is not required for the street-side of non-residential Planned Developments where they abut major or minor thoroughfares.
3. A Class B buffer may be used when a Planned Development - Commercial (PD-C) abuts a non-residential district (see § 155.203(L)).

~~3.~~(c) Manufactured Home Park

A Class C buffer is required along all project boundaries of a manufactured home park (see § 155.301(G)(4)).

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(3) **Buffer Classification**

Figure 4-1 establishes the specific width and plant material for each buffer classification. The applicant may choose any alternative (1, 2, or 3) in the respective buffer classification. Buffers planted below overhead utility lines shall apply any of the allowed buffer alternatives, except that understory trees shall replace any canopy trees at a rate of two understory trees per required canopy tree. ~~The plantings below are intentionally over-planted at maturity, in order to provide an immediate beneficial impact.~~

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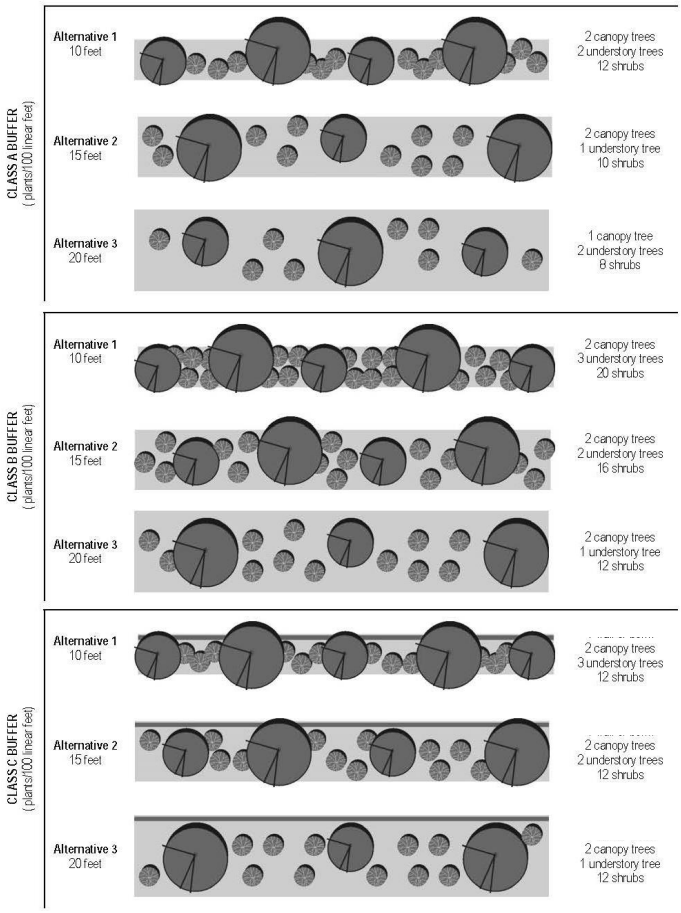
FIGURE 4-1 LANDSCAPE BUFFERS



Class C buffer shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with a minimum height of six feet at installation.

155.402(E)(7)

(b) ***Berms***

Where berms are placed within any required buffer area, they shall meet the following requirements.

1. Berms shall have a minimum average height of 30 inches with side slopes ~~of not less than four~~ not steeper than three feet horizontal for each one foot vertical.

2. Slopes ~~in excess of four~~ steeper than three feet horizontal for each one foot vertical may be permitted if sufficient erosion control methods are taken and deemed by the Public Works Director to be maintainable.

155.402(G) – Screening

(2) **Service Areas**

(a) Trash collection, trash compaction, recycling collection, and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from ~~residential~~ adjacent properties or public rights-of-way.

(b) ~~Screening enclosures~~Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high ~~with self-closing access doors~~ and shall be constructed of the same materials as the primary building.

(c) Enclosures shall be screened by landscaping utilizing evergreen shrubs that shall be maintained at a minimum height of at least 36 inches within two years of planting.

~~(c)~~(d) All service areas are limited to the area shown on an approved site plan.

~~(d)~~(e) All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line.

155.402(H) – General Landscaping, Screening, and Buffering Provisions

(H) **GENERAL PROVISIONS**

(1) **Design, Installation and Establishment**

(a) ***Plant Material***

1. Except as otherwise specified in this article, landscaping materials shall conform to the following minimum specifications:
   A. Canopy trees shall have a 2.5 inch caliper and be 8 feet tall following installation.
   B. Understory trees shall have a 2.0 inch caliper and be 6 feet tall following

installation.

