



Town of Clayton
Planning Board Regular Meeting Minutes
Tuesday, May 26, 2026 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Pursuant to N.C. General Statute § 143-318.10(e), these minutes provide a general summary of the Planning Board meeting and do not represent a verbatim transcript. A complete video recording of this meeting is available for public access on the Town of Clayton's official YouTube channel: <https://www.youtube.com/user/TownofClaytonNC>.

Present:

Derrick Applewhite, Vice-Chair
 Daniel Gleason
 Mike Surasky
 Anita Bland
 Jason Carter
 Mark Hall
 Randell Durham

Staff Present:

Andria Archer, Council Member Liaison
 Conrad Olmedo, Planning Director
 Robert Tate, Senior Planner
 Heidi Holland, Town Clerk

Absent:

Jodie Dupree, Chair
 Deborah Hooker
 Tom McKearney

1. CALL TO ORDER

- a. Call to Order of the Planning Board Meeting

Presenter:

Board Member Surasky, Interim Chair

Conrad Olmedo opened the meeting at 6:05 p.m. Both Chair Dupree and Vice-Chair Applewhite were not in attendance. A motion was made to elect Board Member Surasky as interim Chair for tonight's meeting. He called the meeting to order at 6:06 p.m. ** Vice-Chair Applewhite arrived at 6:11 p.m. The first item he was able to vote on was 4a. Unified Development Ordinance Text Amendment (UDOTA) 1-26.

Elect Board Member Surasky as Interim Chair For Tonight

Result:	Passed 6-0
Mover:	Jason Carter
Seconder:	Mark Hall
Yes:	Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Mark Hall, Randell Durham

No:	None
Absent:	Jodie Dupree, Derrick Applewhite, Deborah Hooker, Tom McKearney

- b. Roll Call of the Planning Board
Presenter:
Conrad Olmedo, Planning Director

Mr. Olmedo provided the roll call of the board, a quorum was present. With absences tonight, alternate Board Member Durham was able to vote on tonight's items.

2. ADJUSTMENT OF THE AGENDA

- a. Adopt the Agenda as Presented
Presenter:
Board Member Surasky, Interim Chair

No adjustments of the agenda.

Adopt Agendas as Presented

Result:	Passed 6-0
Mover:	Daniel Gleason
Secunder:	Anita Bland
Yes:	Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Mark Hall, Randell Durham
No:	None
Absent:	Jodie Dupree, Derrick Applewhite, Deborah Hooker, Tom McKearney

3. APPROVAL OF MINUTES

- a. Minutes: March 23, 2026
Presenter:
Board Member Surasky, Interim Chair

Adoption of Minutes

Result:	Passed 6-0
Mover:	Mark Hall
Secunder:	Randell Durham
Yes:	Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Mark Hall, Randell Durham
No:	None
Absent:	Jodie Dupree, Derrick Applewhite, Deborah Hooker, Tom McKearney

4. PUBLIC MEETINGS

- a. Unified Development Ordinance Text Amendment (UDOTA) 1-26

Presenter:

Conrad Olmedo, Planning Director

Mr. Olmedo presented Unified Development Ordinance (UDO) Text Amendments 1–26, noting this is the sixth round of amendments since the ordinance’s adoption and effective date of January 2, 2024. This round included nine changes, which are summarized in a table included in the meeting packet with corresponding redline references for ease of cross-referencing. He outlined the anticipated schedule, stating that the Planning Board would consider the amendments at this meeting, with the intent to take them to the Town Council work session on June 1, followed by a public hearing on June 15, 2026. He stated the primary purpose of these amendments is to align the Town’s code with recent North Carolina General Statutes and session laws.

Mr. Olmedo briefly summarized the amendments, including provisions addressing split jurisdiction, expiration and resubmittal timelines for applications, regulations for home occupations and temporary uses, clarifications on changes of use in downtown zoning districts, and updates to street light spacing and placement, including considerations within the Town’s extraterritorial jurisdiction. Additional amendments included the addition of off-site parking allowances for construction offices, reformatting of alternative plan provisions, and a correction to a figure related to short-term signage. He explained how to utilize the summary table and redline document together to understand the proposed changes.

During Board discussion, further clarification on the street light amendment was requested. Questions were raised regarding whether the proposed spacing standards comply with AASHTO guidelines, whether spacing requirements depend on which side of the street the lights are placed, and how photometric standards are addressed. Mr. Olmedo stated the language was developed in coordination with the Town’s Electric Department and vetted by its director Matt Proctor, but he did not have specific technical answers at that time. He stated he would get clarification prior to Town Council review and noted the suggestion that the ordinance should explicitly address whether street light placement alternates sides.

The Board then discussed the proposed changes related to split jurisdiction. Members sought clarification on whether applicants would have any discretion in determining which jurisdiction reviews applications when properties span multiple jurisdictions. Mr. Olmedo explained state law requires jurisdiction to be determined by the majority of the property area unless there is a mutual agreement between jurisdictions, and that applicants do not make that determination.

Board members expressed concern about how this provision would function in practice where neighboring jurisdictions do not have matching policies or agreements in place. Mr. Olmedo acknowledged that no current mutual agreements exist and indicated that further analysis and coordination with neighboring jurisdictions and legal counsel may be needed. It was noted that state law governs the matter, but differences in local ordinances could create complications for applicants.

Additional discussion addressed the broader implications of split jurisdiction, including questions about taxation, school assignments, and annexation impacts. Mr. Olmedo clarified that the

applicable statute is limited to planning and development matters under Chapter 160D and does not address taxation or other jurisdictional issues.

Board members emphasized the importance of ensuring consistent interpretation and coordination with surrounding jurisdictions to avoid future conflicts.