C. Shrubs not used for screening shall be a minimum height of 12 inches following installation.

D. Shrubs explicitly used for screening shall be a minimum height of 24 inches following installation.

~~1.~~2. Plant material shall be chosen from the lists of recommended plant species contained in the Clayton General Design Guidelines. ~~Plant materials shall be reviewed for suitability with regard to the eventual size and spread, susceptibility to diseases and pests, and appropriateness to existing soil, climate and site conditions.~~ Plant materials that vary from this list may be used with the approval of the Planning Director or staff provided they meet the general size requirements and growth habits of the existing list of recommended plant species.

~~2.~~3. ~~The preferred plant list shall be used to define the species of trees and shrubs deemed to be canopy trees, understory trees and shrubs. The lists may be expanded but are intended to provide guidance in selecting predominately hardy North Carolina native species.~~ Selected plants should be predominantly hardy species that are native to North Carolina.

~~3. Except as otherwise indicated, selected trees shall be at a minimum of two and one-half caliper inches at the time of planting. Canopy trees shall be at least eight feet in height and understory trees shall be at least six feet in height at planting. Shrubs shall be at least 30 inches in height at planting.~~

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Comment

Clarification of when, where, and how landscaping screening shall occur, as well as consolidation of plant material size requirements and plant selection criteria.

§155.602	Subdivision Standards: Streets

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155.602 - STREETS

(I) **STREET TYPES**

See Defined Terms (§155. 802) for description of each Street Type

(1) ~~**Major Thoroughfare**~~

~~A street serving the principal network for high volumes of traffic or high speed traffic as shown on the town's Transportation Plan. This street type consists of at least two travel lanes in each direction. A major thoroughfare shall be designated where the anticipated average daily volume exceeds 10,000 vehicles.~~ Residences should not front on ~~a~~ major or minor thoroughfares.

~~(2) **Minor Thoroughfare**~~
~~A street designed primarily to collect and distribute traffic between the local street network and major thoroughfares as shown on the town's Transportation Plan. This street type generally consists of more than one travel lane in each direction. A minor thoroughfare shall be designated where the anticipated average daily volume ranges exceeds 6,000 vehicles. Residences should not front on a minor thoroughfare.~~

~~(3) **Commercial Street**~~
~~A multi-lane, street connecting to major or minor thoroughfares designed to accommodate large volumes (in excess of 6,000 trips per day) of traffic at moderate speeds while also providing, as a major part of its function, direct access to nonresidential or mixed use high trip generating land uses.~~

~~(4) **Collector Street**~~
~~A street whose principal function is to carry traffic between residential collectors, residential streets, cul-de-sacs and major and minor thoroughfares, but that may also provide direct access to abutting properties. It is designed to carry more than 3,500 but less than 6,000 trips per day. Typically, a collector is able to serve, directly or indirectly, between 350 and 600 dwelling units.~~

~~(5) **Residential Collector Street**~~
~~A street which serves as a connector street between residential streets, cul-de-sacs and major and minor thoroughfares. Residential collector streets typically collect traffic from 100 to 400 dwelling units.~~

~~(6) **Residential Street**~~
~~A street whose principal function is to provide access to adjacent properties.~~

~~(7) **Cul-De-Sac (Commercial, Residential)**~~
~~A short, street having one end open to traffic and the other permanently terminated by a vehicular turnaround.~~

~~(8) **Alley**~~
~~A public vehicular way providing service access along rear or side property lines of lots which are also served by one of the other listed street types.~~

~~(9) **Frontage Road**~~
~~(a) A street, parallel and adjacent to a major or minor thoroughfare, which provides access to abutting properties, protection from through traffic, and control of access to the major or minor thoroughfare.~~

(2) Where a parcel of land to be subdivided adjoins a major thoroughfare, the Planning Board or Town Council may require that such lots be provided access by a frontage road.

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Comment

Moved definitions to Defined Terms(§155.802) and consolidated remaining text.

§155.704	Rezoning

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§ 155.704 REZONING

(C) **PRE-APPLICATION CONFERENCE**

All applicants petitioning for a rezoning shall schedule a pre-application conference with the ~~p~~Planning ~~d~~Director in accordance with § 155.702(a).