Board Member Carter commended staff for their handling of a home occupation issue referenced in Amendment Number Four, noting it as an example of effective coordination between federal, state, and local requirements and responsiveness to a citizen inquiry that resulted in a proposed ordinance update.

Following staff's presentation Vice-Chair Applewhite opened up the public hearing and asked if anyone from the public wished to speak.

Ritchie Schacher, representing a business leasing property in the Town's extraterritorial jurisdiction, addressed the Board regarding the use of a shipping container on a light industrial property. He provided background on the issue, including prior discussions before the Board and Town Council, and explained that the matter remained unresolved following the passing of the previous business owner. He requested the Board recommend a future text amendment to consider allowing shipping containers as permanent accessory uses in light industrial districts, subject to appropriate standards.

Mr. Olmedo provided context for the issue, explaining that shipping containers are currently permitted only as temporary uses under the UDO and that permanent use is not allowed. It was noted that the Board of Adjustment had recently upheld a notice of violation for the property in question. He further explained allowing permanent shipping containers would require careful consideration, including compliance with building codes and design standards, and could involve substantial modifications to the structures.

The Board discussed the complexity of distinguishing between temporary and permanent uses and noted the broader policy implications of allowing such structures.

Additional discussion addressed the process for initiating UDO text amendments. Mr. Olmedo clarified that requests may be initiated by staff, the Planning Board, or Town Council.

Board Member Carter expressed concern that recent changes limiting citizen-initiated requests may restrict public input and suggested revisiting that policy.

The public hearing was closed, and the Board proceeded to deliberation.

Board Member Surasky made a motion to recommend approval of UDO Text Amendments 1–26, Motion 1 in the consistency statement. The motion included a request that staff provide additional information to the Town Council addressing questions related to street light standards and split jurisdiction implementation. Seconded by Board Member Hall.

Motion to Recommend Approval of UDO Text Amendments 1–26, Motion 1, with Request for Additional Information Related to Street Light Standards and Split Jurisdiction Implementation

Result:	Passed 7-0
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Mover:	Mike Surasky
Seconded:	Mark Hall
Yes:	Derrick Applewhite, Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Mark Hall, Randell Durham
No:	None
Absent:	Jodie Dupree, Deborah Hooker, Tom McKearney

5. NEW BUSINESS

Vice-Chair Applewhite confirmed that the Board of Adjustment had ruled against the appeal of the notice of violation for the temporary use structure at Mr. Schacher's business. He inquired about the process for requesting text amendments and noted that consideration of storage buildings or containers in light industrial areas would ultimately be a decision for the Town Council. He stated the Planning Board does not have the authority to waive the current ordinance, meaning the violation would remain in effect; however, a Planning Board member could request that staff prepare a text amendment for future consideration by the Council.

Mr. Olmedo stated the Planning Board cannot make a decision on a matter that has already been approved by the Board of Adjustment. He explained the process for initiating a text amendment by the Planning Board has not been widely utilized and that most amendments originate from staff following discussions with applicants or stakeholders. He recommended the Board provide a formal recommendation directing staff to bring the issue forward to the Town Council for consideration, noting the Council could revisit the matter at a later time if needed.

Board Member Surasky emphasized that the Board of Adjustment, as a quasi-judicial body, is required to adhere strictly to the UDO as written and must uphold violations when the ordinance is not met in order to avoid legal risk to the Town. He noted while the Board of Adjustment's decision stands under the current ordinance, the Town Council retains the authority to amend the UDO, and any future cases would be evaluated under the revised standards. He suggested staff work with Mr. Schacher to explore potential interim solutions, such as screening or fencing, to address aesthetic concerns. He also encouraged staff to consider the broader and increasing use of shipping containers in various applications and to evaluate how such uses should be addressed comprehensively within the UDO.

Mr. Olmedo explained shipping containers are currently permitted as temporary structures associated with active construction projects and must be removed once the project is complete. He clarified the container on the subject property is in violation of the current UDO, that the violation was upheld by the Board of Adjustment, and the container does not meet the standards for temporary use. He noted shipping containers pose regulatory challenges because they are often introduced as temporary structures but effectively become permanent, and their varied uses add complexity to enforcement. He also referenced existing temporary use provisions and prior amendments that extended allowable timeframes for such uses.

Vice-Chair Applewhite stated the most appropriate course of action would be to pursue a text amendment specifically addressing this issue so that it can proceed through the standard review process by the Planning Board and Town Council. Mr. Olmedo stated staff could prepare and

present a proposal at the June Planning Board meeting for further consideration and direction. It was consensus of the Board to move forward with this.

6. ADJOURNMENT

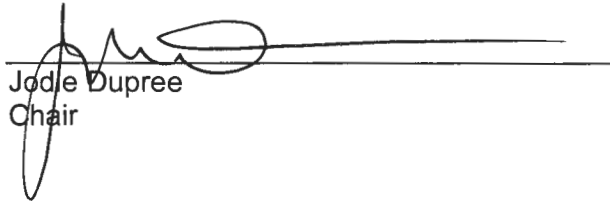
a. Adjourn

With nothing further, the meeting was adjourned at 6:06 p.m.

Motion To Adjourn

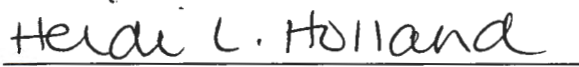
Result:	Passed 0-0
Mover:	Mike Surasky
Seconder:	Anita Bland
Yes:	None
No:	None
Absent:	Jodie Dupree, Deborah Hooker, Tom McKearney

Duly Adopted by the Planning Board on Monday, June 22, 2026 while in regular session.



Jodie Dupree
Chair

ATTEST:



Heidi L. Holland, MMC, NCCMC
Town Clerk