(I) **ACTION BY TOWN COUNCIL**

(1) Before taking action on a rezoning, the Town Council shall consider the recommendations of the Planning Board and Planning Director.

(2) The Town Council may approve the rezoning, deny the rezoning, or send the rezoning back to the ~~Planning Director~~Planning Board for additional consideration.

(3) Concurrently with adopting, denying, or remanding any rezoning, the Town Council shall adopt a statement describing whether its action is consistent with the adopted plans and polices of the Town and explaining why the Town Council considers the action taken to be reasonable and in the public interest.

(J) **APPROVAL CRITERIA**

In connection with its legislative decision on a rezoning request, the ~~t~~Town ~~c~~Council may consider factors including, but not limited to, the following:

…

~~(K) **PROTEST TO ZONING CHANGE**~~

~~(1) If a petition opposing a change in the rezoning is filed in accordance with the provisions of this section, then the proposed rezoning may be adopted only by a favorable vote of at least three-fourths of the Town Council.~~

~~(2) To qualify as a protest under this section, the petition must:~~

~~(a) Be signed by the owners of either:~~

~~1. Twenty percent or more of the area included in the proposed change; or~~

~~2. Five percent or more of the area of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned.~~

~~3. Street right-of-way shall not be considered in computing the 100-foot buffer~~

~~area, except where the street right-of-way is wider than 100 feet. When less than an entire parcel of land is subject to the proposed rezoning, the 100-foot buffer shall be measured from the property line of that parcel. For the purposes of this section, the "owners" are those listed on the county tax listing.~~

~~(b) Be a written petition actually bearing the signatures and addresses of the requisite number of property owners and stating that the signers do protest the proposed change.~~

~~(c) Be received by the Town Clerk at least two days before the date established for a public hearing on the rezoning to allow the Town Clerk's determination of the sufficiency and accuracy of the petition.~~

<This graphic to be deleted.>

~~(d)~~

~~(e) Valid Protest Petition = 20% of rezone area or 5% of buffer area~~

~~(L)~~(K) **MODIFICATION OF APPLICATION**

An applicant in a zoning matter may reduce the geographic scope and or propose a district of lower density or intensity from that requested in the application by filing a statement of modification with the ~~p~~Planning ~~d~~Director.

Comment
The Protest Petition has been invalidated by the State Legislature via House Bill 343. Other corrections are minor clerical and/or related to formatting.

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§155.705	Planned Development Review

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§ 155.705 PLANNED DEVELOPMENT REVIEW

(K) **MASTER PLAN APPROVAL CRITERIA**

The master plan review shall include and the applicant shall be responsible for successfully addressing the following:

(1) Compliance with § 155.203(L~~K~~) and all other applicable requirements of this chapter;

(2) Consistency with the Clayton General Design Guidelines;

...

~~(L) **PROTEST TO ZONING CHANGE**~~

~~(1) If a petition opposing a change in the rezoning is filed in accordance with the provisions of this section, then the proposed rezoning may be adopted only by a favorable vote of at least three fourths of the Town Council.~~

~~(2) To qualify as a protest under this section, the petition must:~~

~~(a) Be signed by the owners of either:~~

~~1. Twenty percent or more of the area included in the proposed change; or~~

~~2. Five percent or more of the area of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned.~~

~~3. Street right of way shall not be considered in computing the 100-foot buffer area, except where the street right-of-way is wider than 100 feet. When less than an entire parcel of land is subject to the proposed rezoning, the 100-foot buffer shall be measured from the property line of that parcel. For the purposes of this section, the "owners" are those listed on the county tax listing.~~

~~(b) Be a written petition actually bearing the signatures and addresses of the requisite number of property owners and stating that the signers do protest the proposed change.~~

~~(c) Be received by the Town Clerk at least two days before the date established for a public hearing on the rezoning to allow the Town Clerk's determination of the sufficiency and accuracy of the petition.~~

<This graphic to be deleted.>

~~Valid Protest Petition = 20% of rezone area or 5% of buffer area~~

Comment
The Protest Petition has been invalidated by the State Legislature via House Bill 343. Other modifications are clerical, referential, or formatting-related.

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§155.719	Nonconformities

Existing text (with strikethrough/underline)

~~**§ 155.719 NONCONFORMITIES**~~

~~A lawful preexisting use, structure, or lot that does not meet the requirements of this chapter is called a nonconformity. Special provisions apply to nonconformities, as set forth in this section.~~

~~(M) **EXISTING SUBSTANDARD STRUCTURES**~~

~~(1) The conforming use of a structure, as explained in § 155.109(A), existing at the time of the adoption of this chapter, may be continued, although the structure's size or location does not conform with the yard, dimensional, height, parking, loading, access, lot area, and lot coverage provisions of this chapter. Such structures are called substandard structures.~~

~~(2) Substandard structures which are damaged or destroyed by fire, explosion, flood, or other calamity to the extent of more than 50% of the value of the structure, as determined by the town, may be reconstructed and shall comply with the applicable provisions of this chapter for the district in which such structure is located, unless the structure is situated on a substandard lot of record, in which case the provisions concerning substandard lots of record shall apply.~~

~~(3) A substandard structure, including a mobile home, may not be moved off the lot or lots on which it is located, unless when relocated within the jurisdiction of the town, it complies with the regulations for the district in which it is located. Further, any subsequent reuse of the lot or lots from which the substandard structure has been moved must comply with the regulations for the district in which it is located.~~

~~(4) A substandard structure may be enlarged or expanded, provided that any expansion meets all of the requirements for the zoning district, including, but not limited to the yard, dimensional, height, parking, loading, access, lot area, and lot coverage provisions of this chapter,~~

~~(N) **EXISTING NONCONFORMING USES**~~

~~The nonconforming use of a structure or land at the time of the adoption of this chapter may be continued, except that:~~

~~(1) Only that portion of the land in actual use may be so continued, and the nonconforming use may not be enlarged or extended, nor may any additional structures be added to be occupied by the nonconforming use, unless by special use permit, except that existing cemeteries can expand to the boundaries of the property which they owned at the time they became nonconforming.~~

~~(2) Normal maintenance, repair, and incidental alteration of a building occupied by a nonconforming use is permitted, provided it does not extend the nonconforming use. A structure occupied by a nonconforming use may be changed to make the structure more in~~

~~character with the uses permitted in the district in which it is located.~~

~~(3) If such nonconforming use is damaged by fire, explosion, flood, or other calamity to the extent of more than 50% of its current equalized value, it shall not be restored unless it will comply with the use provisions of this chapter, except that nonconforming owner-occupied single-family dwellings may be restored. Multi-family development approved prior to June 4, 1996 may be restored in a manner which does not increase any nonconforming density, setback, or spacing of building standards approved in the original site plan, upon granting of a special use permit by the Town Council in accordance with § 155.711.~~

~~(4) If such nonconforming use is discontinued or terminated, as evidenced by the disconnection of electrical service to such nonconforming use for a period of 180 days, any future use of the structure or land shall comply with the provisions of this chapter.~~

~~(5) A nonconforming use, such as, but not limited to mobile homes, may not be moved off the lot or lots on which it is located, unless, when relocated within the jurisdiction of the town, it complies with the regulations for the district in which it is located. Further, any subsequent reuse of the lot or lots from which the nonconforming use has been moved must comply with the regulations for the district in which it is located.~~

~~(6) The Town Council may permit as a special use a change in nonconforming use, provided that the requirements of (B)(1) through (5) of this section are met, and the Town Council finds that such new use would be more in character with the uses permitted in the district than the previous use. In permitting such change, the Town Council may require appropriate conditions and safeguards in accordance with the provisions of this chapter.~~

~~(7) Once a nonconforming use has been changed or altered so as to comply with the provisions of this chapter, it shall not revert back to a nonconforming use. Once the Board of Adjustment has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a nonconforming use and become subject to all the conditions required by the Board. If the structure occupied by a nonconforming use is changed so as to be more in character with the uses permitted in the district in which it is located, it shall not subsequently be changed to be less in character.~~

~~(O) **EXISTING VACANT SUBSTANDARD LOTS**~~

~~(1) Where the owner of a lot at the time of the original passage of this chapter, or any successor in title does not own sufficient land to conform to the lot area or lot width requirements of this chapter, such a lot may be used as a building site for a single-family residence in a district in which residences are permitted, provided that the lot width and lot area are not more than 20% below the minimum specified in this chapter, and further provided that the County Health Department approves the reduction if on-site water or wastewater facilities are involved. In cases where the lot area and lot width are more than 20% below the minimum specified in this chapter, or other requirements cannot be met, the Board of Adjustment is authorized to approve as a variance such dimensions as shall conform as closely as possible to the required dimensions specified in this chapter. In~~

~~addition, nonresidential uses of land permitted in the applicable nonresidential zoning district may be granted a variance for development on a substandard lot, subject to approval by the Board of Adjustment and the required findings set forth in (C)(2) of this section.~~

~~(2) If two or more adjoining and vacant lots are in one ownership when this chapter is adopted, or at any time after the adoption of this chapter, and such lots individually do not meet the dimensional requirements of this chapter for the district in which such lots are located, then such group of lots shall be considered as a single lot and therefore, the provisions of (B)(1) of this section do not apply.~~

~~(P) **NONCONFORMING SIGNS**~~

~~(1) **Amortization of Nonconforming Signs**~~

~~Any sign existing prior to April 7, 1986 which does not conform to the requirements of this chapter may be continued with the following exceptions; however, all nonconforming signs shall be brought into compliance or removed within the time limits specified in (D)(3) of this section.~~

~~(a) Portable and windblown signs as defined in § 155.403, shall be removed by January 1, 1987.~~

~~(b) All moving signs shall cease movement by July 7, 1986.~~

~~(c) All non-governmental flashing signs shall stop flashing by July 7, 1986.~~

~~(2) **Enlargement and Revision of Nonconforming Signs**~~

~~No nonconforming sign shall be erected, replaced, or otherwise modified in such a way as to increase its nonconformity. Reasonable repair and maintenance of nonconforming signs, including the change of an advertising message, is permitted, provided that a nonconforming sign which is damaged or deteriorated to the extent of 50% or more of its value shall not be replaced unless it conforms to all provisions of this subchapter.~~

~~(3) ***Removal of Nonconforming Signs***~~

~~(a) Nonconforming signs, when removed for other than normal maintenance, may not be erected again, nor may any such sign be replaced with another nonconforming sign.~~

~~(b) All nonconforming signs erected before the date of adoption of this chapter shall be removed or modified so as to conform to this chapter by February 1, 2002.~~

~~(Q) **NONCONFORMITIES IN THE WATER PROTECTION OVERLAY (-WP)**~~

~~Nonconforming lots, buildings and structures may be continued and maintained subject to the provisions as set forth below. Expansions to nonconformities must meet the requirements of § 155.501, however, the impervious surface area is not required to be included in the density~~

~~calculations.~~

~~(1) **Vacant Lots**~~

~~This category consists of vacant lots for which plats or deeds have been recorded in the office of the County Register of Deeds. Lots may be used for any of the uses allowed in the -WP Overlay in which it is located, provided the following:~~

~~(a) Where the lot area is below the minimum specified and no other standard needs to be modified to use the lot for residential purposes.~~

~~(b) Notwithstanding (E)(1)(a) of this section, whenever two or more adjoining residential vacant lots of record are in single ownership at any time after the adoption of this chapter, and such lots individually have less area than the minimum requirements for residential purposes for the -WP Overlay such lots shall be combined to create a single lot or lots which meet or minimize the degree of nonconformity.~~

~~(2) **Occupied Lots**~~

~~This category consists of lots occupied for residential purposes at the time of the adoption of this chapter. These lots may continue to be used, provided that whenever two or more adjoining lots of record, one of which is occupied, are in single ownership at any time after the adoption of this chapter, and such lots individually or together have less area than the minimum requirements for residential purposes specified, such lots shall be combined to create lots which meet the minimum size requirements, or which minimize the degree of nonconformity.~~

~~(3) **Buildings and Impervious Surfaces**~~

~~This category includes any buildings or impervious surface area existing at the time of adoption of this chapter not in conformance with the restrictions of this chapter. Such buildings and imperious surface areas shall be allowed to remain.~~

~~(4) **Reconstruction of Damaged Buildings or Impervious Surfaces.**~~

~~Any existing building or impervious surface area not in conformance with the restriction of this chapter that has been damaged by fire, wind, flood or other causes, may be repaired and used as before. The total amount of space devoted to impervious surface area may not be increased unless stormwater controls that equals or exceeds the previous development is provided.~~

~~(Ord. 2005-11-02, passed 11-21-05)~~

Comment

Entire section (§155.719) to be deleted. This section was previously moved to §155.110 (per Ordinance 2013-10-03) and exists there currently. At that same time, Section .719 was intended to be deleted, but was not. This corrects that clerical error.

§155.801 and .802	Abbreviations and Defined Terms

Existing text (with strikethrough/underline)

155.801 - Abbreviations

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

DEQ: North Carolina Department of Environmental Quality

155.802 – Defined Terms

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

Density

The number of dwelling units permitted per ~~net~~ acre of land.

Floor Area, Gross

The sum of the gross horizontal area of the several floors of a building, measured from the exterior faces of the exterior walls or from the center of the common walls of attached buildings. Gross floor area includes basement floors, attic floor space, halls, closets, stairwells, space devoted to mechanical equipment, and enclosed porches. Gross Floor Area also includes all outside storage areas.

Comment

The above proposed changes are modifications to existing text. These changes provide consistency with relocations and/or changes to text in §155.201.

§155.802	Defined Terms

Existing text (with strikethrough/underline)

Major Thoroughfare

A street serving the principal network for high volumes of traffic or high speed traffic as shown on the town's Transportation Plan. This street type consists of at least two travel lanes in each direction. A major thoroughfare shall be designated where the anticipated average daily volume exceeds 10,000 vehicles.

Minor Thoroughfare

A street designed primarily to collect and distribute traffic between the local street network and major thoroughfares as shown on the town's Transportation Plan. This street type generally consists of more than one travel lane in each direction. A minor thoroughfare shall be designated where the anticipated average daily volume ranges exceeds 6,000 vehicles.

Commercial Street

A multi-lane, street connecting to major or minor thoroughfares designed to accommodate large volumes (in excess of 6,000 trips per day) of traffic at moderate speeds while also providing, as a major part of its function, direct access to nonresidential or mixed use high trip generating land uses.

Collector Street

A street whose principal function is to carry traffic between residential collectors, residential streets, cul-de-sacs and major and minor thoroughfares, but that may also provide direct access to abutting properties. It is designed to carry more than 3,500 but less than 6,000 trips per day. Typically, a collector is able to serve, directly or indirectly, between 350 and 600 dwelling units.

Residential Collector Street

A street which serves as a connector street between residential streets, cul-de-sacs and major and minor thoroughfares. Residential collector streets typically collect traffic from 100 to 400 dwelling units.

Residential Street

A street whose principal function is to provide access to adjacent properties.

Cul-De-Sac (Commercial, Residential)

A short, street having one end open to traffic and the other permanently terminated by a vehicular turnaround.

Alley

A public vehicular way providing service access along rear or side property lines of lots which are also served by one of the other listed street types.

Frontage Road

A street, parallel and adjacent to a major or minor thoroughfare, which provides access to abutting properties, protection from through traffic, and control of access to the major or minor thoroughfare.

Setback

A line delineating the minimum allowable distance between the property line or right-of-way line and a building on a lot, within which no building, significant development, or other structure shall be placed except as otherwise provided. Wherever property lines and right-of-way lines both occur, the most restrictive setback distance on the lot shall prevail.

Comment

The above proposed changes represent the relocation of defined terms that are currently located Article 602(D), with the exception of Setback, which is proposed as an addition to the Defined Terms section.

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ORDINANCE AMENDMENT
(Text Amendment)

UDC Glitch Bill 2016
2016-41-OA

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

Recommendation to ☑ approve ☐ deny the above referenced ordinance amendment.

Recommendation(s) made this 22ndday of February, 2016 while in regular session.

Signed:

Frank Price, Planning Board Chair

PPAB 2575888v1

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold a public hearing on April 4, 2016, at 6:30 PM in the Council Chambers at the Clayton Center, 111 E Second Street, to consider amendments to the Unified Development Code. Copies of the proposed amendments are available in the Planning office and the Town Clerk's office for review by the public. The following sections of Title XV, Chapter 155 and their general description are proposed for amendment:

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

The public is invited to attend.

Jay McLeod, Planner
919-553-5002

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Clayton News Star

Please advertise on the following dates:

Wednesday, March 23, 2016
Wednesday, March 30, 2016

Affidavit of publication required.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

AGENDA LOCATION:
Items Contingent for Regular Meetings

Meeting Date:
March 21, 2016

ITEM TITLE:
Report on Calendar Year Street Improvements

DESCRIPTION:
A report will be given on the street improvements for this calendar year.

POTENTIAL ACTION:
Discussion Only

DEPARTMENT:
Administration

PRESENTER:
Steve Biggs, Town Manager

ITEM HISTORY:

Date: **Action Taken:**

Information Provided:

Date: **Action Taken:**

Information Provided: