



**The Town Of Clayton
Town of Clayton Planning Board Agenda
Monday, October 24, 2016 @ 6:00 PM
Town Council Chambers**

1. CALL TO ORDER

2. ADJUSTMENT OF THE AGENDA

3. APPROVAL OF MINUTES

- a. September 26th Planning Board Minutes
[September 26th Planning Board Minutes](#)

4. REPORTS AND COMMENTS

5. OLD BUSINESS

6. NEW BUSINESS

- a. 2016-189-SP Johnston County Charter Academy
NC Pin: 164900-95-2419
Tag #: 05G02001A
The applicant is requesting major site plan approval for a two-story 47,676 square foot charter school (Kindergarten- 8th grade).
[Staff Report - Charter Academy 2016-189-SP](#)
[Staff Map - Charter Academy 2016-189-SP](#)
[Application - Charter Academy 2016-189-SP](#)
[Neighbor Meeting Minutes - Charter Academy 2016-189-SP](#)
[TIA Recommendations - Charter Academy 2016-189-SP](#)
[Site Plan - Charter Academy 2016-189-SP](#)
[Elevations - Charter Academy 2016-189-SP](#)
- b. 2016-188-SUP Johnston County Charter Academy
NC Pin: 164900-95-2419
Tag #: 05G02001A
The applicant is requesting a special use permit to allow the use of a charter school (Kindergarten - 8th grade) on a portion of the subject property, which is zoned Residential-10.

Other supporting materials are attached with 2016-189-SP.
[Staff Report - Charter Academy 2016-188-SUP](#)

[Staff Map - Charter Academy 2016-188-SUP](#)
[Application - Charter Academy 2016-188-SUP](#)

c. 2016-181-SP Grifols - D230 NFB Building



NC Pin: 167800-32-6472

Tag #: 05I05001F

The applicant is requesting major site plan approval to develop an 82,551 square foot new D230 Fractionation Facility building, as well as a 5,186 square foot new chiller building on the subject property.

[Staff Report- Grifols 2016-181-SP](#)

[Staff Map - Grifols 2016-181-SP](#)

[Application - Grifols 2016-181-SP](#)

[Neighborhood Minutes - Grifols 2016-181-SP](#)

[Site Plan - Grifols 2016-181-SP](#)

[Parking Letter - Grifols 2016-181-SP](#)

[TIA Email Correspondence for Grifols Expansion - 2016-181-SP](#)

[Wastewater Letter - Grifols 2016-181-SP](#)

[Wastewater Town Engineer Approval - Grifols 2016-181-SP](#)

d. 2016-102-OA Sign Code Revision

Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to signs, sign permits, and associated definitions and regulations.

[Staff Report - Sign Code 2016-102-OA](#)

[Application - Sign Code 2016-102-OA](#)

[Article 7 - Sign Code 2016-102-OA](#)

[Article 8 - Sign Code 2016-102-OA](#)

[Article 403 - Sign Code 2016-102-OA](#)

e. 2016-217-OA Article 700 Admin Process Code Revision

Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to administrative processes having to do with the Technical Review Committee, Planning Board, and Board of Adjustment.

[Staff Report - Article 700 Revision 2016-217-OA](#)

[Application - Article 700 Revision 2016-217-OA](#)

[Article 700, 701 Draft Update 2016-217-OA](#)

[Article 702 Draft Update 2016-217-OA](#)

7. INFORMAL DISCUSSION AND PUBLIC COMMENT

8. ADJOURN



**The Town Of Clayton
Clayton Planning Board Minutes
Monday, September 26, 2016 @ 6:00 PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

Frank Price (ETJ) [Chairman], Bob Ahlert (TL) [Vice Chairman], George "Bucky" Coats (TL), Sarah Brooks (TL), James Lipscomb (ETJ), Marty Bizzell (ETJ), Ronald Johnson (TL), Stephen Powers (TL), and Bob Satterfield (Councilman).

STAFF PRESENT:

David DeYoung, Planning Director; Jay McLeod, Town Planner; Haley Hogg, Town Planner; John McCullen, Town Engineer; and Laura Gray, Clerk to Board.

MEMBERS ABSENT:

Jim Lee (ETJ) and Michael Grannis (Mayor Pro-Tem).

1 CALL TO ORDER

- a) Frank Price called the meeting to order.
- b) Jay McLeod, Town Planner, called roll.

2 ADJUSTMENT OF THE AGENDA

- a) None.

3 APPROVAL OF MINUTES

- a) August 22, 2016 Planning Board Minutes.

ACTION: Motion to approve Planning Board minutes.

Motion: Sarah Brooks

Second: Bob Ahlert

Vote: Unanimous

4 OLD BUSINESS

- a) None.

5 REPORTS AND COMMENTS

- a) None.

6 NEW BUSINESS

- a) 2016-180-SUP - Grifols D230 NFB Building - Special Use Permit
NC PIN: 167800-32-6472
Tag #: 05i05001f

Jay McLeod, Town Planner, presented Grifols Special Use request to the Planning Board.

The applicant is requesting a special use permit to allow the maximum building height of 71' 6" with 69' 6" of occupiable space for the proposed D230 NFB Building.

In 2010, Grifols obtained a special use permit allowing an increase in the maximum height for their ASRS building on this property. However, the special use permit obtained only applied to that specific building. Since they are proposing a new building that exceeds the maximum height limit, a special use permit must be obtained.

Mr. McLeod stated the subject parcel is zoned I-1, which limits the maximum building height to 50 feet. However, according to the UDC, Town Council may grant a Special Use Permit for structures exceeding the maximum height limit.

This request is running concurrently with a major site plan (2016-181-SP) requesting the approval to expand the existing facilities to add the D230 NFB fractionation building and a chiller building on the site. The applicant is proposing to develop the fractionation facility to the northeast of the existing ASRS building. This building will be 82,551 square feet in size. The applicant is also proposing to develop a second building just south of the fractionation facility to house chiller equipment.

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

Mr. McLeod stated staff recommends approval with conditions of the above referenced Special Use Permit (2016-180-SUP).

Frank Price asked the height of the cold storage facility.

Mr. McLeod stated the cold storage facility is about 85 feet.

No further questions for staff.

Frank Price called on the applicant.

Brent Noel, 8368 US Hwy 70 W, Grifols project manager came forth to answer any additional questions.

Mr. Noel stated the prior building to the south of the new facility is about the

same height as this proposed building. Grifols is making efforts to keep the tall buildings very similar in height.

No questions for the applicant and no comments from the public.

Conditions of approval:

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

ACTION: Motion to recommend approval of 2016-180-SUP with conditions to Town Council.

Motion: George "Bucky" Coats

Second: Sarah Brooks

Vote: Unanimous

- b) 2016-166-SP - La Cocina - Major Site Plan
NC PIN: 165911-2286, 165911-55-1332, 165911-55-2009
Tag #: 0502673i, 05026073h, 05g020085x

Jay McLeod, Town Planner, presented La Cocina to the Planning Board.

The applicant is requesting major site plan approval to develop a 6,913 square foot restaurant on three separate parcels. The applicant will submit a recombination if site plan approval is obtained so that the development is located on a single parcel.

Mr. McLeod stated the applicant is proposing to locate the building at the corner of Shotwell Road and Cameron Way, with the parking lot located to the east and south. The restaurant is proposed to include an outdoor seating area on the southern portion of the building.

Access will be provided to the site via two driveways; one located to the north off of Cameron Drive and the second located to the south via an existing asphalt access drive. Sidewalk will be provided along all property lines, with connections to the interior of the site in order to increase walk-ability for customers. A bike rack is also proposed, as required by the Unified Development Code.

Mr. McLeod stated the delivery area and dumpster are proposed to be located at the northern portion of the development, off of Cameron Way. These areas shall be screened from view, as required by the Unified Development Code. Additionally, the applicant is proposing a stormwater detention pond located to the southeast corner of the development.

Mr. McLeod stated the 2040 Comprehensive Plan designates this site as "Community Mixed-Use". This designation is compatible with the 2040 Comprehensive Plan and meets the requirements of the Unified Development Code (UDC).

Mr. McLeod stated staff recommends approval with conditions.

No questions for staff.

Jerry Dalton, 446 E. Main Street, with Dalton Engineering came forward to answer any questions from the Planning Board.

Frank Price asked the applicant if they are proposing curb and gutter.

Mr. Dalton said they are not proposing but they are willing to discuss. They are willing to do what they need to keep the project moving forward.

Mr. Ahlert asked about the facade on the north side of the building. Mr. Ahlert suggested fake windows or painted windows to give the building the same look on all sides.

Mr. Dalton stated if Planning Board would like to see painted windows they could make that addition. Mr. Dalton did mention the north side is the kitchen and freezer area. The applicant is hoping to increase landscape to screen the north side of the building.

Mr. Bizzell did note elevation of the building would be lower than what the presented visual is currently showing.

Mr. Powers stated with the drop in elevation and added landscape it would help mask the north side of the building.

The Planning Board added the following condition of approval: Any architectural details and landscaping on northern and western facades shall be enhanced and to to be approved by staff.

No further questions for the applicant and no comments from the public.

Conditions of Approval:

1. A recombination application for the three parcels of land shall be submitted to the Planning Department following board approval.
2. Following board approval, three copies of the plans, meeting the Conditions of Approval, shall be submitted to the Planning Department for final approval.
3. All Conditions of Approval related to this plan shall be recorded on the cover sheet of the revised plans prior to their submission to the Planning Department.
4. The development of the site is limited to the site design and uses approved by the Planning Board. Modifications to the approved site plan shall require review and approval in accordance with the UDC.
5. All roof mounted and ground mechanical equipment shall be completely screened from view.
6. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
7. Utility construction plans shall be approved by the Public Works

Department prior to issuance of building permits.

8. All signage shall require a sign permit from the Planning Department, and shall meet standards of the UDC.

9. A site/landscape inspection by the Planning Department shall be required prior to issuance of a Certificate of Occupancy. All site improvements shall be installed prior to the site inspection.

10. Architectural details and landscaping on northern and western facades shall be enhanced; to be approved by staff.

ACTION: Motion to approve 2016-166-SP with conditions and added condition #10.

Motion: Bob Ahlert

Second: Ronald Johnson

Vote: Unanimous

- c) 2016-172-RZ - The Village at Little Creek - Rezoning
NC PIN: 165816-94-4736
Tag #: 05h03024

Jay McLeod, Town Planner, presented the rezoning request to the Planning Board.

The applicant is requesting to rezone 22.44 acres of land from Residential-Estate (R-E) to Residential-8 (R-8). This rezoning request is only for the southern parcel. The change to Residential-8 (R-8) zoning district allows 8,000 SF single-family residential lots, or 6,000 SF single-family residential lots if the lots are developed as part of an Open Space subdivision.

This property is currently located within the Town's Extraterritorial Planning Jurisdiction (ETJ), and would be required to annex in order to receive water and sewer services. This rezoning request is running concurrently with a major subdivision application (2016-173-SD) to develop both the subject parcel and the parcel located to the north, which is already zoned Residential-8 (R-8), into a 154 lot single-family open space subdivision.

Mr. McLeod stated the proposed rezoning is compatible with surrounding land uses, which are primarily single-family residential lots (north, south, and west) or vacant properties (east). The Future Land Use for this area is envisioned as Medium Density Residential, which accommodates the Residential-8 (R-8) zoning district.

Mr. McLeod stated staff recommends the rezoning of the subject parcel.

No further questions for the applicant.

No comments from the public.

ACTION: Motion to recommend approval of 2016-172-RZ to Town Council

Motion: Bob Ahlert
Second: Ronald Johnson
Vote: Unanimous

- d) **2016-173-SD - The Village at Little Creek - Major Subdivision**
NC PIN: 165816-94-4736
Tag #: 05h03024

Jay McLeod, Town Planner, presented The Village at Little Creek to the Planning Board.

Mr. McLeod stated the applicant is requesting to develop an Open Space R-8 single-family residential subdivision on 44.25 acres of land. There are 154 proposed lots, which are proposed to be a minimum size of 6,000 square feet.

The southern property is currently located within the Town's ETJ. If approved, this property shall be required to submit an annexation application (see condition of approval) with the Town of Clayton in order to obtain water and sewer services from the Town.

As a part of the development, the applicant is proposing to reserve Right of Way (ROW) for the future Southern Connector, which will run directly through the middle of the two subject properties.

Mr. McLeod stated access to the subdivision is proposed with one entrance off of Dairy Road, and a second entrance via a connection to an existing stub-out from Marrian Drive, which is located to the north as a part of the Brittany Woods subdivision. The applicant is proposing that the southern portion of the development be accessed through the northern portion until the Southern Connector is fully developed.

There is a single-family residential subdivision (Brittany Woods subdivision) located to the north of these properties, which has minimum lot sizes of 8,000 square feet. The properties directly east are currently vacant but are zoned Residential-8, meaning that they will be of similar density when developed in the future. To the south and west, the subject properties are bordered by single-family residences that are zoned Residential-Estate.

Mr. McLeod stated the applicant is proposing to provide one street tree per lot, as required by the Town of Clayton's Unified Development Code. The applicant is also proposing a Class "C" landscape buffer to be provided along all property lines, including along the future Southern Connector. All Class "C" landscape buffers shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with a minimum height of six feet at installation, as required by the Unified Development Code.

The applicant is proposing to add two mail kiosks within the development, with one located in the northern portion, and one located in the southern portion. The mail kiosks are proposed to be located in areas that are accessible by all

residents, and shall be required to meet ADA requirements for parking accessibility.

A traffic impact analysis was prepared for this development by Gannett Fleming. The analysis indicates a minor increase in traffic at the intersections of Barber Mill Rd/Hwy 42 W and Guy Rd/Hwy 42 W. Since these intersections are both included in the Johnston County Comprehensive Transportation Plan, as well as the State Transportation Improvement Program (STIP) 2016-2025, the study found that it would be unreasonable to expect the developer to make improvements. The critical improvement would be to the intersection of Barber Mill/Hwy 42 W, which should be improved with NCDOT's widening of Hwy 42 W.

The TIA did recommend that the developer accommodate land for the Clayton Southern Connector. It is also recommended that a left-turn lane and right-turn lane be added off of Dairy Road to access the development. The entrance of the development off of Dairy Road is recommended to have both a right-turn and left-turn lane included. Staff concurs with these improvements.

Mr. McLeod stated the Future Land Use for this area is envisioned as Medium Density Residential, which is consistent with developments such as this one. The proposed development is generally consistent with the requirements of the Unified Development Code (UDC).

Mr. McLeod stated staff recommends approval of The Village at Little Creek with conditions.

Mr. Ahlert asked if the open space was going to be dedicated to the Town.

Mr. McLeod stated the Parks and Recreation Department have no interest to take over the open space.

Mr. Bizzell noted it may benefit the Town to get a slope easement along the Southern Connector.

No further questions for staff.

Mike Crowley, 5800 Clovis Ridge Dr. Wake Forest, with CAA Engineers came forth to answer any additional questions. Mr. Crowley stated about 15% of the property is wet lands and around 7% is the ROW for the southern connector.

Mr. Crowley noted there will be two parks in the neighborhood with picnic tables and walking trails.

Bill Zahn with Triangle Real Estate Co., 113 Duncansby Ct. Cary, was also present.

James Lipscomb expressed concern about mass graded lots and about the maintenance of the slope easements.

Mr. Crowley stated they will try to minimize mass grading. The slope easements will be maintained by the owner of the property, whether that be the resident or the HOA.

No further questions for the applicant.

Mr. McLeod stated the Planning Department is working with a consultant to update the subdivision code. One of the main concerns is to address excessive slopes in residential areas.

No comments from the public.

Conditions of Approval:

1. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to the Planning Department for final approval. The conditions of approval shall be recorded on the plans before final approval is granted.
2. All development fees shall be paid prior to final plat recordation.
3. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications shall require additional approvals pursuant to Section 155.706 of the Unified Development Code.
4. All signs shall require review/approval pursuant to UDC Section 155.713.
5. A homeowners' association document (if applicable) shall be reviewed by staff and recorded prior to final plats. Such document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.
6. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to 155.500(C).
7. Prior to grading and construction activities, tree protection fencing shall be installed around all resource conservation areas. Once the tree protection fence is installed, it must be inspected by the Planning Department before construction activities begin.
8. All sidewalks and greenways shall be bonded or constructed prior to plat recordation, with the exception that the sidewalk in front of residential units must be installed prior to the issuance of a Certificate of Occupancy of the unit.
9. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
10. A Road Name Approval Application shall be submitted to the Planning Department prior to final plat approval.
11. Street trees for residential lots shall be installed prior to the issuance of a certificate of occupancy for the unit.
12. All off-site roadway improvements recommended by the Traffic Study, NCDOT Congestion Management, NCDOT Division 4, and the Town shall be installed prior to the issuance of the first certificate of occupancy for the development.

13. Crosswalks shall be provided at all sidewalk crossings throughout the development.
14. Continuous sidewalks shall be provided along the entire length of all cul-de-sacs within the development.
15. The Right-of-Way (ROW) dedication for the Southern Connector shall occur at final plat approval.
16. An Annexation application shall be submitted to the Town for the southern parcel of the development prior to the commencement of construction activity.
17. All Class "C" landscape buffers shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with a minimum height of six feet at installation, as required by the Unified Development Code.

ACTION: Motion to recommend approval of 2016-173-SD with conditions to Town Council.

Motion: Sarah Brooks
Second: Marty Bizzell
Vote: Unanimous

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

- a) None.

8 ADJOURN

- a) Motion to adjourn.

Motion: Sarah Brooks
Second: James Lipscomb
Vote: Unanimous

Chair

ATTEST:

Clerk to the Board



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

October 24, 2016

STAFF REPORT

Application Number: 2016-189-SP

Project Name: Johnston Charter Academy Major Site Plan

NC PIN / Tag #: 164900-95-2419/05G02001A
Overlay: None
Applicant: Charter Development Company, LLC
Owner: Stephens Douglas I Irrevocable Trust
Location: Off of Financial Drive located off of U.S HWY 70 BUS

Public Noticing:

- Neighborhood meeting October 4, 2015
- Sign posted prior to October 14, 2016

REQUEST: The applicant is requesting major site plan approval for a two-story 47,676 square foot charter school (Kindergarten – 8th grade).

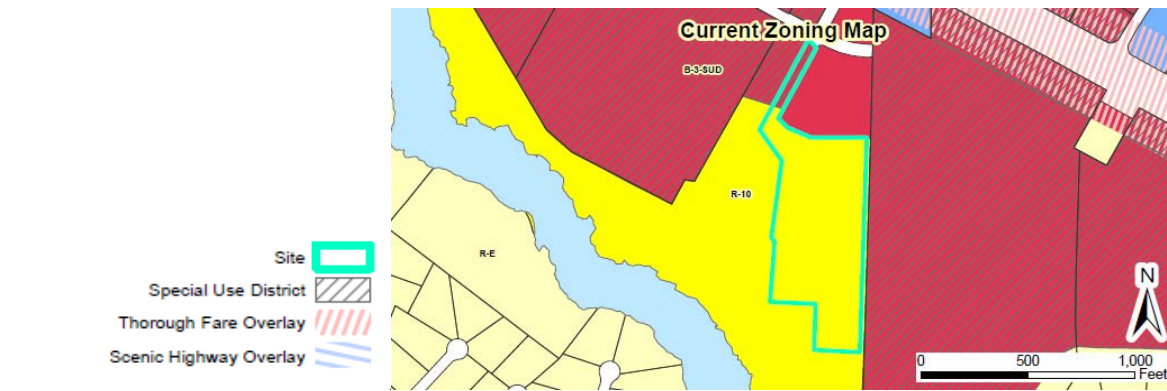
SITE DATA:

Acreage: ±8 acres of 67.56 total acres
Existing Use: Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Highway Business (B-3)	Vacant
South	Residential-10 (R-10) and Residential-Estate (R-E)	Vacant and Single-Family Residential
East	Highway Business Special Use District (B-3 SUD)	Vacant
West	Residential-10 (R-10) and Highway-Business Special Use District (B-3 SUD)	Vacant and Commercial (WalMart Plaza)



DEVELOPMENT DATA:

Proposed Uses:	School, K-8 grades
Number of Students:	772
Buildings:	1 building, 2 stories
Floor Area Ratio:	.145
Impervious Surface:	49.22%
Proposed Parking:	153 spaces, including 6 handicap spaces
Required Parking:	1 space per employee= 60, 1 visitor per 50 students= 16, 1 space per 3 seats in gym= 60
Access/Streets:	Access will be provided via an entrance off of Financial Drive, which is proposed to be extended

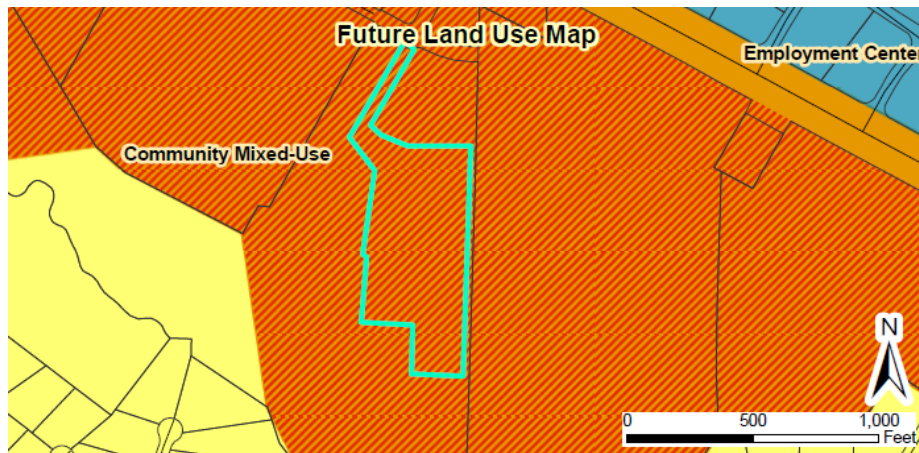
STAFF ANALYSIS:

Overview

The applicant is requesting major site plan approval to develop a 47,676 square foot charter school. The school is proposed to be 2 stories and will serve a maximum of 772 students in grades K-8. As a part of the development, the applicant is also proposing two playgrounds on the site and a multi-purpose field for students. A special use permit for this project (2016-188-SUP) is running concurrently with this request in order to allow

the use of a school on the subject property, which is zoned Residential-10 (R-10). The State of North Carolina approved the charter school's application, and is anticipating the school to open in August of 2017.

The applicant is proposing to develop the school on ± 8 acres of the subject property's total 67.56 acres of land. The property is located off of Financial Drive and is adjacent to the Town Centre (WalMart) shopping plaza. The applicant is proposing to extend Financial Drive in order to provide access to the school site. The applicant is providing connectivity to the east so when the adjacent property is developed in the future, it will have access to Financial Drive. Additionally, an existing 30' access and utility easement to the east is proposed to be utilized for fire and emergency access in the interim. This gives the site two separate access points.



Consistency with Adopted Plans:

- **Comprehensive Plan 2040**
The proposed use of the property is consistent with the Comprehensive Plan 2040 Future Land Use Map, which designates the subject property as "Community Mixed-Use".
- **Unified Development Code**
The proposed use of the property is consistent with the Unified Development Code.

Landscaping and Buffering

The proposed development meets all landscaping requirements within the Unified Development Code. The applicant is proposing a Class "C" landscape buffer along the western and southern portions of the development. Class C buffers are required wherever vehicular use areas are adjacent to residentially-zoned properties. The applicant is also providing landscaping within the site in order to meet the 20% interior landscape requirement. All mechanical equipment shall be screened completely from view.

Access/Streets

Access into the proposed site will be via a driveway off of Financial Drive. This will be a two-way access to serve as both the entrance and exit for the site. Additionally, the applicant is proposing that an existing 30' access and utility easement be utilized for any fire or emergency vehicle access.

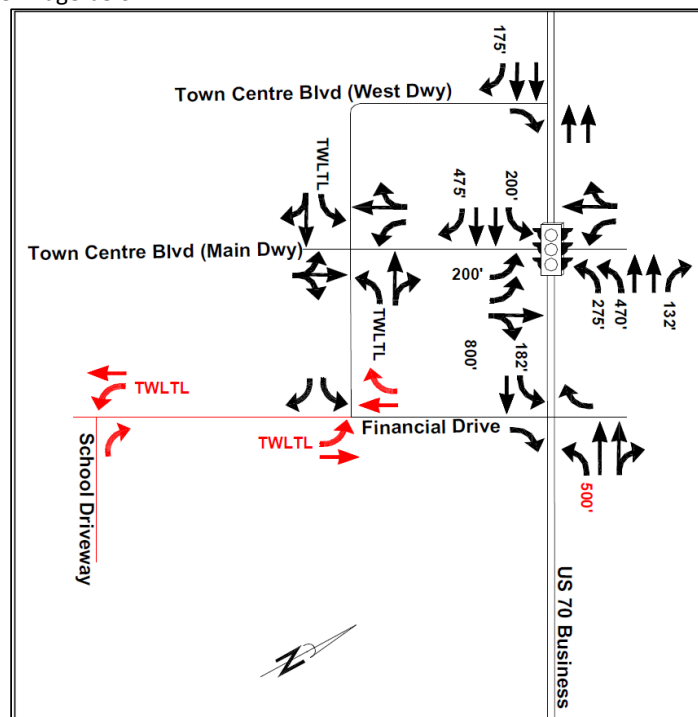
Multi-Modal Access

Sidewalks are proposed within the site in order to provide pedestrian connectivity. The applicant is also proposing to provide 16 bike spaces for the proposed development. However, this does not meet the requirements of our Unified Development Code which requires a total of 16 bike racks as opposed to bike spaces. In order to meet all requirements of the Unified Development Code, the proposed development shall provide 16 bike racks as noted in the Conditions of Approval for the associated Special Use Permit (2016-188-SUP).

Traffic Impact Analysis

A Traffic Impact Analysis (TIA) was prepared for this development by Wade Trim, Inc. Because the school will not provide busing to students, transportation of students will be based solely on parent drop-off and pick-up. The average daily trips expected to be generated by this development is 1,590 vehicles per day.

The proposed development will be required to extend Financial Drive from Town Centre Blvd to the proposed school driveway. In order to mitigate traffic impacts caused by the school, a northbound left-turn lane along the new road extension of Financial Drive will be required. The development will also need to extend the westbound left-turn lane along US 70 at Financial Drive to 500 feet in length. Additionally, the restriping of Financial Drive southbound to Town Centre Blvd will be required to include a through lane and a right turn lane. A stop sign must also be installed on the eastbound Town Centre Blvd approach to Financial Drive. These improvements are illustrated in red in the image below.



Financial Drive is in-process to be accepted for ownership and maintenance by the Town of Clayton, and US Hwy 70 Business is owned and operated by NCDOT. At the time of the writing of this staff report, review and/or

recommendations regarding the TIA have not been received back from NCDOT Division 4 or NCDOT Congestion Management. These will be required prior to this application proceeding to Town Council.

Landscaping and Buffering

The appropriate landscaping is provided in the Site Plan. In particular, areas of vehicular use are required to be screened with a Class C Buffer, when these areas are adjacent to residentially zoned property. The landscaping and elevation provide this buffer.

Signs

All signage will meet standards set forth in the Unified Development Code. The applicant has submitted a Master Sign Plan application, and review will begin after the October 24th Planning Board meeting.

Multi-Modal Access

Facilities are provided for pedestrian access and bicycle parking. No facilities are currently provided for bicycle lanes entering the facility, so it is anticipated that the students will bike on the sidewalks. Guidance from Planning Board may be necessary for this design feature.

Wastewater

The wastewater allocation requested by the applicant is 3,600 gallons per day. This is based on a similar facility in operation elsewhere. The Town Engineer has reviewed this allocation request and estimates 5,500 gallons per day to be used by the school.

APPROVAL CRITERIA:

The applicant has addressed the Major Site Plan Approval Criteria outlined in UDC Section 155.707. This is incorporated into the record as an attachment to the Staff Report.

CONSIDERATIONS:

- Planning Board approves Major Site Plans.
- Major Site Plan approval is contingent upon approval of Special Use Permit (2016-188-SUP).

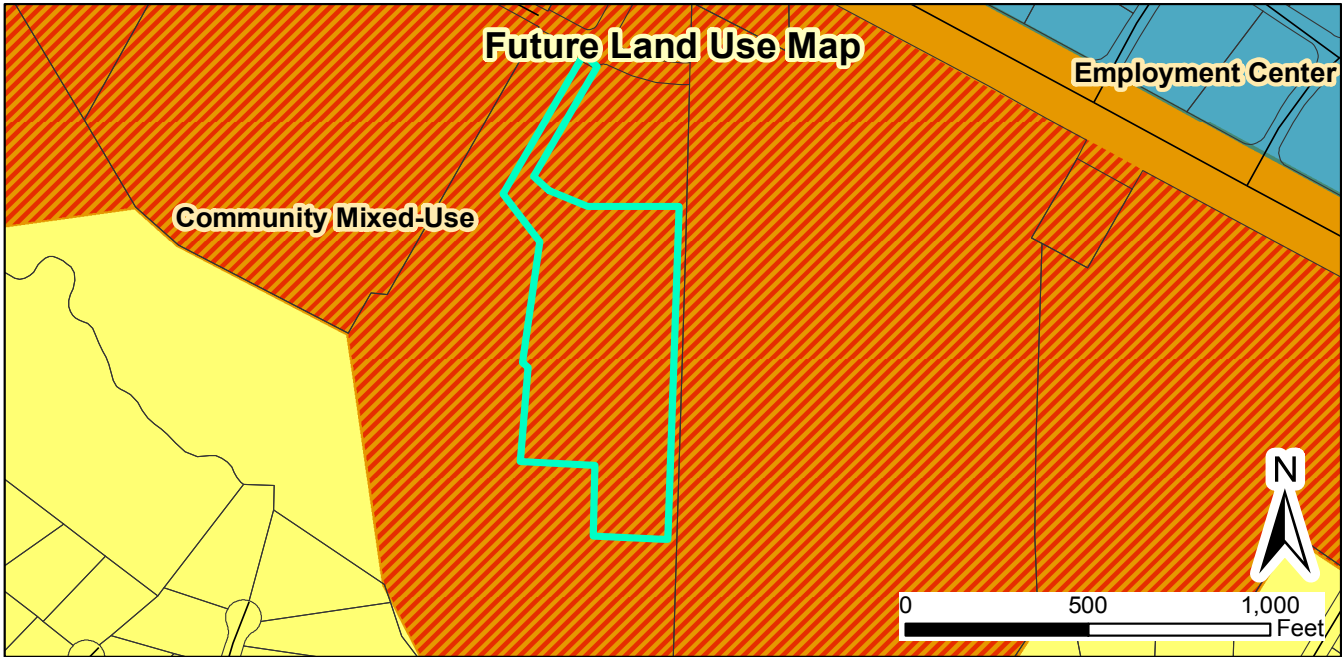
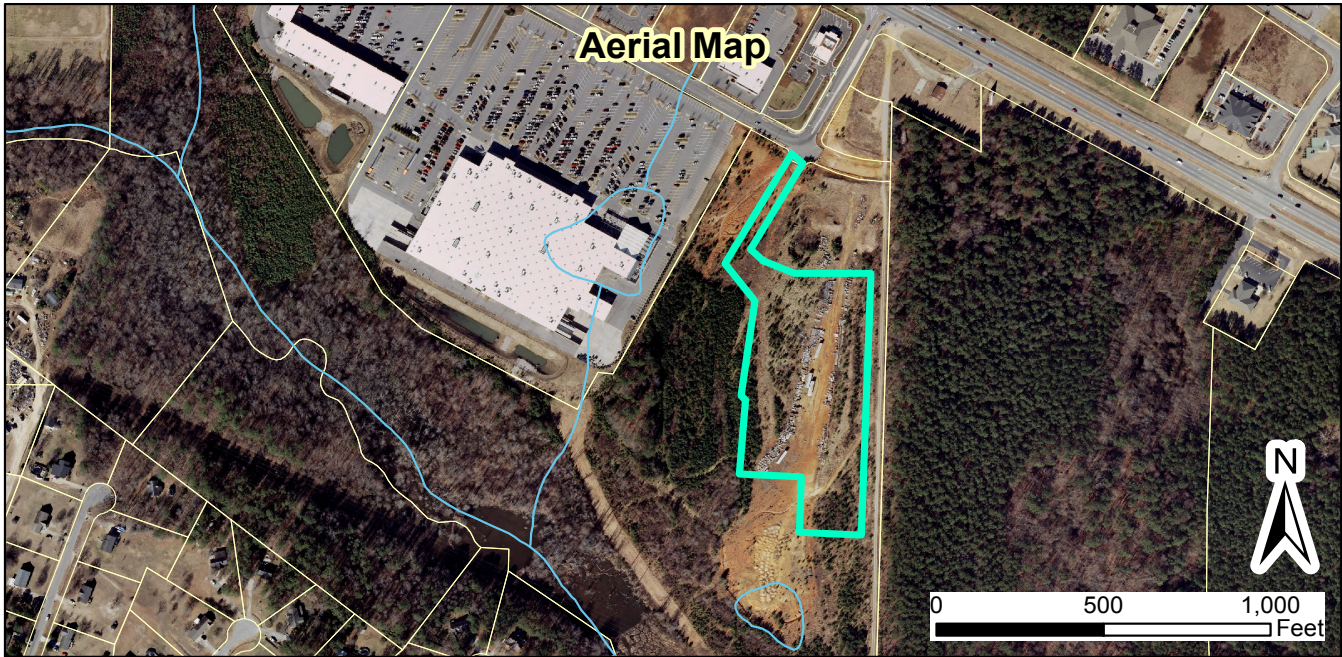
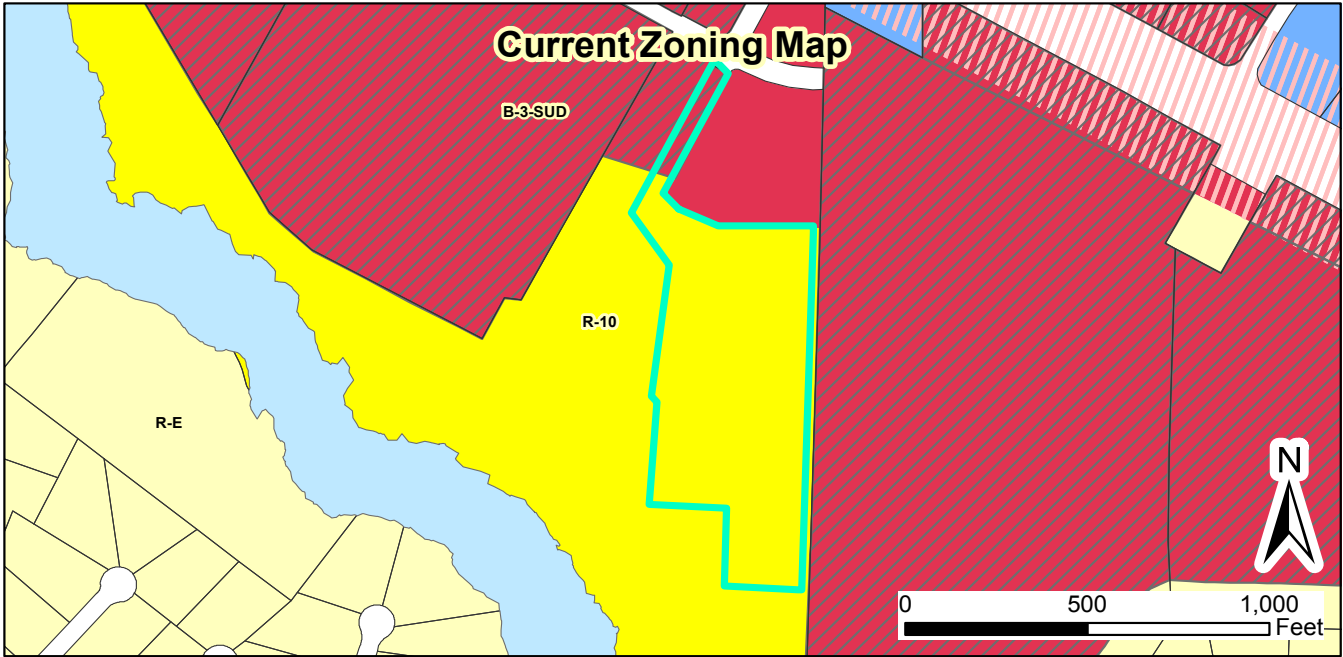
RECOMMENDATION:

Staff is recommending approval of the above referenced Major Site Plan, which will be subject to the conditions of approval of the Special Use Permit.

ATTACHMENTS:

- 1) Application
- 2) Staff Report Map
- 3) Existing Site Plan
- 4) Neighborhood Meeting Materials

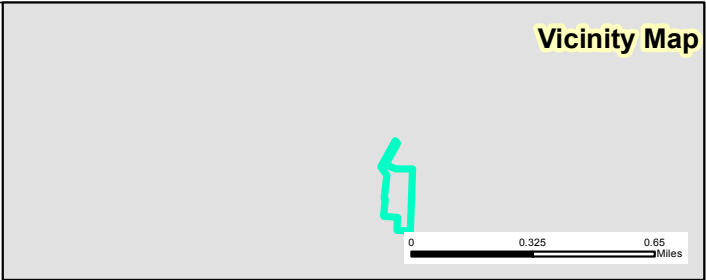
5) Traffic Impact Analysis Recommendations (excerpted from full TIA)



2016-189-SP Johnston Charter Academy Major Site Plan
Request: To develop a 48,000 square foot charter school
2016-188-SUP Johnston Charter Academy Special Use Permit
Request: Special Use approval to allow the use of a school on the subject property
 Applicant: Charter Development Company, LLC
 Property Owner: Stephen Douglas I Irrevoable Trust
 Parcel ID Number: 164900-95-2419



Site 
 Special Use District 
 Thorough Fare Overlay 
 Scenic Highway Overlay 
 10/10/16
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: O:\PLANNING\SPECIAL USE\2016\2016-188-SUP Johnston Charter Academy\Maps\Staff Rpt Map - Johnston Charter 2016-189-SP.mxd



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: Johnston Charter Academy Acreage of Property: 8 acres of 67.56 parent parcel

County Tag #: 05G02001A NC PIN: _____

Address/Location: SE of the Town Centre Blvd and Financial Dr intersention,

Existing Use: Vacant, undeveloped Proposed Use: K-8 Public Charter School

Zoning District: R10, *B3-SUD, *B3 *Note: Public r/w for Financial Dr extension on these parcels.

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

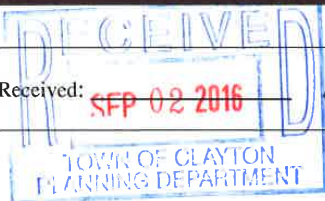
Is project within an Overlay District? ☒ No
☐ Yes (list): _____

FOR OFFICE USE ONLY

Date Received: SEP 02 2016

Amount Paid: \$ 540.00

File Number: 2016-189-5P



PROPERTY OWNER INFORMATION

Name: Douglas I & Cynthia M Stephens Irrevocable Trust, c/o Matt Stephens

Mailing Address: 319 Chapanoke Rd Ste 103, Raleigh, NC 27603-0000

Phone Number: (919) 779-8649

Fax:

Email Address: Mattstephens@bellsouth.net

APPLICANT INFORMATION

Applicant: Charter Development Company LLC, a subsidiary of National Heritage Academies

Mailing Address: 3850 Broadmoor Ave, Ste 201, Grand Rapids, MI 49512

Phone Number: (616) 299-6611

Fax:

Contact Person: Bob Dunston

Email Address: BDunston@NHASchools.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Major Site Plan application.

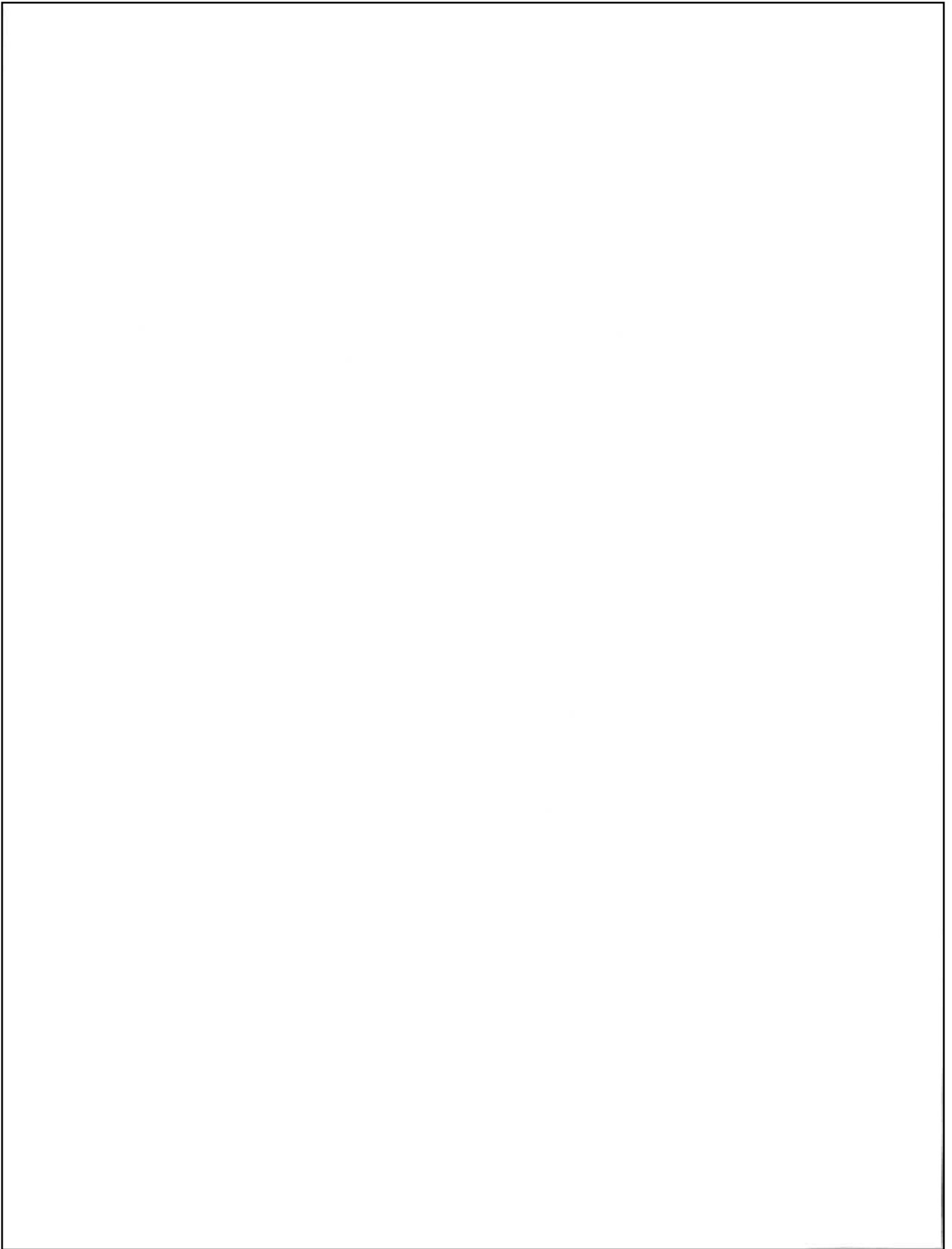
To be completed by the applicant:			To be completed by staff:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: August 5, 2016	☒	☐			
2. I have referenced the <i>Plan Requirements Checklist</i> and used this as a guide	☒				
3. Site Plan Review Fee (\$500 + \$5/acre) \$540	☒				
4. Completed application	☒				
5. Owner's Consent Form	☒	☐			
6. Plan sets meeting the requirements listed in the <i>Plan Requirements Checklist</i>	☒	☐			
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.				

JOHNSTON CHARTER ACADEMY

Explanation of Project

Charter Development Company a subsidiary of National Heritage Academies, in partnership with the Johnston County Charter Academy Board is proposing to build a new tuition free K-8 Charter School in the Town of Clayton. The school board's charter application to the State of North Carolina has been approved with an anticipated August 2017 school opening. The two story school is approximately 48,000 square feet and will serve 772 students when it reaches full capacity in the 2019-2020 school year. The undeveloped approximately 7.4 acre site is located on the eastern side of the Clayton Town Center development, and is part of a 67 acre parent parcel to be re-platted in connection with the proposed school development. The site is:

- a) located on property identified to serve as Community Center (CC) uses in the Future Land Use section of the Comprehensive Plan 2040,
- b) a community-serving, institutional use allowed in the current R-10 zoning district
- c) served adequately by essential public utilities, streets, highways, fire, and police, and public transportation,
- d) large enough to serve the K-8 school, a multi-purpose field, playgrounds, parking, queuing and provide the required setback buffers.
- e) directly adjacent and connected to the Clayton Town Center development, which includes a signalized primary entrance on Hwy 70 and two additional un-signalized access points,
- f) situated on an extension of Financial Drive, to be built and dedicated to the Town of Clayton by the applicant,
- g) located approximately 2 miles from downtown Clayton.



EXPLANATION OF PROJECT

See attached sheet.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

APPLICANT AFFIDAVIT

ROBERT DUNSTON  8/31/16

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)



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: Johnston Charter Academy Address or PIN #: 05G02001A

AGENT/APPLICANT INFORMATION:

National Heritage Academies & Charter Development Company

3850 Broadmoor Ave, Suite 201

(Name - type, print clearly) c/o Robert Dunston
Real Estate Manager
(616) 299-6611

(Address)
Grand Rapids, MI 49512
(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*):

Special Use Application

Zoning Compliance Permit

Major Site Plan Application

Master Sign Plan Application

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

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

OWNER AUTHORIZATION:

Matthew Stephens

(Name - type, print clearly)

319 Chaparral Rd, Ste 102

(Address)

[Signature], President
(Owner's Signature)

Raleigh, NC 27603
(City, State, Zip)

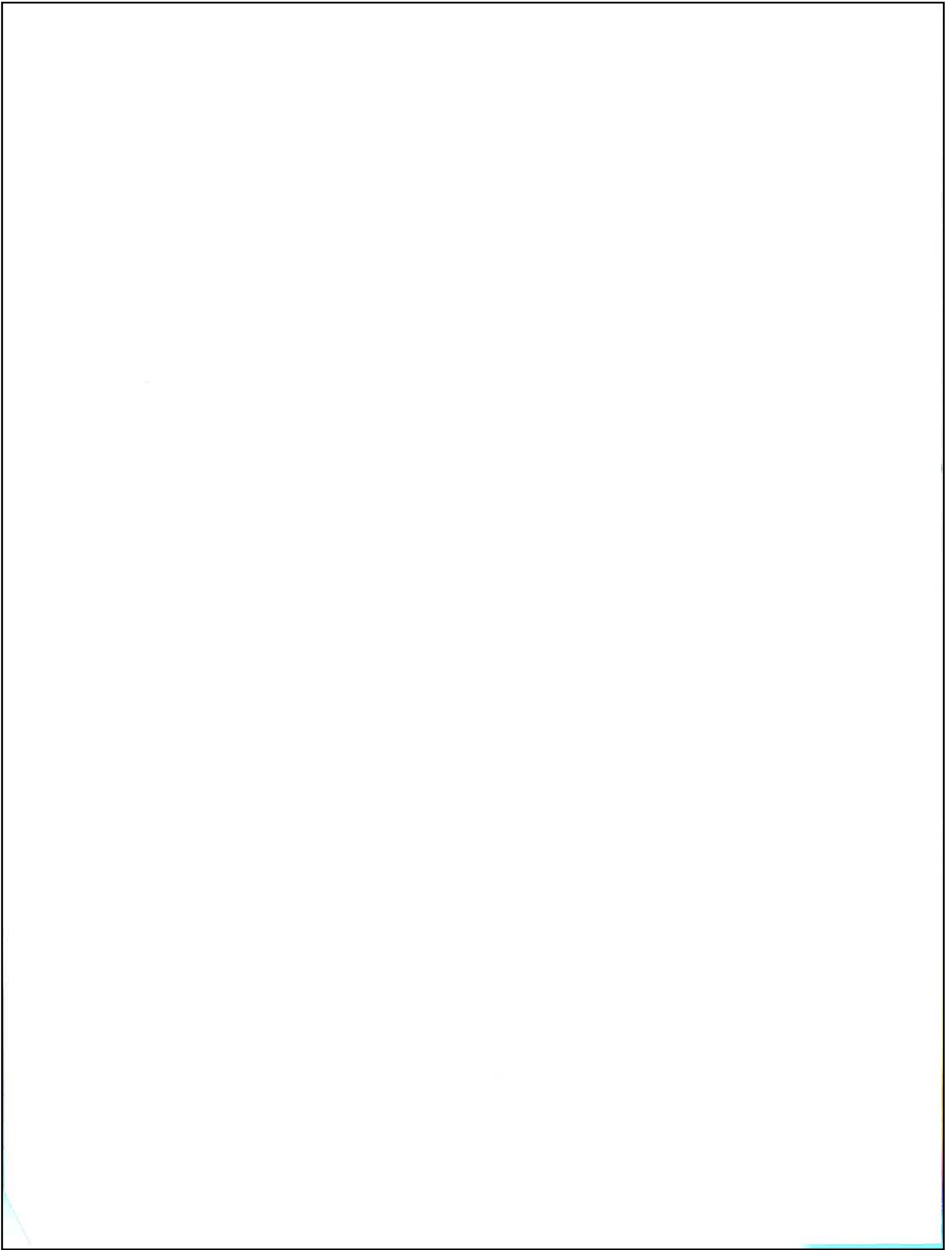
STATE OF North Carolina
COUNTY OF Wake

Sworn and Subscribed before me Brenda E. Jones, a Notary Public for the above State and County, this
the 29th day of August, 2016.



Brenda E. Jones
Notary Public

My Commission Expires: June 16, 2020





NEIGHBORHOOD MEETING REPORT

October 11, 2016

Applicant: Charter Development Company, L.L.C. a subsidiary of National Heritage Academies

Special Use Permit & Site Plan Tracking Number: 2016-188-SUP, 2016-189-SP

This Neighborhood Meeting Report is being filed with the Town of Clayton Planning Department pursuant to the provisions of the Town of Clayton's Unified Development Code, as a requirement of the Special Use Permit Application.

DATE, TIME AND LOCATION OF MEETING:

The Neighborhood Meeting was held on Tuesday, October 4, 2016 at 7:00 PM in the York Room at the Clayton Center located at 111 E Second Street, Clayton, North Carolina.

PERSONS AND ORGANIZATIONS CONTACTED:

The Applicant mailed a written notice on the date, time and location of the Neighborhood Meeting to the individuals and organizations set out on Exhibit-A-1 attached hereto by depositing such notice in the U.S. Mail on September 21, 2016.

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached Exhibit A-2) ten days prior to the Neighborhood Meeting.

Printed Name: Robert Dunston

Signature:

PERSONS IN ATTENDANCE A MEETING:

The neighborhood meeting was attended by those individuals identified on the Sign-In-Sheet attached hereto as Exhibit B. The applicants' representatives at the Neighborhood Meeting included Bob Dunston and Mack Moore of National Heritage Academies, and George Retschle, Civil Engineer with Ballentine Associates.

SUMMARY OF ISSUES DISCUSSED:

No neighbors attended the Neighborhood Meeting, however four of the Johnston Charter Academy School Board members did attend, two of which are Clayton residents. No issues were raised nor any changes made to the application.

Bob Dunston led the group through a Power Point presentation (attached), highlighting the application process, timelines, site plan elements, landscaping, traffic circulation, parking, and elevations.

Stephanie Radu's asked how the separated parking areas would be operated. Bob Dunston stated how the staff parking would be assigned to the southern lot. The serpentine drive area and the northern lot would be utilized by parents during drop off and pick up time periods.

EXHIBIT A-1



September 14, 2016

Dear Clayton Property Owner,

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a Special Use Permit 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: October 4, 2016

Meeting Time: 7:00pm to 8:00pm

Meeting Location: The Clayton Center, in the York Room

Type of Application(s): Special Use Permit, Major Site Plan, Master Sign

Project Address: TBD after property split, the vacant parcel is located on the eastern border of the Wal-Mart, in the Clayton Town Center development off Hwy 70.

Description of project: National Heritage Academies, in partnership with the Johnston Charter Academy Board of Directors seeks to build a new K-8 Charter School in the Town of Clayton. The school boards charter application to the State of North Carolina has been approved with an anticipated August 2017 school opening. The two story school is approximately 48,000 square feet and will serve 772 students when it reaches full capacity in the 2019 school year.

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 development proposal.

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

If you have any questions prior to or after this meeting, you may contact us at 616-222-1700. You may also contact the Planning Department at 919-553-5002.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Dunston".

Bob Dunston

National Heritage Academies

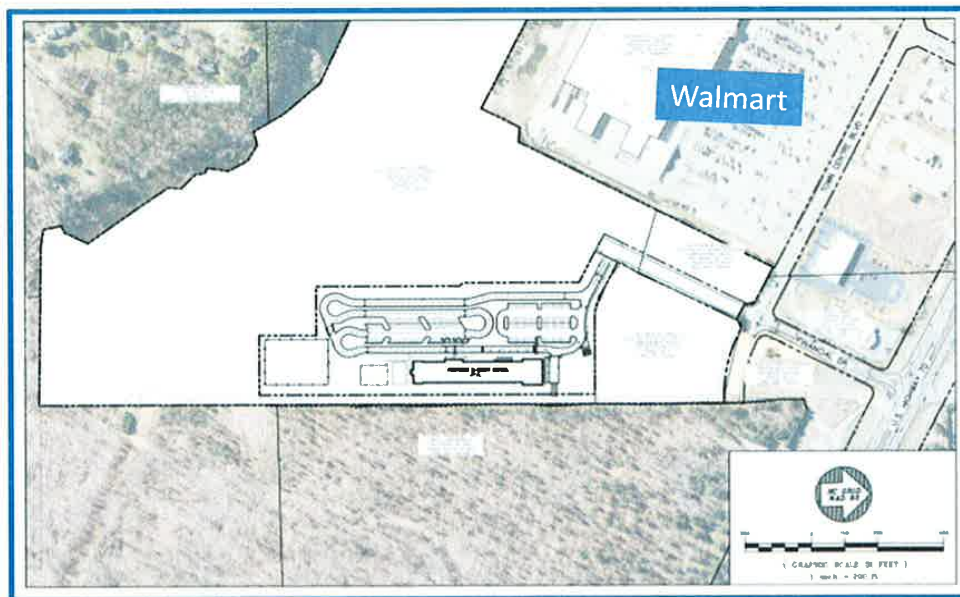
Real Estate Acquisitions Group

Cc: Town of Clayton Planning Department

EXHIBIT A-1
JOHNSTON CHARTER ACADEMY
CLAYTON, NORTH CAROLINA



VICINITY MAP



8/30/2016

https://mapclick.johnsonic /tmp/BufferAddresses_1472563783.txt

Exhibit A-2

ParcelID	Name1	Name2	Address1	Address2	CityStateZip
05G02001D	TAT PROPERTIES LLC		1551 JENNINGS MILL RD	UNIT 2600 B	WATKINSVILLE, GA 30677-7275
05G02001F	PCG ENTERPRISES OF CLAYTON LLC		12905 HIGHWAY 70 WEST		CLAYTON, NC 27520-0000
05G01201C	FIXAPET LLC		1651 FOLLY CREEK WAY		CHARLESTON, SC 29412-0000
05G02001E	MURPHY OIL USA INC		200 PEACH STREET	PO BOX 7300	EL DORADO, AR 71731-0000
05G02001	YI GE ASIAN CUISINE, INC.		171 AVERASBORO DR		CLAYTON, NC 27520
05G011990	MCLAURINS FUNERAL HOME INC		PO BOX 130548	HOUSTON, TX 77219-0548	
05G01201	MOHAMED & SONS INC		PO BOX 1236	SMITHFIELD, NC 27577-0000	
05G02001B	CADILLAC SAND REALTY LLC		10689 N PENNSYLVANIA ST SUITE 100		INDANAPOLIS, IN 46280-1099
05G02001C	ALEXANDER PLACE SHOPPES LLC		108 GATEWAY BLVD STE 104		MOORESVILLE, NC 28117-5597
05G01201D	GRAND PLAZA LLC		5940 PERKINS RD	BATON ROUGE, LA 70808-4281	
05G02001A	STEPHEN DOUGLAS-I IRRVOCABLE TRUST		CYNTHIA M STEPHENS IRRVOCABLE TRUST		319 CHAPANOKE RD STE 102
RALEIGH, NC 27603-0000					
05G01199B	GRAND PLAZA LLC		1623 OLD LOUISBURG RD	RALEIGH, NC 27604-1589	
05G02002X	CATZ LLC		THE MARZBANI FAMILY LIMITED PARTNERSHIP	P O BOX 571	SMITHFIELD, NC 27577-0000
05G01201A	WH CAPITAL LLC		PO BOX 6450	NORCROSS, GA 30091-0000	
05G02001I	CADILLAC SAND REALTY LLC		10689 N PENNSYLVANIA ST SUITE 100		INDANAPOLIS, IN 46280-1099
05G02001K	CAPITAL BANK CORPORATION		150 ALHAMBRA CIR STE 700		CORAL GABLES, FL 33134-4523
05G01199P	MCLAURIN FUNERAL HOME INC		PO BOX 130548	HOUSTON, TX 77219-0548	
05G01201B	BODDIE NOELL ENTERPRISES INC		1021 NOELL LANE P O BOX 1908	ROCKY MOUNT, NC 27804-1908	
05G01199X	CLAYTON SELF STORAGE GROUP, LLC,		5540 YATES MILL POND RD		RALEIGH, NC 27606-9688
05G02001J	WALMART REAL ESTATE BUSINESS TRUST		PO BOX 8050, MS 0555	BENTONVILLE, AR 72712-8050	
05G02001G	CAROLINA PARK LLC		9005 PEACHTREE TOWN LN	KNIGHTDALE, NC 27545-9710	
05G02001H	LEVINSON, JAMES R.		P O BOX 117	BENSON, NC 27504-0117	
05E99009I	FOUR OAKS BANK & TRUST COMPANY		PO BOX 699	FOUR OAKS, NC 27524-0000	
05E99027J	MCLAURIN FUNERAL HOME INC		PO BOX 130548	HOUSTON, TX 77219-0548	
05E99020F	NORTH CAROLINA DEPT OF AGRICUL		CENTRAL CROPS RESEARCH STA	13223 U S HWY 70 WEST	CLAYTON, NC 27520-0000

33 tom

EXHIBIT A-2

EXHIBIT A-2

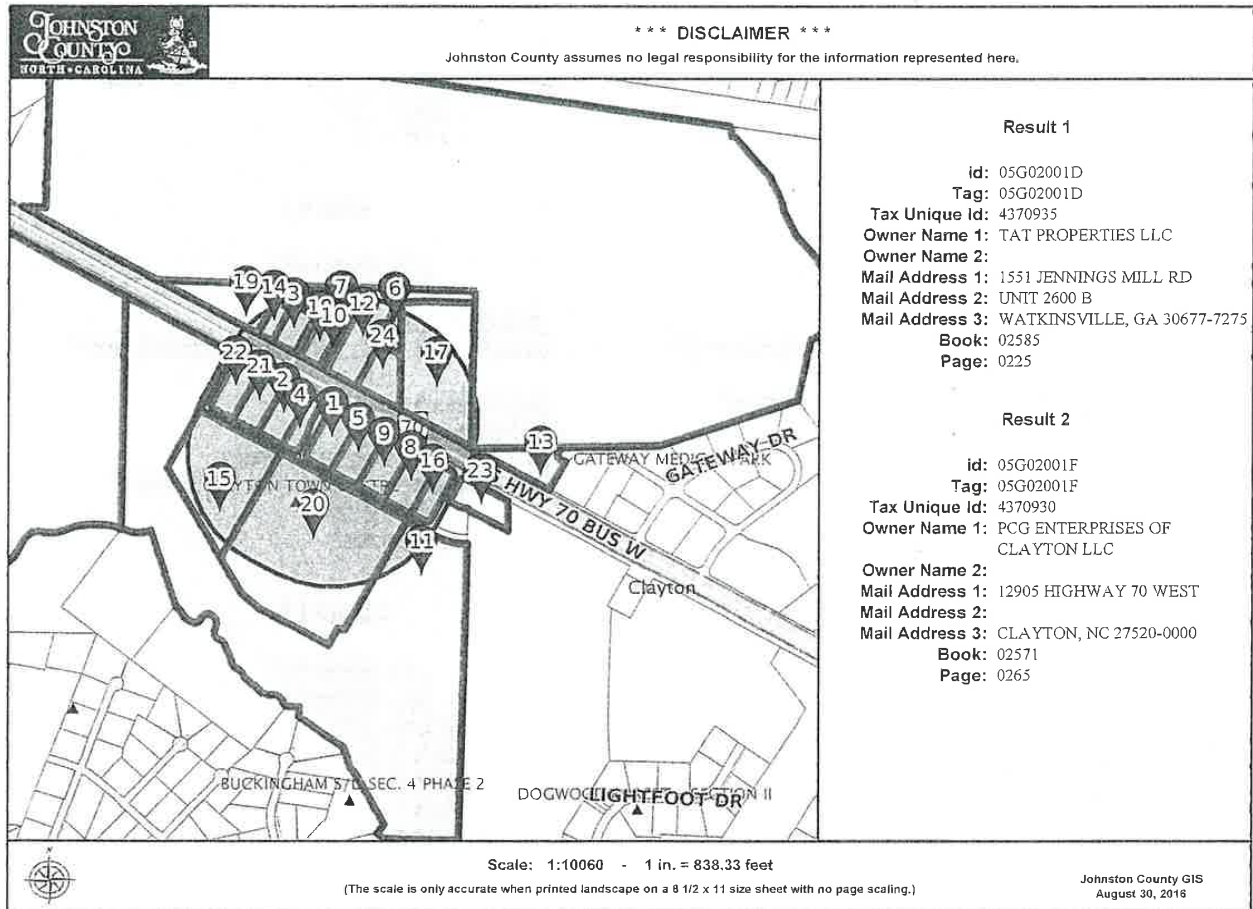


EXHIBIT A-2

ParcelID	Name1	Name2	Address1	Address2	City	State	Zip
05G02001A	STEPHEN DOUGLAS I	IRREVOCABLE TRUST	CYNTHIA M STEPHENS	IRREVOCABLE TRUST	319 CHAPANOKE RD	STE	102
05G02001B	STEPHEN DOUGLAS I	IRREVOCABLE TRUST	CYNTHIA M STEPHENS	IRREVOCABLE TRUST	319 CHAPANOKE RD	STE	102
05G02027F	WILLIAMS, JASON T		10689 N PENNSYLVANIA ST		SUITE 100	INDANAPOLIS, IN	46280-1099
05G02033F	JOYE, JOSEPH M	JOYE, HARRY J	2525 WINSTON RD		CLAYTON, NC	27520-0000	
05G02029E	RAY, HAZEL M		2216 CEDARWOOD CT		CLAYTON, NC	27520-8398	
05G02190W	MEKENDINO, LESLIE		557 POLENTA RD		SMITHFIELD, NC	27577-8001	
05G02002C	HEAVNER PROPERTIES 1997 LIMITED PARTNERSHIP		HEAVNER, CECIL		PO BOX 2346	SMITHFIELD, NC	27577-2346
05G02034	JOYE, JOSEPH MARVIN	JOYE, HARRY	2525 WINSTON RD		CLAYTON, NC	27520-6792	
05G02001I	ADILLAG-SAND-RENTAL-INC		10689 N PENNSYLVANIA ST		SUITE 100	INDANAPOLIS, IN	46280-1099
05G02001K	CAPITAL BANK CORPORATION		150 ALHAMBRA CIR	SWE 700	CORAL GABLES, FL	33134-4523	
05G02001L	STEPHEN DOUGLAS I	IRREVOCABLE TRUST	CYNTHIA M STEPHENS	IRREVOCABLE TRUST	319 CHAPANOKE RD	STE	102
05G02033G	JOYE, JOSEPH M	JOYE, HARRY J	2525 WINSTON RD		CLAYTON, NC	27520-8398	
05G02026X	CAPPS, DENNIS H JR		209 COBBLESTONE COURT		CLAYTON, NC	27520-0000	
05G01199X	CLAYTON SELF STORAGE GROUP, LLC		5540 YATES MILL, POND RD		RALEIGH, NC	27606-9688	
05G02001J	WALMART REAL ESTATE BUSINESS TRUST		PO BOX 8050, MS 0555	BENTONVILLE, AR	72712-8050		
05G02028P	SOROCIAK, ROBERT M JR		2212 CEDARWOOD COURT		CLAYTON, NC	27520-0000	
05G02027D	JOHNSON, JOHN FRANK	JOHNSON, KATHLEEN II	2220 CEDARWOOD COURT		CLAYTON, NC	27520-0000	
05G02028O	HERRERA, NANCY YVETTE	BLAKESLEE, MARK KENT	2221 CEDARWOOD COURT		CLAYTON, NC	27520-0000	
05G02021Y	ROSE, RANDY L	ROSE, EILEEN	2315 HUNTSBRIDGE DR		CLAYTON, NC	27520-8630	
05G02001H	JEVINGSON, JAMES R		P O BOX 117	BENSON, NC	27504-0117		
05G02026U	PREVATTE, AMY MARIE		2208 CEDARWOOD CT		CLAYTON, NC	27520-8012	
05E99020F	NORTH CAROLINA DEPT OF AGRICULTURE		CENTRAL CROPS RESEARCH STA		13223 U S HWY 70 WEST	CLAYTON, NC	27520-0000

EXHIBIT A-2

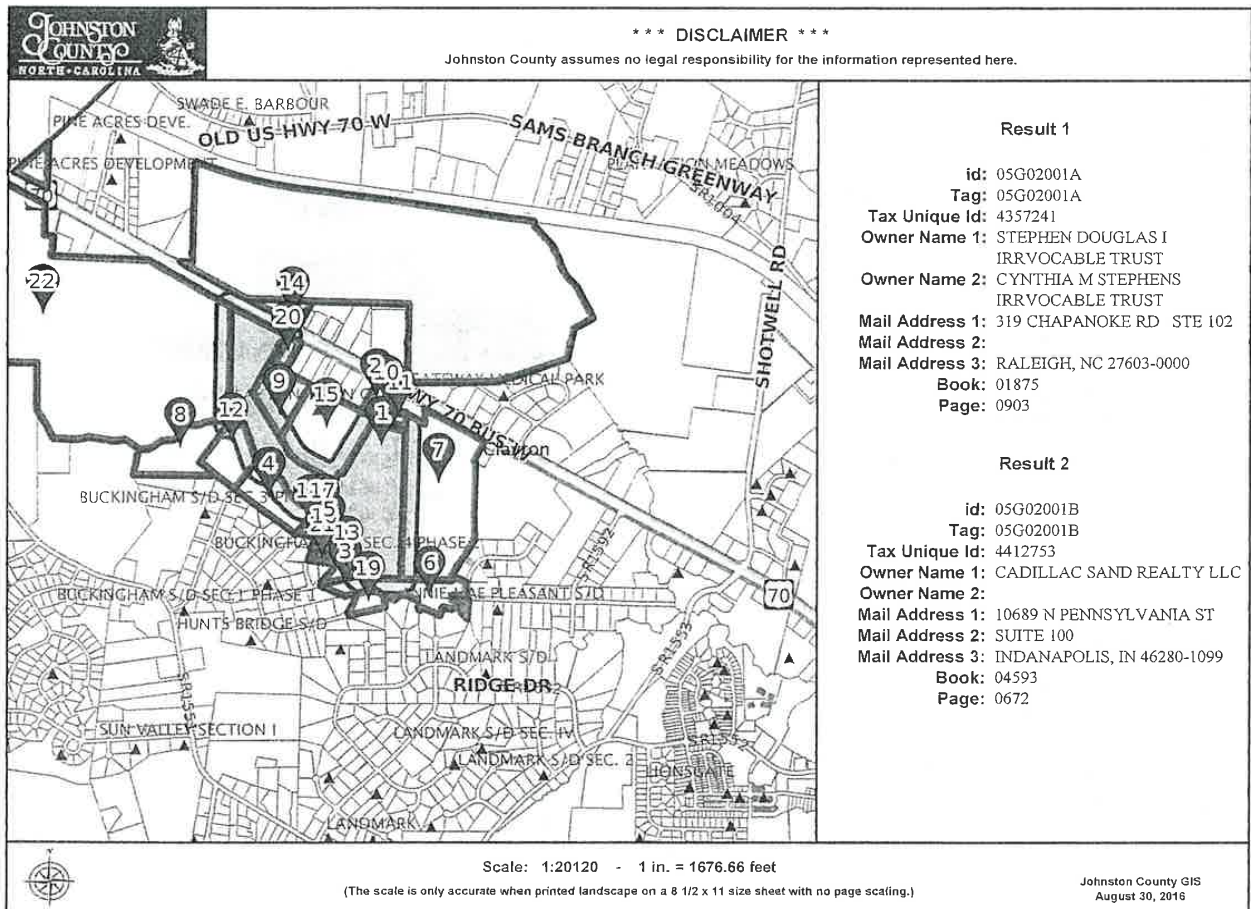


EXHIBIT B

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: JOHNSON CHARTER ACADEMY
 Application: Major Site Plan & Special Use Permit 2016-189 SP
 Location/Date: THE CLAYTON CENTER, York Room 7-8 p.m.

	NAME	ADDRESS
1	Mack Moore	3544 Apple Hill, Ada, MI 49301
2	Ebony Haywood	8921 Halfmoon Ct. Apt. 103 Raleigh, NC
3	Takshia Smith	8009 River Gold Ln Raleigh, NC 27616
4	Stefanie Radus	232 Melson Ln Clayton, NC 27527
5	Lean Archambault	229 Seawall Trl Clayton, NC 27527
6	GEORGE RETSCHLE	1223 21 Providence Rd CHARLOTTE, NC 27514
7	Boschman	3850 Broadmoor Ave SE SUITE 201 GREEN BROOK, MI
8		
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20		

CONCLUSIONS

The analysis results for the future 2019 build scenario of the proposed school reveal that improvements along the site frontage road, on Financial Drive, and at the intersection of Financial Drive and US 70 Business will be needed upon full build out in order to mitigate the traffic impacts caused by adding the school traffic. The improvements that will be required include the following:

- New public street extension of Financial Drive from Town Centre Boulevard to the proposed school driveway.
- Northbound left-turn lane along the new road extension of Financial Drive at Town Centre Boulevard (extending southerly to the new school access to provide a center two-way left-turn lane).
- Extension of the westbound left-turn lane along US 70 Business at Financial Drive to 500 feet.
- Restriping of the southbound Financial Drive approach to Town Centre Boulevard to include a through lane and a right-turn lane.
- Installation of a stop sign on the eastbound Town Centre Boulevard approach to Financial Drive.

Figure 16 illustrates the resulting lane configurations. The laneage and/or dimensions shown in red indicate new roads, lanes, and/or changes from the existing lane configuration.

As mentioned previously, a proposed institutional use is not typically associated with pass-by trip making or internal trip making and therefore has not been accounted for in the trip generation estimates presented in this analysis and report. However, parents headed into and out of Raleigh along US 70 Business may likely drop-off and pick-up their child on their way to/from work, which would be considered pass-by traffic. This scenario adds site generated volumes to the driveways but does not add additional traffic to US 70 Business. In addition, it is highly likely that a parent will visit another use on this site while dropping off or picking up their child, resulting in a reduction of trips for the overall Clayton Town Center and school site. The estimated trip generation in this report does not account for either pass-by trips or internal trips, therefore providing a worse-case scenario for the adjacent road network.

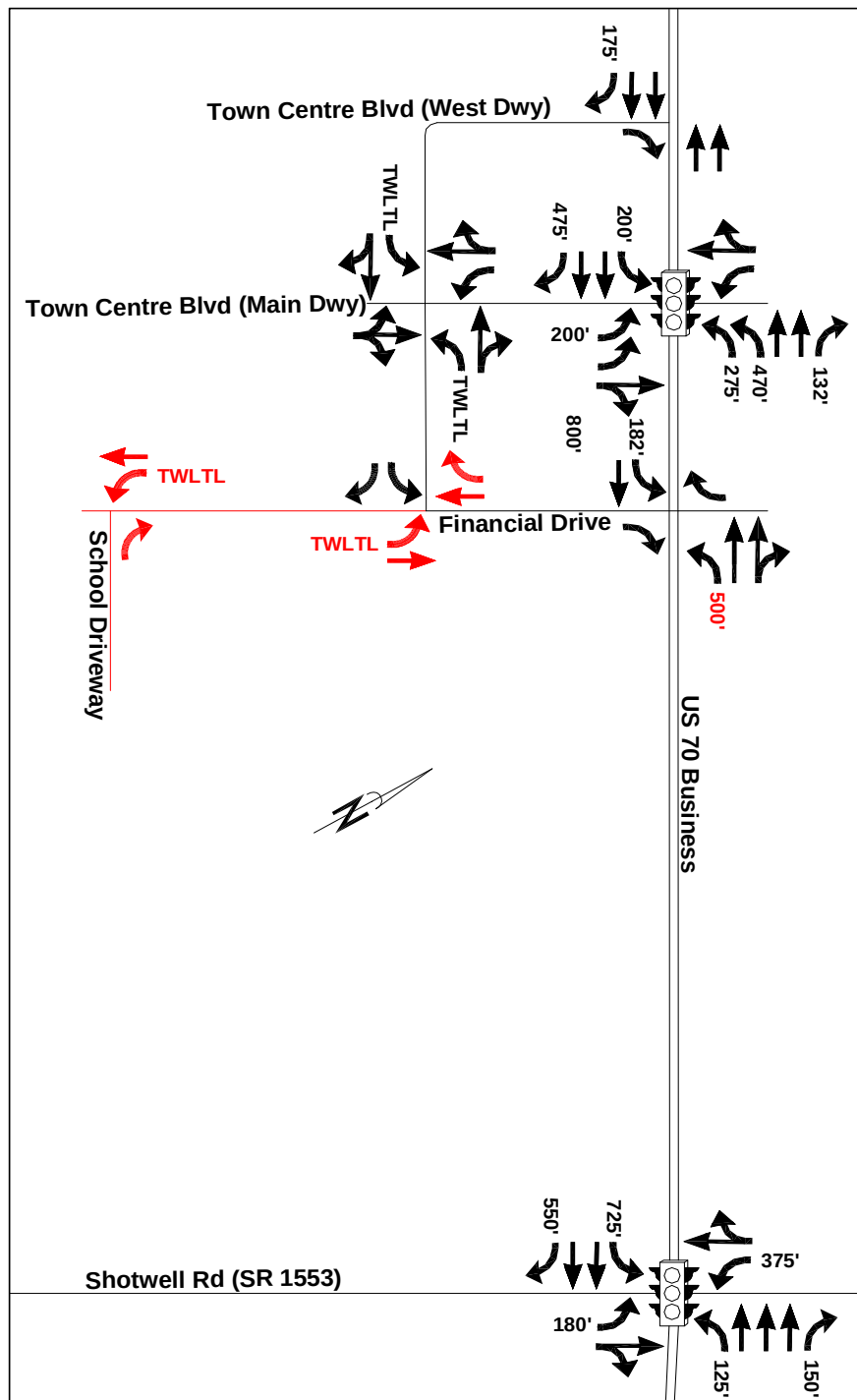
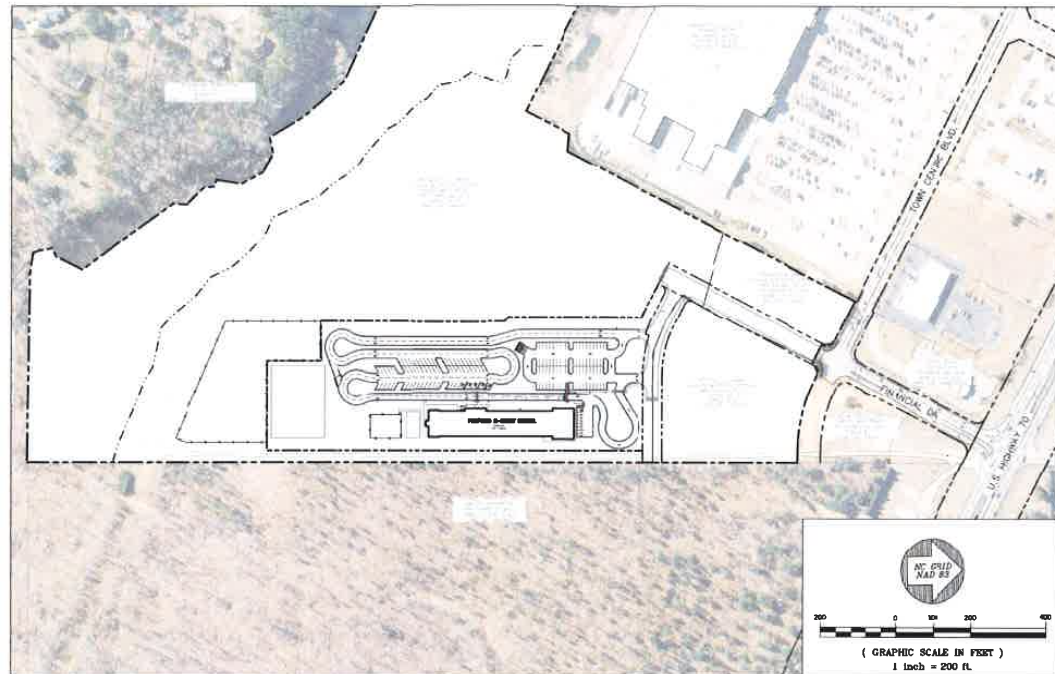


Figure 16 Future 2019 Build Lane Geometrics

MAJOR SITE PLAN
FOR
JOHNSTON CHARTER ACADEMY
CLAYTON, NORTH CAROLINA
SITE PLAN TRACKING NUMBER (2016-189-SP)
SPECIAL USE PERMIT TRACKING NUMBER (2016-188-SUP)



DRAWING LIST

SHEET	DRAWING TITLE
G0001	COVER
C0101	EXISTING CONDITIONS PLAN
C1000	SITE PLAN OVERVIEW
C1001	ENLARGED SITE PLAN
C1101	UTILITY PLAN
C1201	GRADING, EROSION CONTROL & STORMWATER MANAGEMENT PLAN
C4201	STORMWATER WET POND ENLARGEMENT & SECTION
C5001	SITE DETAILS
C5002	SITE DETAILS
C5003	SITE DETAILS
C5004	SITE DETAILS
L1001	LANDSCAPE PLANTING PLAN
L1002	LANDSCAPE PLANTING DETAILS
L1003	LANDSCAPE NOTES
A-1.0	OVERALL FLOOR PLANS
A-3.0	EXTERIOR ELEVATIONS
	SITE PHOTOMETRIC PLAN



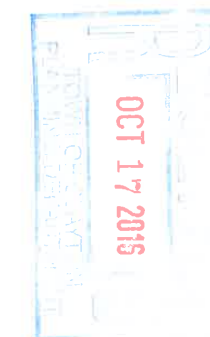
VICINITY MAP
N.T.S.

PROJECT OWNER/SCHOOL OPERATOR:
National Heritage Academies

SITE PLANNING / CIVIL ENGINEERING:
BALLENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 939 - 0481 (919) 489 - 4789

LANDSCAPE ARCHITECTURE:
MDG
MULLIS DESIGN GROUP
LANDSCAPE ARCHITECTS

ARCHITECTURE/MEP/
SITE LIGHTING DESIGN:
paep architecture engineering P.C.
391 E. 4th St., Ste. 200, Grand Rapids, MI 49503
616.221.8888 www.paepinc.com



REVIEW DRAWING
NOT FOR CONSTRUCTION

BALLENTINE ASSOCIATES, P.A.
Professional Engineer
No. 11000 - 0001
State of North Carolina
Expiring 12/31/2016

BALLENTINE ASSOCIATES, P.A.
Professional Engineer
No. 11000 - 0001
State of North Carolina
Expiring 12/31/2016

BALLENTINE ASSOCIATES, P.A.
Professional Engineer
No. 11000 - 0001
State of North Carolina
Expiring 12/31/2016

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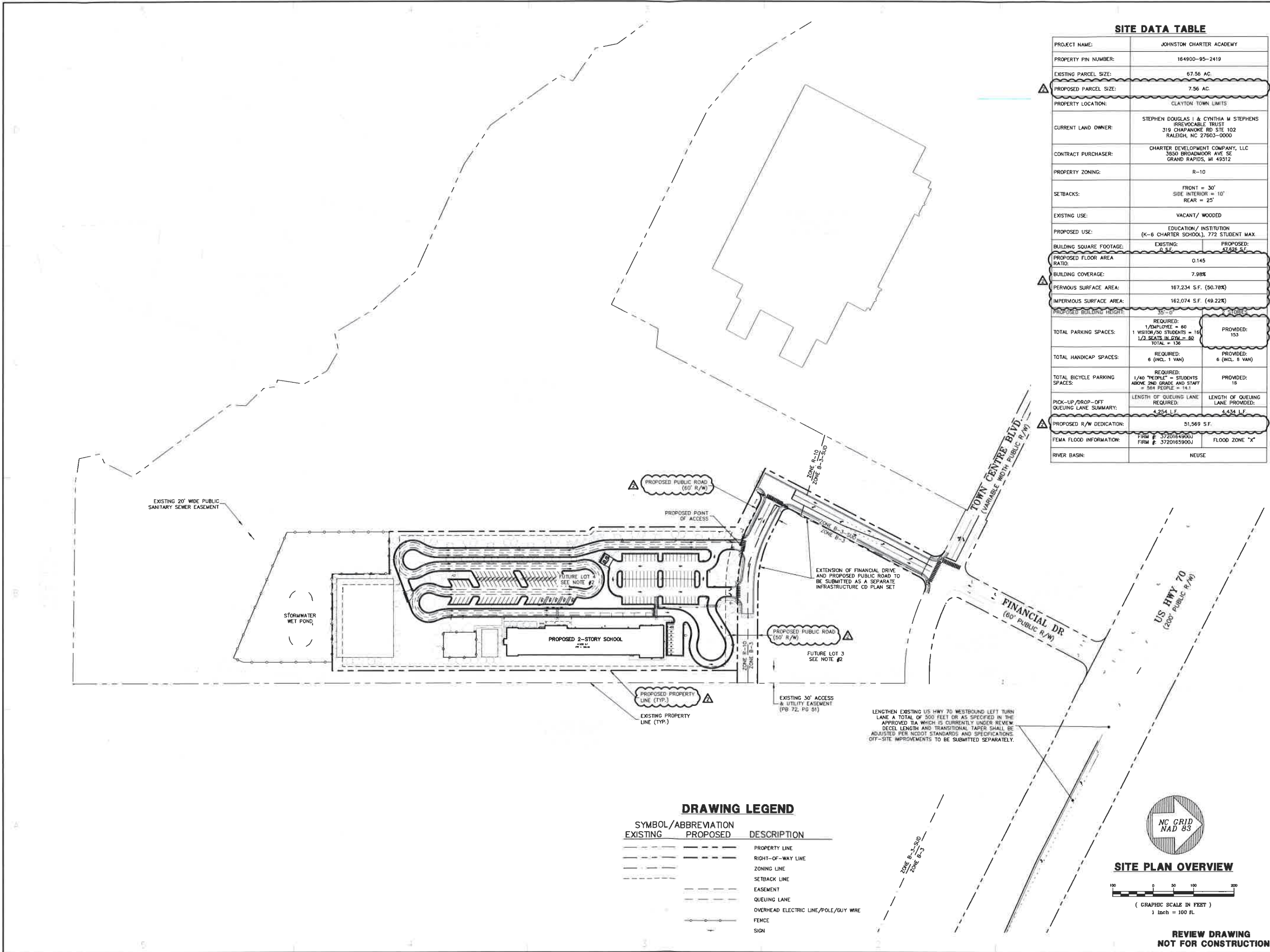
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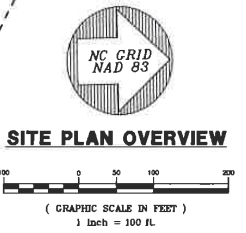
REVISIONS
DATE
17 OCT 16

W:\Projects\116022 00 John Charter\11_Dwg\116022 00 John Charter.dwg, 10/17/2016 2:09:25 PM, D:\Users



SITE DATA TABLE	
PROJECT NAME:	JOHNSTON CHARTER ACADEMY
PROPERTY PIN NUMBER:	164900-95-2419
EXISTING PARCEL SIZE:	67.56 AC.
PROPOSED PARCEL SIZE:	7.56 AC.
PROPERTY LOCATION:	CLAYTON TOWN LIMITS
CURRENT LAND OWNER:	STEPHEN DOUGLAS I & CYNTHIA M STEPHENS IRREVOCABLE TRUST 319 CHAPANOKE RD STE 102 RALEIGH, NC 27603-0000
CONTRACT PURCHASER:	CHARTER DEVELOPMENT COMPANY, LLC 3850 BROADMOOR AVE SE GRAND RAPIDS, MI 49512
PROPERTY ZONING:	R-10
SETBACKS:	FRONT = 30' SIDE INTERIOR = 10' REAR = 25'
EXISTING USE:	VACANT/ WOODED
PROPOSED USE:	EDUCATION/ INSTITUTION (K-6 CHARTER SCHOOL), 772 STUDENT MAX.
BUILDING SQUARE FOOTAGE:	EXISTING: A.S.F. PROPOSED: 47,526 S.F.
PROPOSED FLOOR AREA RATIO:	0.145
BUILDING COVERAGE:	7.98%
PERVIOUS SURFACE AREA:	187,234 S.F. (50.78%)
IMPERVIOUS SURFACE AREA:	162,074 S.F. (49.22%)
PROPOSED BUILDING HEIGHT:	35'-0" TYPICAL
TOTAL PARKING SPACES:	REQUIRED: 1/EMPLOYEE = 80 1 VISTOR/20 STUDENTS = 16 1/3 SEATS IN GYM = 60 TOTAL = 136 PROVIDED: 153
TOTAL HANDICAP SPACES:	REQUIRED: 6 (INCL. 1 VAN) PROVIDED: 6 (INCL. 5 VAN)
TOTAL BICYCLE PARKING SPACES:	REQUIRED: 1/40 "PEOPLE" = STUDENTS ABOVE 2ND GRADE AND STAFF = 141 PROVIDED: 16
PICK-UP/DROP-OFF QUEUING LANE SUMMARY:	LENGTH OF QUEUING LANE REQUIRED: 4,254 L.F. LENGTH OF QUEUING LANE PROVIDED: 4,434 L.F.
PROPOSED R/W DEDICATION:	51,569 S.F.
FEMA FLOOD INFORMATION:	FIRM # 3720164900J FIRM # 3720165900J FLOOD ZONE "X"
RIVER BASIN:	NEUSE

DRAWING LEGEND		DESCRIPTION
SYMBOL/ABBREVIATION	EXISTING	
PROPERTY LINE	---	PROPERTY LINE
RIGHT-OF-WAY LINE	---	RIGHT-OF-WAY LINE
ZONING LINE	---	ZONING LINE
SETBACK LINE	---	SETBACK LINE
EASEMENT	---	EASEMENT
QUEUING LANE	---	QUEUING LANE
OVERHEAD ELECTRIC LINE/POLE/GUY WIRE	---	OVERHEAD ELECTRIC LINE/POLE/GUY WIRE
FENCE	---	FENCE
SIGN	---	SIGN



SITE PLAN OVERVIEW
REVIEW DRAWING
NOT FOR CONSTRUCTION

DATE

30 SEP 16

DATE

17 OCT 16

REVISIONS

NO REVIEW COMMENTS

NO REVIEW COMMENTS

OWNER INFORMATION

OWNER: DOUGLASS CHARTER LLC
3850 BROADMOOR AVENUE
SUITE 201
GRAND RAPIDS, MI 49512
OWNERS REPRESENTATIVE:
MR. JEFF CHAMBERLAN
PH: (616) 818-0244
FAX: (616) 831-6309
EMAIL: jchamberlan@doouglass.com

ISSUED

DATE

MAJOR SITE PLAN SUBMITTAL #1

30 SEP 16

MAJOR SITE PLAN SUBMITTAL #2

30 SEP 16

MAJOR SITE PLAN SUBMITTAL #3

17 OCT 16

JOHNSTON CHARTER ACADEMY

CLAYTON, NORTH CAROLINA

MAJOR SITE PLAN

JOB NUMBER: 116022.00

DATE: 01 SEP 16

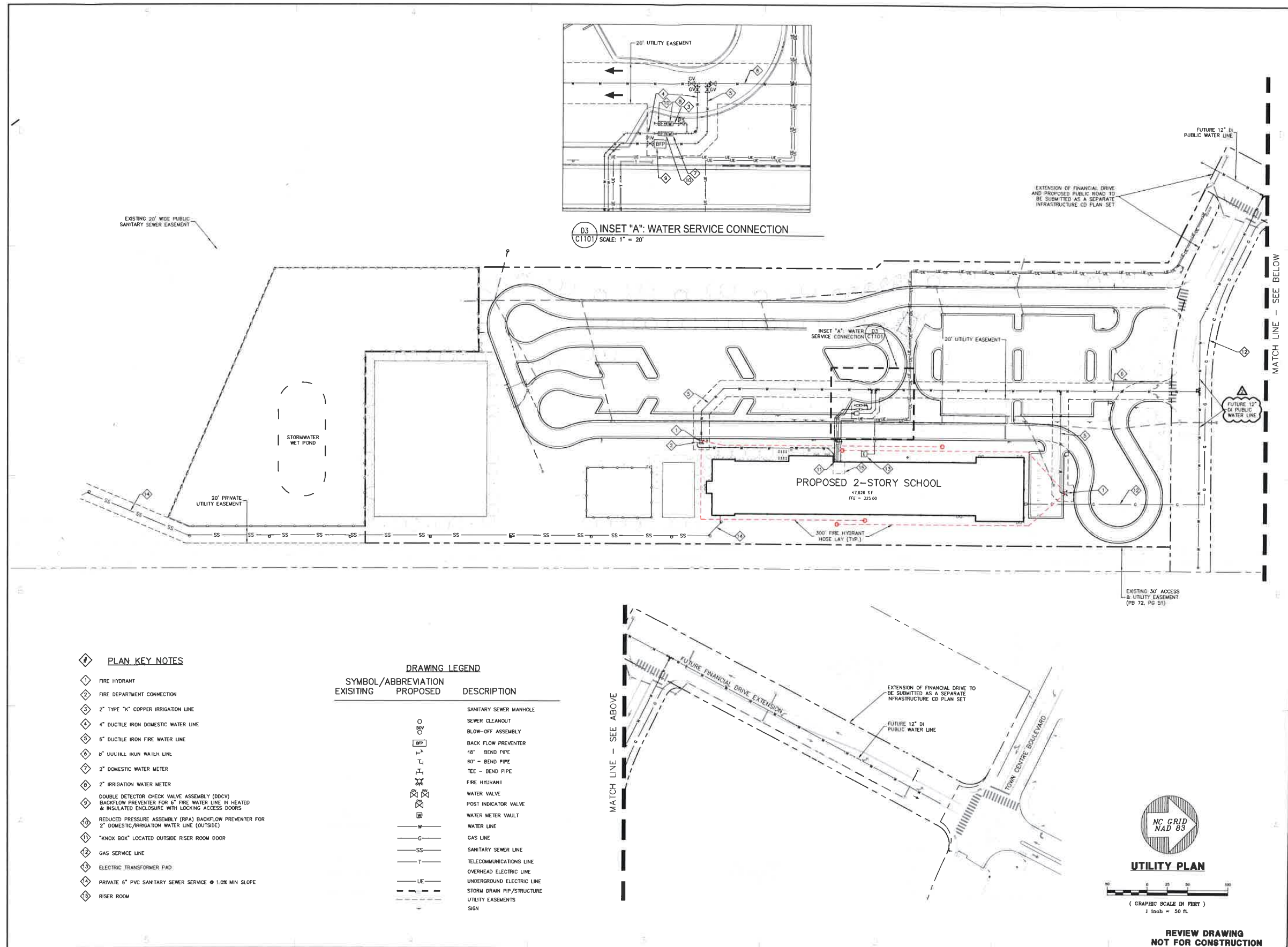
SCALE: AS SHOWN

DRAWN BY: D.W.S.

REVIEWED BY: G.J.R.

SHEET

C1000



**BALLENTINE
ASSOCIATES, P.A.**
225 PINEVIEW ROAD, CHAPEL HILL, N.C. 27514
(919) 292-5680

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ISSUED		DATE	REVISIONS		DATE
MAJOR SITE PLAN SUBMITTAL #1	01 SEP 16		1	REVIEW COMMENTS	17 OCT 16
MINOR SITE PLAN SUBMITTAL #2	30 SEP 16		2	TYPING REVIEW COMMENTS	17 OCT 16
MAJOR SITE PLAN SUBMITTAL #3	11 OCT 16		3		
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NUM	OWNER INFORMATION
	OWBTE DEFENSE ENGINEERING LLC
	3505 BROADWAY AVENUE
	SUITE 210
	GRAND RAPIDS, MI 49512
	OWNERS REPRESENTATIVE
	MR. REY CHAMBERLAIN
	(616) 519-0244
	FAX (616) 531-6309
	EMAIL

MAJOR SITE PLAN

JOB NUMBER: 116022.00
DATE: 01 SEP 16
SCALE: AS SHOWN
DRAWN BY: D.W.S.
REVIEWED BY: G.J.R.

SHEET
C1101



**REVIEW DRAWING
NOT FOR CONSTRUCTION**

JOHNSTON CHARTER ACADEMY CLAYTON, NORTH CAROLINA		MAJOR SITE PLAN	
		MAJOR SITE PLAN	
JOB NUMBER: 116022.00 DATE: 01 SEP 16 SCALE: AS SHOWN DRAWN BY: D.W.S. REVIEWED BY: G.J.R.			
SHEET C4201			
ISSUED		DATE	REVISIONS
MAJOR SITE PLAN SUBMITTAL #1 03 SEP 16			
MAJOR SITE PLAN SUBMITTAL #2 30 SEP 16			
MAJOR SITE PLAN SUBMITTAL #3 17 OCT 16			
OWNER INFORMATION CHARTER DEVELOPMENT COMPANY, LLC 3650 BROADMOOR AVENUE SUITE 201 GRAND RAPIDS, MI 49512 OWNERS REPRESENTATIVE: MR. JEFF CHAMBERS PH: (616) 818-0244 FAX: (616) 831-6306 EMAIL: jchambers@cdco.net			
NUM		DATE	REVISIONS
1	TRC REVIEW COMMENTS	30 SEP 16	
2	TRC REVIEW COMMENTS	17 OCT 16	
BALLANTINE ASSOCIATES, P.A. 10000 WOODHURST DRIVE, SUITE 100, CLAYTON, NORTH CAROLINA 27020 (716) 338-0481 (716) 338-4799 FAX (716) 338-0481 ONE DOCUMENT SET IS REQUIRED FOR THE SUBMITTAL OF THE DOCUMENTS TO THE CLAYTON CHARTER ACADEMY. THE DOCUMENTS MUST BE SUBMITTED TO THE CLAYTON CHARTER ACADEMY, 10000 WOODHURST DRIVE, SUITE 100, CLAYTON, NORTH CAROLINA 27020. THE DOCUMENTS MUST BE SUBMITTED TO THE CLAYTON CHARTER ACADEMY, 10000 WOODHURST DRIVE, SUITE 100, CLAYTON, NORTH CAROLINA 27020. THE DOCUMENTS MUST BE SUBMITTED TO THE CLAYTON CHARTER ACADEMY, 10000 WOODHURST DRIVE, SUITE 100, CLAYTON, NORTH CAROLINA 27020.			
			

National Heritage Academies

Construction
Body of sign to be Signform Commercial Body with 1.5" retainers.
Faces to be CNC laser cut aluminum with push thru lettering and logo.
Bottom (endboard) section of sign to be a 1/4" aluminum plate.
Sign to be welded construction.
Base to be fabricated from 3/4" aluminum, mechanically fastened to the bottom of material.

Graphics
Book logo to be digitally printed on clear cast digital material using
eco-solvent ink, laminated and installed on first surface.

Electrical
Sign is to be horizontally lit using H.O. fluorescent bulbs.
Qty 4 - 40" bulbs.
Qty 10 - 10" aluminum 1/4" plate.
120 VAC.
UL Listed.

Installation
Sign installed using 3" x 3" steel.
Steel to be painted to deter deterioration.
Steel to be bolted out for bulbs.

15 in 25.85 in 63 in 72 in 29 in

Johnston Charter Academy
OPEN ENROLLMENT!
1234

24 sqft

3" x 3" steel bolted in
48" deep x 20" round
hole filled with concrete

Signature: _____ Date: _____

MIDWEST SIGN COMPANY
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PH 616.583.1743 FAX 616.825.5962 midwestsignco.com

B5
C5002 PERMANENT NHA MONUMENT SIGN

Construction Signs

120 in 48 in

NEW SCHOOL
GRADES K - 6
NO-COST • OPENING AUGUST 2017
Call 222-333-4444 Today

Image TBD

JOHNSTON CHARTER ACADEMY

V sign side A V sign side B

Side A Side B

NEW K-6 FREE PUBLIC CHARTER SCHOOL

JOHNSTON CHARTER ACADEMY
TEMPORARY OFFICE

120 in 48 in

JOHNSTON CHARTER ACADEMY
K-6 • No-Cost • APPLY TODAY

JOHNSTON CHARTER ACADEMY
K-6 • No-Cost • APPLY TODAY

2 sided sign side A 2 sided sign side B

Signature: _____ Date: _____

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PH 616.583.1743 FAX 616.825.5962 midwestsignco.com

A5
C5002 TEMPORARY MARKETING SIGN

Johnston Charter Academy

285.8 in

JOHNSTON CHARTER ACADEMY

20.1 in 40.5 in

JOHNSTON CHARTER ACADEMY
K-6 • No-Cost • APPLY TODAY

Signature: _____ Date: _____

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PH 616.583.1743 FAX 616.825.5962 midwestsignco.com

A3
C5002 PERMANENT NHA WALL SIGN

SITE DETAILS

REVIEW DRAWING
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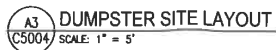
BALLENTE ASSOCIATES, P.A.
10000 N. W. 11th Ave., Suite 100
Miami, FL 33150
(305) 443-1100
www.ballentassociates.com

JOHNSTON CHARTER ACADEMY
CLAYTON, NORTH CAROLINA

MAJOR SITE PLAN

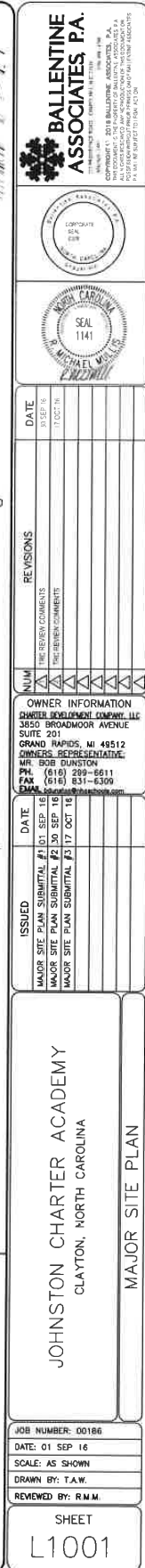
JOB NUMBER: 116022.00
DATE: 01 SEP 16
SCALE: AS SHOWN
DRAWN BY: D.W.S.
REVIEWED BY: G.J.R.

SHEET C5002



**REVIEW DRAWING
NOT FOR CONSTRUCTION**

JOHNSTON CHARTER ACADEMY CLAYTON, NORTH CAROLINA		MAJOR SITE PLAN	
JOB NUMBER: 116022.00		DATE: 01 SEP 16	
SCALE: AS SHOWN		DRAWN BY: D.W.S.	
REVIEWED BY: GJR		SHEET C5004	



REQUIRED LANDSCAPE CALCULATIONS AND NOTES

A 10' Class "A" Streetlight Buffer

Total Frontage: 413'
 Less Entry Driveway: 77'
 Total Applicable Buffer Length: 336'

Required Shade Trees: 7
 Existing Shade Trees: 0
 Proposed Shade Trees: 7
 Calc: 2 per 100' $(286 / 100) = 3.66$
 $3.66 \times 2 = 7.32$

Required Understory Trees: 4
 Existing Understory Trees: 0
 Proposed Understory Trees: 4
 Calc: 1 per 100' $(286 / 100) = 3.66$
 $3.66 \times 1 = 3.66$

Required Shrubs: 37
 Existing Shrubs: 0
 Proposed Shrubs: 37
 Calc: 3 per 100' $(366 / 100) = 3.66$
 $3.66 \times 10 = 36.6$

Total Shade Trees: 7
 Total Understory Trees: 4
 Total Shrubs: 37

C NO BUFFER REQUIRED

Note: No Landscape Buffer is required in this area because subject property (B) is adjacent to (B-3). See Compatibility Buffer Requirement (B-3) (Table 4-5) of Code Section 15.452.E.2.G.

B 10' Class "C" Landscape Buffer

Frontage: 1,298'
 Total Applicable Buffer Length: 1,298'

Required Shade Trees: 26
 Existing Shade Trees: 28
 Proposed Shade Trees: 28
 Calc: 2 per 100' $(1,298 / 100) = 12.98$
 $12.98 \times 2 = 25.96 = 26$

Required Understory Trees: 39
 Existing Understory Trees: 0
 Proposed Understory Trees: 39
 Calc: 3 per 100' $(1,298 / 100) = 12.98$
 $12.98 \times 3 = 38.94 = 39$

Required Shrubs: 156
 Existing Shrubs: 0
 Proposed Shrubs: 165
 Calc: 12 per 100' $(1,298 / 100) = 12.98$
 $12.98 \times 12 = 155.76 = 156$

Total Shade Trees: 28
 Total Shrubs: 165

Note: Design Team has chosen "Alternative 1" Class "C" Buffer

Note: Class "C" Buffer required because "the perimeter of all parking areas and other outdoor use areas adjacent to less densely-zoned property shall provide a Class "C" Buffer as set forth in Code 15.452.D.2.a.).

Note: A combination of 3' all earthen berm and evergreen shrubs and evergreen understorey trees have been provided to meet the additional requirements of a Class "C" Buffer.

Note: Landscape Buffer has been extended past the 10' required zone. Required trees and shrubs have been placed throughout the area between the property line and the Vehicular Use Area.

Note: No required trees or shrubs located within the buffer (Dashed Line, as seen on plan) have been counted towards the Interior Landscape Requirements of the property

Provided "Varying Width" Class "C" Buffer Information:
 Minimum Width: 10'
 Maximum Width: 39'
 Total Area of ("Typical") 10' Buffer: 12,980 SF
 Total Area of Provided "Varying Width" Buffer: 34,190 SF

Site Interior Landscape Requirement

Requirement:
 1) 25% of the TOTAL LOT AREA shall be landscaped
 2) Per 1,000 SF: 1 Canopy Tree, 3 Understory Tree, 2 Shrubs

Calculations:
 Total Lot Area: 39,398.21 SF
 25% of Total Lot Area: 9,849.55 SF
 $65.86164 / 1,000 = 65.96 = 66$

Required Vegetation Counts:
 Total Canopy Trees: 66
 Total Understory Trees: 66
 Total Shrubs: 132

Proposed Vegetation Counts:
 Total Canopy Trees: 66
 Total Understory Trees: 66
 Total Shrubs: 132

Note: Landscaping located within the Vehicular Use Area has been counted to meet the minimum requirements

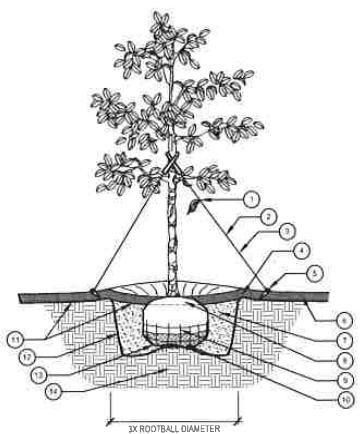
Note: Landscaping located within the required Perimeter Landscape Buffers (only Buffers "A" and "B" are required) has not been counted to meet the minimum requirements.

Notes:

- All landscaping to be maintained in perpetuity.
- Unless otherwise specified, all lawn areas are to be sod.
- Within the Site Distance Triangle, routing shall be placed, placed to be allowed to grow up such as mowers to impede the sight vision at the intersection.
- See C.1103.2 for landscape installation details.
- Trees located within landscape setbacks will be required to be planted between 3' and 6' above the curbline.
- All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such as planter soil include a rain sensor.
- All landscape areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion.
- See Dweil C.1103.2 for Irrigation Specifications.
- No existing landscape material to be used for landscape credit.

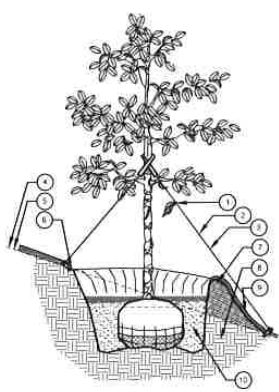
[illegible]

ADDRESS: 133 Keybridge Drive, Suite E
Morrisville, NC 27560
PHONE: 941-400-1624
EMAIL: mike.mullis@mullisdesign.com
WEB: mullisdesigngroup.com



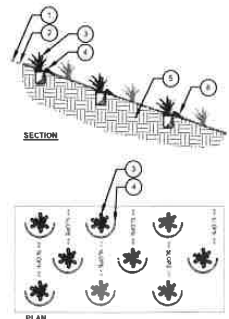
1. WARNING FLAG
 2. TREE STRAP
 3. TREE GUY WIRE STAKED JUST OUTSIDE EARTHEN SAUCER, ADD TURNBUCKLES IF NECESSARY TO STABILIZE TREE
 4. EARTHEN SAUCER AT EDGE OF PLANTING PIT
 5. TREE GUYING STAKE
 6. 2" MULCH LAYER
 7. BACKFILL WITH SOIL PER SPECIFICATIONS
 8. FIND TOP-MOST ROOT ON ROOTBALL, POSITION ROOTBALL SO THIS TOP ROOT IS 1-2" ABOVE LANDSCAPE SOIL (APPROX. 10% OF ROOTBALL SHALL BE ABOVE LANDSCAPE SOIL)
 9. REMOVE TOP 1/3 OF WIRE ROOT BALL BASKET OR ROOTBALL STRAPS, REMOVE ALL SYNTHETIC STRAP MATERIAL FROM ENTIRE ROOTBALL
 10. REMOVE TOP 3/4 OF BURLAP ROOTBALL COVERING, REMOVE ALL SYNTHETIC COVERING FROM ENTIRE ROOTBALL
 11. FINISHED GRADE - LANDSCAPE SOIL
 12. PLANTING PIT: EXCAVATE PLANTING PIT TO 3 TIMES THE WIDTH OF ROOTBALL (6" MIN. FLARING SIDES OF PIT AS SHOWN - SCARIFY SIDES OF PIT SO THAT THE SIDES ARE NOT SMOOTHED OR GLAZED)
 13. ROOTBALLS SHALL BE PLACED ON UNDISTURBED SOIL TO PREVENT SETTLING
 14. UNDISTURBED SUBGRADE
- NOTES:
1. ALL TREES SHALL BE PLUMB VERTICALLY WITHIN A TOLERANCE OF THREE DEGREES UNLESS OTHERWISE DIRECTED BY OWNER'S REPRESENTATIVE

A TREE PLANTING
SECTION
N.T.S.



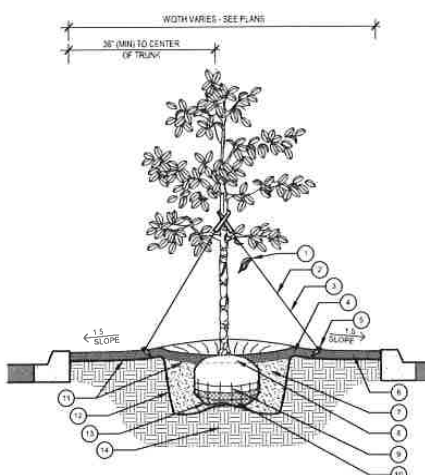
1. WARNING FLAG
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 3. TREE GUY WIRE STAKED JUST OUTSIDE EARTHEN SAUCER, ADD TURNBUCKLES IF NECESSARY TO STABILIZE TREE
 4. ORIGINAL 4:1 (OR GREATER) SLOPE
 5. PLACE SLOPE STABILIZATION MATERIAL SECURELY ON SLOPE (SEE ENGINEER'S PLANS)
 6. TO INSTALL TREE, LOCATE TREE POSITION AND CUT SLIT IN STABILIZATION MATERIAL (PER SECTION 6.13 OF THE NORTH CAROLINA EROSION AND SEDIMENT CONTROL, PLANNING AND DESIGN MANUAL), LARGE ENOUGH TO SLIP ROOTBALL THROUGH AND INSTALL PLANT PER REQUIREMENTS. NOTE THAT TOP CORNER OF PLANT ROOTBALL IS NOT BE HIGHER THAN ORIGINAL GRADE OF SLOPE
 7. CREATE TREE SAUCER BY EXCAVATING THE HIGH SIDE AND PLACING EXCAVATED DIRT ON LOW SIDE OF PLANT AREA, CREATING SAUCER FOR PLANT TO BE PLANTED WITHIN. FINALLY FORMED SAUCER ANGLE OF REPOSE VARIES WITH THE STEEPNESS OF ORIGINAL SLOPE. HEIGHT OF SAUCER TO BE EQUAL TO HEIGHT OF ORIGINAL GRADE OF IMPACTED SOIL ON THE HIGH SIDE OF SAUCER
 8. COMPACTED SUBGRADE OR PLANTING MEDIUM AS LISTED IN SPECIFICATIONS
 9. 2" MULCH OR AS SPECIFIED IN SPECIFICATIONS
 10. BACKFILL WITH SOIL PER SPECIFICATIONS
- NOTES:
1. REFER TO MASTER PLANT LIST FOR SPACING REQUIREMENT BETWEEN PROPOSED VEGETATION
 2. COVER REMAINING EXPOSED DIRT WITH MULCH

D TREE ON 4:1 OR GREATER SLOPE
SECTION
N.T.S.



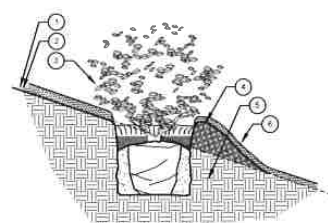
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 5. COMPACTED SUBGRADE OR PLANTING MEDIUM AS LISTED IN SPECIFICATIONS
 6. 2" MULCH OR AS SPECIFIED IN SPECIFICATIONS
- NOTES:
1. REFER TO ENGINEERING PLANS FOR SLOPE STABILIZATION MATTING
 2. EXISTING SLOPE TO REMAIN UNCHANGED AFTER PLANTING 4:1 TO 2:1
 3. REFER TO MASTER PLANT LIST FOR SPACING REQUIREMENT BETWEEN PROPOSED VEGETATION
 4. COVER REMAINING EXPOSED DIRT WITH MULCH

G GROUNDCOVER ON 4:1 OR GREATER SLOPE
SECTION
N.T.S.



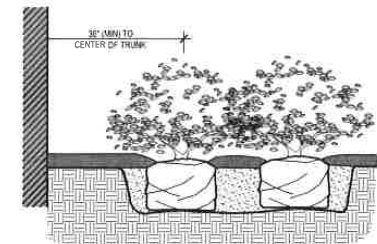
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 14. ROOTBALLS SHALL BE PLACED ON UNDISTURBED SOIL TO PREVENT SETTLING
 15. UNDISTURBED SUBGRADE
- NOTES:
1. ALL TREES SHALL BE PLUMB VERTICALLY WITHIN A TOLERANCE OF THREE DEGREES
 2. ALL TREES SHALL BE CENTERED WITHIN MEDIAN
 3. 1" MINIMUM VERTICAL CLEARANCE, TOP OF CURB TO TOP OF MULCH
 4. CROWN ISLANDS @ 1:5 SLOPES (OR AS SPECIFIED IN THE LANDSCAPE PLANS)
 5. CLEAR ZONE: MIN. 36" FROM BACK OF CURB TO CENTER OF NEAREST SHRUB. CLEAR ZONE SHALL CONTAIN 2" CONTINUOUS MULCH OR TURF. SEE PLANS.
 6. EXCAVATE CONTINUOUS 36" DEEP (FROM TOP OF CURB) FOR ENTIRE LENGTH AND WIDTH OF ISLAND & BACKFILL WITH APPROVED PLANTING MIX
 7. PROTECT AND RETAIN ALL CURBS AND BASE. COMPACTED SUBGRADE TO REMAIN FOR STRUCTURAL SUPPORT OF CURB SYSTEM (TYP.)

B PLANTED PARKING LOT ISLANDS / MEDIANS - SLOPE AND SPACING
SECTION
N.T.S.



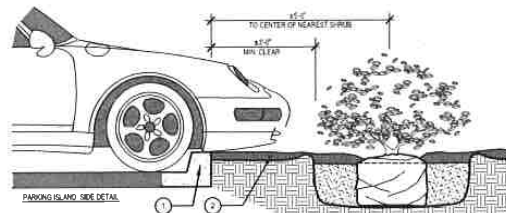
1. ORIGINAL 4:1 (OR GREATER) SLOPE
 2. PLACE SLOPE STABILIZATION MATERIAL SECURELY ON SLOPE (SEE ENGINEER'S PLANS)
 3. TO INSTALL PLANT, LOCATE PLANTING POSITION AND CUT SLIT IN STABILIZATION MATERIAL (PER SECTION 6.13 OF THE NORTH CAROLINA EROSION AND SEDIMENT CONTROL, PLANNING AND DESIGN MANUAL), LARGE ENOUGH TO SLIP ROOTBALL THROUGH AND INSTALL PLANT PER REQUIREMENTS. NOTE THAT TOP CORNER OF PLANT ROOTBALL IS NOT BE HIGHER THAN ORIGINAL GRADE OF SLOPE
 4. CREATE PLANT SAUCER BY EXCAVATING THE HIGH SIDE AND PLACING EXCAVATED DIRT ON LOW SIDE OF PLANT AREA, CREATING SAUCER FOR PLANT TO BE PLANTED WITHIN. FINALLY FORMED SAUCER ANGLE OF REPOSE VARIES WITH THE STEEPNESS OF ORIGINAL SLOPE. HEIGHT OF SAUCER TO BE EQUAL TO HEIGHT OF ORIGINAL GRADE OF IMPACTED SOIL ON THE HIGH SIDE OF SAUCER
 5. COMPACTED SUBGRADE OR PLANTING MEDIUM AS LISTED IN SPECIFICATIONS
 6. 2" MULCH OR AS SPECIFIED IN SPECIFICATIONS
- NOTES:
1. REFER TO MASTER PLANT LIST FOR SPACING REQUIREMENT BETWEEN PROPOSED VEGETATION
 2. COVER REMAINING EXPOSED DIRT WITH MULCH

E SHRUB ON 4:1 OR GREATER SLOPE
SECTION
N.T.S.



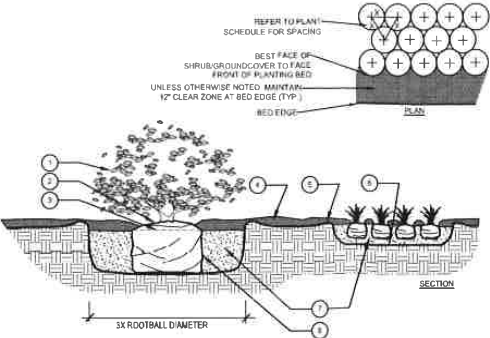
- NOTES:
1. CLEAR ZONE: 36" MIN. FROM BUILDING TO CENTER OF NEAREST SHRUB

H PLANTINGS ADJACENT TO BUILDINGS - SPACING
SECTION
N.T.S.



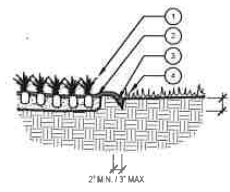
1. PARKING LOT AND CURB SYSTEM BY OTHERS
2. INSTALL CONTINUOUS MULCH BED ADJACENT TO PARKING SPACES AS SHOWN. MULCH SHALL BE MIN. 3" DEEP

C PARKING SPACE / CURB SYSTEM PARKING
SECTION
N.T.S.



1. PRUNE ALL LIKE SHRUBS WITHIN A PLANTED MASS TO ACHIEVE A UNIFORM MASS HEIGHT
 2. FIND POINT WHERE TOPMOST ROOT EMERGES FROM TRUNK WITHIN 2" OF SURFACE. CLEAR EXCESS SOIL IF NECESSARY
 3. TOP 10% OF SHRUB AND GROUNDCOVER ROOTBALLS TO BE PLANTED ABOVE THE LANDSCAPE GRADE. DO NOT COVER EXPOSED 10% ON SIDES WITH SOIL
 4. 2" MINIMUM MULCH AS SPECIFIED - DO NOT COVER ENTIRE SHRUB ROOTBALL OR CREATE WATER RINGS. ONLY COVER SIDES OF ROOTBALL WITH MULCH
 5. FINISHED GRADE (SEE GRADING PLAN)
 6. EXCAVATE ENTIRE BED SPECIFIED FOR GROUNDCOVER BED
 7. PREPARE PLANTING BEDS AS SHOWN. NOTE: WHEN GROUNDCOVERS AND SHRUBS USED IN MASSES, ENTIRE BED TO BE AMENDED WITH PLANTING SOIL MIX AS SPECIFIED
 8. SCARIFY ROOTBALL SIDES AND BOTTOM
- NOTE:
- ALL SHRUBS AND GROUNDCOVERS SHALL BE PLUMB VERTICALLY UNLESS OTHERWISE DIRECTED BY OWNER'S REPRESENTATIVE

F SHRUB / GROUNDCOVER PLANTING
SECTION
N.T.S.



1. FINISHED PLANT BED
 2. 2" MULCH LAYER
 3. SHOVEL EDGE
 4. SEEDED GRASS AREA
- NOTES:
- PROVIDE SMOOTH CONTINUOUS EDGE AS SHOWN FOR ALL PLANT BEDS ADJACENT TO LAWN AREAS. DIG EDGE WITH COMMON SPADE OR STRAIGHT BLADE SHOVEL

I SHOVEL EDGE (PLANTING COMPLETE)
SECTION
N.T.S.

LANDSCAPE PLANTING DETAILS

THIS SHEET WAS PREPARED BY:



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BALLENTINE ASSOCIATES, P.A.
CORPORATE SEAL
MICHAEL J. BALLENTINE, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF NORTH CAROLINA
EXPIRATION DATE: 12/31/2024

DATE	REVISIONS
01 SEP 16	1. TYP. REVIEW COMMENTS
02 SEP 16	2. TYP. REVIEW COMMENTS
03 SEP 16	3. TYP. REVIEW COMMENTS
04 SEP 16	4. TYP. REVIEW COMMENTS
05 SEP 16	5. TYP. REVIEW COMMENTS
06 SEP 16	6. TYP. REVIEW COMMENTS
07 SEP 16	7. TYP. REVIEW COMMENTS
08 SEP 16	8. TYP. REVIEW COMMENTS
09 SEP 16	9. TYP. REVIEW COMMENTS
10 SEP 16	10. TYP. REVIEW COMMENTS
11 SEP 16	11. TYP. REVIEW COMMENTS
12 SEP 16	12. TYP. REVIEW COMMENTS
13 SEP 16	13. TYP. REVIEW COMMENTS
14 SEP 16	14. TYP. REVIEW COMMENTS
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27 SEP 16	27. TYP. REVIEW COMMENTS
28 SEP 16	28. TYP. REVIEW COMMENTS
29 SEP 16	29. TYP. REVIEW COMMENTS
30 SEP 16	30. TYP. REVIEW COMMENTS

OWNER INFORMATION
OWNER: JOHNSTON CHARTER ACADEMY, LLC
3855 BROADMOOR AVENUE
SUITE 201
GRAND RAPIDS, MI 49512
OWNER'S REPRESENTATIVE
MR. BOB DUNSTON
TEL: (616) 298-6611
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EMAIL: bdunston@johnstonacademy.com

ISSUED
MAJOR SITE PLAN SUBMITTAL #1 01 SEP 16
MAJOR SITE PLAN SUBMITTAL #2 30 SEP 16
MAJOR SITE PLAN SUBMITTAL #3 17 OCT 16

JOHNSTON CHARTER ACADEMY
CLAYTON, NORTH CAROLINA
MAJOR SITE PLAN

SHEET
L1002

JOB NUMBER: 00186
DATE: 01 SEP 16
SCALE: AS SHOWN
DRAWN BY: T.A.W.
REVIEWED BY: R.M.M.

LANDSCAPE PLANTING NOTES

1. THIS PLAN IS FOR PLANTING LOCATIONS ONLY. IF FOUND CONDITIONS VARY FROM THIS PLAN, CONTRACTOR TO CONTACT OWNER FOR RESOLUTION. FAILURE TO DO SO WILL RESULT IN CONTRACTOR'S LIABILITY TO REPLACE PLANT MATERIALS.
2. ALL PLANTING TO CONFORM WITH TOWN OF CLAYTON UNITED DEVELOPMENT ORDINANCE (UDO).
3. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE, INCLUDING SHRUBS AND GROUND COVER, AND SHALL MAINTAIN AREA IN A WEED AND DEBRIS FREE CONDITION, THROUGHOUT GUARANTEE PERIOD.
4. CONTRACTOR TO VERIFY PLANT LIST TOTALS WITH QUANTITIES SHOWN ON PLAN.
5. WHERE TREES ARE PLANTED IN ROWS, THEY SHALL BE UNIFORM IN SIZE AND SHAPE.
6. SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE JUDGED. FAILURE TO MEET MINIMUM SIZE ON ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.
7. PLANTING SIZE DETERMINATION:
- 7.1 TREES' HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE TOP OF MATURING GROWTH SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "Y" CROTCHES THAT COULD BE POINTS OF WEAK LINK STRUCTURE OR DISEASE INFESTATION.
- 7.2 SHRUBS' HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT BALL TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH.
8. GROUPS OF SHRUBS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE FOLLOWING THE CONTOUR OF THE PLANT MASS. TREES LOCATED WITHIN FOUR FEET OF SHRUB BEDS SHALL SHARE SAME MULCH BED.
9. ALL PLANT MATERIAL SHALL BE BRACED AND LOCATED PER PLAN. IF CONFLICTS ARISE BETWEEN ACTUAL SIZE OF AREA AND PLANT, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER OR LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS.
10. CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS TO NOT IMPED DRAINAGE AWAY FROM BUILDINGS. IF SIGNIFICANT RELOCATIONS ARE REQUIRED, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH RELOCATIONS KNOWN TO THE OWNER OR LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY OF PLANT MATERIALS.
11. TREE STAKING AND GUYING SHALL BE DONE PER DETAILS. CONTRACTOR SHALL ENSURE THAT TREES REMAIN VERTICAL AND UPRIGHT FOR THE DURATION OF THE GUARANTEE PERIOD. GUYS AND STRAPPING SHALL BE REMOVED AFTER ONE GROWING SEASON.
12. ALL TREE PITS, SHRUB BEDS AND PREPARED PLANTING BEDS ARE TO BE COMPLETELY EXCAVATED IN ACCORDANCE WITH THE PLANTING DETAILS AND SPECIFICATIONS.
13. THE ROOT CROWN TO BE AT FINISHED GRADE OR NO GREATER THAN A MAXIMUM OF ONE INCH HIGHER (AFTER SETTLING) THAN FINISHED GRADE.
14. ALL SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE LANDSCAPE ARCHITECT AND APPROVED IN WRITING BY THE OWNER PRIOR TO INSTALLATION. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.
15. DEAD PLANTS ARE TO BE REMOVED FROM THE JOB BY THE CONTRACTOR WEEKLY. CONTRACTOR SHALL MAINTAIN AN UPDATED COMPREHENSIVE LIST OF ALL DEAD MATERIALS REMOVED AND PRESENT A COPY OF THE LIST TO THE OWNER AT THE END OF EVERY MONTH DURING THE CONTRACT PERIOD.
16. TOPSOIL REQUIRED FOR SOIL MIXES AND SPECIAL SEEDING AREAS SHALL BE PROVIDED BY THE CONTRACTOR. CONTRACTOR MUST LOAD, HAUL, MIX, AND SPREAD ALL TOPSOIL, AND OTHER SOIL ADJUSTIVES AS REQUIRED.
17. CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING, AS REQUIRED BY THE SPECIFICATIONS. CONTRACTOR MUST CONTACT THE OWNER AT LEAST 10 WORKING DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTIONS. CONTRACTOR MUST REPLACE ALL DEAD OR UNACCEPTABLE PLANTS DURING THE FOLLOWING RECOMMENDED PLANTING SEASON.
18. ALL TREES SHALL BE LIMBED TO PROVIDE 6' CLEARANCE AT WALKWAYS PER A.D.A REQUIREMENTS.
19. ALL TREES AND SHRUBS SHALL MEET THE NORMAL REQUIREMENTS FOR THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN).
20. ADJUST TREE PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES WHERE POSSIBLE. CONTACT LANDSCAPE ARCHITECT FOR A COORDINATED SOLUTION FOR ANY UTILITY CONFLICTS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES.
21. ALL LANDSCAPE BEDS TO BE MULCHED TO 3IN DEPTH WITH SHREDDED HARDWOOD MULCH.
22. REFER TO PLANTING DETAILS AND SPECIFICATIONS FOR ADDITIONAL PLANTING INFORMATION AND SOIL MIX SPECIFICATIONS.
23. REFER TO LAYOUT, GRADING/DRAINAGE, AND UTILITY PLANS THIS SET FOR ADDITIONAL INFORMATION.
24. FOR LARGE MATURING TREES, MINIMUM TREE SIZE AT PLANTING IS 2 1/2" CALIPER. FOR SMALL MATURING TREES, MINIMUM TREE SIZE AT PLANTING IS 2in CALIPER. ALL MULTI-STEM PLANTS MUST BE TREE FORM, MAXIMUM 3 TO 5 TRUNKS.
25. ALL STRAPPING AND TOP 23 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM ROOT BALL PRIOR TO BACKFILLING PLANTING PIT. REMOVE TOP 12 OF THE BURLAP FROM THE ROOT BALL.
26. FOR NEW PLANTING AREAS, REMOVE ALL PAVEMENT, GRAVEL, SUB-BASE, AND CONSTRUCTION DEBRIS. REMOVE COMPACTED SOIL AND ADD 24in NEW TOPSOIL OR UNCOMPACTED AND AMEND THE TOP 24in OF EXISTING SOIL TO MEET TOPSOIL PLANTING MIX STANDARDS FOR TREES (WITHIN ENTIRE MINIMUM AREA OF 200sf PER TREE FOR LARGE MATURING TREES AND 200sf FOR SMALL MATURING TREES).
27. LARGE MATURING TREES MAY NOT BE PLANTED UNDER OVERHEAD DISTRIBUTION OR TRANSMISSION LINES. IF TREES CONFLICT WITH POWER LINES OR SIGNS, CALL ENGINEER AND LANDSCAPE ARCHITECT TO RESOLVE BEFORE PLANTING.
28. TREES WHICH OVERHANG THE PEDESTRIAN CIRCULATION ROUTES AT THE STREETS OR WITHIN OPEN SPACE AREAS SHALL NOT EXCEED UNLESS THAN FOUR INCHES INTO THE CIRCULATION ROUTE AT A HEIGHT LESS THAN 10 INCHES ABOVE THE ADJACENT GRADE.
29. IF SUBSURFACE SOILS ARE ENCOUNTERED IN AREAS OF LANDSCAPING, UTILITIES/LINK SHALL TREAT SOILS IN ACCORDANCE WITH NCTHRA APPROVED WORK PLAN.
30. ALL REQUIRED TREES MUST HAVE SINGLE STEM TRUNKS WITH NO CO-DOMINANT TRUNKS OR BRANCHES. TREE TRUNKS SHALL BE STRAIGHT IN FORM AND FREE OF DAMAGE OR CRACKS. PRUNING CUTS SHALL BE CALLUSED OVER. BRANCH LENGTH SHALL BE TYPICAL FOR THE TREES AGE AND NOT BE BROKEN, DISEASED OR INJURED. ROOT FLARE SHALL BE LOCATED AT GRADE AND BE FREE FROM EXCESSIVE ADVENTITIOUS ROOT GROWTH.
31. LANDSCAPE CONTRACTOR TO NOTIFY ENGINEER AND LANDSCAPE ARCHITECT OF ANY SIGN, POWER LINE, OR OTHER CONFLICTS BEFORE PLANTING NEW TREES.

LANDSCAPE SPECIFICATIONS

PART 1: GENERAL

1.1 DESCRIPTION:

- A. THE WORK CONSISTS OF FURNISHING ALL LABOR, MATERIALS, APPLIANCES, TRANSPORTATION, ETC., REQUIRED FOR INSTALLATION OF ALL LANDSCAPING WORK AND ESTABLISHMENT OF TREES, SHRUBS, PERENNIALS, AND GROUND COVER AS SHOWN ON THE DRAWINGS, AS INCLUDED IN THE PLANT LIST AND AS HEREIN SPECIFIED.
- B. WORK TO BE COMPLETED BY A LICENSED LANDSCAPE CONTRACTOR IN GOOD STANDING IN WITH THE NORTH CAROLINA LANDSCAPE CONTRACTORS BOARD.
- C. WORK SHALL INCLUDE MAINTENANCE AND WATERING OF ALL PLANTING AREAS OF THE CONTRACT UNTIL FINAL ACCEPTANCE FROM THE OWNER.

1.2 QUALITY ASSURANCE:

- A. PLANT QUANTITIES SHOULD BE VERIFIED AS SHOWN ON THE PLANTING PLAN. THE PLANT SCHEDULE IS PRODUCED SO THAT A SUMMARY OF THE PROPOSED PLANTINGS IS PROVIDED THE ACTUAL DRAWING OVER RIDES THE QUANTITIES SHOWN IN THE PLANT SCHEDULE. THE CONTRACTOR SHOULD NOT RELY ON THE PLANT SCHEDULE FOR EXACT QUANTITIES.
- B. SIZING AND GRADING OF PLANT MATERIALS SHALL COMPLY WITH THE SIZING AND GRADING OF THE LATEST EDITION OF THE "AMERICAN STANDARD FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN), ANSI Z60.1-2004.

1.3 PROJECT CONDITIONS:

- A. CONTRACTOR SHALL BE RESPONSIBLE FOR THE TESTING AND SOIL ANALYSIS OF BOTH EXISTING SOILS AND TOPSOIL SUPPLIED FOR PLANTING BEDSPITS INDICATING SOIL PH, ABSENCE OR PRESENCE OF ANY TOXIC SUBSTANCES, MICRO AND MACRO NUTRIENT VALUES, CONCENTRATIONS OF SOLUBLE SALTS, ORGANIC CONTENT AND RECOMMENDED AMENDMENT.
- B. THE CONTRACTOR SHALL CHECK THE LOCATION OF UTILITIES BEFORE INSTALLATION OF ANY MATERIAL OR PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE RESULTING FROM NEGLIGENCE OR FAILURE TO COMPLY WITH THIS REQUIREMENT.
- C. A COMPLETE LIST OF PLANTS, INCLUDING A SCHEDULE OF SIZE AND OTHER REQUIREMENTS IS SHOWN ON THE DRAWINGS UNDER "PLANT LIST".
- D. ALL ROCK, UNDERGROUND CONSTRUCTION DEBRIS, TREE ROOTS FROM ADJACENT TREES TO REMAIN, OR OBSTRUCTIONS ENCOUNTERED DURING THE EXCAVATION OF THE TREE PITS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER PRIOR TO PROCEEDING WITH WORK AT THE SPECIFIC SITE.
- E. TREE PITS SHALL BE TESTED BY FILLING A ONE-FOOT HOLE AT BOTTOM OF THE PIT WITH WATER TWICE IN SUCCESSION. CONDITIONS CAUSING THE RETENTION OF WATER MORE THAN 24 HOURS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER PRIOR TO PLANTING.
- F. THE CONTRACTOR SHALL NOTIFY THE OWNER, IN WRITING, ALL CONDITIONS WHICH THE CONTRACTOR CONSIDERS DETRIMENTAL TO THE GROWTH OF THE PLANT MATERIAL, PRIOR TO THE INSTALLATION OF ANY MATERIALS.

PART 2: PRODUCTS

2.1 TOPSOIL:

- A. FOR USE IN PREPARING SOIL FOR BACK FILLING PLANT PITS, TOPSOIL SHALL BE FERTILE, FRABLE, NATURAL TOPSOIL, WITHOUT MIXTURE OF SUBSOIL MATERIALS, AND OBTAINED FROM A WELL DRAINABLE ARABLE SITE. IT SHALL NOT CONTAIN SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE SCREENED AND FREE FROM CLAY, LIMBS, STONES, ROOTS, PLANTS, OR SIMILAR SUBSTANCES 1" OR MORE IN DIAMETER, DEBRIS, OR OTHER OBJECTS WHICH MIGHT BE A HINDRANCE TO PLANTING OPERATIONS. TOPSOIL SHALL CONTAIN AT LEAST 4.5% ORGANIC MATTER BY WEIGHT AND HAVE A PH RANGE OF 5.5 TO 6.5.

IT SHALL HAVE THE FOLLOWING MECHANICAL ANALYSIS:	
SIZE	PASSING BY WEIGHT
1"	99-100%
1/2"	97-99%
NO. 100 MESH	40-60%
NO. 200 MESH	20-40%

- B. SOIL SAMPLES SHALL BE TAKEN FOR PROGRAMMED TURF AND LANDSCAPE AREAS SEPARATELY AND SENT TO THE LOCAL EXTENSION SERVICE TO DETERMINE THE APPROPRIATE FERTILIZATION AND MINERAL SUPPLEMENT SCHEDULE.

2.2 WATER:

- A. NECESSARY FOR PLANTING AND MAINTENANCE, WATER SHALL BE OF SATISFACTORY QUALITY TO SUSTAIN ADEQUATE PLANT GROWTH AND SHALL NOT CONTAIN HARMFUL, NATURAL, OR MAN-MADE ELEMENTS DETRIMENTAL TO PLANTS. THE CONTRACTOR SHALL PROVIDE SUCH SATISFACTORY WATER FROM SOURCES OFF THE SITE AT NO ADDITIONAL COST. THE COST ASSOCIATED WITH OBTAINING AND APPLYING WATER SHALL BE INCLUDED IN THE COST OF THE PLANT MATERIALS. THERE WILL BE NO SEPARATE PAYMENT FOR THIS ITEM.

2.3 MULCH:

- A. SHALL BE A DARK ESPRESSO/BROWN TRIPLE SHREDDED HARDWOOD MULCH, TREATED FOR INSECTS, AND APPLIED AT 3" IN DEPTH AND SHALL CONTAIN NO EXTRANEIOUS MATERIAL. THE CONTRACTOR SHALL SUBMIT SAMPLES OF THE PROPOSED MULCH TO THE OWNER PRIOR TO INSTALLATION. ANY MULCH MATERIAL APPLIED TO PLANTING AREAS THAT DOES NOT HAVE THE OWNERS WRITTEN APPROVAL WILL BE REMOVED AND REPLACED AT THE CONTRACTORS EXPENSE.

2.4 FERTILIZER:

- A. ALL GRANULAR COMMERCIAL FERTILIZERS SHALL CONFORM TO THE APPLICABLE STATE FERTILIZER LAWS. IT SHALL BE UNIFORM IN COMPOSITION, DRY AND FREE-FLOWING.
- B. FERTILIZER SHALL BE TEN (10) PERCENT NITROGEN, TEN (10) PERCENT PHOSPHORUS, TEN (10) PERCENT POTASSIUM, AND INCLUDE TRACE ELEMENTS. ONE HUNDRED (100) PERCENT BY WEIGHT OF NITROGEN CONTENT OF FERTILIZER SHALL BE DERIVED FROM ORGANIC MATERIALS. FERTILIZER ANALYSIS SHALL BE MODIFIED OR REVISED AS A RESULT OF CONTRACTORS SOIL TESTS, IF REQUIRED.

2.5 COMPOST:

- A. ORGANIC SOIL AMENDMENT MATERIAL (COMPOST) SHALL BE A BLEND OF COMPOSTED MANURE AND HUMUS. SHALL BE SCREENED AND FREE FROM LUMPS, STONES, PLANT MATERIAL, AND LIMBS. MUST BE WEED SEED AND OTHER MATERIAL HARMFUL TO PLANT LIFE. SOIL AMENDMENT MATERIAL SHALL MEET THE FOLLOWING CHEMICAL ANALYSIS:

ORGANIC MATTER CONTENT	50-80%
PH RANGE	6.0-8.0
AMMONIA NITROGEN	MAX. 500 PPM
SALT CONTENT (STANDARD PACE EXTRACT)	MAX. 5.0 MMECHS CM
CARBON/NITROGEN RATION	15-30

2.6 PLANT MATERIAL:

- A. PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. ALL PLANTS SHALL BE FRESHLY DUG, FREE FROM DEFECT, SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED, AND FREE OF DISEASES, INSECTS, INSECT EGGS, AND LARVAE, AND SHALL HAVE ADEQUATE ROOT SYSTEMS.
- B. ALL PLANT MATERIAL MUST MEET ANSI Z60.1-2004 (OR MOST CURRENT EDITION) STANDARDS.
- C. PLANT MATERIAL SHALL BE TRUE TO SPECIES, CULTIVAR, OR VARIETY. ALL PLANTS OF THE SAME GENUS AND SPECIES SHALL BE THE SAME VARIETY AND/OR CULTIVAR AND COLOR, UNLESS OTHERWISE SPECIFICALLY NOTED ON DRAWINGS.
- D. PLANTS SHALL BE OBTAINED FROM LICENSED NURSERIES ONLY.

- E. ALL FEDERAL, STATE AND LOCAL CERTIFICATES OF INSPECTION, AS REQUIRED BY LAW, SHALL ACCOMPANY THE NOTICE OF EACH SHIPMENT OF PLANTS.
- F. PLANTS SHALL NOT BE PRUNED BEFORE DELIVERY.
- G. INSPECTION PLANTS SHALL BE SUBJECT TO INSPECTION AND APPROVAL FOR QUALITY, SIZE, AND VARIETY. SUCH APPROVAL SHALL NOT IMPAIR THE RIGHT OF INSPECTION AND REJECTION AFTER COMPLETION FOR SIZE AND CONDITION OF ROOTS, AND ROOT BALLS. LATENT DEFECTS OR INEFFECTUENCIES NOT MEETING ANSI Z60.1-2004, AAN STANDARDS.

2.7 CONTAINER GROWN STOCK:

- A. THE CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL ROOTED IN THE CONTAINERS WHICH THEY WERE SOLD, AS WELL AS FREE OF INSECTS AND DISEASE.
- B. PLANTS SHALL MEET ANSI Z60.1-2004, AAN STANDARDS.

2.8 HERBICIDE:

- A. ROUNDUP, WHEN USED IT MUST BE APPLIED AS SPECIFICALLY DIRECTED ON LABEL AND BY OR UNDER SUPERVISION OF A LICENSED PROFESSIONAL. IT SHALL NOT BE USED WITHIN 100 FT. OF WETLAND OR STREAM.
- B. WHEN WITHIN 100 FT. OF WETLAND OR STREAM AN AQUATIC GLYPHOSATE MAYBE USED WITH FOLIAR SPRAY OR SELECTIVE STEM PAINTING TECHNIQUES, AND MUST BE APPLIED AS SPECIFICALLY DIRECTED ON LABEL BY A LICENSED PROFESSIONAL.
1. RENOVCATE 3 IS AN APPROPRIATE BROADLEAF SELECTIVE HERBICIDE TO USE IN THESE AREAS.
2. RODEO IS AN APPROPRIATE NON-SELECTIVE HERBICIDE TO USE IN THESE AREAS.

PART 3: EXECUTION:

3.1 PLANTING SEASON:

- A. THE PREFERRED PLANTING SEASON FOR BAB STOCK SHALL BE BETWEEN OCTOBER 15 AND MARCH 31.
- B. THE PREFERRED PLANTING SEASON FOR CONTAINER GROWN NURSERY STOCK SHALL BE BETWEEN SEPTEMBER 15 AND JAN 15.
- C. ADJUST WATERING SCHEDULE BASED ON WEATHER CONDITIONS AND RAINFALL.

3.2 PLANTING GRASSES:

- A. OVER SEEDING:
1. TILL AND AMEND SOIL TO A 3'-6" DEPTH. IN HEAVY SOILS 20-40% SAND SHALL BE INCORPORATED INTO THE SOIL DURING TILLAGE.
 2. SOW SEED WITH SPREADER OR SEEDING MACHINE. DO NOT BROADCAST OR DROP SEED WHEN WIND VELOCITY EXCEEDS 5 MPH (8 KMH). EVENLY DISTRIBUTE SEED BY SOWING EQUAL QUANTITIES IN TWO DIRECTIONS AT RIGHT ANGLES TO EACH OTHER.
 3. DO NOT USE WET SEED OR SEED THAT IS MOLDY OR OTHERWISE DAMAGED.
 4. DO NOT SEED AGAINST EXISTING TREES. LIMIT EXTENT OF SEED TO OUTSIDE EDGE OF PLANTING SAUCER.
 5. SOW SEED AT A TOTAL RATE OF 15 LB./1000 SQ. FT. OR AS RECOMMENDED BY THE SEED SUPPLIER.
 6. RAKE SEED LIGHTLY INTO TOP 1/8 INCH OF SOIL. ROLL LIGHTLY, AND WATER WITH FINE SPRAY.
 7. PROTECT SEEDED AREAS WITH SLOPES EXCEEDING 3:1 PER THE EROSION CONTROL PLANS AND/OR THE MUNICIPALITY'S REQUIREMENTS. IF NEITHER OF THESE ADDRESS 3:1 SLOPES, THEN PROTECT SEEDED AREAS WITH EROSION-CONTROL FIBER MESH INSTALLED AND STAPLED ACCORDING TO MANUFACTURER'S WRITTEN INSTRUCTIONS.
 8. PROTECT SEEDED AREAS WITH EROSION-CONTROL MATS WHERE SHOWN, INSTALLED AND ANCHORED ACCORDING TO MANUFACTURER'S WRITTEN INSTRUCTIONS.
 9. PROTECT SEEDED AREAS WITH SLOPES NOT EXCEEDING PER THE EROSION CONTROL PLANS AND/OR THE MUNICIPALITY'S REQUIREMENTS. IF NEITHER OF THESE ADDRESS SLOPES NOT EXCEEDING 3:1, THEN PROTECT SLOPES BY SPREADING STRAW MULCH SPREAD UNIFORMLY AT A MINIMUM RATE OF 2 TONS/ACRE TO FORM A CONTINUOUS BLANKET 1-1/2 INCHES IN LOOSE DEPTH OVER SEEDED AREAS. SPREAD BY HAND, BLOWER, OR OTHER SUITABLE EQUIPMENT. STRAW SHALL BE FREE OF WEED SEEDS.
 10. ANCHOR STRAW MULCH BY CHIPPING INTO SOIL WITH SUITABLE MECHANICAL EQUIPMENT.

B. SODDING:

1. ALL SOD SHALL BE FROM A CERTIFIED GROWER AND BE 96% WEED FREE. THE CONTRACTOR SHALL SUBMIT THE CERTIFICATION TO THE OWNER PRIOR TO SHIPMENT AND INSTALLATION.
2. THE CONTRACTOR SHALL HAVE RANDOM SAMPLES OF SOIL IN THE LIMITS OF SOD AND SHALL MIX AND SUBMIT SAMPLES TO THE NORTH CAROLINA EXTENSION SERVICE FOR ANALYSIS FOR SOD. RESULTS SHALL BE SUBMITTED TO THE OWNER FOR REVIEW AND APPROVAL OF SOIL AMENDMENTS FOR MINERALS AND FERTILIZATION. MATERIALS APPROVED BEYOND THOSE SPECIFIED SHALL BE CONSIDERED A CHANGE ORDER.
3. THE SOD SHALL NOT BE SHIPPED UNTIL THE SITE IS SUBSTANTIALLY PREPARED. IT SHALL BE STORED AND MAINTAINED IN ACCORDANCE WITH THE AMERICAN NURSERY ASSOCIATION.
4. SITE PREPARATION SHALL INCLUDE TILLING THE SOIL IN TWO PERPENDICULAR PASSES TO A DEPTH OF SIX INCHES TO BREAK OF THE COMPACTED MATERIAL.
5. THE SITE SHALL BE RAKED FREE OF ROCKS AND ORGANIC MATERIAL LARGER THAN 1/2 OF AN INCH IN DIAMETER.
6. THE CONTRACTOR SHALL THEN APPLY A 4" MINIMUM OVERLAY OF MASONRY SAND, SPECIFIED APPROVED AMENDMENTS, AND THEN TILLED TWICE AGAIN IN PERPENDICULAR PASSES THOROUGHLY WORKING IN THE SAND AND AMENDMENTS. LEVEL AND FORM FINAL GRADES.
7. WHEN LAYING SOD, ALL JOINTS SHALL BE LAID PARALLEL TO EACH OTHER, WITH OVERLAPPING JOINTS LIKE A RUNNING BOND PATTERN. ON SLOPES OF 4:1 OR GREATER THE SOD SHALL BE STAKED TO HOLD THE SOD IN PLACE.
8. ALL SOD SHALL BE ROLLED AND LEVELED BY HAND AS NECESSARY TO GET A UNIFORM SURFACE.
9. ALL SOD SHALL BE WATERED THOROUGHLY ON THE DAY THAT IT IS INSTALLED.
10. ALL SOD SHALL BE VISIBLE AT THE TIME THAT IT IS PLACED. NO SOD SHALL REMAIN ON A PALLET OR ROLL LONGER THAN THE STANDARDS OF THE AMERICAN NURSERY ASSOCIATION.
11. ALL SOD SHALL BE WARRANTED FOR 1 YEAR FROM THE TIME OF ACCEPTANCE.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE (WATERING, SEASONAL FEEDING, MOWING AND WEEDING) UNTIL THE PROJECT IS ACCEPTED BY THE OWNER AND HIS REPRESENTATIVES.

3.3 PLANT MAINTENANCE:

A. WARRANTY:

1. ALL PLANT MATERIAL IS TO REMAIN ALIVE AND BE IN A HEALTHY, VIGOROUS CONDITION FOR A PERIOD OF ONE CALENDAR YEAR AFTER FINAL ACCEPTANCE OF INSTALLATION BY THE OWNER.
2. REPLACE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS ALL PLANTS THAT ARE DEAD OR ARE IN AN UNHEALTHY OR UNSIGHTLY CONDITION AND HAVE LOST THEIR NATURAL SHAPE DUE TO DEAD BRANCHED OR CONDITIONS DUE TO THE CONTRACTOR NEGLIGENCE. CONTRACTOR SHALL BEAR THE COST OF COMPLETE REPLACEMENT(S). REPLACEMENT MATERIAL SHALL BE WARRANTED FOR 1 YEAR FROM THE DATE OF INSTALLATION.

B. MAINTENANCE AND OPERATIONS:

1. ALL REPLACEMENTS SHALL BE PLANTS OF THE SAME KIND AND SIZE AS SPECIFIED IN THE PLANT LIST. THEY SHALL FURNISH PLANTED AND MULCHED AS SPECIFIED UNDER PROJECT PLANS AND SPECIFICATIONS AT NO ADDITIONAL COST TO THE OWNER.
2. WARRANTY SHALL NOT INCLUDE DAMAGE OR LOSS OF PLANTS OR GROUND COVERS CAUSED BY FIRES, FLOODS, FREEZING RAINS, LIGHTING STORMS, WINDS OVER 75 MPH, SEVERE WINTER CONDITIONS NOT TYPICAL OF THE PLANTING REGION, AND ACTS OF VANDALISM OR NEGLIGENCE ON THE PART OF THE OWNER.
3. IN THE EVENT THE OWNER DOES NOT CONTRACT WITH THE CONTRACTOR FOR LANDSCAPE MAINTENANCE, THE CONTRACTOR SHALL VISIT THE PROJECT SITE PERIODICALLY DURING THE ONE YEAR WARRANTY PERIOD TO EVALUATE MAINTENANCE PROCEDURES BEING PERFORMED BY THE OWNER AND SHALL NOTIFY THE OWNER IN WRITING OF MAINTENANCE PROCEDURE OR CONDITIONS WHICH THREATEN VIGOROUS AND HEALTHY PLANT GROWTH. SUCH SITE VISITS SHALL BE CONDUCTED AT A MINIMUM OF ONCE PER MONTH FOR TWELVE (12) MONTHS FROM THE DATE OF FINAL ACCEPTANCE.

B. MAINTENANCE OF PLANT MATERIAL:

1. MAINTAIN PLANTINGS DURING INSTALLATION UNTIL FINAL ACCEPTANCE.
2. MAINTENANCE SHALL INCLUDE PRUNING (FOLLOWING REVIEW WITH THE LANDSCAPE ARCHITECT), CULTIVATING, WEEDING, WATERING AND APPLICATION OF APPROPRIATE INSECTICIDES AND FUNGICIDES NECESSARY TO MAINTAIN PLANTS FREE OF INSECTS AND DISEASE.
3. RESET SETTLED PLANTS TO PROPER GRADE AND POSITION. RESTORE PLANTING SAUCER AND ADJACENT MATERIAL, AND REMOVE DEAD MATERIAL.
4. CORRECT DEFECTIVE WORK AS SOON AS POSSIBLE AFTER DEFICIENCIES BECOME APPARENT AND WEATHER AND SEASON PERMIT.
5. WATER PLANTS AND GROUND COVER BEDS WITHIN THE FIRST 24 HOURS OF INITIAL PLANTING THEN WATER PLANTS NO LESS THEN TWICE PER WEEK UNTIL FINAL ACCEPTANCE WHEN IT HAS NOT RAINED OVER 1" IN THE PAST CONSECUTIVE SEVEN DAYS.
6. REMOVE AND REPLACE SHRUBS AND GROUND COVER FOUND TO BE DEAD OR IN UNHEALTHY CONDITION DURING THE WARRANTY PERIOD. REPLACE TREES AND SHRUBS WHICH ARE IN DOUBTFUL CONDITION AT END OF WARRANTY PERIODS UNLESS, IN OPINION OF LANDSCAPE ARCHITECT, IT IS ADVISABLE TO EXTEND WARRANTY PERIOD FOR A FULL PLANTING SEASON.
7. MAINTENANCE SHALL ALSO INCLUDE FOLLOW-UP AT THE END OF THE WARRANTY PERIOD, PRIOR TO RETAINAGE RELEASE.

TEMPORARY IRRIGATION NOTES & SPECIFICATIONS

PART 1: GENERAL

1.1 DESCRIPTION:

- A. UNLESS OTHERWISE INSTRUCTED BY THE OWNER, THE CONTRACTOR SHALL PROVIDE WATERING FOR THE ESTABLISHMENT OF THE PROPOSED AND EXISTING LANDSCAPE IMPROVEMENTS FOR A PERIOD OF NO LESS THAN ONE YEAR.
- B. THE TEMPORARY WATERING SYSTEM SHALL BE REMOVABLE, WITHOUT SIGNIFICANT OR DETRIMENTAL DISTURBANCE TO THE SITE OR LANDSCAPE.
- C. ALL ABOVE GROUND, VISUAL COMPONENTS OF THE TEMPORARY WATERING SYSTEM WILL BE REMOVED NO LATER THAN 1 CALENDAR YEAR FOLLOWING THE DATE OF FINAL ACCEPTANCE BY THE OWNER.
- D. THE CONTRACTOR SHALL SUBMIT ANY WATERING INFORMATION TO THE OWNER FOR REVIEW AND APPROVAL PRIOR TO EXECUTION.

LANDSCAPE NOTES

THIS SHEET WAS PREPARED BY:



ADDRESS: 133 Keybridge Drive, Suite E
Morrisville, NC 27560
PHONE: 914-400-1624
EMAIL: mike.mullis@mullisdesign.com
WEB: mullisdesigngroup.com



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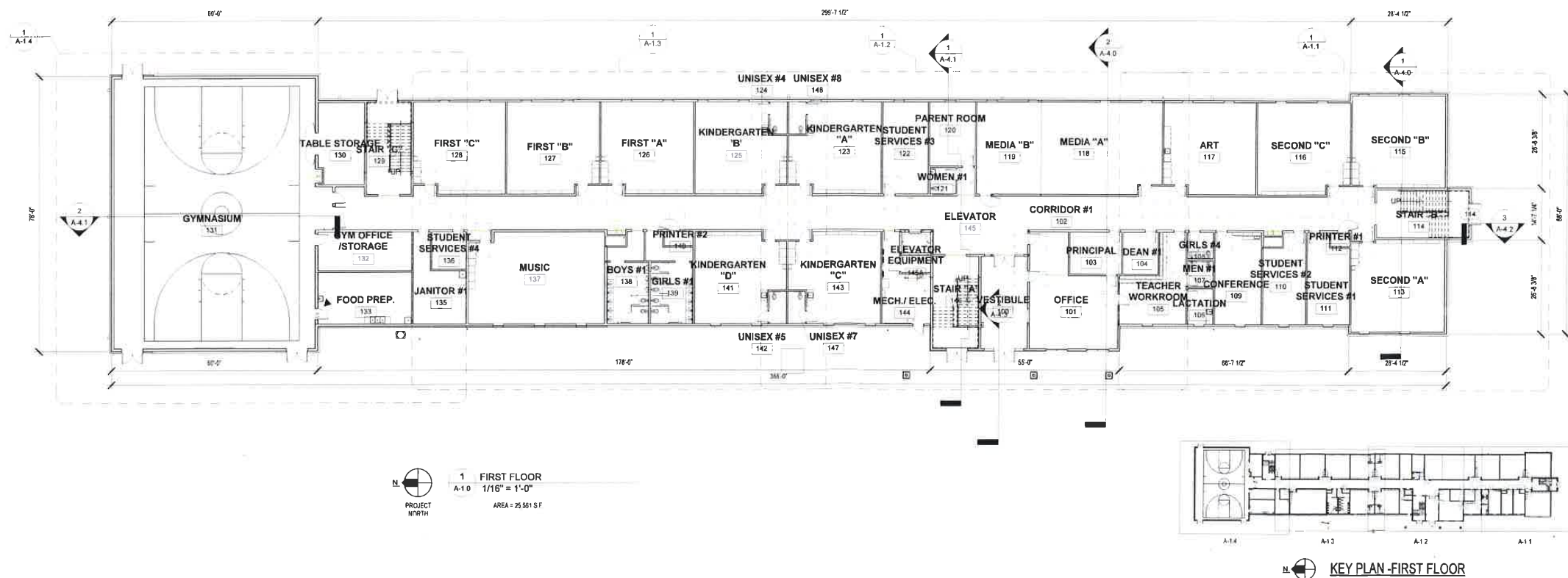
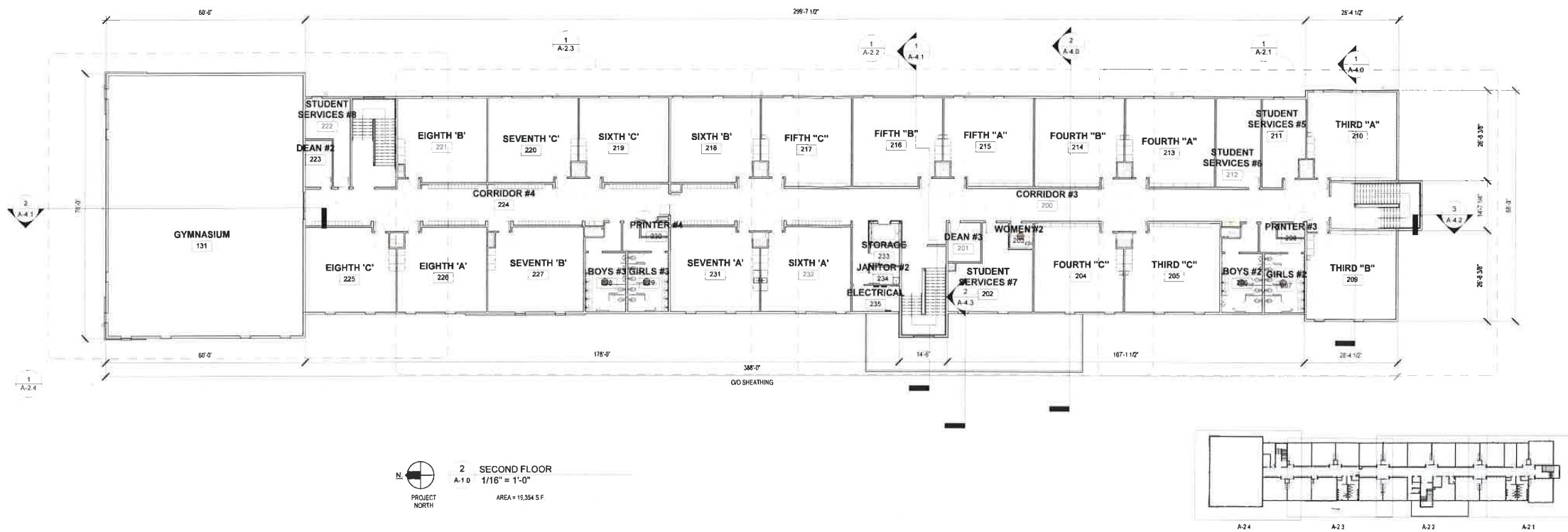
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TEL: 616.961.1400 FAX: 616.961.1405
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Johnston Charter Academy
Clayton, NC

OVERALL FLOOR PLANS

DATE	DESCRIPTION
9/1/2016	MAJOR SITE PLAN APPROVAL

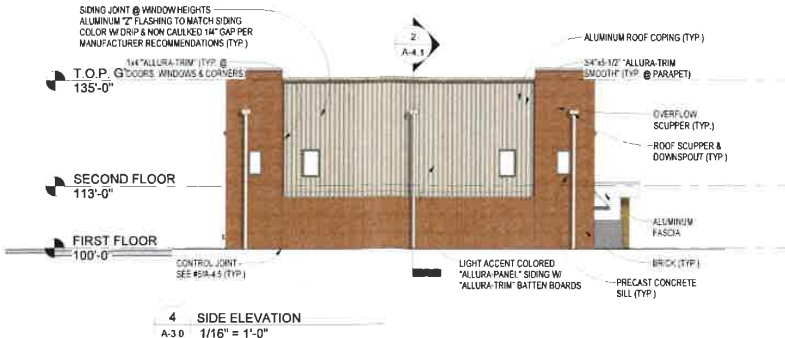
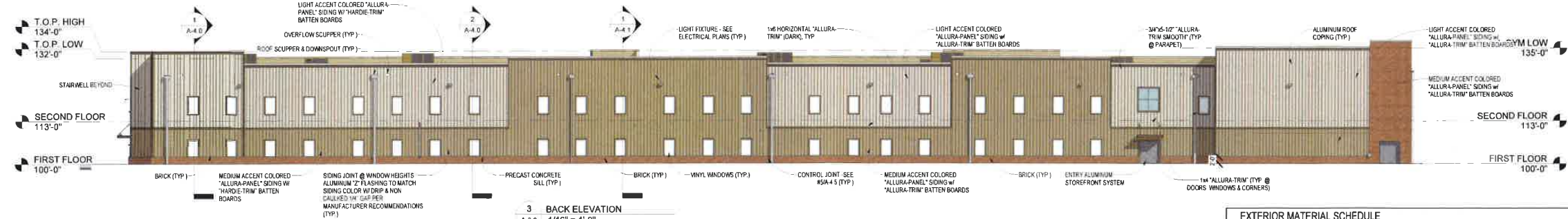
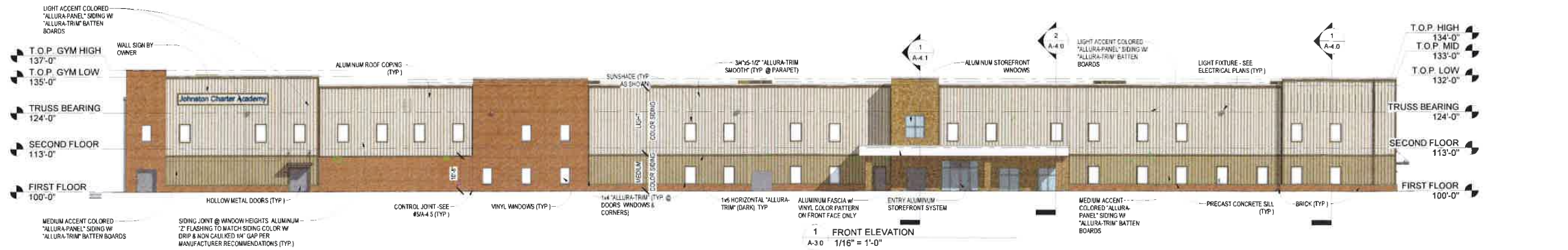
REVISIONS:



PROJECT NO: 72400005

SHEET: **A-1.0**

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CONSTRUCTION LEGEND	
USE GROUP	E-EDUCATIONAL
CONSTRUCTION TYPE	VB - UNPROTECTED
FIRE SUPPRESSION	BUILDING TO BE FULLY FIRE SUPPRESSED PER NORTH CAROLINA BUILDING CODE 2012 (IBC 2009) AND NFPA 13
HEIGHT AREA LIMITATIONS:	1-STORY / 6,000 S.F. PER TABLE 503
HEIGHT INCREASE:	20' / 1-STORY INCREASE PER SECTION 504.2 FOR TOTAL OF 2-STORIES
FRONTAGE AREA INCREASE:	IF=100 (F/P-0.25) W/30=100 (882/882-0.25) 30/30 = 75%
AUTOMATIC SPRINKLER SYSTEM AREA INCREASE:	200%+16 PER SECTION 506.3
MODIFIED AREA LIMITATIONS:	A ₁ =A ₁ + (A ₁ /100) + (A ₁ /100) A ₂ =6,000 + (6,000)(75%/100) + (6,000)(200%/100) A ₃ =6,000 + 4,500 + 12,000 = 22,500 S.F.
AREA:	
FIRST FLOOR	25,561 SQUARE FEET
SECOND FLOOR	19,354 SQUARE FEET
TOTAL:	44,915 SQUARE FEET

EXTERIOR MATERIAL SCHEDULE	
(NOTE: COLORS FOR PRELIMINARY PURPOSES. SUBMIT SAMPLES FOR OWNER APPROVAL)	
1	CULTURED STONE: GLEN-GERY DEERSKIN WITH COLORED MORTAR
2	ALUMINUM FASCIA: "PETERSEN ALUM CO." FLUSH PANEL COLOR: STONE WHITE
3	SOFFIT: "PETERSEN ALUM CO." PAC-CLAD - COLOR: WHITE
4	ENTRY STOREFRONT - COLOR: MILL
5	STOREFRONT WINDOWS: "XANXER" TRIPLEX 451T THERMALLY BROKEN ACCENT COLORED FLUOROPAN ALUMINUM FRAME W/ TEMPERED INSULATED LOW-E GLASS A. STOREFRONT FRAME COLOR: MILL ALUMINUM
6	HOLLOW METAL DOORS & FRAMES - COLOR: SW 7050 USEFUL GRAY
7	LOUVERS - SEE HVAC PLANS - COLOR TO MATCH PAC-CLAD SANDSTONE
8	COPING - COLOR: "PAC-CLAD" SANDSTONE
9	SUNSHADE: C.R. LAURENCE - COLOR: MILL ALUMINUM
10	FIBER CEMENT BOARD: "ALLURA" FIELD PAINTED A. DOOR WINDOW & CORNER TRIM - COLOR: SW 7054 SUITABLE BROWN B. PARAPET TRIM - COLOR: SW 7054 SUITABLE BROWN C. SIDING WITH BATTENS 1. LIGHT - SHERWIN WILLIAMS SW 7050 USEFUL GRAY 2. MEDIUM - SHERWIN WILLIAMS SW 7052 GRAY AREA 3. DARK - SHERWIN WILLIAMS SW 7054 SUITABLE BROWN
11	VINYL WINDOWS: ANDERSON SERIES 100 - COLOR: WHITE
12	ROOF SCUPPER & DOWNSPOUT ALUMINUM - COLOR: SW 7050 USEFUL GRAY
13	BRICK: "LEE BRICK MFG. (FRANKLIN) MODULAR
14	PRECAST CONCRETE SILL: T.B.D.
15	SILL FLASHING AT FIBER CEMENT BOARD: "PAC-CLAD" SANDSTONE
16	EXPANSION CAULK: "ALUMINUM GRAY"
17	CANOPIES: GALVANIZED

Architecture Engineering, P.C.

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www.progressiveschools.com

Johnston Charter Academy

Clayton, NC

EXTERIOR ELEVATIONS

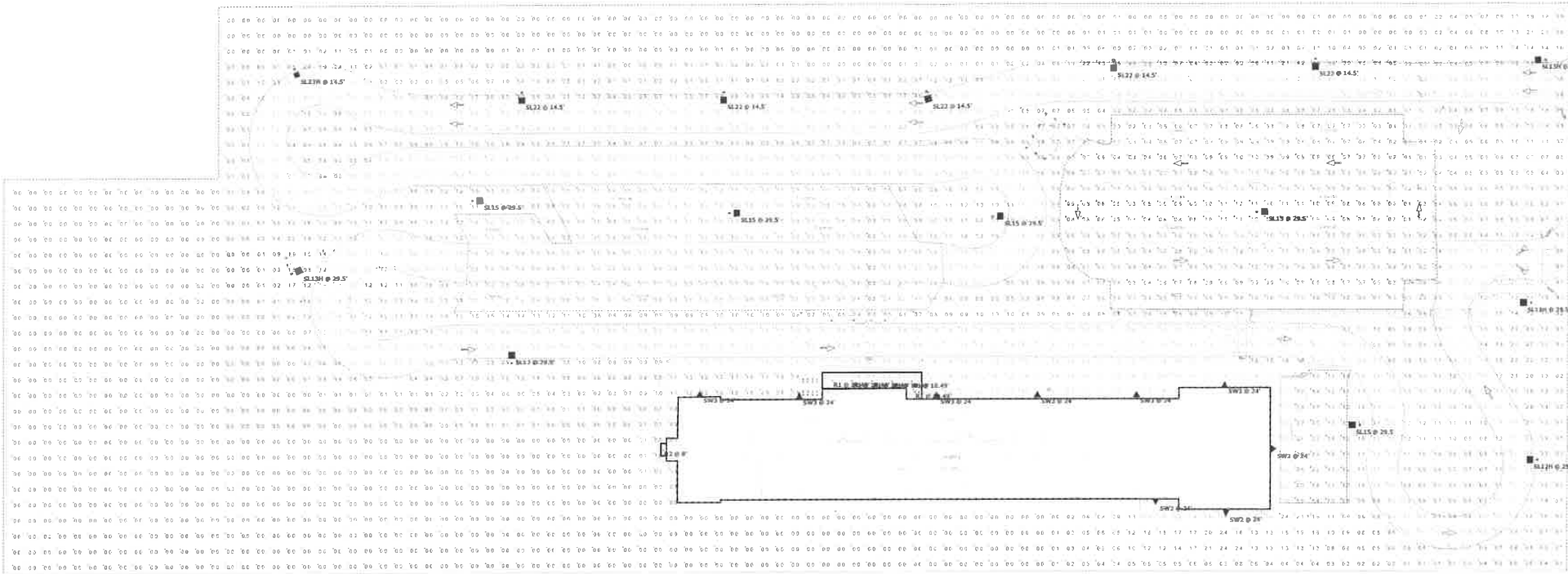
DATE:	DESCRIPTION:
9/11/2016	MAJOR SITE PLAN APPROVAL
9/30/2016	MAJOR SITE PLAN SUBMITTAL #2

REVISIONS:

PROJECT NO: 72400005

SHEET: **A-3.0**

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Plan View - Site Photometric
Scale: 1" = 40'

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Drives	X	1.3 f	2.3 f	0.3 f	22.0:1	12.0:1
Large North Lot	X	0.7 f	1.3 f	0.3 f	13.0:1	2.9:1
Large South Lot	X	0.8 f	1.3 f	0.3 f	4.3:1	2.7:1
Pedestrian Areas	X	1.8 f	14.9 f	0.6 f	24.8:1	3.2:1
Site	+	0.7 f	14.9 f	0.6 f	N/A	N/A
Small North Lot	X	1.6 f	2.9 f	0.9 f	3.3:1	1.8:1

Schedule									
Symbol	Label	Qty	Manufacturer	Catalog Number	Description	Lamp	Number Lamps per Lamp	Lumens per Lamp	Wattage
☐	SL12	1	Philips/Gardco	ECF-2-10SLA-4870-NW	Type II LED area light on 27' pole on 30" concrete base	(1) LIGHT ARRAY OF 48 LEDs DRIVEN AT 700mA	1	10963.74	103.8
☐	SL12 H	1	Philips/Gardco	ECF-2-10SLA-4870-NW IS	Type II LED area light with back light control on 27' pole on 30" concrete base	(1) LIGHT ARRAY OF 48 LEDs DRIVEN AT 700mA	1	9121.634	103.8
☐	SL13 H	3	Philips/Gardco	ECF-3-13SLA-6470-NW-IS	Type III LED area light with back light control on 27' pole on 30" concrete base	(1) LIGHT ARRAY OF 64 LEDs DRIVEN AT 700mA	1	11056.49	138.4
☐	SL15	5	Philips/Gardco	ECF-5-21SLA-641A-NW	Type V LED area light on 27' pole on 30" concrete base	(1) LIGHT ARRAY OF 64 LEDs DRIVEN AT 1050mA	1	19863.68	210.3
△	SW2	2	Philips/Gardco	121-2-SOLA-NW	Type II LED wall-mounted area light	(2) LEDGUNE 2-2 LIGHT ARRAY OF 16 LEDs (LUXEON R) DRIVEN AT 530mA	1	5587.388	50
△	SW3	7	Philips/Gardco	121-3-SOLA-NW	Type III LED wall-mounted area light	(2) LEDGUNE 2-2 LIGHT ARRAY OF 16 LEDs (LUXEON R) DRIVEN AT 530mA	1	5685.696	56.8
☐	SL22	9	Philips/Gardco	ECF-2-SSLA-3253-NW	Type II LED area light on 12' pole on 30" concrete base	SL2 2-1 LIGHT ARRAY OF 32 LUXEON T LEDs DRIVEN AT 530mA	1	6292.979	51.6
☐	SL23 H	1	Philips/Gardco	ECF-3-70SLA-3270-NW-IS	Type III LED area light with back light control on 12' pole on 30" concrete base	SL2 3-1 LIGHT ARRAY OF 32 LUXEON T LEDs DRIVEN AT 700mA	1	5849.287	69.2
○	R2	1	CREE		Surface mounted LED downlight	Energy Star Job # 2444322	1	789.0037	11.7
○	R1	6	Eaton/naro	HL56128461-592W	Recessed LED downlight	(1) HIGH LUMEN LED BUCK / 4000K CCT ABSOLUTE PHOTOMETRY IS BASED ON CALIBRATION FACTORS. CREATED USING LAB LUMEN STANDARDS IN GONIOPHOTOMETER WITH TEST DISTANCE OF 28.75 FEET	1	1639.217	17.3

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HALO R2

(Page 2 of 2)

A laser is a light emitting diode (LED) operating in a constant current mode. The current is set by the DC power supply. The LED is connected to the positive terminal of the power supply. The negative terminal of the power supply is connected to the negative terminal of the LED.

COMMENTS:
 The laser is a light emitting diode (LED) operating in a constant current mode. The current is set by the DC power supply. The LED is connected to the positive terminal of the power supply. The negative terminal of the power supply is connected to the negative terminal of the LED.

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1. A laser is a light emitting diode (LED) operating in a constant current mode. The current is set by the DC power supply. The LED is connected to the positive terminal of the power supply. The negative terminal of the power supply is connected to the negative terminal of the LED.

SLED 800 Series
SLED800S2XH
 800C
2700K, 5000K
SLED800S3XH
 800C
2700K, 5000K
 and more

6" Surface LED
 Dimmable
 by cutting on multi
 channel fixture bases

**Available for
 8" & 6" round
 luminaire recessed
 (R, MC, EC & AB TYP.)**

ORDERING INFORMATION

For more information, visit our website at www.haloled.com or call us at 1-800-451-4511. We are a member of the Cree Lighting Company, a subsidiary of Cree Inc.

Part Number	Part Description	Part Description	Part Description	Part Description	Part Description
SLED800S2XH	800C	2700K	5000K	5000K	5000K
SLED800S3XH	800C	2700K	5000K	5000K	5000K
SLED800S4XH	800C	2700K	5000K	5000K	5000K
SLED800S5XH	800C	2700K	5000K	5000K	5000K
SLED800S6XH	800C	2700K	5000K	5000K	5000K
SLED800S7XH	800C	2700K	5000K	5000K	5000K
SLED800S8XH	800C	2700K	5000K	5000K	5000K
SLED800S9XH	800C	2700K	5000K	5000K	5000K
SLED800S10XH	800C	2700K	5000K	5000K	5000K
SLED800S11XH	800C	2700K	5000K	5000K	5000K
SLED800S12XH	800C	2700K	5000K	5000K	5000K
SLED800S13XH	800C	2700K	5000K	5000K	5000K
SLED800S14XH	800C	2700K	5000K	5000K	5000K
SLED800S15XH	800C	2700K	5000K	5000K	5000K
SLED800S16XH	800C	2700K	5000K	5000K	5000K
SLED800S17XH	800C	2700K	5000K	5000K	5000K
SLED800S18XH	800C	2700K	5000K	5000K	5000K
SLED800S19XH	800C	2700K	5000K	5000K	5000K
SLED800S20XH	800C	2700K	5000K	5000K	5000K

[illegible][illegible][illegible][illegible]

ECF EcoForm LED luminaire

ECF EcoForm LED luminaire

[illegible][illegible][illegible]



Philips Gaezio Ecoform LED luminaires combine economy with performance. Capable of delivering up to 20,000 lumens, or more in a compact, low profile housing, Ecoform offers a new level of customer value. Ecoform features an innovative retrofit arm that simplifies site conversions to LED by eliminating the need to drill additional holes. In most existing poles, integral control systems, including motion sensors and wireless controls, are available for further energy savings during off peak hours.

121 LED Performance Sconce - Generation 1

Exhaust Fan

Technical drawing showing a perspective view and a top-down view of an Exhaust Fan. The top-down view includes dimensions: 11.6" (295 mm) for the width, 14.5" (368 mm) for the height, and 7.2" (183 mm) for the depth. The top-down view also shows a circular opening with a diameter of 5.24" (133 mm).

Floating Bulk Header

Technical drawing showing a perspective view and a top-down view of a Floating Bulk Header. The top-down view includes dimensions: 11.6" (295 mm) for the width, 14.5" (368 mm) for the height, and 7.2" (183 mm) for the depth. The top-down view also shows a circular opening with a diameter of 5.24" (133 mm).

Bulk Header

Technical drawing showing a perspective view and a top-down view of a Bulk Header. The top-down view includes dimensions: 11.6" (295 mm) for the width, 14.5" (368 mm) for the height, and 7.2" (183 mm) for the depth. The top-down view also shows a circular opening with a diameter of 5.24" (133 mm).



PERSPECTIVE at Gymnasium Looking Southeast

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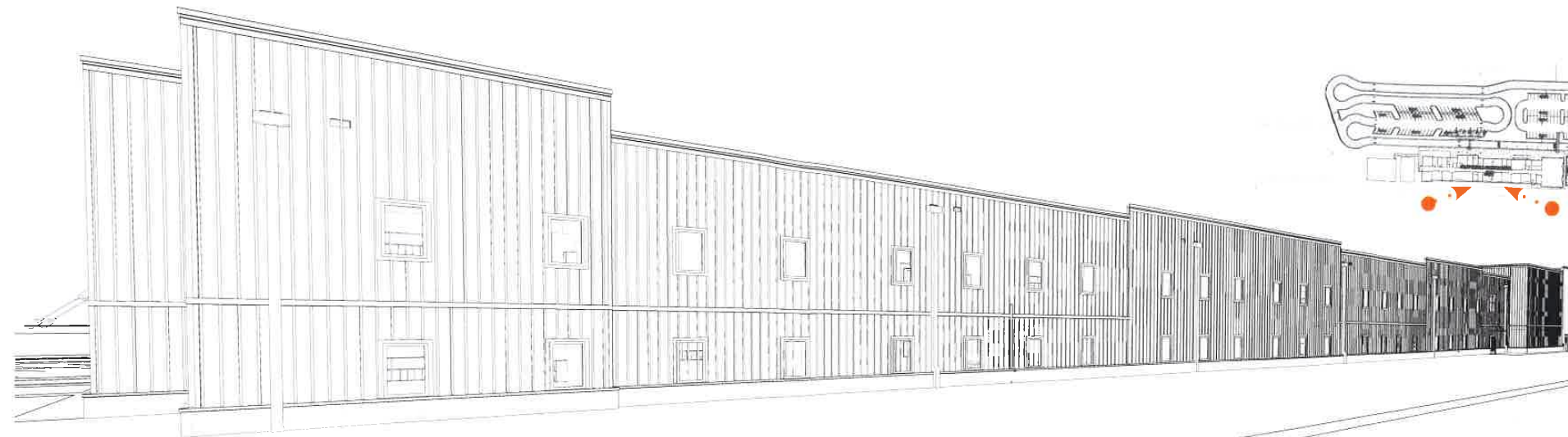
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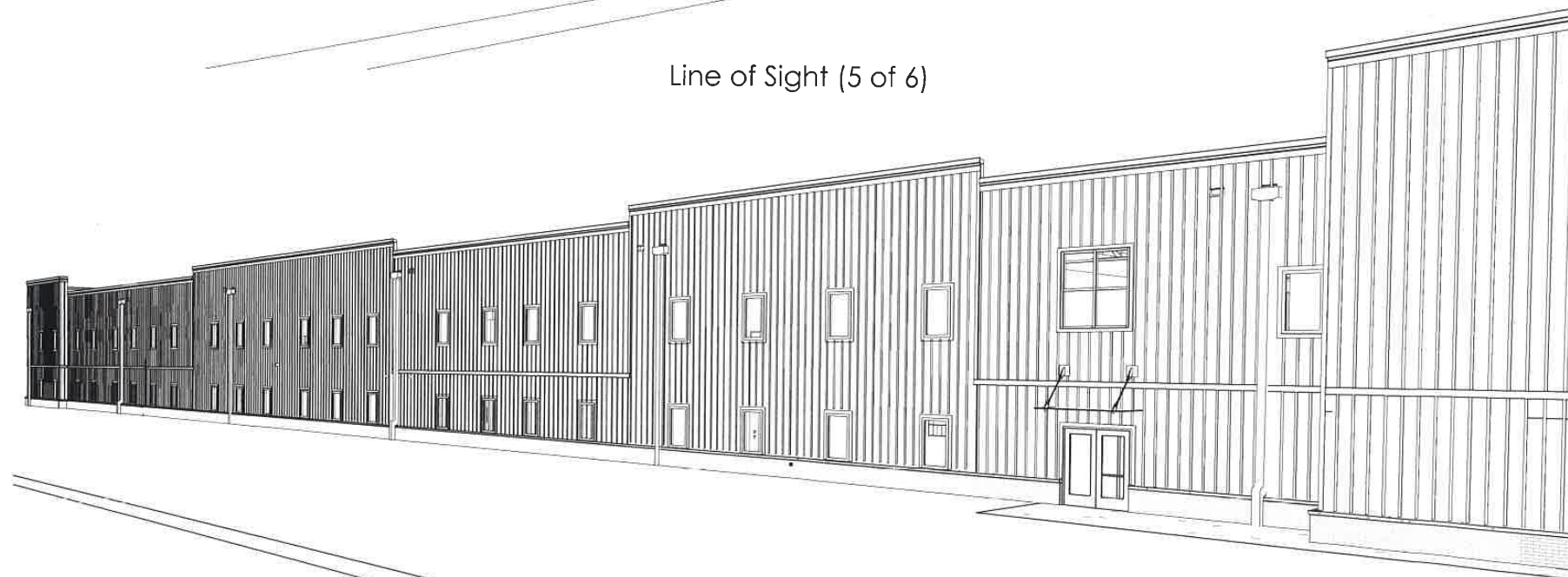
PERSPECTIVE of Overall Front Facade Looking East

Johnston Charter Academy



Finish Floor Elevation: 324.0'
Spot Elevation 328.0'
(4'-0" above finish floor level)

Line of Sight (5 of 6)



Finish Floor Elevation: 324.0'
Spot Elevation 332.0'
(8'-0" above finish floor level)

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Line of Sight (6 of 6)

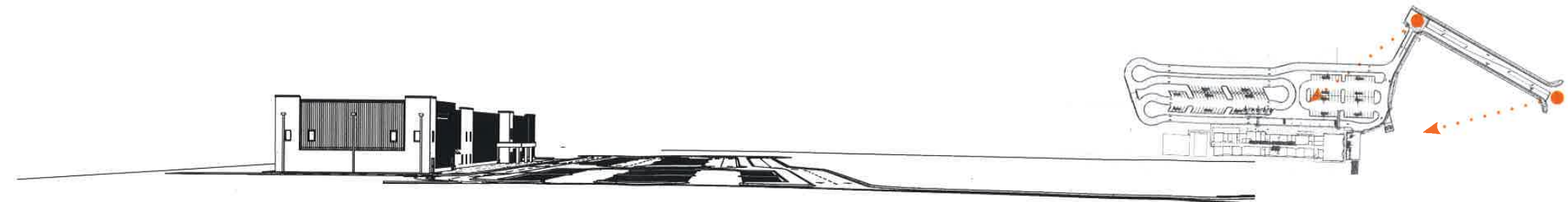
Johnston Charter Academy

9/30/2016



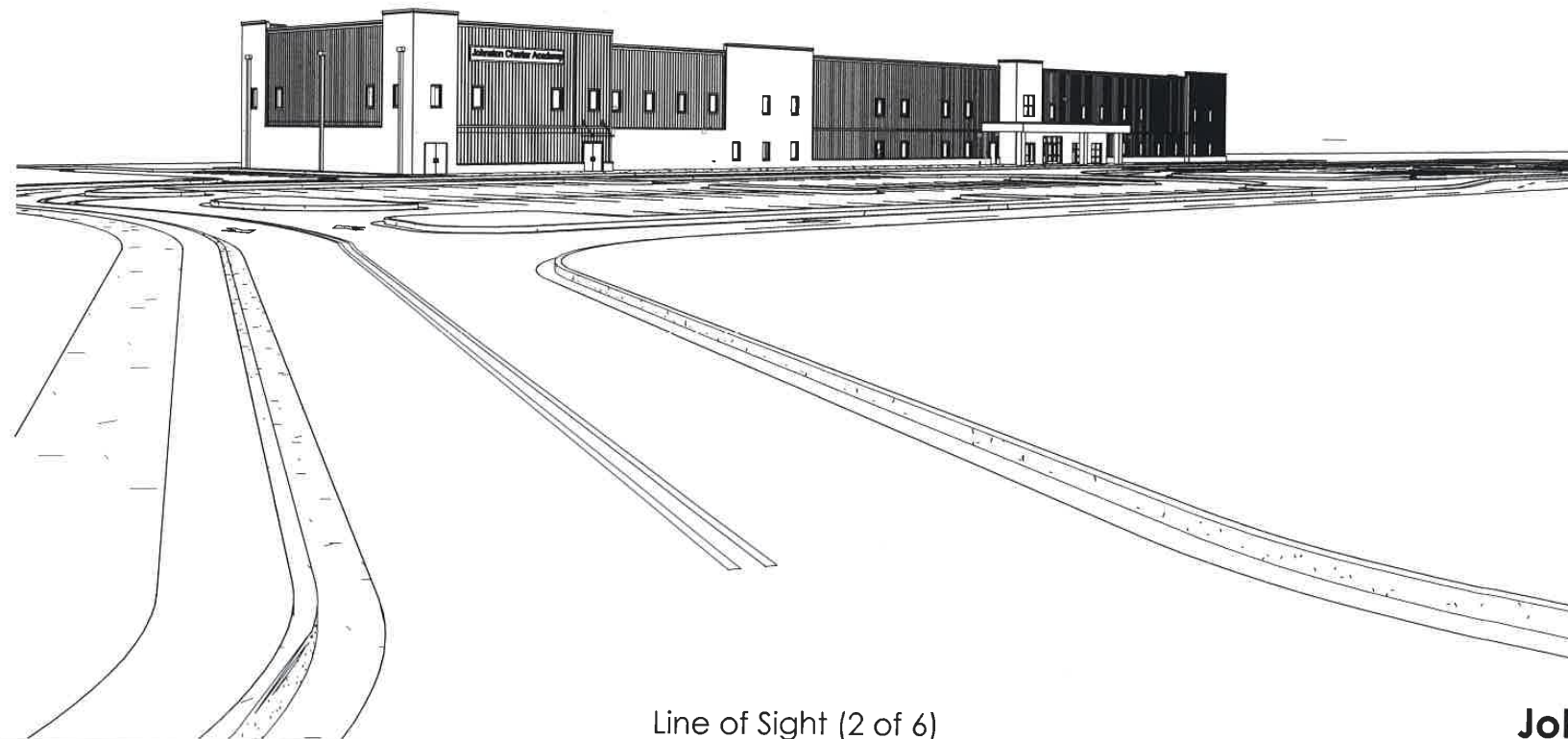
PERSPECTIVE at Main Entry Looking Northeast

Johnston Charter Academy



Finish Floor Elevation: 324.0'
Spot Elevation 337.0'
(13'-0" above finish floor level)

Line of Sight (1 of 6)



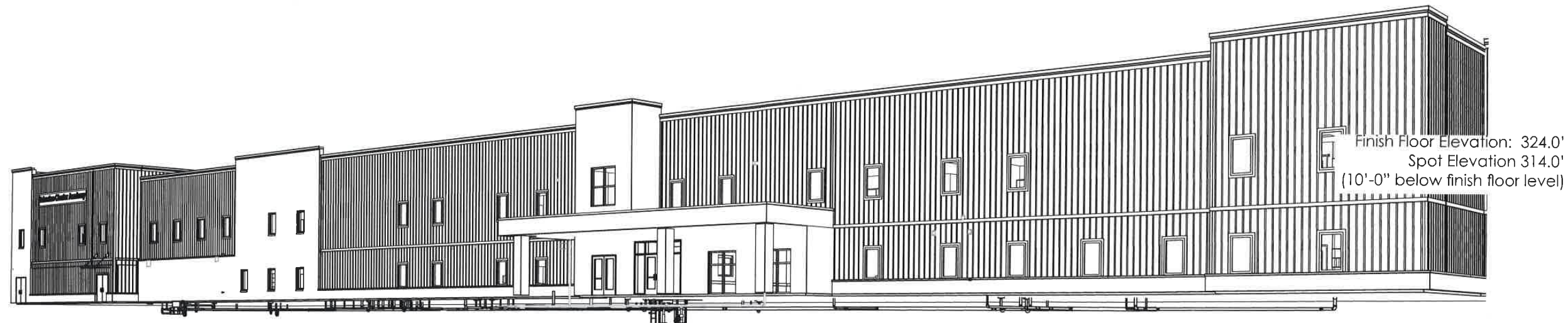
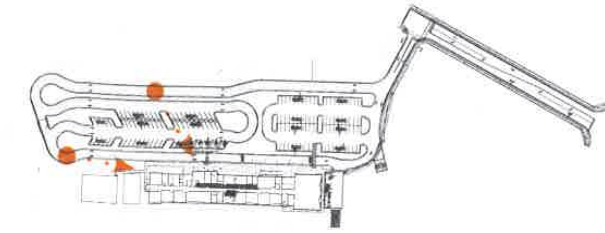
Finish Floor Elevation: 324.0'
Spot Elevation 329.0'
(5'-0" above finish floor level)

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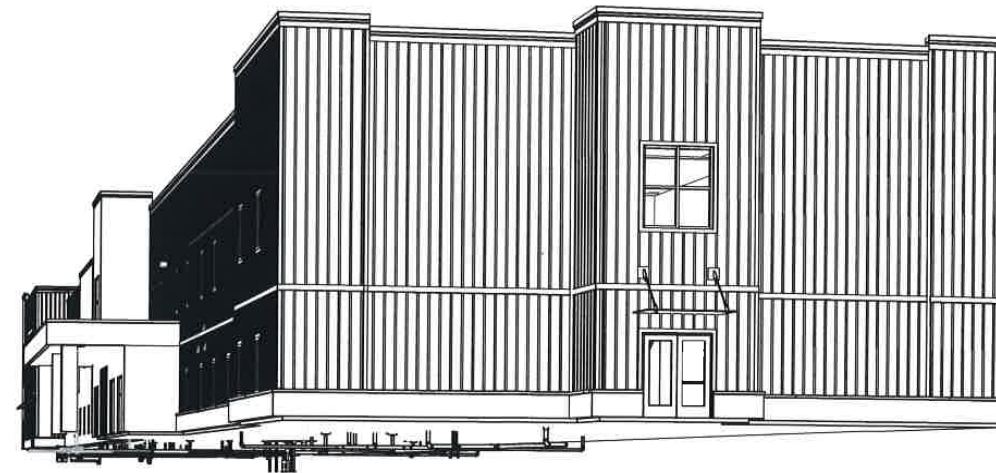
Johnston Charter Academy

Line of Sight (2 of 6)



Finish Floor Elevation: 324.0'
Spot Elevation 314.0'
(10'-0" below finish floor level)

Line of Sight (3 of 6)



Finish Floor Elevation: 324.0'
Spot Elevation 314.0'
(10'-0" below finish floor level)

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Johnston Charter Academy

Line of Sight (4 of 6)



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

October 24, 2016

STAFF REPORT

Application Number: 2016-188-SUP

Project Name: Johnston Charter Academy Special Use Permit

NC PIN / Tag #: 164900-95-2419/05G02001A
Overlay: None
Applicant: Charter Development Company, LLC
Owner: Stephens Douglas I Irrevocable Trust
Location: Off of Financial Drive located off of U.S HWY 70 BUS

Public Noticing:

- Neighborhood meeting October 4, 2015
- Sign posted prior to October 14, 2016
- Newspaper ad November 23, 2016 and November 30, 2016

REQUEST: The applicant is requesting a special use permit to allow the use of a charter school (Kindergarten-8th grade) on a portion of the subject property, which is zoned Residential-10.

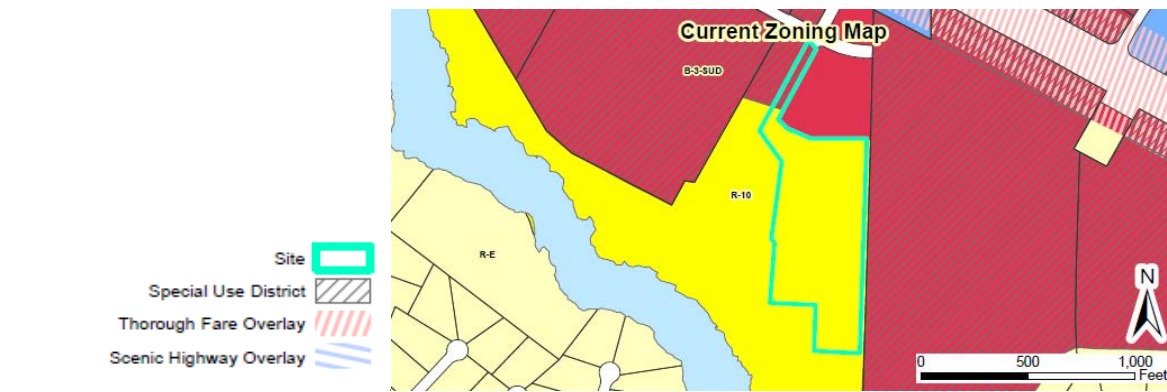
SITE DATA:

Acreage: ±8 acres of 67.56 total acres
Existing Use: Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Highway Business (B-3)	Vacant
South	Residential-10 (R-10) and Residential-Estate (R-E)	Vacant and Single-Family Residential
East	Highway Business Special Use District (B-3 SUD)	Vacant
West	Residential-10 (R-10) and Highway-Business Special Use District (B-3 SUD)	Vacant and Commercial (WalMart Plaza)



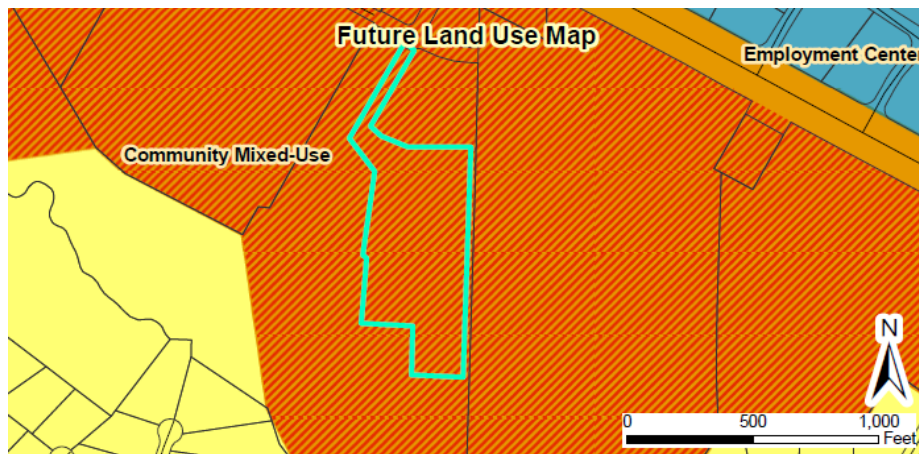
DEVELOPMENT DATA:

Proposed Uses: School, K-8 grades
 Number of Students: 772 (at full operational capacity)
 Buildings: 1 building, 2 stories (47,676 square feet)
 Access/Streets: Access will be provided via an extension of Financial Drive, and an access easement is to be utilized to the east for emergency vehicular access

STAFF ANALYSIS:

Overview

The applicant is requesting a Special Use Permit to operate a charter school on a property that is zoned Residential-10 (R-10). Any school wishing to locate within the R-10 zoning district requires a Special Use Permit in order to be permitted. The subject property is currently vacant, and is located east of the Town Centre shopping plaza and south of US 70 BUS HWY off of Financial Drive. The charter school is proposing to locate on ± 8 acres of the subject parcel's total 67.56 acres. An application for this charter school was approved by the State of North Carolina for an anticipated opening in August of 2017. The 48,000 square foot school is proposed to be tuition free and will teach grades K-8, serving approximately 772 students, although initially only grades K-6 will be filled.



Consistency with Adopted Plans:

- **Comprehensive Plan 2040**

The proposed use of the property is consistent with the Comprehensive Plan 2040 Future Land Use Map, which designates the subject property as "Community Mixed-Use".

- **Unified Development Code**

The proposed use of the property is consistent with the Unified Development Code.

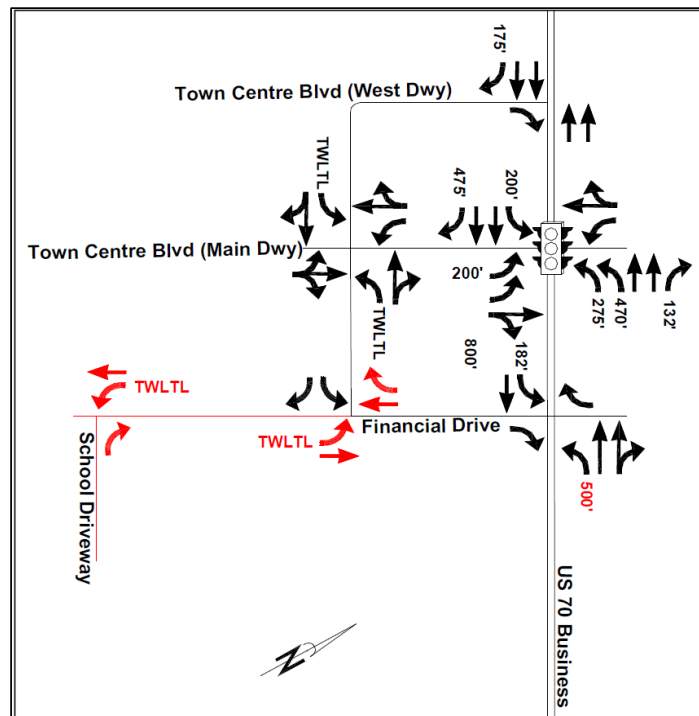
Associated Site Plan

The applicant is proposing to develop the charter school on ±8 acres of the subject parcel, which has a total of 67.56 acres. The applicant proposes to extend Financial Drive, which will ultimately lead to the driveway of the school's facility, while also maintaining the appropriate interconnectivity with adjacent parcels for future development. The entrance to the facility will be two-way, and traffic entering into the site for drop-off/pick-up will turn right to enter the queuing lanes. All queuing for pick-up/drop-off will occur on site. The facility is proposed to have two playgrounds and a multi-purpose field. The site plan also accommodates two access points for Fire/Police/EMS. A secondary fire access is proposed via an existing 30' access and utility easement located in the rear of the facility.

Traffic Impact Analysis

A Traffic Impact Analysis (TIA) was prepared for this development by Wade Trim, Inc. Because the school will not provide busing to students, transportation of students will be based solely on parent drop-off and pick-up. The average daily trips expected to be generated by this development is 1,590 vehicles per day.

The proposed development will be required to extend Financial Drive from Town Centre Blvd to the proposed school driveway. In order to mitigate traffic impacts caused by the school traffic, a northbound left-turn lane along the new road extension of Financial Drive will be required. The development will also need to extend the westbound left-turn lane along US 70 at Financial Drive to be 500 feet in length. Additionally, the restriping of Financial Drive southbound to Town Centre Blvd will be required to include a through lane and a right turn lane. A stop sign must also be installed on the eastbound Town Centre Blvd approach to Financial Drive. These improvements are illustrated in red in the image below.



Financial Drive is in-process to be accepted for ownership and maintenance by the Town of Clayton, and US Hwy 70 Business is owned and operated by NCDOT. At the time of the writing of this staff report, review and/or recommendations regarding the TIA have not been received back from NCDOT Division 4 or NCDOT Congestion Management. These will be required prior to this application proceeding to Town Council.

Landscaping and Buffering

The appropriate landscaping is provided in the Site Plan. In particular, areas of vehicular use are required to be screened with a Class C Buffer, when these areas are adjacent to residentially zoned property. The landscaping and elevation provide this buffer.

Signs

All signage will meet standards set forth in the Unified Development Code. The applicant has submitted a Master Sign Plan application, and review will begin after the October 24th Planning Board meeting.

Multi-Modal Access

Facilities are provided for pedestrian access and bicycle parking. No facilities are currently provided for bicycle lanes entering the facility, so it is anticipated that the students will bike on the sidewalks. Guidance from Planning Board may be necessary for this design feature.

Wastewater

The wastewater allocation requested is 3,600 gallons per day. This is based on a similar facility in operation elsewhere. The Town Engineer has reviewed this allocation request.

FINDINGS

When considering a Special Use Permit application, the Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has adequately addressed the Findings of Fact expressly established by Chapter 155.711(l) of the UDC, and these Findings are accepted as part of the completed application.

CONSIDERATIONS:

- The Town Council approves Special Use Permits. The Planning Board shall make a recommendation to the Town Council.
 - The site will be governed by the associated Site Plan (2016-189-SP).
-

RECOMMENDATION:

Staff is recommending approval with conditions of the above referenced Special Use Permit 2016-188-SUP.

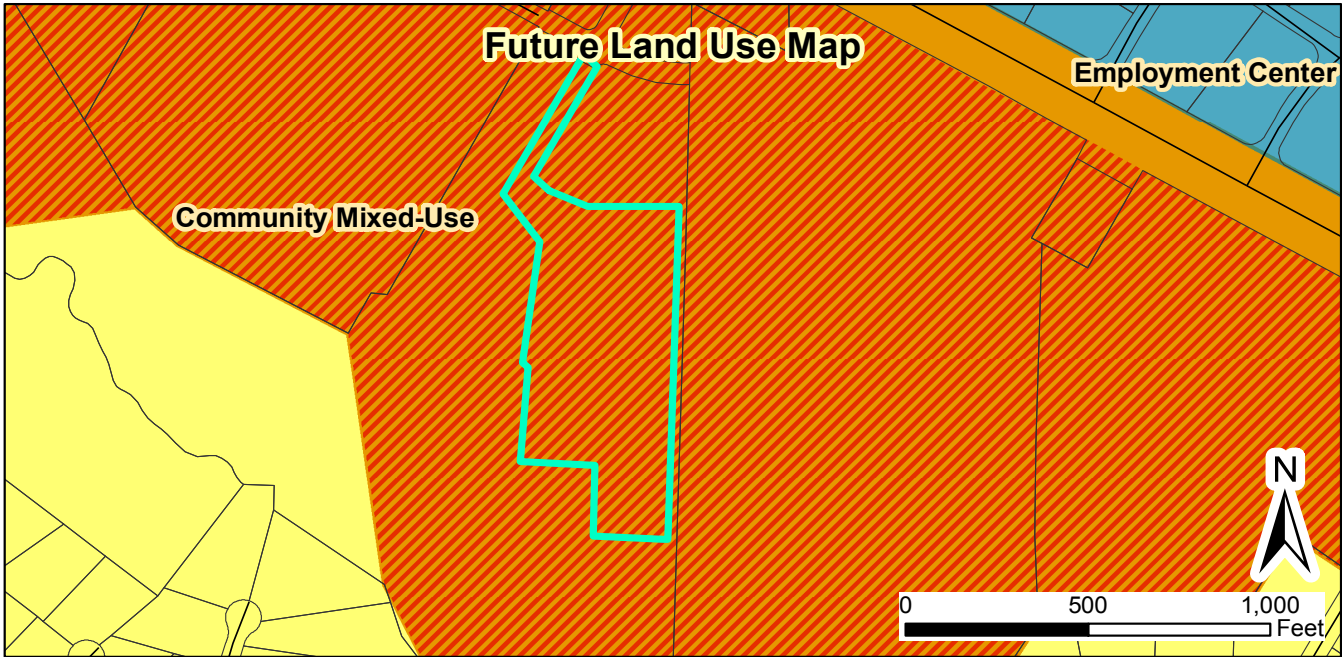
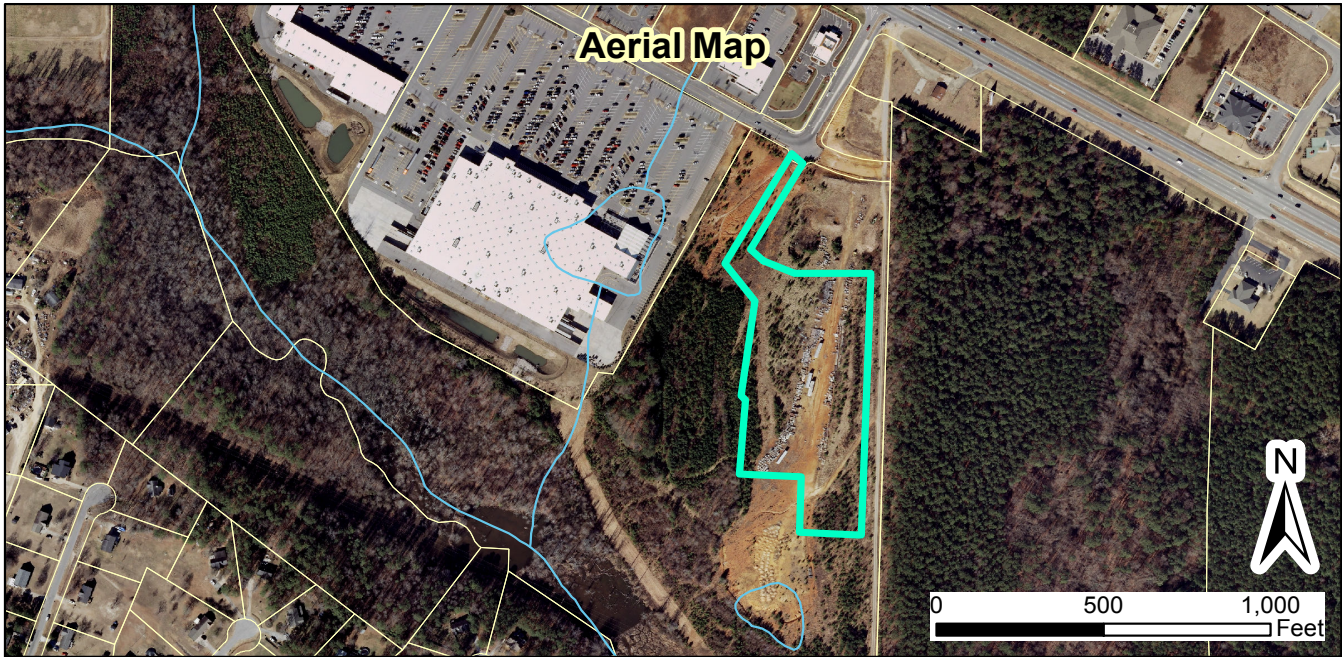
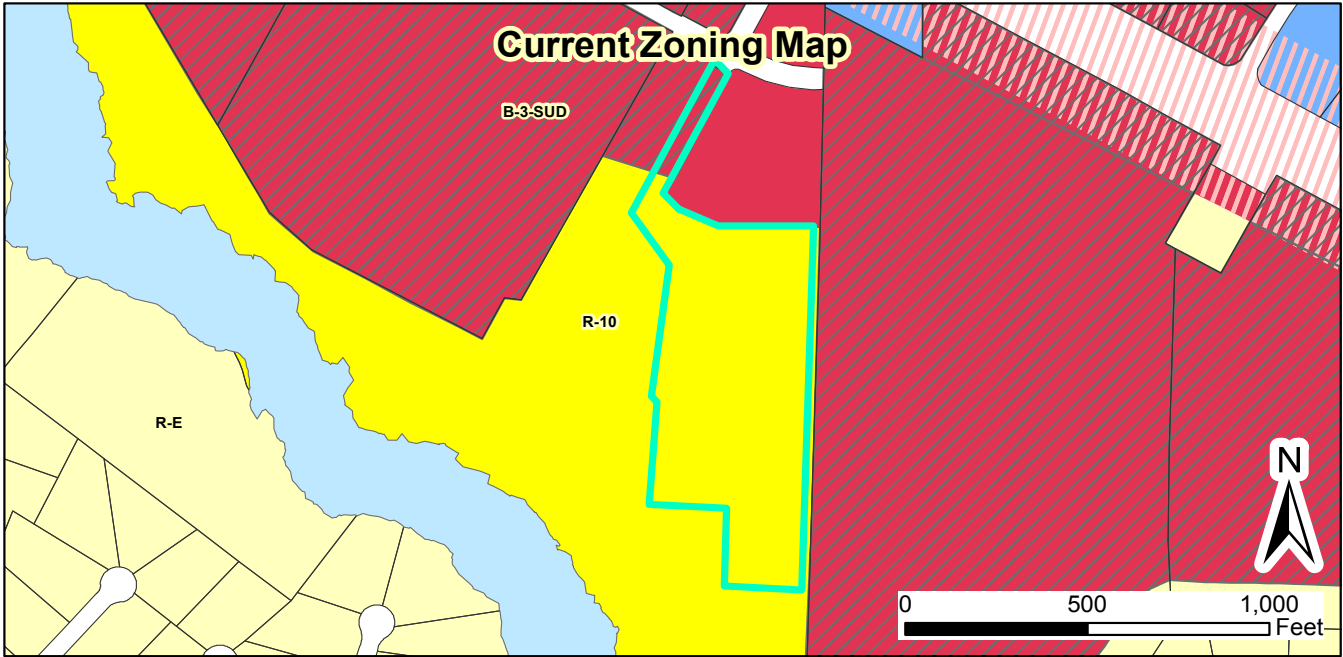
CONDITIONS OF APPROVAL:

1. The development of the site is limited to the site design approved by the Planning Board and use ("School, Elementary or Secondary") approved by Town Council via this Special Use Permit. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.
2. The use ("School, Elementary or Secondary") is restricted to just the portion of property (±8 acres) addressed in the Site Plan (2016-189-SP) submitted in conjunction with this Special Use Permit.
3. Following Board approvals, three copies of the Final Site Plan, Landscape Plan, and Architectural Elevations meeting the requirements of the Unified Development Code, Conditions of Approval, and displaying the Conditions of Approval shall be submitted to the Planning Department for final approval and stamping. Any changes to these approved plans must follow the appropriate process for revisions.
4. All mechanical equipment shall be completely screened from view.
5. All applicable development fees shall be paid to the Town prior to issuance of building permits.
6. A final landscape/site inspection shall be performed by the Planning Department prior to the issuance of the Certificate of Occupancy.
7. All Class "C" landscape buffers (in particular, required where a parking area abuts residentially zoned property) shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with a minimum height of six feet at installation, as required by the Unified Development Code.

8. All off-site roadway improvements recommended by the Traffic Impact Analysis, and agreed upon by NCDOT Congestion Management, NCDOT Division 4, and the Town shall be installed prior to the issuance of the Certificate of Occupancy for the development.
9. Sidewalks shall be provided along both sides of all proposed public roads.
10. Bike racks shall be provided for the development at the rate of one bike rack per 40 people, where “people” is defined as the summation of all employees and students above 2nd grade.

ATTACHMENTS:

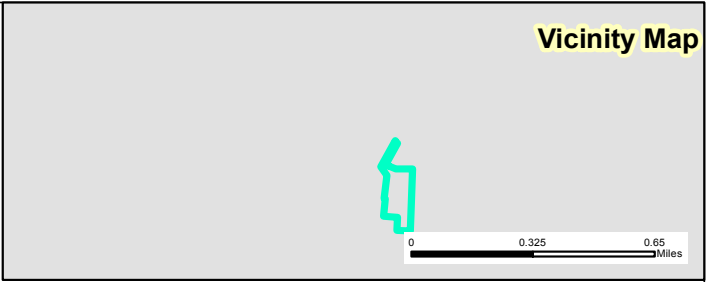
- 1) Application
- 2) Staff Report Map
- 3) Existing Site Plan
- 4) Neighborhood Meeting Materials
- 5) Traffic Impact Analysis Recommendations (excerpted from full TIA)
- 6) Wastewater Allocation Request



2016-189-SP Johnston Charter Academy Major Site Plan
Request: To develop a 48,000 square foot charter school
2016-188-SUP Johnston Charter Academy Special Use Permit
Request: Special Use approval to allow the use of a school on the subject property
Applicant: Charter Development Company, LLC
Property Owner: Stephen Douglas I Irrevoable Trust
Parcel ID Number: 164900-95-2419



Site 
Special Use District 
Thorough Fare Overlay 
Scenic Highway Overlay 
10/10/16
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: O:\PLANNING\SPECIAL USE\2016\2016-188-SUP Johnston Charter Academy\Maps\Staff Rpt Map - Johnston Charter 2016-189-SP.mxd



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL USE APPLICATION

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

Application Fee: \$400.00.

Advertisement Fee: \$100.00.

All fees are due when the application is submitted.

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

APPLICATION TYPE

☒ New Special Use Permit

☐ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: Johnston Charter Academy Acreage of Property: _____

Parcel ID Number: 05G02001A Tax ID: 4357241

Deed Book: 01875 Deed Page(s): 0903

Address/Location: SE corner of Financial Dr & Town Centre Blvd, east of the Wal-Mart facility

Existing Use: Vacant, undeveloped Proposed Use: K-8 Public Charter School

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: SFP 02 2016 Amount Paid: \$500.00 Permit Number: 2016-188-SUP

version: 01/06/2016

Page 1 of 9

PROPERTY OWNER INFORMATION

Name: Douglas I & Cynthia M Stephens Irrevocable Trust c/o Matt Stephens

Mailing Address: 319 Chapanoke Rd Ste 103, Raleigh, NC 27603-0000

Phone Number: (919) 779-8649

Fax: _____

Email Address: mattstephens@bellsouth.net

APPLICANT INFORMATION

Applicant: Charter Development Company LLC, subsidiary of National Heritage Academies

Mailing Address: 3850 Broadmoor Ave, Ste 201, Grand Rapids, MI 49512

Phone Number: (616) 299-6611

Fax: (616) 222-1700

Contact Person: Bob Dunston

Email Address: BDunston@NHASchools.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: _____	☒	☐			
2. Review Fee (\$400) and Application Fee (\$100)	☒	☐			
3. Completed application (9 copies)	☒	☐			
4. Owner's Consent Form (9 copies)	☒	☐			
5. Adjacent property owners list (9 copies)	☒	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☒	☐			
7. Signed and sealed traffic impact analysis (2 copies)	☒	☐			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☒	☐			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i>	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

JOHNSTON CHARTER ACADEMY
Findings of Fact

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

The proposed location was chosen because it is served adequately by essential public utilities, streets, highways, fire, police, and public transportation, and would not materially endanger the public health or safety if developed according to the submitted plans, as approved. Furthermore, the applicant's engineers and architects have;

- a. met with the Fire Chief to review and design features of the site to ensure life and safety service responders have proper access in the event of an emergency. These include but are not limited to incorporating new hydrants, dedicated FDC lines, and a second emergency access drive'
- b. designed the facility with fire suppression systems, and alarms, and internal operational safety features,
- c. incorporated city sidewalks to provide safe connectivity to future development,
- d. designed onsite parking and queuing to exceed the current requirements of the Town of Clayton and NCDOT.
- e. proposed that Financial Drive and utilities will be extended and the associated right of way dedicated to the Town of Clayton (applicants cost),
- f. designed new stormwater controls in accordance with the Johnston County stormwater design manual,
- g. submitted historical water and sewer invoices to the Town Engineer with the Wastewater Allocation Request. Subsequently, the capacities have been confirmed to be sufficient.
- h. prepared and submitted a traffic impact analysis (TIA), with mitigation recommendations to the NCDOT (applicant is prepared to construct the recommended improvements at their cost)

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 has engaged licensed professionals to prepare the various required elements of the application to ensure all required specifications conform to the standards and practices of sound land use planning, including the Town Ordinances and other applicable regulations. These professionals include but are not limited to the following; civil, traffic, geotechnical, and environmental engineers, architectural, landscape, lighting and interior designers. Together with the applicants experienced managers, the team of professionals have;

- a. met and or discussed the various elements in the application(s), site plan and ordinances with Town Planners, Town Engineers, the Fire Marshal, the Johnston County stormwater

manager, NCDOT regional and state managers, and the State Health Departments. Their respective comments are incorporated into the proposed site plan, which will meet the requirements of all applicable local ordinances, laws, and 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 proposed institutional use will not substantially injure the value of adjoining or abutting property, nor be detrimental to adjacent properties because:

- a. Educational facilities are often centers for creativity, incubators for ingenuity and conduits for community involvement, each of which will continue to enhance Clayton's economic and cultural welfare.
- b. The proposed site plan is designed to minimize the impact to wetland areas south of the on the property, and will result in more open space (e.g. multipurpose field, play area and playground) and a less intense overall development than would a residential development permitted by the underlying R10 zoning.
- c. Commercial businesses will likely benefit from parents electing combine a convenient shopping trip with the drop off or pick up of their child at the school.
- d. There are no residential properties that are contiguous neighbors to the school, and there are no shared roads, access points, or circulation paths that the proposed school site shares with any nearby residential properties.
- e. The school will be constructed with a variety of high quality, low maintenance materials and utilize earth tone primary colors.
- f. The cost of the public improvements will be borne by the applicant and improved site usage may result in increased property values for adjacent uses.
- g. Recommendations have been made in the Traffic Investigation Analysis report and submitted to the NCDOT. The applicant is prepared to permit, construct and pay for these recommended improvements.
- h. The "natural" features surrounding Little Creek to the south, provide for a natural buffer and transition of uses on adjacent parcels

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 proposed institutional use will support the adopted plans and policies of the Town in many ways, including but not limited to:

- a. The proposed school is located on property identified to serve as Community Center(CC) uses in the Future Land Use section of the Comprehensive Plan 2040,b.

The school is a community-serving institution that is allowed in and consistent with uses permitted in the current R-10 zoning district. The site is located near a major thoroughfare and is accessible to a convenient road network, thereby avoiding added traffic in residential communities.

- b. The site plan will meet or exceed all applicable Clayton town Ordinances and standards.
- c. The facility will meet or exceed the requirements of current Building Codes.
- d. The school elevations will be constructed with various low maintenance materials including but not limited to brick, cements sidings, stone veneer, aluminum trims,
- e. The site is located in a mixed use environment, with commercial and retail uses, which permits schools. A school use would make a good transitional use between the existing commercial and retail development and future multi-family residential development allowed in the R-10 zoning district. .

JOHNSTON CHARTER ACADEMY Explanation of Project

Charter Development Company a subsidiary of National Heritage Academies, in partnership with the Johnston County Charter Academy Board is proposing to build a new tuition free K-8 Charter School in the Town of Clayton. The school board's charter application to the State of North Carolina has been approved with an anticipated August 2017 school opening. The two story school is approximately 48,000 square feet and will serve 772 students when it reaches full capacity in the 2019-2020 school year. The undeveloped approximately 7.4 acre site is located on the eastern side of the Clayton Town Center development, and is part of a 67 acre parent parcel to be re-platted in connection with the proposed school development. The site is:

- a) located on property identified to serve as Community Center (CC) uses in the Future Land Use section of the Comprehensive Plan 2040,
- b) a community-serving, institutional use allowed in the current R-10 zoning district
- c) served adequately by essential public utilities, streets, highways, fire, and police, and public transportation,
- d) large enough to serve the K-8 school, a multi-purpose field, playgrounds, parking, queuing and provide the required setback buffers.
- e) directly adjacent and connected to the Clayton Town Center development, which includes a signalized primary entrance on Hwy 70 and two additional un-signalized access points,
- f) situated on an extension of Financial Drive, to be built and dedicated to the Town of Clayton by the applicant,
- g) located approximately 2 miles from downtown Clayton.

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.
See Attached Sheet

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.

See attached sheet

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.

See attached sheet

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.

See attached sheet

EXPLANATION OF PROJECT

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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.

Robert Dunston

Print Name

Signature of Applicant

Signature of Applicant

8/31/16

Date _____



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

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

Project Name: Johnston Charter Academy Address or PIN #: 05G02001A

AGENT/APPLICANT INFORMATION:

National Heritage Academies & Charter Development Company

3850 Broadmoor Ave, Suite 201

(Name - type, print clearly) c/o Robert Dunston
Real Estate Manager
(616) 299-6611

(Address)
Grand Rapids, MI 49512
(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*):

Special Use Application

Zoning Compliance Permit

Major Site Plan Application

Master Sign Plan Application

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

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

OWNER AUTHORIZATION:

Matthew Stephens

(Name - type, print clearly)

319 Chaparral Rd, Ste 102

(Address)

[Signature], President

(Owner's Signature)

Raleigh, NC 27603

(City, State, Zip)

STATE OF North Carolina
COUNTY OF Wake

Sworn and Subscribed before me Brenda E. Jones, a Notary Public for the above State and County, this
the 29th day of August, 2016.



Brenda E. Jones
Notary Public

My Commission Expires: June 16, 2020



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
October 24, 2016*

STAFF REPORT

Application Number: 2016-181-SP

Project Name: Grifols D230 NFB Building Expansion Major Site Plan

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

Public Noticing:

- Neighborhood meeting September 21, 2016
- Sign posted prior to October 14, 2016

REQUEST: The applicant is requesting major site plan approval to develop an 82,551 square foot new D230 Fractionation Facility building, as well as a 5,186 square foot new chiller building on the subject property.

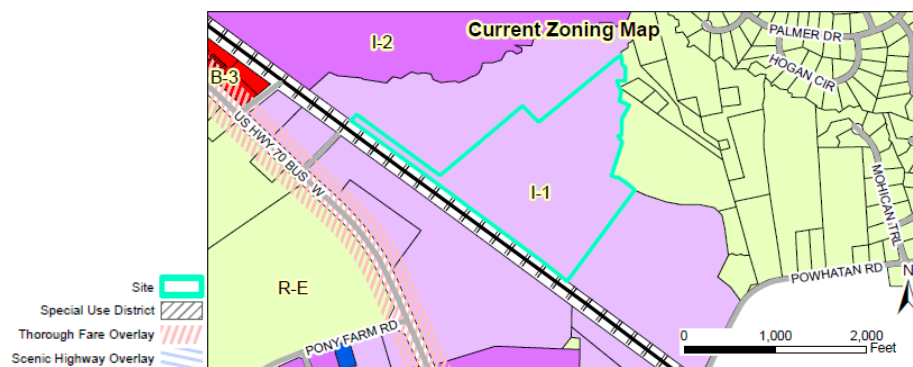


SITE DATA:

Acreage: 69.95 acres
Existing Use: Industrial

ADJACENT ZONING AND LAND USES:

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



DEVELOPMENT DATA:

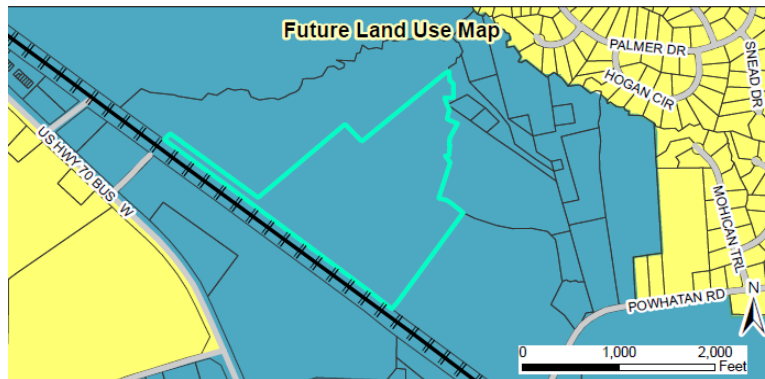
Proposed Uses: Industrial
Buildings: 2 buildings: D230 Fractional Facility (82,551 SF) and Chiller Building (5,186 SF)
Impervious Surface
of Proposed Buildings: 49,052 square feet
Access/Streets: Main access off of US HWY 70 BUS W via Whisper Wind Road, which connects to the facility across the train tracks

STAFF ANALYSIS:

Overview

The applicant is requesting major site plan approval to expand the existing Grifols facility by developing an 82,551 square foot D230 Fractionation Facility, as well as a 5,186 square foot Chiller Building. This request is running concurrently with a Special Use request (2016-180-SUP) to allow the maximum building height of the Fractionation Facility to be a total of 71 1/2 feet in height, which exceeds the maximum height permitted in the subject zoning district (I-1).

The applicant is proposing to develop the facility just north of the existing NFF Building D310, and is proposing to remove the gravel parking lot that currently exists. This existing parking is proposed to be relocated to the west of the facility. This proposal was submitted as a Minor Site Plan application (2016-161-SPM) and has been approved by Planning Staff for a total of 136 parking spaces. The proposed parking exceeds what was existing on site, and is sufficient in accommodating the existing and proposed facility per a parking letter submitted to the Planning Department on September 21, 2016 (attached). A future Phase 2 parking lot is proposed to be developed to the North of the recently approved Phase 1 parking lot. However, the Phase 2 parking is not planned to be constructed until a later date once both the existing and proposed facilities are closer to operating at 100% occupancy.



Consistency with Adopted Plans:

- **2040 Comprehensive Plan**

The 2040 Comprehensive Plan Future Land Use Map designates this site as "Employment Center". The proposed use is compatible with this designation. The expansion of biopharmaceutical manufacturing facilities and jobs is also consistent with the following goals:

ED1: Increase opportunities for companies which provide well-compensated, highly skilled positions.

- **Unified Development Code**

The proposed development meets requirements in the Unified Development Code (UDC).

Landscaping and Buffering

Landscaping is provided around the proposed facility and is consistent with the Unified Development Code. There are no buffer requirements for this proposed expansion. All mechanical equipment will be housed by the chiller building, so no screening is needed for mechanical equipment associated with this expansion.

Access/Streets

The site is proposed to be accessed off of US 70 HWY BUS W, via Whisper Wind Road which will connect to the site across the railroad tracks. This is also how the existing facility is accessed. US Hwy 70 Business is owned and operated by NCDOT.

Traffic Impact Analysis

It was determined by NCDOT that a Traffic Impact Analysis was not needed for this project. NCDOT determined that any increase in traffic as a result of this development should be mitigated by the improvements that are to

be made as a part of the new expansion of Novo Nordisk. Please see the attached correspondence with Timothy Little from NCDOT.

Wastewater Allocation

Wastewater Allocation is currently under review by the Town Engineer.

CONSIDERATIONS:

- Planning Board approves major site plans.
- This site plan approval will be contingent upon Council approval of the concurrent building height increase with Special Use Permit 2016-180-SUP. Planning Board recently recommended this SUP to Town Council for approval, and Town Council will hear it on Nov. 7, 2016.

APPROVAL CRITERIA:

The applicant has addressed the Major Site Plan Approval Criteria outlined in UDC Section 155.707. This is incorporated into the record as an attachment to the Staff Report.

CONDITIONS OF APPROVAL:

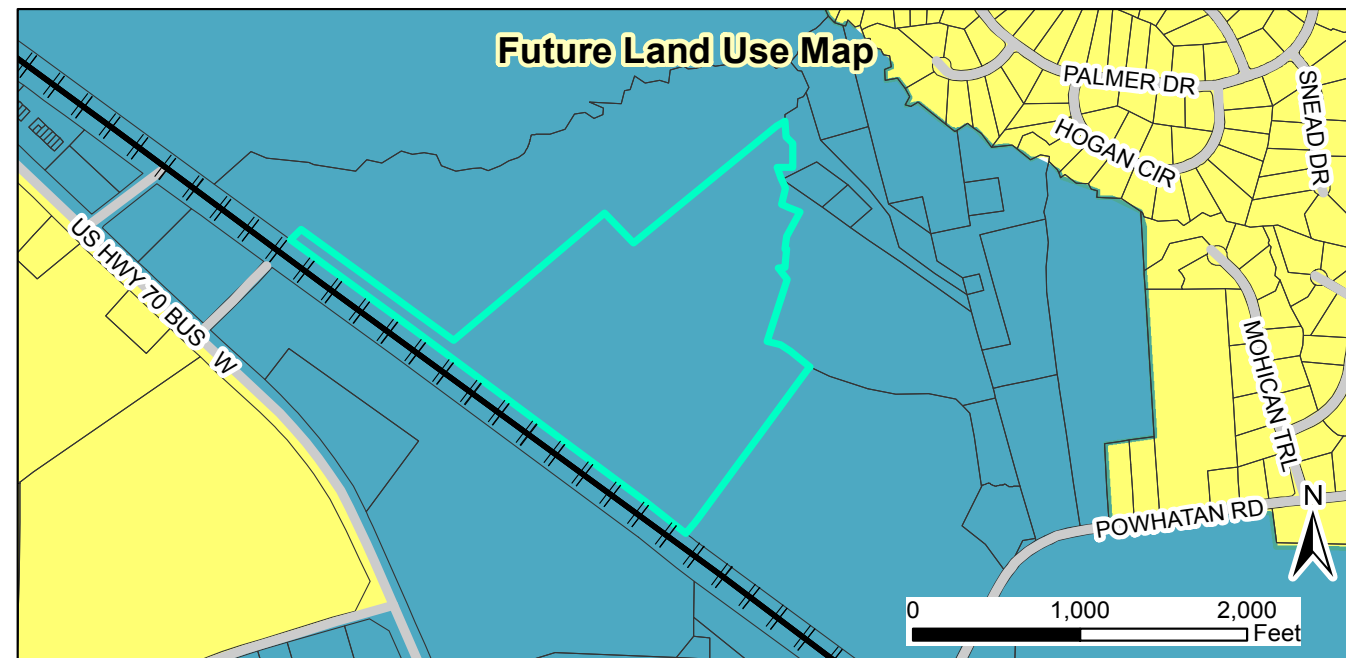
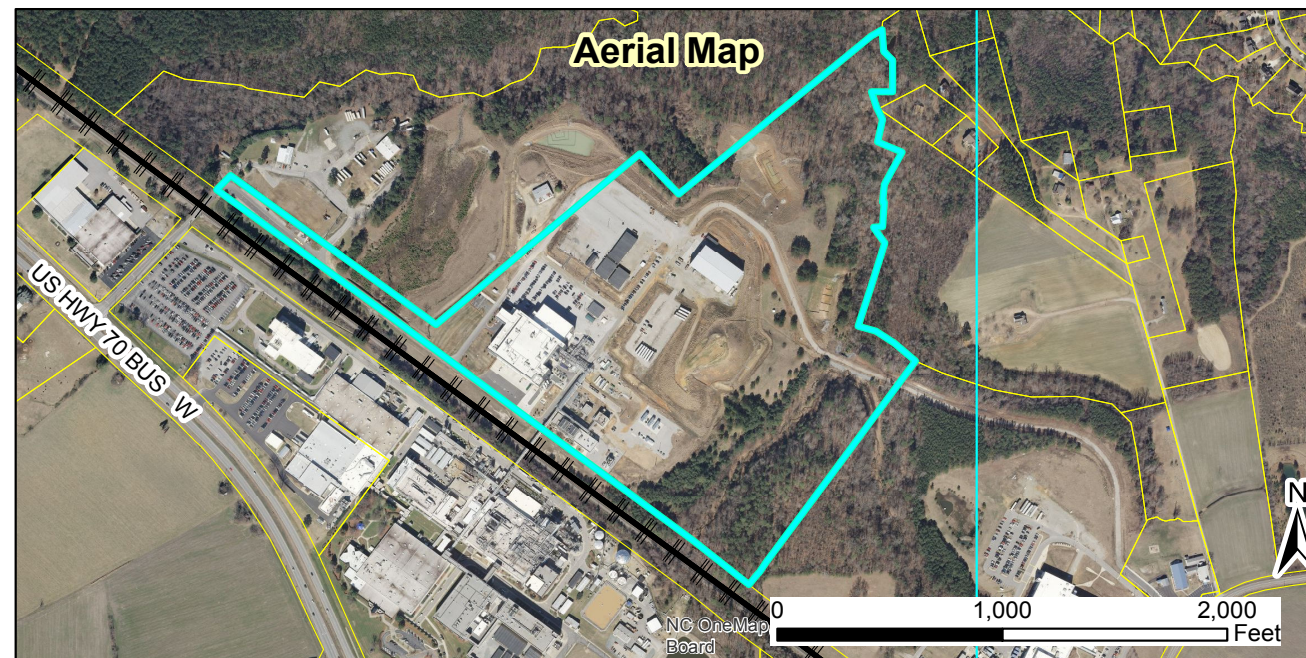
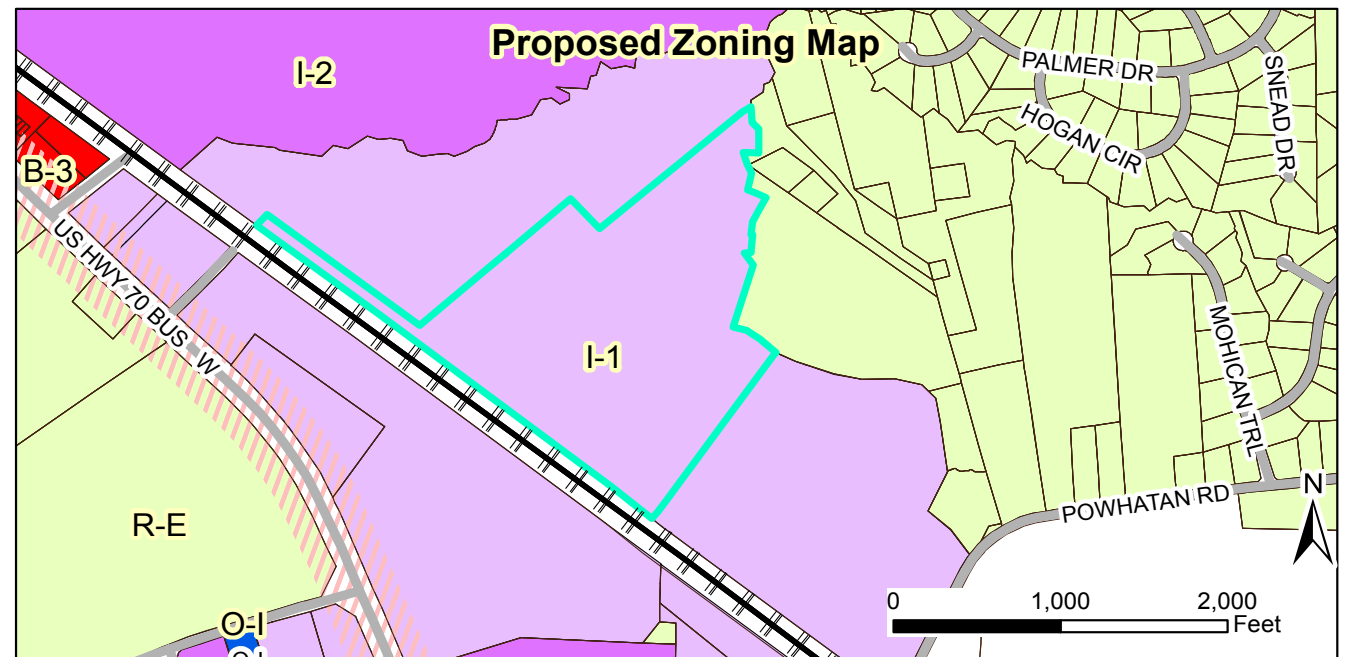
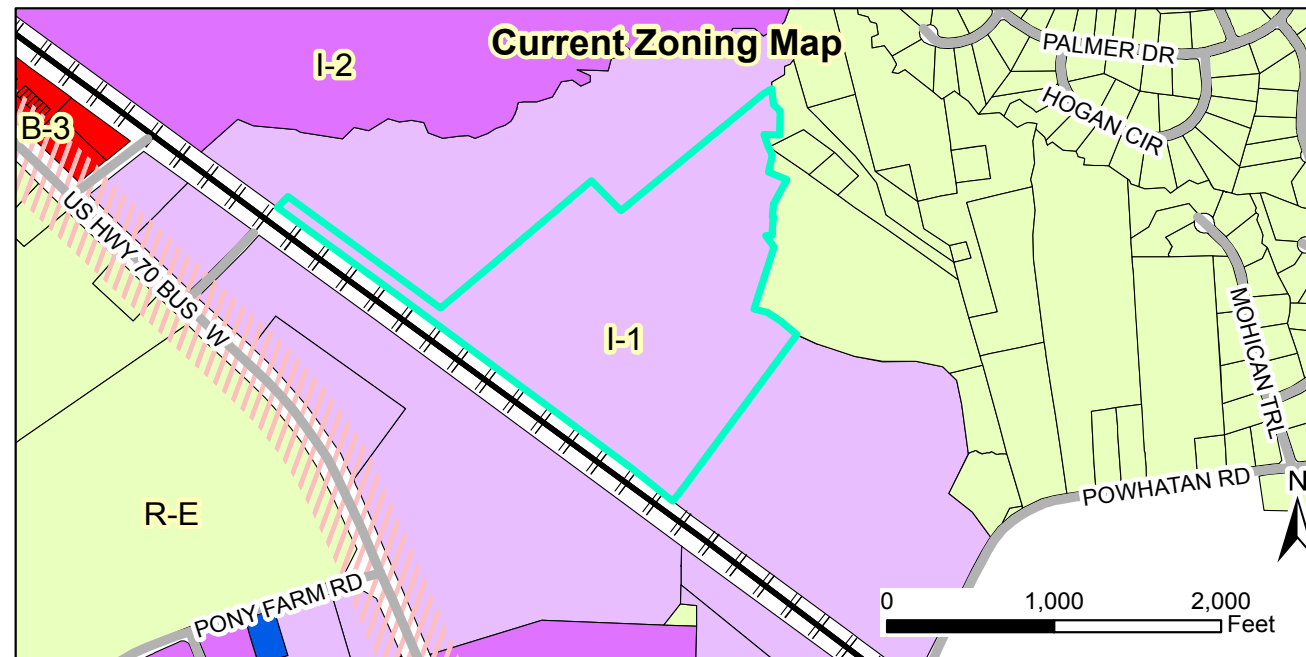
1. The maximum building height of 71 ½ feet is for the D230 Fractionation Facility only, and is subject to Special Use Approval of 2016-180-SUP.
2. Following board approval, three copies of the plans, meeting the Conditions of Approval, shall be submitted to the Planning Department for final approval.
3. All Conditions of Approval related to this plan shall be recorded on the cover sheet of the revised plans prior to their submission to the Planning Department.
4. The development of the site is limited to the site design and uses approved by the Planning Board. Modifications to the approved site plan shall require review and approval in accordance with the UDC.
5. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
6. Utility construction plans shall be approved by the Public Works Department prior to issuance of building permits.
7. All signage shall require a sign permit from the Planning Department, and shall meet standards of the UDC.
8. A site/landscape inspection by the Planning Department shall be required prior to issuance of a Certificate of Occupancy. All site improvements shall be installed prior to the site inspection.

STAFF RECOMMENDATION:

Staff recommends approval with conditions of the proposed Major Site Plan 2016-181-SP.

ATTACHMENTS:

- 1) Staff report maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Site Plan
- 5) Parking Letter
- 6) TIA Email
- 7) Wastewater Allocation Letter



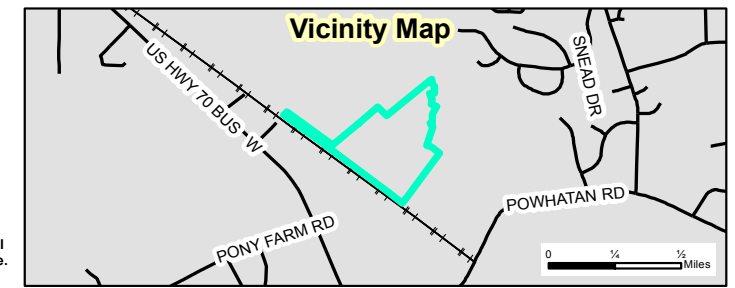
2016-180-SUP Grifols D230 Building Height Special Use
Request: To allow maximum height of 69' 6" for D230 building
2016-181-SP Grifols D230 Building & Parking Major Site Plan
Request: To develop an 82,551 sq ft production facility, a chiller building, and new parking addition

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



Site [red outline]
 Special Use District [hatched pattern]
 Thorough Fare Overlay [red diagonal lines]
 Scenic Highway Overlay [blue diagonal lines]
 Railroads [black line with cross-ticks]

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



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



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: Grifols - D230 NFB Building Acreage of Property: 69.95

County Tag #: 05105001F NC PIN: 187800-32-1371

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

Existing Use: Industrial Proposed Use: Industrial

Zoning District: I-1

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

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

FOR OFFICE USE ONLY

Date Received: <u>SEP 01 2016</u>	Amount Paid: <u>\$525.00</u>	File Number: <u>2016-181-SP</u>
-----------------------------------	------------------------------	---------------------------------

RECEIVED
TOWN OF CLAYTON
PLANNING DEPARTMENT

PROPERTY OWNER INFORMATION

Name: Grifols Therapeutics, Inc.

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

Phone Number: 910-359-5318

Fax: _____

Email Address: Brent.Noel@grifols.com

APPLICANT INFORMATION

Applicant: Criser Troutman Tanner Consulting Engineers

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

Phone Number: 910-397-2929

Fax: 910-397-2929

Contact Person: David E. Criser, P.E.

Email Address: dcriser@cttengineering.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: <u>08/16/16</u>	☒	☐			
2. I have referenced the <i>Plan Requirements Checklist</i> 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 <i>Plan Requirements Checklist</i>	☒	☐			
7. Adjacent property owners list <i>To be submitted later</i>	☐	☐			
8. Wastewater allocation request OR verification of wastewater allocation <i>Letter Submitted</i>	☒	☐			
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 <i>To be submitted later</i>	☐	☐			
11. Neighborhood meeting summary form (1 copy) * Included in this packet *Not required for subdivisions that are part of an approved planned development <i>To be submitted later</i>	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 includes a new production facility that will have a total gross square footage of 82,551 sf.

There will be an accessory structure to house the building chillers, etc.

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

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

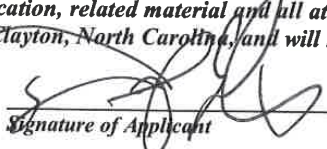
The proposed building will be 69'-6" high above the first floor. The first floor elevation will be 308.00 making the highest part of the building (the parapet) elevation 377.50. The current zoning has a maximum height of 50 feet. A special use permit will be filed asking for the new building height of 69'-6" above the first floor.

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.

David E. Criser

Print Name


Signature of Applicant

08/31/16

Date



**Town of Clayton
Planning Department**

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

OWNER'S CONSENT FORM

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

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

AGENT/APPLICANT INFORMATION:

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

Criser Troutman Tanner Consulting Engineers
2840 Plaza Place, Suite 103
(Address)
Raleigh, NC 27612
(City, State, Zip)

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

Grifols D230 FNB Building

Major Site Plan and Special Use Permit

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

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

OWNER AUTHORIZATION:

Brent Noel
(Name - type, print clearly)

(Owner's Signature)

8368 W US 70 BUS
(Address)

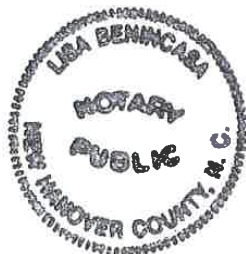
Clayton, NC 27527
(City, State, Zip)

STATE OF
COUNTY OF

North Carolina
New Hanover

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

SEAL



August 2015

Lisa Benincasa
Notary Public
My Commission
Expires:

Dec 01, 2020

Page 9 of 9

GRIFOLS	Fractionation Expansion Project D230	Revision 0 10/19/2016
	Neighborhood Meeting Meeting Minutes	Page 1 of 1

To: Jay McLeod, AICP Town of Clayton, Senior Planner

From: Brent Noel, PE

CC: Tim Hamm

Meeting Time: Meeting was held at the Grifols Site in the Administrative conference room
Wednesday, September 21, 2016 from 6:00pm to 7:00PM

Notes: Brent Noel was present from 5:30PM to 7:00pm. No one elected to attend the
meeting from any other entity.

GRIFOLS	Fractionation Expansion Project D230	Revision 0 10/19/2016
	Neighborhood Meeting Attendance Roster	Page 1 of 1

To: Jay McLeod, AICP Town of Clayton, Senior Planner

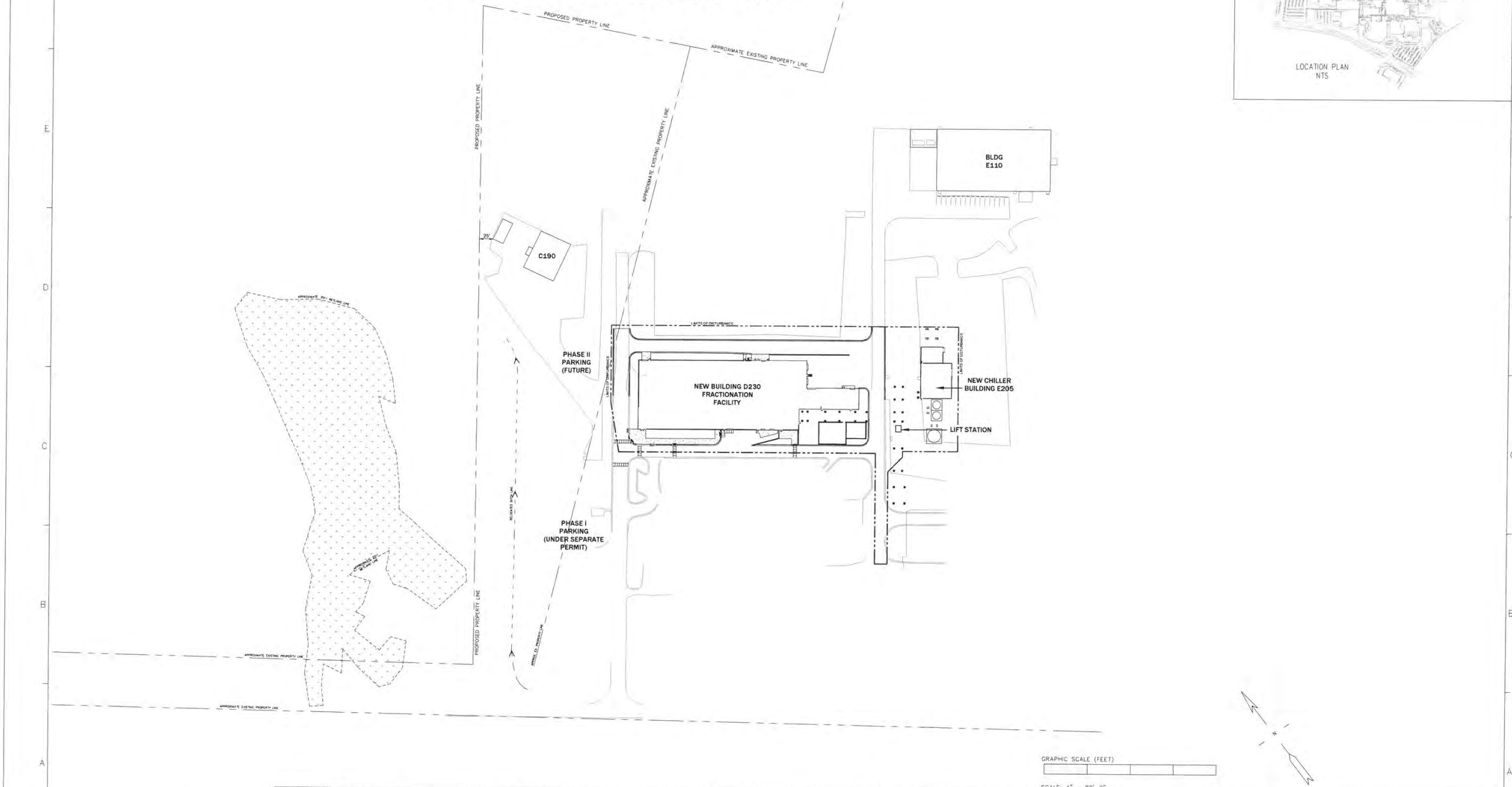
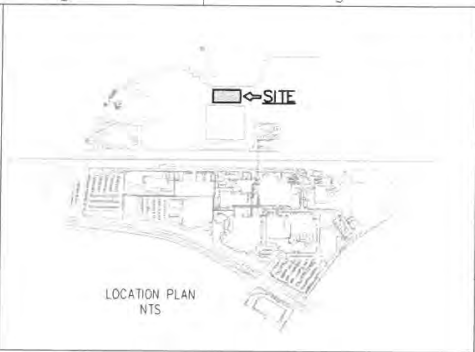
From: Brent Noel, PE

CC: Tim Hamm

<u>Name:</u>	<u>Company:</u>	<u>Phone:</u>
Brent M. Noel, PE	Grifols	919-359-5318

No additional attendees

GRIFOLS D230 BUILDING
MAJOR SITE PLAN
83 W US-70 BUSINESS, CLAYTON, NC
CLAYTON PROJECT NO. 2016-181-SP



NOT FOR CONSTRUCTION

CAAIA
Chris Adams, AIA
PO Box 519, 105 Cromarie Rd.
Elizabethtown, NC 28537
919.618.3894

CTT CRISER TROUTMAN TANNER

CRISER TROUTMAN TANNER CONSULTING ENGINEERS 2840 Plaza Place, Suite 103 Raleigh, NC 27612 919.277.0484 PH 919.277.0495 FAX NC FIRM LICENSE NO F0113 JOB NO. 7759.00				REVISED TOWN OF CLAYTON SUBMITTAL				TOWN OF CLAYTON SUBMITTAL							
B	10-5-16	-	-					A	8-31-16	-	-				
NO.	DATE	BY	APP.	REVISION				NO.	DATE	BY	APP.	REVISION			

Electronic Signatures:

CCR no.:

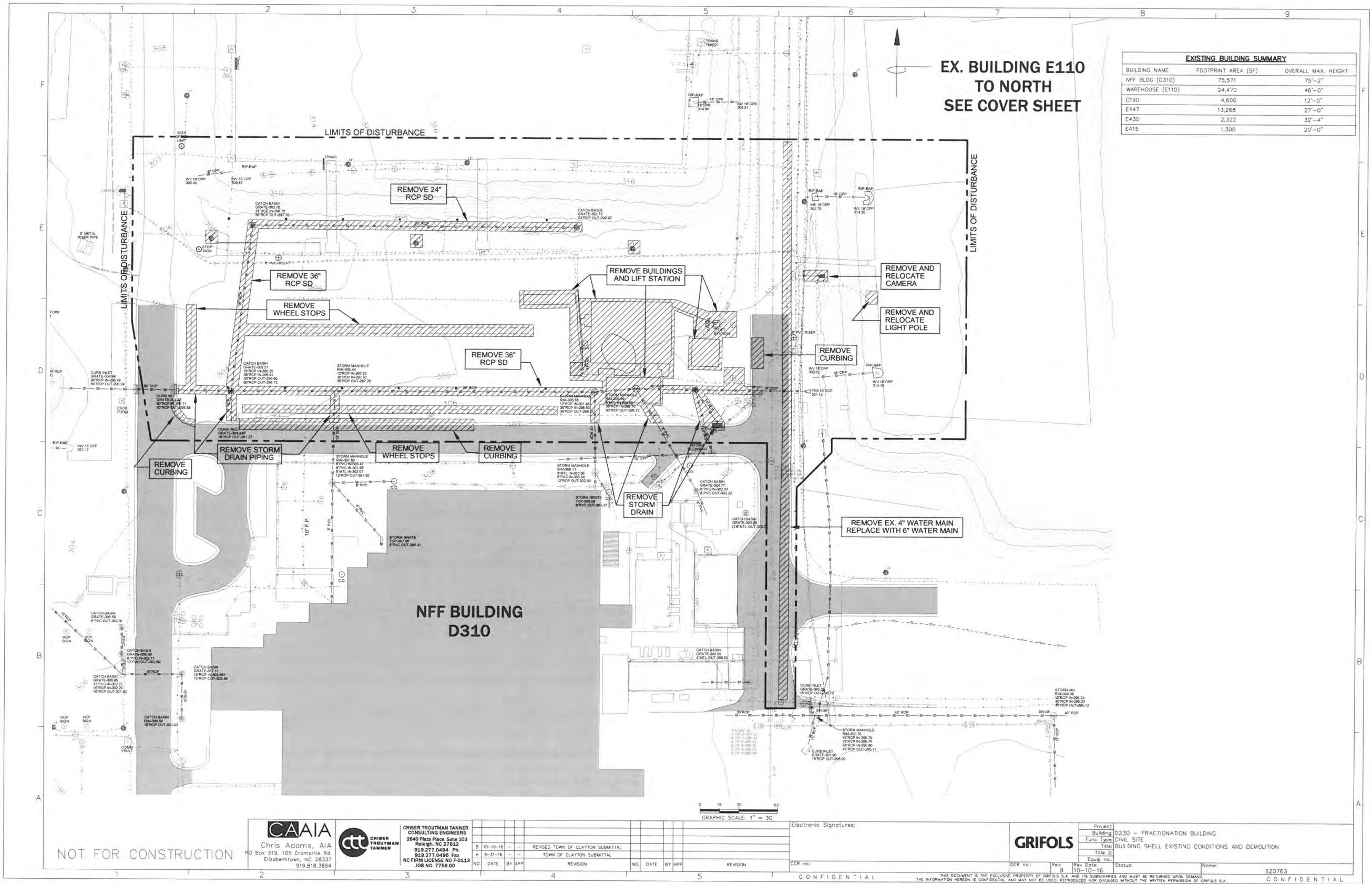
GRIFOLS

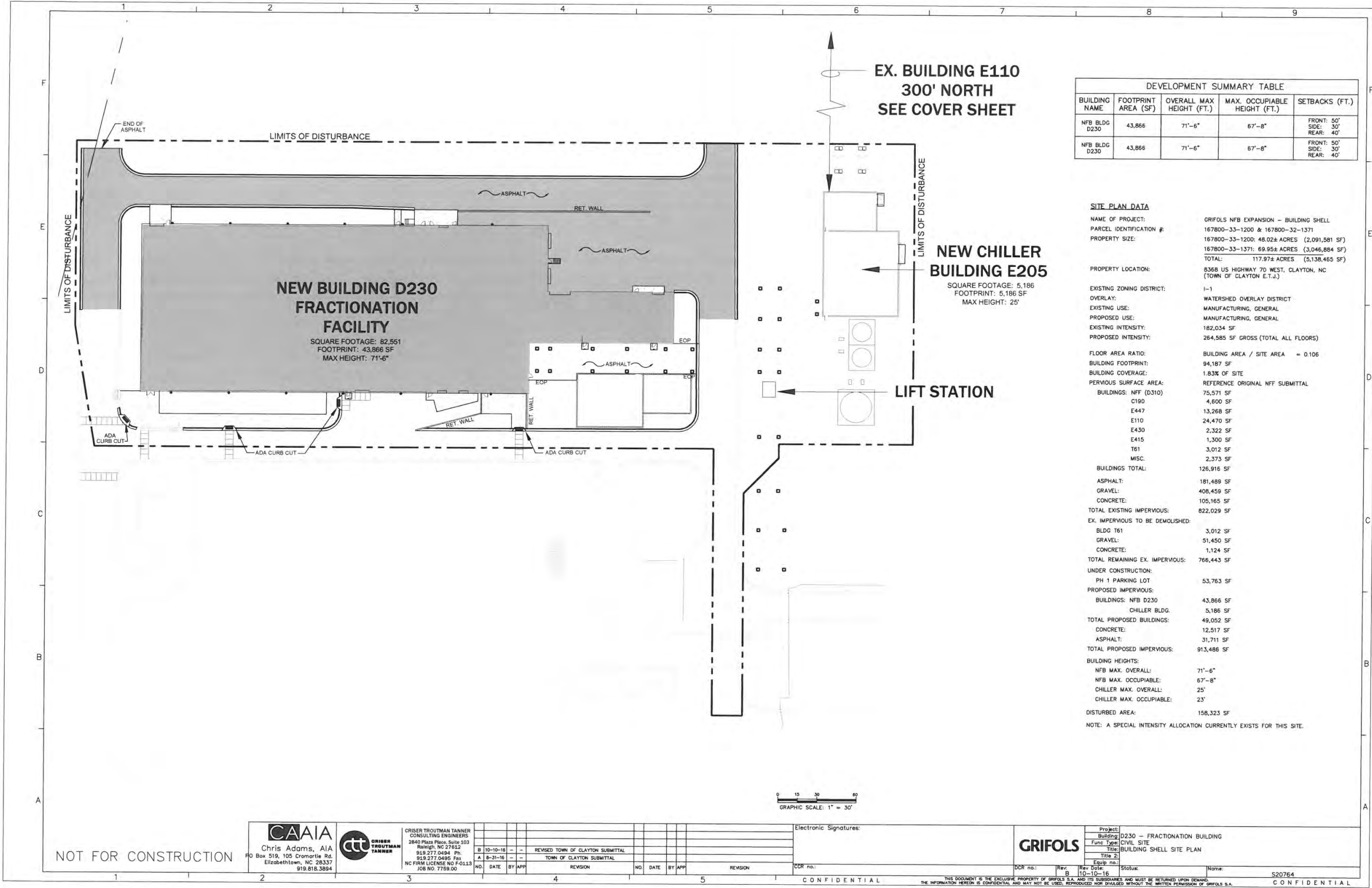
Project:	D230 - FRACTIONATION BUILDING
Building:	CIVIL SITE
Func. Type:	BUILDING SHELL COVER SHEET
Title:	
Title 2:	
Equip. no.:	
Status:	
Name:	S20762

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DEVELOPMENT SUMMARY TABLE				
BUILDING NAME	FOOTPRINT AREA (SF)	OVERALL MAX HEIGHT (FT.)	MAX. OCCUPIABLE HEIGHT (FT.)	SETBACKS (FT.)
NFB BLDG D230	43,866	71'-6"	67'-8"	FRONT: 50' SIDE: 30' REAR: 40'
NFB BLDG D230	43,866	71'-6"	67'-8"	FRONT: 50' SIDE: 30' REAR: 40'

SITE PLAN DATA	
NAME OF PROJECT:	GRIFOLS NFB EXPANSION - BUILDING SHELL
PARCEL IDENTIFICATION #:	167800-33-1200 & 167800-32-1371
PROPERTY SIZE:	167800-33-1200: 48.02± ACRES (2,091,581 SF) 167800-33-1371: 69.95± ACRES (3,046,884 SF) TOTAL: 117.97± ACRES (5,138,465 SF)
PROPERTY LOCATION:	8368 US HIGHWAY 70 WEST, CLAYTON, NC (TOWN OF CLAYTON E.T.J.)
EXISTING ZONING DISTRICT:	I-1
OVERLAY:	WATERSHED OVERLAY DISTRICT
EXISTING USE:	MANUFACTURING, GENERAL
PROPOSED USE:	MANUFACTURING, GENERAL
EXISTING INTENSITY:	182,034 SF
PROPOSED INTENSITY:	264,585 SF GROSS (TOTAL ALL FLOORS)
FLOOR AREA RATIO:	BUILDING AREA / SITE AREA = 0.106
BUILDING FOOTPRINT:	94,187 SF
BUILDING COVERAGE:	1.83% OF SITE
PERVIOUS SURFACE AREA:	REFERENCE ORIGINAL NFF SUBMITTAL
BUILDINGS: NFF (D310)	75,571 SF
C190	4,600 SF
E447	13,268 SF
E110	24,470 SF
E430	2,322 SF
E415	1,300 SF
T61	3,012 SF
MISC.	2,373 SF
BUILDINGS TOTAL:	126,916 SF
ASPHALT:	181,488 SF
GRAVEL:	408,459 SF
CONCRETE:	105,165 SF
TOTAL EXISTING IMPERVIOUS:	822,029 SF
EX. IMPERVIOUS TO BE DEMOLISHED:	
BLDG T61	3,012 SF
GRAVEL:	51,450 SF
CONCRETE:	1,124 SF
TOTAL REMAINING EX. IMPERVIOUS:	766,443 SF
UNDER CONSTRUCTION:	
PH 1 PARKING LOT	53,763 SF
PROPOSED IMPERVIOUS:	
BUILDINGS: NFB D230	43,866 SF
CHILLER BLDG.	5,186 SF
TOTAL PROPOSED BUILDINGS:	49,052 SF
CONCRETE:	12,517 SF
ASPHALT:	31,711 SF
TOTAL PROPOSED IMPERVIOUS:	913,486 SF
BUILDING HEIGHTS:	
NFB MAX. OVERALL:	71'-6"
NFB MAX. OCCUPIABLE:	67'-8"
CHILLER MAX. OVERALL:	25'
CHILLER MAX. OCCUPIABLE:	23'
DISTURBED AREA:	158,323 SF
NOTE: A SPECIAL INTENSITY ALLOCATION CURRENTLY EXISTS FOR THIS SITE.	

NOT FOR CONSTRUCTION

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



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

NO.	DATE	BY	APP.	REVISION	NO.	DATE	BY	APP.	REVISION
B	10-10-16	--	--	REVISED TOWN OF CLAYTON SUBMITTAL					
A	8-31-16	--	--	TOWN OF CLAYTON SUBMITTAL					

Electronic Signatures:

GRIFOLS

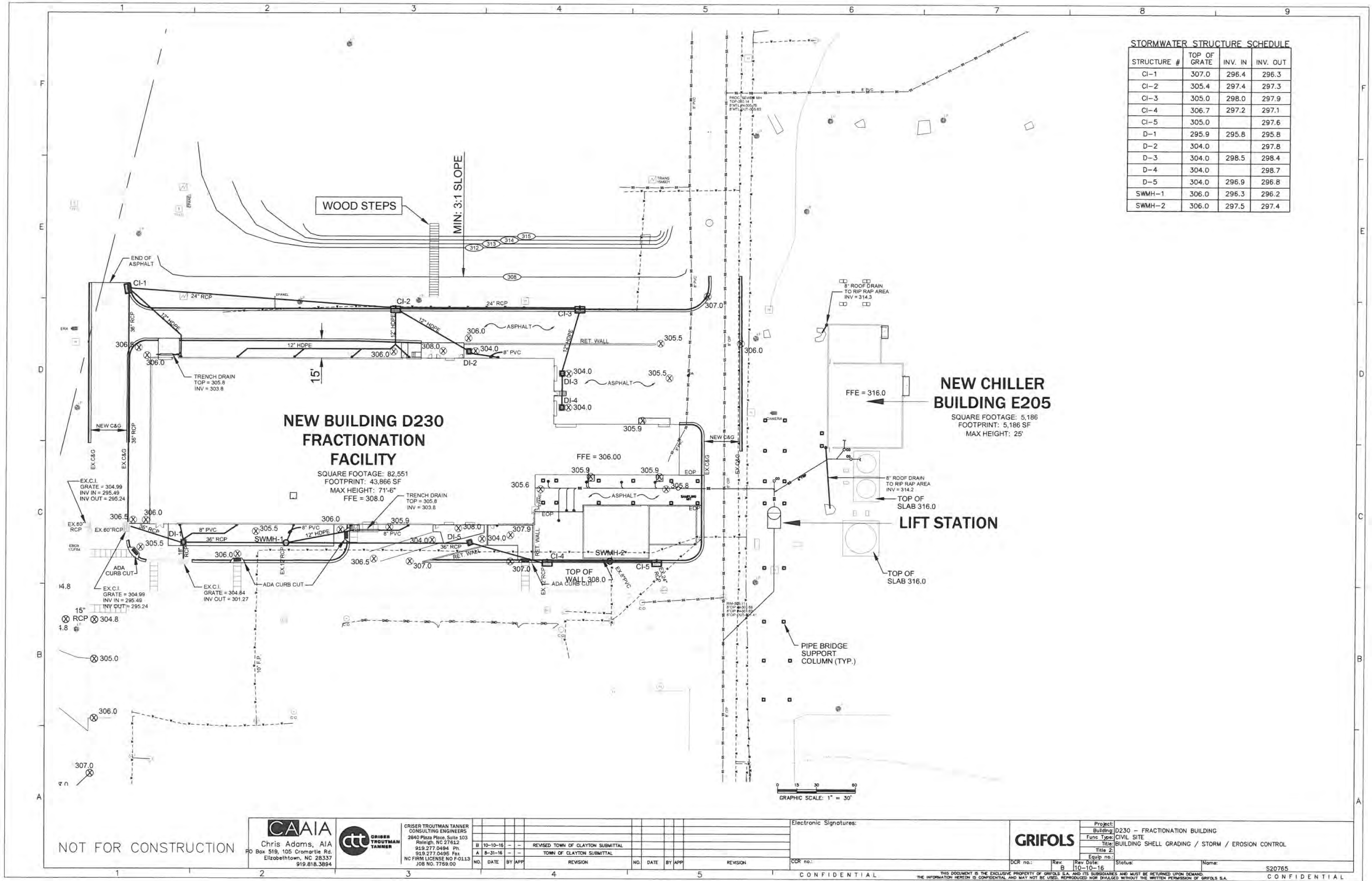
Project: D230 - FRACTIONATION BUILDING
Func. Type: CIVIL SITE
Title: BUILDING SHELL SITE PLAN

Equip. no.:
Scale: 10'-10-16
Status: Name: S20764

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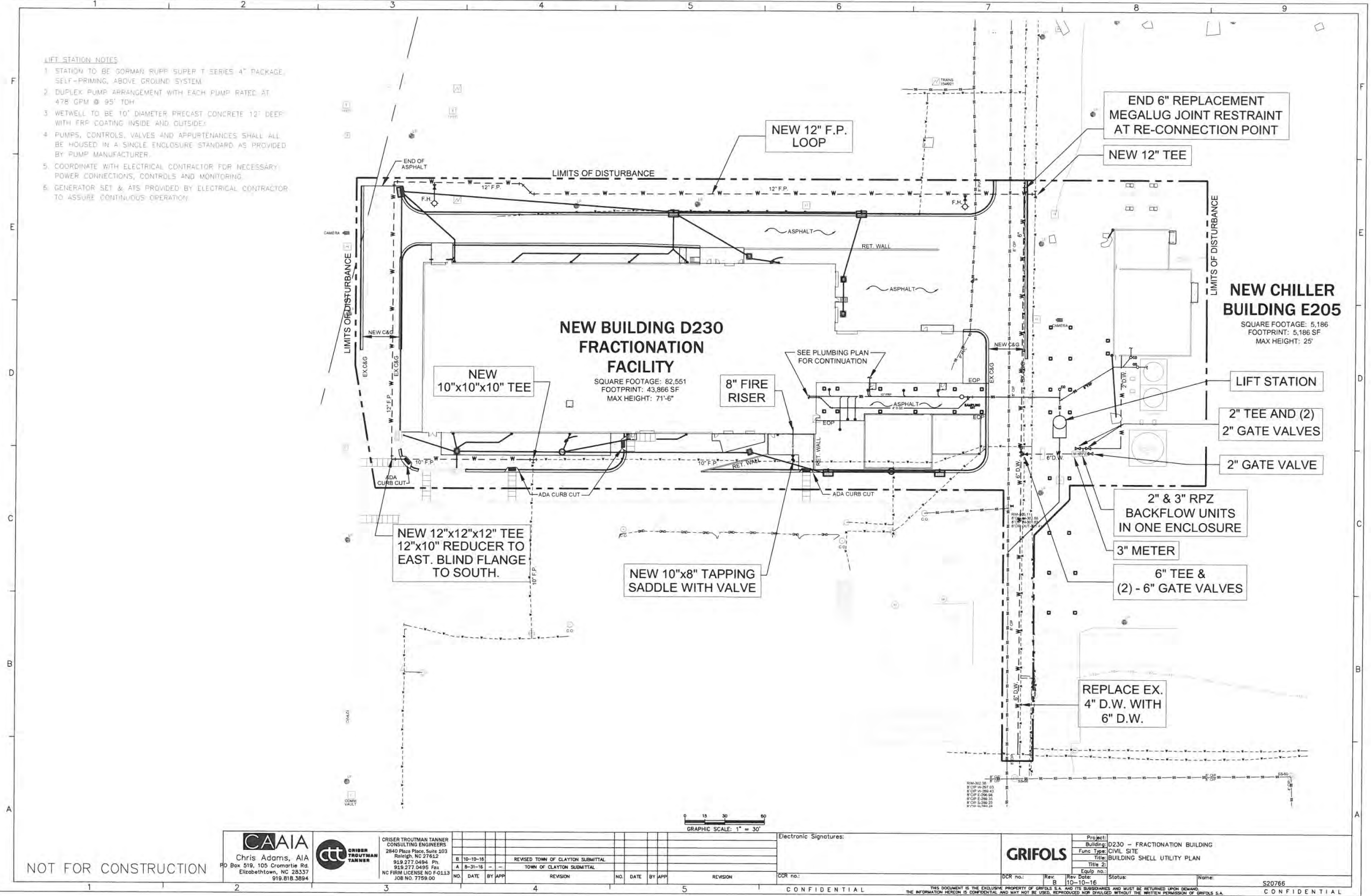
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LIFT STATION NOTES

1. STATION TO BE GORMAN RUPP SUPER T SERIES 4" PACKAGE, SELF-PRIMING, ABOVE GROUND SYSTEM.
2. DUPLEX PUMP ARRANGEMENT WITH EACH PUMP RATED AT 478 GPM @ 95' TDH.
3. WETWELL TO BE 10' DIAMETER PRECAST CONCRETE 12' DEEP WITH FRP COATING INSIDE AND OUTSIDE.
4. PUMPS, CONTROLS, VALVES AND APPURTENANCES SHALL ALL BE HOUSED IN A SINGLE ENCLOSURE STANDARD AS PROVIDED BY PUMP MANUFACTURER.
5. COORDINATE WITH ELECTRICAL CONTRACTOR FOR NECESSARY POWER CONNECTIONS, CONTROLS AND MONITORING.
6. GENERATOR SET & ATS PROVIDED BY ELECTRICAL CONTRACTOR TO ASSURE CONTINUOUS OPERATION.



NOT FOR CONSTRUCTION

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



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

NO.	DATE	BY	APP.	REVISION	NO.	DATE	BY	APP.	REVISION
B	10-10-18			REVISED TOWN OF CLAYTON SUBMITTAL					
A	8-31-16			TOWN OF CLAYTON SUBMITTAL					

Electronic Signatures:

CDR no.:

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GRIFOLS

Project: D230 - FRACTIONATION BUILDING
Fund Type: CIVIL SITE
Title: BUILDING SHELL UTILITY PLAN
Title 2:
Equip. no.:
Rev Date: 10-10-16
Status: Name: S20766

CDR no.:

Rev:

Rev Date:

Status:

Name:

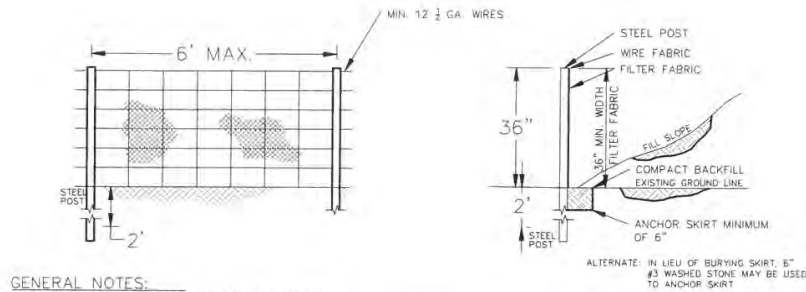
S20766

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1 2 3 4 5 6 7 8 9



GENERAL NOTES:

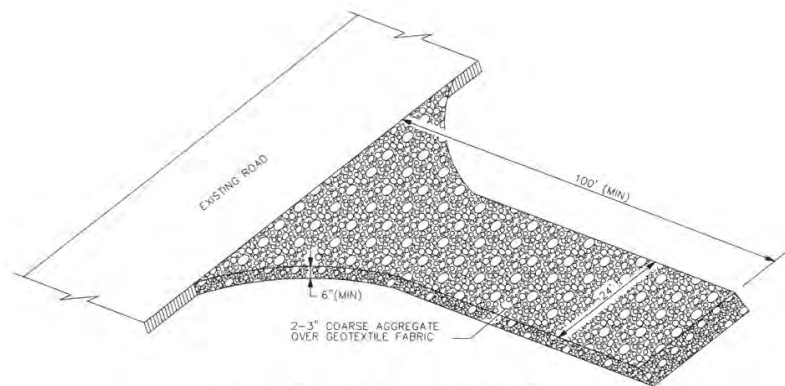
FENCE FABRIC SHALL BE A MINIMUM OF 32" IN WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING. FILTER FABRIC SHALL BE MIRAFI 100 OR EQUIVALENT AND SHALL BE A MINIMUM OF 36" IN WIDTH. BURLAP CAN NOT BE USED WHERE SILT FENCE IS TO REMAIN FOR A PERIOD OF MORE THAN 30 DAYS. STEEL POSTS SHALL BE 3"-Ø IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE. SILT FENCES SHALL BE INSTALLED AROUND ALL CATCH BASINS. SILT FENCES SHALL BE PROVIDED AS NECESSARY TO PREVENT EXCESSIVE EROSION.

MAINTENANCE NOTES:

FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY. SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER STILL BE NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT. THEY MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY HALF THE HEIGHT OF THE BARRIER. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM WITH THE EXISTING GRADE, PREPARED AND SEED.

TEMPORARY SILT FENCE

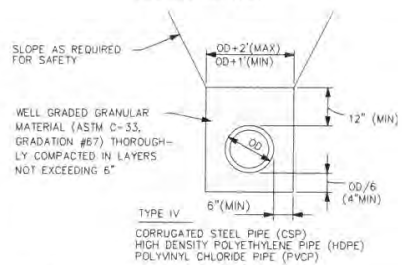
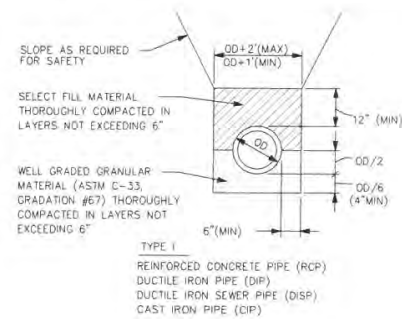
NOT TO SCALE



**TEMPORARY GRAVEL CONSTRUCTION
ENTRANCE/EXIT DETAIL**

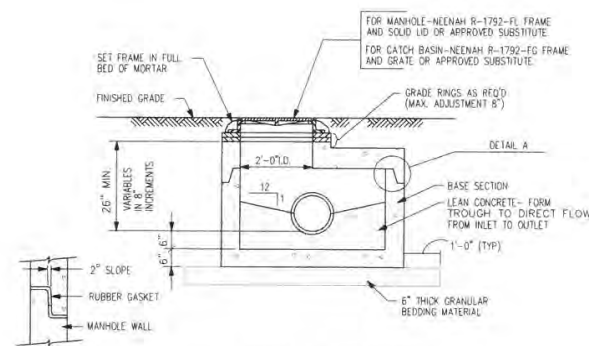
GRAVEL ENTRANCE MAINTENANCE

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OF FLOWING OR SEDIMENT ONTO ANY OWNER'S ROAD (PAVED, GRAVEL OR SOIL) OR ANY PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC CLEANING OF ANY MEASURES USED TO TRAP SEDIMENT SPILLED, WASHED OR TRACKED ONTO ANY OWNER'S ROAD (PAVED, GRAVEL OR SOIL) OR ANY PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
2. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH SIGNIFICANT RAIN EVENT.



TYPICAL PIPE BEDDING DETAILS

NTS

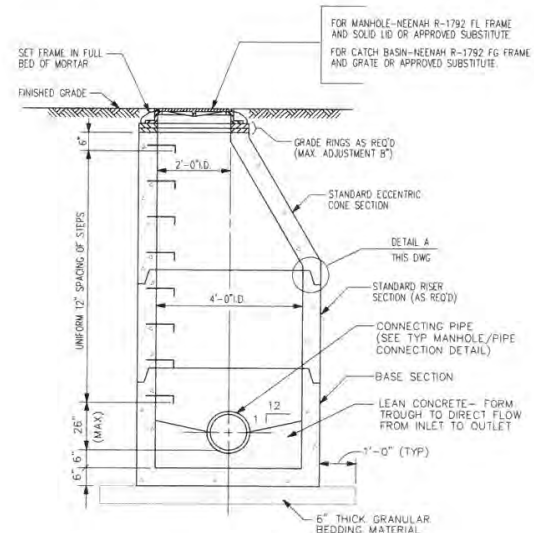


DETAIL A

NTS

**TYPICAL PRECAST REINFORCED
CONCRETE SHALLOW CATCH BASIN/
MANHOLE DETAIL**

NTS



**TYPICAL PRECAST REINFORCED
CONCRETE MANHOLE/CATCH BASIN DETAIL**

NTS

NOT FOR CONSTRUCTION

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

ctt CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
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NC FIRM LICENSE NO F-0113
JOB NO. 7759.00

NO.	DATE	BY	APP.	REVISION	NO.	DATE	BY	APP.	REVISION
B	10-10-16			REVISED TOWN OF CLAYTON SUBMITTAL					
A	7-31-16			TOWN OF CLAYTON SUBMITTAL					

Electronic Signatures:

DCR no.	
Rev.	B
Rev Date	10-10-16

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GRIFOLS

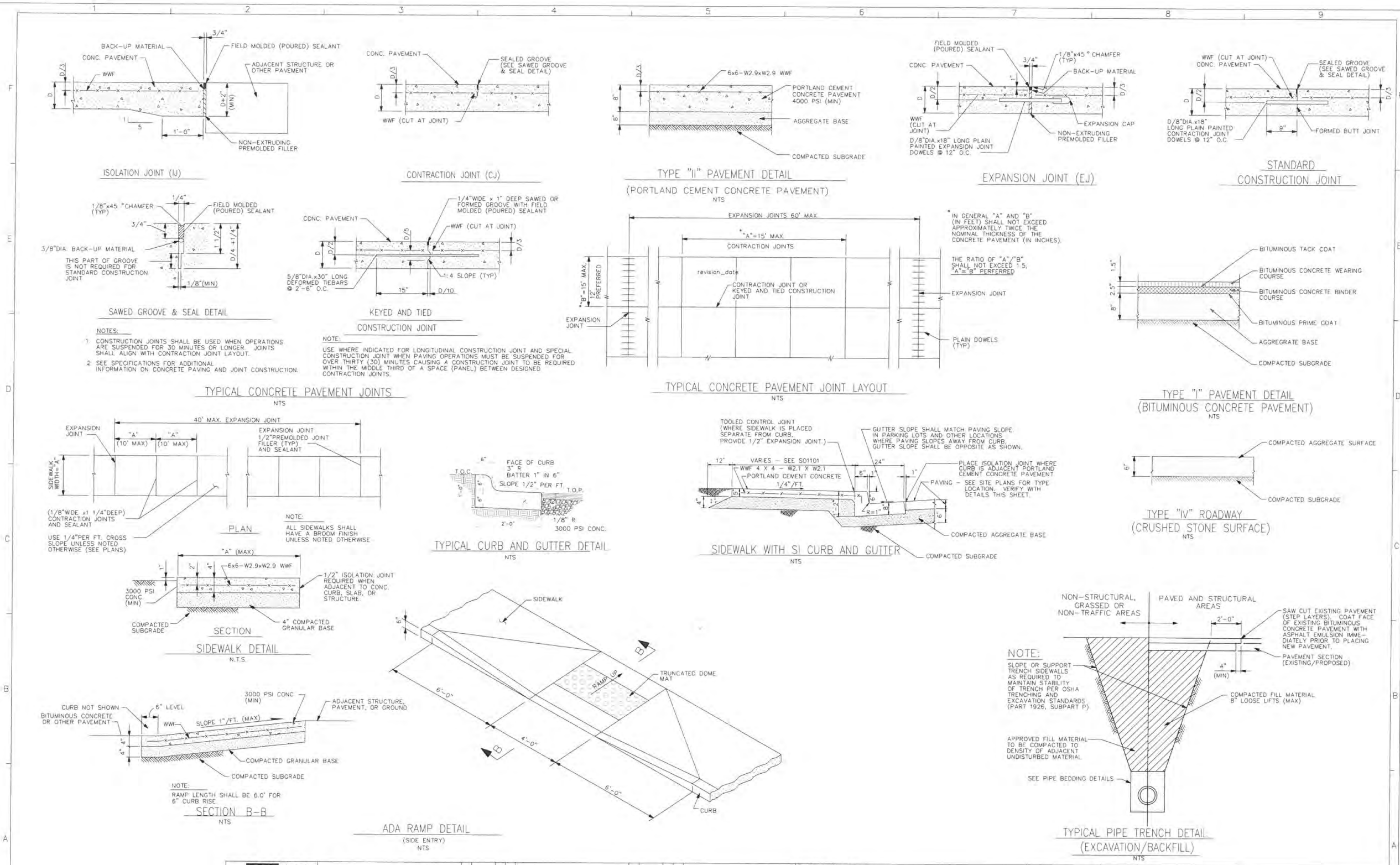
Project:
Building:
Func. Type:
Site:
Title 2:
Equip. no.:

D230 - FRACTIONATION BUILDING
CIVIL SITE
BUILDING SHELL DETAILS

Status:
Name:
S20767

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Chris Adams, AIA
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Elizabethtown, NC 28337
919.618.3894

ctt CRISER TROUTMAN TANNER
CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
2840 Plaza Place, Suite 103
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919.277.0494 Ph.
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NC FIRM LICENSE NO F0113
JOB NO. 7759-00

NO.	DATE	BY	APP.	REVISION	NO.	DATE	BY	APP.	REVISION
B	10-10-16			REVISED TOWN OF CLAYTON SUBMITTAL					
A	8-31-16			TOWN OF CLAYTON SUBMITTAL					

Electronic Signatures:
DCR no.:
GRIFOLS
Project: D230 - FRACTIONATION BUILDING
Fund Type: CIVIL SITE
Title: BUILDING SHELL DETAILS
Title 2:
Equip. no.:
Rev. Date: 10-10-16
Status: S20765
Name: S20765

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TOWN OF CLAYTON LANDSCAPE CODE NOTES & CALCULATIONS:

- 15.402(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.
- 15.402(D)(2)(a) PERIMETER SCREENING: The perimeter of all parking areas and other vehicular use areas with frontage on or visibility from any portion of a public right-of-way shall be screened to a height of three feet. Any vegetative screen shall be maintained at a minimum height of 36 inches within two years of planting.
- TWENTY PERCENT of the total lot area shall be landscaped. One canopy tree, one understory tree, and two shrubs shall be planted for each 1,000 square feet of landscape area required.
 - The site in its entirety meets and exceeds the minimum code requirements. Shade trees have been specified to 3.5" caliper rather than required 2.5" caliper. Understory trees and shrubs provided exceed the minimum requirement.
- MINIMUM PLANT SIZE SPECIFICATIONS:
 - Canopy trees shall have a 2.5 inch caliper and be eight feet tall following installation.
 - Understory trees shall have a 2.0 inch caliper and be six feet tall following installation.
 - Shrubs not used for screening shall be a minimum height of 12 inches following installation.
 - Shrubs explicitly used for screening shall be a minimum height of 24 inches following installation.
- SOILS: Planting areas shall have uncompacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed.
- ISSUANCE OF CERTIFICATE OF OCCUPANCY: The Code Enforcement Officer may not issue a permanent certificate of occupancy for an approved site plan or part thereof, until all seeding, trees, and plant material have been placed in accordance with the approved site plan and requirements of this section. A temporary certificate of occupancy may be issued for a period of 30 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon request to the Code Enforcement Officer.
- Requirements for maintaining planted areas:
 - Responsibility: The responsibility for maintenance of a planted area shall remain with the owner, his or her successors, heirs, assignees or any consenting grantee. Maintenance is required in order to ensure the proper functioning of a planted area.
 - Maintenance: All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, mulching, fertilizing and pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
- NECESSARY PRUNING AND TRIMMING shall be in accordance with the American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance - Planning, Practices (Pruning), and shall not be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures such as lopping or meatballing that cause irreparable harm to the natural form of the tree, except where such procedures are necessary to maintain public overhead utilities. Any such activity shall be a violation of this chapter. Additional plant material shall be required to replace or supplement the damaged plant material.
- DEAD OR DISEASED PLANTINGS shall be removed. Replacement plantings shall be provided for any required plants which die or are removed for any reason and shall meet all minimum standards and conform to these regulations.
- FAILURE TO MAINTAIN: In the event that any owner of a planted area fails to maintain the planted area according to the standards of this section, the Town shall have the right to recover the cost of enforcement, including reasonable attorney fees. The Town may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the planted area to take maintenance action. The cost of such maintenance shall be charged to the party having the primary responsibility for maintenance of the planted area.

GENERAL TOWN OF CLAYTON LANDSCAPE NOTES:

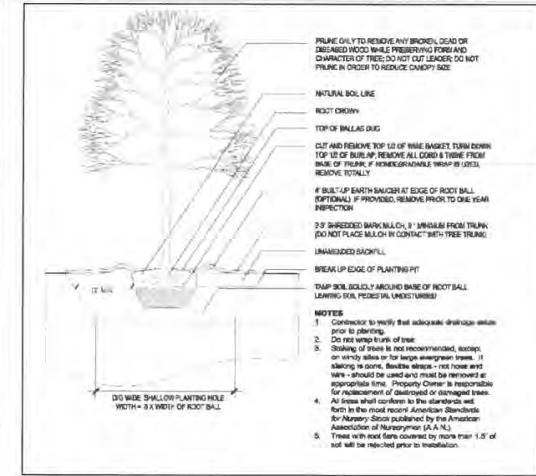
- All mechanical/electrical equipment shall be screened entirely from view as required by the UDC.

PLANT MATERIAL LIST

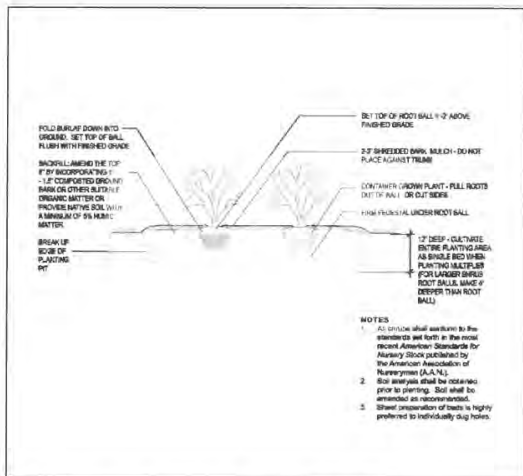
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	COMMENTS
CANOPY & UNDERSTORY TREES:					
9	QUERCUS SHUMARDII	SHUMARD OAK	2.5" CAL. & MIN. HT.	B-B	SPECIMEN
8	QUERCUS CANADENSIS	RED OAK	2.5" CAL. & MIN. HT.	B-B	SPECIMEN
18	ILEX N. NELLIE STEVENS	NELLIE STEVENS HOLLY	6" MIN. HT.	B-B	SPECIMEN
SHRUBS:					
16	ILEX GLABRA 'SHAMROCK'	INKBERRY HOLLY	24" MIN. HT.	CONT.	
28	ILEX CORNUTA BURFORDII NANA	DWARF BURFORD HOLLY	24" MIN. HT.	CONT.	
12	ILEX CRENATA HOLLY 'HELLER'	JAP. HELLER HOLLY	18" MIN. HT.	CONT.	
34	PRINERIS LUM. & D. QUERCUS'S CASPIAN	DWARF FOUNTAIN GRASS	12" MIN. HT.	CONT.	
2500 SF	LIROPE MUSCARI 'BIG BLUE'	BIG BLUE LIROPE	12" MIN. HT.	CONT.	124" G.C.

GENERAL LANDSCAPE NOTES:

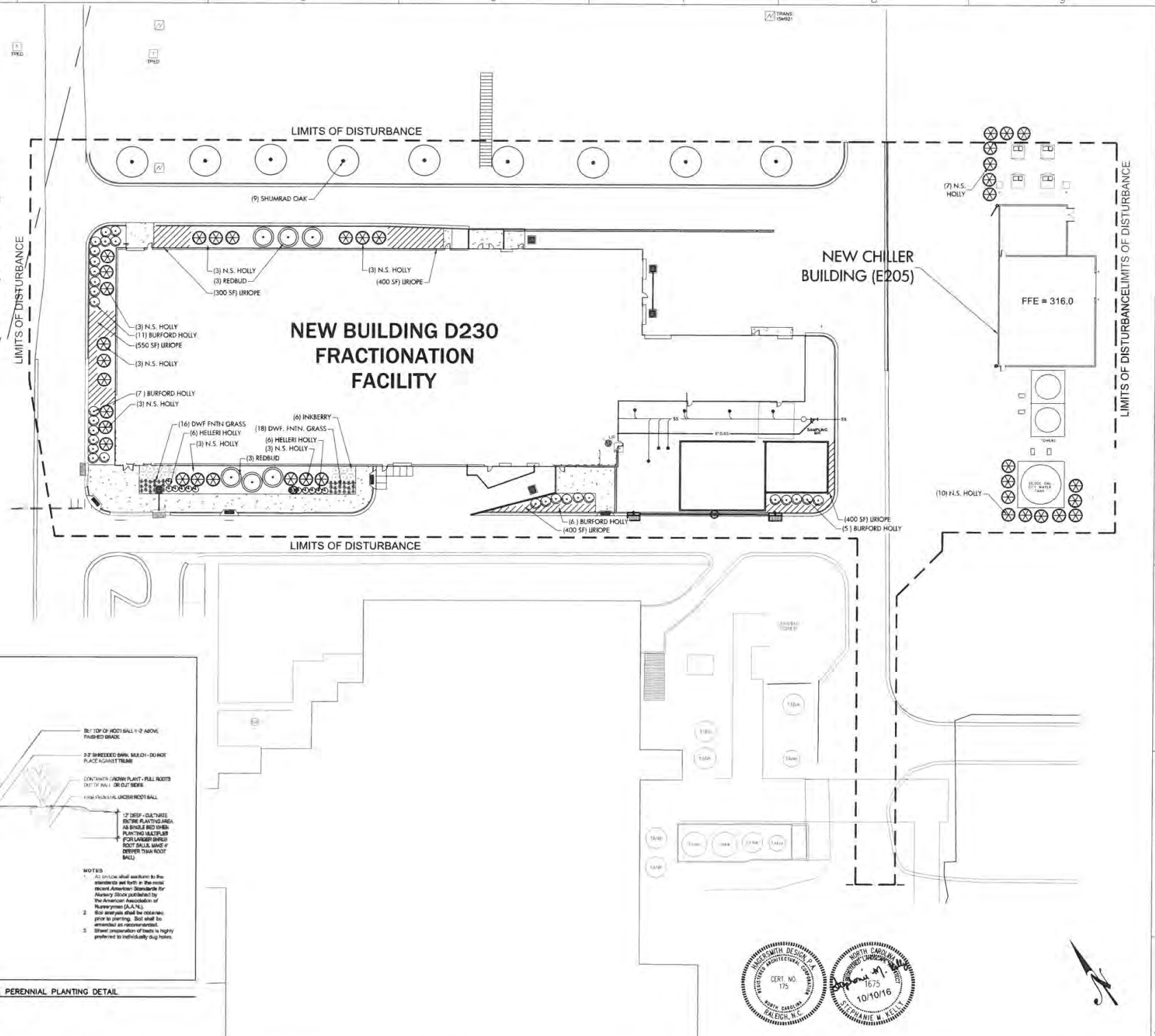
- All landscaping shall conform to the standards set forth by the Town of Clayton Code of Ordinances.
- The standards for all plant material, including the minimum height, root ball size, number of branches and width shall conform to the American Standard for Nursery Stock (ANSI Z60.1), 2014 addition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



1 TYPICAL TREE PLANTING DETAIL
L-300 NTS



2 TYPICAL SHRUB, GROUNDCOVER, PERENNIAL PLANTING DETAIL
L-300 NTS



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



CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
2840 Plaza Place, Suite 103
Raleigh, NC 27612
919.277.0494 FAX
919.277.0495 FAX
NC FIRM LICENSE NO F0113
JOB NO. 7759.00

NO.	DATE	BY	APP.	REVISION
1	10-10-16	JEL		1ST REVIEW LANDSCAPE REVISIONS
2				LANDSCAPE ADDITIONS

Electronic Signatures:

Issued for Permits

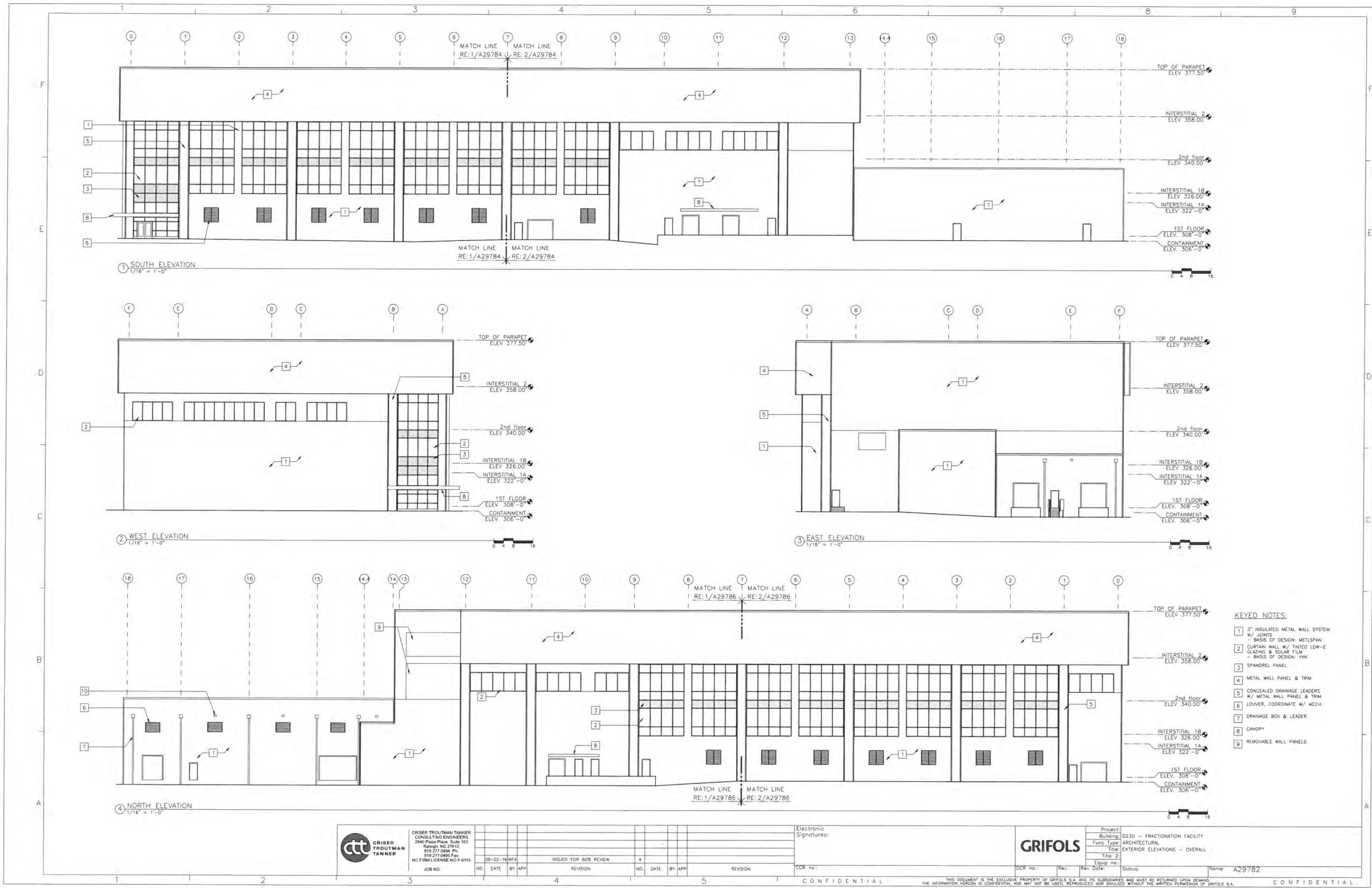
OCR no.:

GRIFOLS

Project: D230 - FRACTIONATION BUILDING
Building Type: BUILDING- LANDSCAPE PLAN
Title: 2
Equip. no.:
Status: ISSUED FOR PERMITS
Name: S20760

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CONFIDENTIAL



- KEYED NOTES:
- 1 3" INSULATED METAL WALL SYSTEM W/ JOINTS - BASIS OF DESIGN: METSPAN
 - 2 CURTAIN WALL W/ TINTED LOW-E GLAZING & SOLAR FILM - BASIS OF DESIGN: YKK
 - 3 SPANDREL PANEL
 - 4 METAL WALL PANEL & TRIM
 - 5 CONCEALED DRAINAGE LEADERS W/ METAL WALL PANEL & TRIM LOUVER, COORDINATE W/ MECH
 - 6 DRAINAGE BOX & LEADER
 - 7 CANOPY
 - 8 REMOVABLE WALL PANELS



CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
2540 Plaza Place, Suite 103
Raleigh, NC 27612
919.277.5454 Pkx
919.277.0495 Fax
NC FIRM LICENSE NO. P-0113

NO.	DATE	BY	APP.	REVISION	NO.	DATE	BY	APP.	REVISION
09-02-16	WFA			ISSUED FOR 60% REVIEW	4				

Electronic Signatures:
CCR no.:

GRIFOLS

Project: D230 - FRACTIONATION FACILITY
Building: ARCHITECTURAL
Func. Type: EXTERIOR ELEVATIONS - OVERALL
Title: 2:
Equip. no.:
Status: Name: A29782

CONFIDENTIAL

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CONFIDENTIAL

	Fractionation Expansion Project D230	Revision 0 9/21/2016
	Parking Lot Requirements GT003158	Page 1 of 1

To: Jay McLeod, AICP Town of Clayton, Senior Planner

From: Brent Noel, PE

CC: Tim Hamm

David Criser, PE

Subject: Parking Lot Rational

This letter is in response to the Town of Clayton’s request to add the future parking lot to the major site application. At the current time Building D310 has occupancy of 84 Grifols personnel with combining day and evening shift. The North Parking Lot Grifols is getting ready to construct will have 136 parking spots not including 4 ADA spots.

When the proposed D230 building comes on line in 2021, the two buildings combined will have 137 personnel over both shifts. Manufacturing, maintenance and management have staggered shifts changes so the parking areas never see maximum occupancy with both day and night shifts. Peak occupancy with both buildings operating at 100% is not planned to occur until 2030.

The peak occupancy combining day and night is projected to be 224 people. Grifols anticipates constructing the future parking lot shown on the major sit plan between 2021 and 2030 as business growth dictates.

Thanks,



Brent M. Noel, PE
Project Manager
D230 Fractionation Project
Grifols Therapeutics, Inc.
Clayton NC, 27520

From: [Little, Timothy M](#)
To: [Jay McLeod](#); [Haley Hogg](#)
Cc: [Harrell, Jiles P](#)
Subject: FW: Traffic Impact Analysis (TIA) for Grifols Expansion
Date: Tuesday, August 30, 2016 10:58:04 AM

Gentlemen,

Please find a copy of an email that I recently sent Tim Hamm from Grifols concerning a proposed Traffic Impact Study for their new facility. I strongly believe that a study is NOT needed and should not be required. Please feel free to contact me if you have questions.

Tim

From: Little, Timothy M
Sent: Tuesday, August 30, 2016 10:50 AM
To: Hamm, Tim <Tim.Hamm@grifols.com>
Cc: Harrell, Jiles P <jpharrell@ncdot.gov>
Subject: Traffic Impact Analysis (TIA) for Grifols Expansion

Tim,

Hope this email finds you doing well. I recently received information concerning a possible TIA for your expansion on the north side of your property in Clayton. Based on the information I received concerning the operation of the new facility and the number of new employees, a TIA is NOT required by the Department. Many improvements in that area are already planned due to the new facility at Novo. These improvements should mitigate any issues that result from your new facility as well. Furthermore, in the unlikely event that issues may occur, the department will take appropriate measures to mitigate those issues. Our constant goal is to provide safe and efficient access to the Grifols facility and insure that we continue to build on our relationships.

Please feel free to contact me if you have any questions.

Tim

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

GRIFOLS	Fractionation Expansion Project D230	Revision 0 9/1/2016
	Utilities Expansion Clarification Letter GT003158	Page 1 of 1

To: Jay McLeod, AICP Town of Clayton, Senior Planner

From: Brent Noel, PE

CC: Tim Hamm

David Criser, PE

Subject: Clarification of Water Usage for Grifols Campus

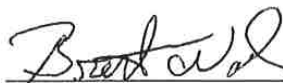
This letter is in response to the Town of Clayton's request to understand Our proposed buildings impact of the water and sewer systems. The proposed D230 facility is projected to use 175,000 gallons of water per day at peak operations. Most of that water will be returned to the town as sewer water.

Recently Grifols purchased building C580 from Pfizer, Inc. This building came with a 165,000 GPD water and sewer allocation. Grifols is in the process of utilizing this facility for storage and office facilities with minimal water usage. In addition Grifols is reallocating the high purity water system from the Hospertia building to the new D 230 facility.

We feel that the present Grifols allocation is sufficient to meet the needs of the new facility. We have an active program of water conservation and should continue to reduce water usage in our manufacturing operations. Due to these circumstances Grifols does not believe an additional sewer and water allocation is required.

Please let us know if you need additional information related to this issue for the Major Site Application

Thanks,



Brent M. Noel, PE
Project Manager
D230 Fractionation Project
Grifols Therapeutics, Inc.
Clayton NC, 27520

From: [Haley Hogg](#)
To: [Laura Gray](#)
Subject: FW: Grifols- Wastewater
Date: Wednesday, October 19, 2016 4:14:37 PM

Laura,

Please print this and include it in the PB packet for Grifols. We didn't get a chance to include this in the staff report, but this way the board members will know what John concluded about the wastewater.

Thanks!

Haley

From: John McCullen
Sent: Wednesday, October 19, 2016 4:10 PM
To: Haley Hogg
Subject: RE: Grifols- Wastewater

Haley,

I agree the wastewater allocation at Grifols covers this expansion. After 18 months of operation, we can audit the usage. I say we are good at the moment.

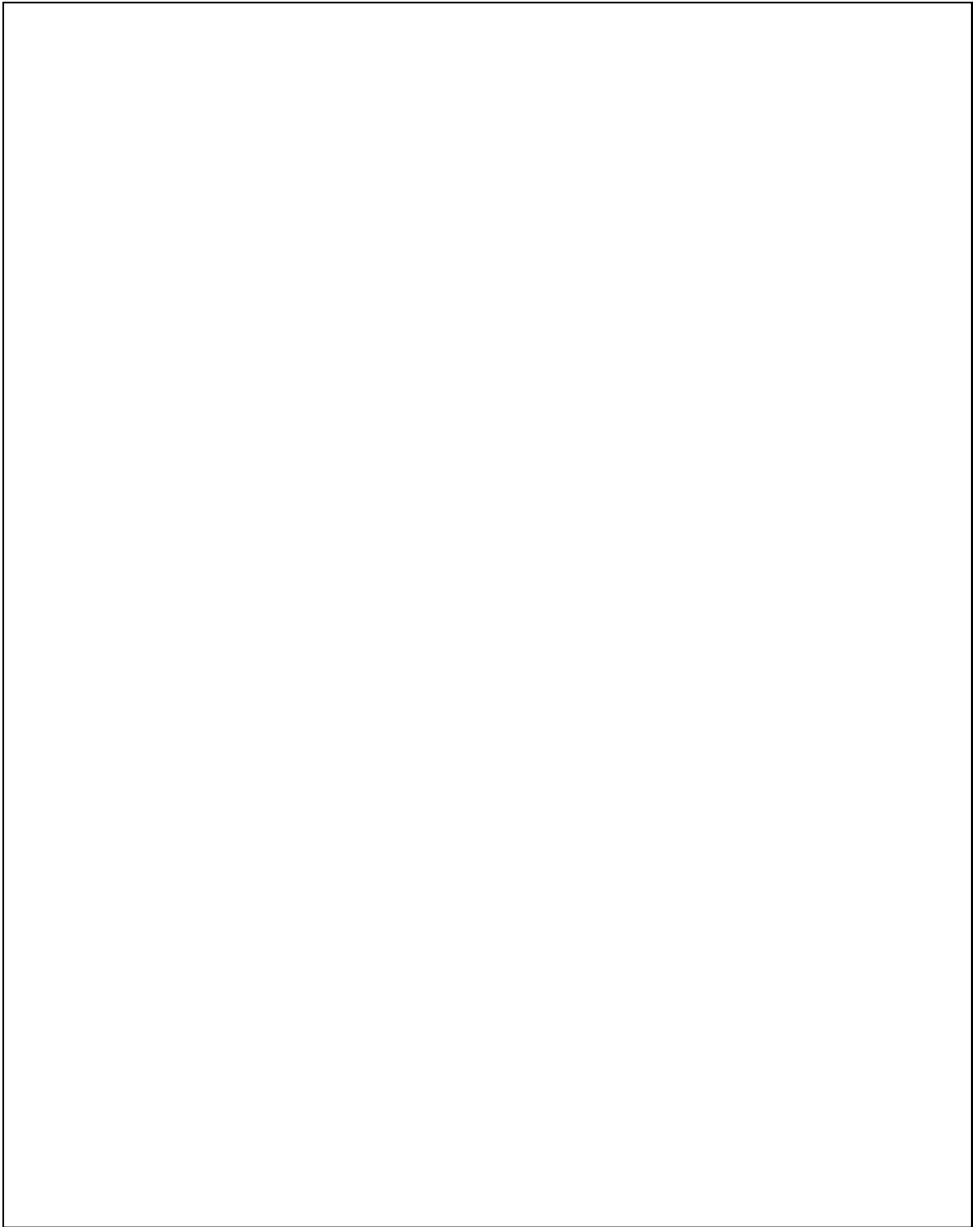
John

From: Haley Hogg
Sent: Wednesday, October 19, 2016 12:22 PM
To: John McCullen
Subject: Grifols- Wastewater
Importance: High

John,

Are you on board with the proposal for wastewater that Grifols wrote up? I've attached the letter in case you haven't seen it yet. Please let me know as soon as possible what your thoughts are, so that I can include them in the staff report. The reports are supposed to go out by the end of the day.. Will they need to submit a new allocation?

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





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
October 24, 2016*

STAFF REPORT

Application Number: 2016-102-OA

Project Name: Sign Code Amendment 2016 (Ordinance Amendment)

Applicant: Town

Public Noticing:

- Newspaper ad posted prior to November 23, 2016

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to signs, sign permits, and associated definitions and regulations.

SECTIONS PROPOSED FOR AMENDMENT:

The following sections of Title XV, Chapter 155 are proposed for amendment:

- Major revisions:
 - 403 – Signs
- Minor revisions (for consistency with the above revisions):
 - 700 – Review Bodies
 - 701 – Summary of Review Authority
 - 702 – Common Review Procedures
 - 713 – Sign Permits
 - 802 – Defined Terms

STAFF ANALYSIS AND COMMENTARY:

Overview

Recent operational experiences with sign regulation and permitting have revealed some issues or complications that can be addressed through revisions to the Sign Code (§155.403). The proposed Sign Code revisions attempt to solve negative experiences with sign permitting that have trended toward the following: complicated customer experience, long permit review and turnaround, unsatisfactory signage outcomes, frustrated businesses unable to erect signage in a reasonable timeframe, lack of coordination between business owners

Page 1 of 3

and property owners. The solution to these issues is general updating of the sign code and removal of the Master Sign Plan process.

The Sign Code is proposed for general revision, including updating the prohibited and exempted signage. Note: "Exempt" signage is only exempt from obtaining a permit, not from meeting sign dimensional criteria. Prohibited signs are expanded, in particular to include "rope" or string lighting. The proposed updates also include adding regulation of two new sign types: Tenant Identification Sign and Flags/Flagpoles. Criteria for all sign types have been revised for added clarity.

The Master Sign Process regulates all buildings with multiple uses or tenants, planned developments, and other such sites. This includes all multi-tenant buildings, with strip malls being a good example. The Master Sign Plan was originally created to "provide a unified record of signs and promote coordinated signage". The concept was simple: businesses that are connected should look like they belong together. In practice, however, it has proved unworkable and/or legally suspect (depending on the particulars of the site), has required a professional planner or Code-writer to create each one, and has consumed many hours of staff review time for little gain. The proposed Sign Code revisions address this by removing the Master Sign Plan, but also refining other specific sign criteria (such as wall signs) to incorporate changes that reduce signage clutter. The Alternative Sign Plan process remains as a signage pressure relief valve (of sorts) for sites that are unique or exceptional.

These proposed amendments will help refine the regulation of signage and signs in Clayton to allow a more cooperative, more easily understandable, and streamlined process for business owners, property owners, Town staff, and sign companies. The resulting process will create a more efficient and business-friendly sign permitting process while also retaining the criteria for signage excellence to which the Town aspires.

The proposed changes are summarized in the table below:

Sign Code Ordinance Amendment Summary	
Major Issues	Proposed Solution
Some signage criteria are tied to criteria that not all sites can meet or measure.	Realign signage criteria to tenant-specific criteria.
Master Sign Plan process is problematic, and can cause excessive delay and/or possible legal inconsistencies. It is also burdensome for customers, business owners, property owners, Town staff, and sign companies.	Remove the Master Sign Plan and streamline signage requirements, and allow landlord/tenants to better manage signage as the market dictates. Alternative Sign Plan process remains as an option for creative signage.
Minor Issues	Proposed Solution
Emergence of undesirable sign types.	Define and prohibit "rope" lighting, backlit awnings, substandard signage in secondary (non-storefront) windows, etc.
Emergence of desirable, but currently unregulated signage.	Establish new criteria for Flags & Flagpoles and Tenant Identification Signs.

Needed definitions for enhanced clarity and identification of sign types and other regulating criteria.	Added definitions.
---	--------------------

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 introduce overly novel changes to the Code, with the exception of the regulation of the proposed new sign types. Some novelty also exists in the expansion of exempted and prohibited signs.
- **Correction of existing errors**
The request incorporates 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) Application
- 2) 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

ORDINANCE AMENDMENT APPLICATION

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

Application Fee: TBD

Advertisement Fee: \$100.00

All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: SIGN CODE REVISION

Existing title of Code Section(s): ~~§~~ Signs

Code Section Number(s): 155.403

APPLICANT/CONTACT INFORMATION

Applicant: Planning Dept.

Mailing Address: 111 E. 2nd St

Phone Number: (919) 553-5002 Fax: _____

Contact Person: JAY McLEOD

Email Address: jwmcLeod@townofclaytonnc.org

DESCRIPTION OF REQUESTED CHANGES

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

Small revisions to the sign code section are requested to streamline review & permitting.

FOR OFFICE USE ONLY

Date Received: MAY 10 2016

Amount Paid: \$0 - Town-initiated

File Number: 2016-102-0A

Version 05/10/2016

TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 2

REQUIRED INFORMATION (to be submitted with the application)

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

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

APPROVAL CRITERIA

All applications for Ordinance Amendment must address the following criteria:

1. The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.

Revisions are consistent & are minor in scope.

2. The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.

Revisions are minor & reflect a simplification to better serve sign permittees of the Town.

3. Whether or not the proposed text amendment corrects an error in the chapter.

Revisions refine the chapter.

4. Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.

Revisions ~~are~~ are consistent with statutes & case law.

APPLICANT AFFIDAVIT

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

JAY McLEOD (on behalf of Planning Dept.)
Print Name

Signature of Applicant

05/10/2016
Date

ARTICLE 7: ADMINISTRATION

§ 155.700 REVIEW BODIES

(A) TOWN COUNCIL

(1) **Establishment and Composition**

The Town Council is established and composed pursuant to the Town Charter and Chapter 30 of the Town's Code of Ordinances.

(2) **Powers and Duties**

In execution of the provisions of this Chapter, the Town Council shall be responsible for final action regarding the following:

- (a) Text Amendments (§ 155.703);
- (b) Rezoning (§ 155.704);
- (c) Planned Development Review (§ 155.705);
- (d) Preliminary Plat Review (§ 155.706);
- (e) Special Use Review (§ 155.711); ~~and~~
- (f) Zoning Vested Rights (§ 155.718); and
- ~~(f)(g)~~ Alternative Sign Plans (§155.703).

(B) PLANNING BOARD

(1) **Establishment and Composition**

The Planning Board is established and composed pursuant to Chapter 32 of the Town's Code of Ordinances.

(2) **Powers and Duties**

In execution of the provisions of this Chapter, the Planning Board shall have the following power and duties.

(a) **General Authority**

1. The Planning Board may exercise additional powers as may be described elsewhere in this chapter and as permitted by North Carolina General Statutes.

2. The Planning Board shall perform related duties as directed by the Town Council.

(b) ***Review Authority***

The Planning Board shall make recommendations regarding the following:

1. Text Amendments (§ 155.703);
2. Rezoning (§ 155.704);
3. Planned Development Review (§ 155.705);
4. Preliminary Plat Review (§ 155.706); and
5. Special Use Review (§ 155.711).

(c) ***Final Authority***

The Planning Board shall be responsible for final action regarding the following:

1. Major Site Plan Review (§ 155.707); and
2. Alternative means of compliance in the Thoroughfare Overlay District.

(C) **BOARD OF ADJUSTMENT**

(1) ***Establishment***

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

(2) ***Composition***

(a) ***Number and Term***

1. The Board of Adjustment shall consist of seven members with four members residing in the corporate limits and three members residing within the Town's Extraterritorial Jurisdiction (ETJ); and each member is to be appointed for three years.
2. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the Town Council may appoint certain members for less than three years to the end that thereafter the terms of all members shall not expire at the same time.

(b) ***Membership***

1. Membership on the Board of Adjustment shall include representatives from the ETJ.
2. Any member of the Board of Adjustment representing the ETJ shall be appointed by the Town Council, subject to approval by the Johnston County Board of County Commissioners.

(c) ***Alternate Members***

1. The Town Council may, in its discretion, appoint and provide compensation for two alternate members to serve on the Board of Adjustment in the absence of any regular member. One alternate member shall be from the Town and one alternate member shall be from the ETJ.
2. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members.
3. Each alternate member, while attending any regular or special meeting and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.

(d) ***Attendance***

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

(3) ***Proceedings***

(a) ***Meetings***

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

(b) ***Minutes***

The Board of Adjustment shall keep minutes of proceedings in a book maintained for that purpose only, showing the vote of each member upon each question, or if absent or failing to vote, an indication of such fact; and final disposition of appeals shall be by

recorded resolution, indicating the reasons of the Board, all of which shall be a public record.

(c) ***Quorum***

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

(4) **Powers and Duties**

In execution of the provisions of this Chapter, the Board of Adjustment shall have the following powers and duties.

(a) ***General Authority***

The Board of Adjustment may exercise additional powers as may be described elsewhere in this Chapter and as permitted by North Carolina General Statutes.

(b) ***Final Authority***

The Board of Adjustment shall be responsible for final action regarding the following:

1. Conditional Use Review (§ 155.710);
2. Variances (§ 155.716); and
3. Administrative Appeals (§ 155.717).

(D) **PLANNING DIRECTOR**

(1) **Designation**

The Planning Director shall administer certain provisions of this Chapter as may be required below.

(2) **Delegation of Authority**

The Planning Director may designate any staff member to represent the Planning Director in any function assigned by this Chapter but shall remain responsible for any final action.

(3) **Powers and Duties**

In execution of the provisions of this Chapter, the Planning Director shall have the following powers and duties.

(a) **General Authority**

1. The Planning Director may exercise additional powers as may be described elsewhere in this Chapter and as permitted by North Carolina General Statutes.
2. The Planning Director shall perform related duties as directed by the Town Council.

(b) **Review Authority**

The Planning Director shall make recommendations regarding the following:

1. Text Amendments (§ 155.703);
2. Rezoning (§ 155.704);
3. Planned Development Review (§ 155.705);
4. Preliminary Plat Review (§ 155.706);
5. Major Site Plan Review (§ 155.707);
6. Conditional Use Review (§ 155.710);
7. Special Use Review (§ 155.711);
8. Alternative Sign Plans (§ 155.713);
9. Variances (§ 155.716); and
10. Zoning Vested Rights (§ 155.718).

(c) **Final Authority**

The Planning Director shall be responsible for final action regarding the following:

1. Minor Plat Review (§ 155.706);
2. Final Plat Review (§ 155.706);
3. Administrative Amendment (§ 155.707);
4. Minor Site Plan Review (§ 155.707);
5. Traffic Impact Analyses (§ 155.708);

6. Zoning Permits (§ 155.709);
7. Temporary Use Permits (§ 155.712);
8. Sign Permits ~~for signs under eight feet in height~~ (§ 155.713);
- ~~9. Master Sign Plans (§ 155.713); and~~
- ~~10-9.~~ Written Interpretations (§ 155.715).

(E) **TECHNICAL REVIEW COMMITTEE**

(1) **Establishment and Composition**

The Technical Review Committee is established and composed pursuant to Chapter 32 of the Town's Code of Ordinances.

(2) **Powers and Duties**

In execution of the provisions of the Chapter, the Technical Review Committee shall have the following powers and duties.

(a) ***Review Authority***

The Technical Review Committee shall review and provide comments regarding the following:

1. Planned Development Review (§ 155.705);
2. Minor Plat Review (§ 155.706);
3. Preliminary Plat Review (§ 155.706);
4. Final Plat Review (§ 155.706);
5. Minor Site Plan Review (§ 155.707); and
6. Major Site Plan Review (§ 155.707).

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2008-09-01, passed 9-2-08; Am. Ord. 2011-12-02, passed 12-5-11; Am. Ord. 2013-02-02, passed 2-4-13; Am. Ord. 2013-12-03, passed 12-2-13; Am. Ord. 2014-06-10, passed 6-16-14)

§ 155.701 SUMMARY OF REVIEW AUTHORITY

Table 7-1 below summarizes review and approval authority under this chapter.

Table 7-1 Review and Approval Authority

	Technical Review Committee TRC	Planning Director PD	Board of Adjustment BOA	Planning Board PB	Town Council TC	
Text Amendment		Review		Review	<DECISION>	§ 155.703
Rezoning		Review		Review	<DECISION>	§ 155.704
Planned Development	Review	Review		Review	<DECISION>	§ 155.705
Minor Subdivision Plat	Review	DECISION				§ 155.706
Preliminary Plat	Review	Review		Review	<DECISION>	§ 155.706
Final Plat	Review	DECISION				§ 155.706
Administrative Amendment		DECISION				§ 155.707
Minor Site Plan	Review	DECISION				§ 155.707
Major Site Plan	Review	Review		DECISION		§ 155.707
Traffic Impact Analysis						§ 155.708
Zoning Permit		DECISION				§ 155.709
Conditional Use		Review	<DECISION>			§ 155.710
Special Use		Review		Review	<DECISION>	§ 155.711
Temporary Use Permit		DECISION				§ 155.712
Sign Permit		DECISION				§ 155.713
Master Sign Plan		DECISION				§ 155.713
Alternative Sign Plan		Review			<DECISION>	§ 155.713
Written Interpretation		DECISION				§ 155.715
Variance		Review	<DECISION>			§ 155.716
Administrative Appeal			<DECISION>			§ 155.717
Zoning Vested Right		Review			<DECISION>	§ 155.718
<Public Hearing Required>						

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2013-02-02, passed 2-4-13; Am. Ord. 2013-12-03, passed 12-2-13)

§ 155.702 COMMON REVIEW PROCEDURES

(A) PRE-APPLICATION CONFERENCE

- (1) Before submitting an application for development approval, each applicant shall schedule a pre-application conference with the Planning Department to discuss the procedures, standards and regulations required for development approval in accordance with this chapter.
- (2) Unless waived by the Planning Director, ~~A~~a pre-application conference with the Planning Department shall be required for all development approvals listed in Table 7-1, with the exception of Written Interpretations (~~§~~155.715).

(B) NEIGHBORHOOD MEETING

- (1) After the pre-application conference and prior to the first public meeting, the applicant shall hold a mandatory neighborhood meeting for the following:
 - (a) Rezoning (§ 155.704);
 - (b) Planned development review (§ 155.705);
 - (c) Major subdivision / Preliminary Plat review, (§ 155.706);
 - (d) Major site plan review (§ 155.707);
 - (e) Special use review (§ 155.711); and
 - (f) Conditional use review (§ 155.710).
- (2) Only the initial application for Planned Development review shall require a neighborhood meeting. Subsequent applications for Subdivision or Site plan review do not require further neighborhood meetings.
- (3) The purpose of the neighborhood meeting shall be to inform the neighborhood of the nature of the proposed land use and development features, explain the site plan if any, and solicit comments.
- (4) The applicant shall provide notification by mail to property owners as identified in (D)(2)(c) of this Section. The notice shall be mailed at least ten days but not more than 25 days prior to the date of the neighborhood meeting. Neighborhood meetings shall be held no earlier than 6:00 pm Monday through Friday to allow adequate time for attendees to get to the meeting.
- (5) The applicant shall provide to the Planning Department a copy of all notice materials including the letter and addresses, and provide written certification of the mailing. Certification shall note the date of the mailing and be signed by the applicant.

- (6) The applicant shall prepare and submit to the Planning Director a meeting summary that outlines attendance, major points discussed, and any agreements reached between the parties involved.
- (7) The Planning Director may develop administrative rules pertaining to any additional requirements for the conduct of the meeting.

(C) **APPLICATION REQUIREMENTS**

(1) **Forms**

Applications required under this Chapter shall be submitted on forms and in such numbers as required by the Planning Director.

(2) **Fees**

- (a) All applications and associated fees shall be filed with the Planning Department.
- (b) Filing fees shall be established from time to time to defray the actual cost of processing the application, as listed in the Town's Comprehensive List of Fees and Charges.
- (c) An applicant who has paid the appropriate fee pursuant to the submission of an application, but who chooses to withdraw such application prior to its distribution for review shall be entitled to a refund of the total amount paid, less 10% for administrative costs, upon written request to the appropriate department. Once review has begun, no refund shall be available, except that unused notice surcharges shall be refunded less 10% for administrative purposes.

(3) **Application Deadline**

Applications shall be submitted to the Planning Department in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

(4) **Applications Sufficient For Processing**

- (a) All applications shall be sufficient for processing before the Planning Department is required to review the application.
- (b) An application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this Chapter.
- (c) The presumption shall be that all of the information required in the application materials is necessary to satisfy the requirements of this section. However, it is recognized that each application is unique, and therefore more or less information

may be required according to the needs of the particular case. The applicant may rely on the recommendations of the appropriate department as to whether more or less information should be submitted.

- (d) Once the application has been determined sufficient for processing, copies of the application shall be referred by the Planning Department to the appropriate reviewing entities.

(5) Final Determinations On Sufficient Applications

- (a) Following review by appropriate entities, Planning Department staff shall review any updated application materials and confer with the applicant to ensure an understanding of the applicable requirements of this Chapter; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.
- (b) Once the applicant indicates that the application is as complete as the applicant intends to make it, Planning Department staff will make a determination on the application, or as required by this Chapter, the application shall be placed on the agenda of the appropriate review board in accordance with standard procedures.

(6) Concurrent Applications

- (a) If approved by the Planning Director, applications for development approvals may be filed and reviewed concurrently. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.
- (b) Applications submitted concurrently are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

(D) NOTICE AND PUBLIC HEARINGS

(1) Summary Of Notice Required

Notice shall be required for applications for approval as shown in Table 7-2 below.

Table 7-2 – Public Notice Requirements

	Published	Mailed	Posted	
Text Amendment	•			§ 155.703
Rezoning	•	•	•	§ 155.704
Planned Development	•	•	•	§ 155.705

Preliminary Plat Review	•	•	•	§ 155.706
Major Site Plan			•	§ 155.707
Conditional Use Review	•	•	•	§ 155.710
Special Use Review	•	•	•	§ 155.711
Variance	•	•	•	§ 155.716
Administrative Appeal		•	•	§ 155.717

(2) **Public Notice Requirements**

(a) ***Published Notice***

Where published notice is required, a distinctive advertisement shall be placed by the Town in a local newspaper of general circulation once a week for two successive calendar weeks, the first notice being published not less than ten days nor more than 25 days before the date fixed for the public hearing.

(b) ***Posted Notice (Sign)***

Where posted notice is required, a sign shall be posted not less than ten days prior to the public hearing at which the application shall be reviewed. The sign shall be posted on the property or at a point visible from the nearest public street. The sign shall indicate that a public hearing will be held and a phone number to contact the Town.

(c) ***Mailed Notice***

1. Where mailed notice is required, the applicant shall supply stamped addressed envelopes to the Planning Department. The notification shall be made by first-class mail by Planning Department Staff (at the last addresses listed for such owners in the county tax records) to all property owners within 100 feet and immediately abutting 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. The Planning Department shall certify to the Town Council that fact, and such certificate shall be deemed conclusive in the absence of fraud.
2. The notice shall be mailed at least ten but not more than 25 days prior to the date of the public hearing.
3. Mailed notice under this section shall not be required if a rezoning (including a planned development rezoning) directly affects more than 50 properties owned

by a total of at least 50 different property owners, and the Town elects to use the following expanded notice requirements:

- A. Published notice of the hearing shall be provided as set forth in (D)(2)(a) of this section. The advertisement shall not be less than one-half of a newspaper page in size.
- B. Mailed notice of the hearing shall be provided (as set forth in (D)(2)(c)1. and 2. of this section) to all property owners who reside outside of the newspaper's circulation area.

(d) **Content of Notice**

A published or mailed notice shall provide at least the following:

- 1. Parcel identification number;
- 2. The address of the subject property (if available);
- 3. The general location of the land that is the subject of the application, which may include, a location map;
- 4. A description of the action requested;
- 5. Where a rezoning is proposed, the current and proposed districts;
- 6. The time, date and location of the public hearing;
- 7. A phone number to contact the Town; and
- 8. A statement that interested parties may appear at the public hearing.

(3) **Constructive Notice**

Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.

(E) **REQUIRED HEARINGS**

A public hearing shall be required for development review as shown in Table 7-3 below.

Table 7-3 Required Hearings

	Board of Adjustment BOA	Town Council TC	
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Text Amendment		•	§ 155.703
Rezoning		•	§ 155.704
Planned Development		•	§ 155.705
Preliminary Plat		•	§ 155.706
Conditional Use Review	•		§ 155.710
Special Use Review		•	§ 155.711
Alternative Sign Plan		•	§ 155.713
Variance	•		§ 155.716
Administrative Appeal	•		§ 155.717

(F) **DECISIONS**

Unless specifically provided elsewhere, all decisions on land use changes, including rezonings, shall require an affirmative vote. Tie votes shall be considered denials of any requested change.

(G) **NOTICE OF DECISION**

Within 14 days after a decision is made, a copy of the decision shall be delivered to the applicant by personal delivery, electronic mail or first-class mail. The decision shall also be filed with the Planning Department and available for public inspection during regular office hours.

(H) **WITHDRAWAL OF APPLICATION**

- (1) An applicant may withdraw an application at any time, by filing a statement of withdrawal with the Planning Director.
- (2) The statement of withdrawal shall be signed by all persons who signed the application, or in the event of death or incompetence, by the estate's lawful personal representative.
- (3) If a valid zoning protest petition shall have been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the Town Council hearing date upon which the matter is to be returned for action by the Town Council. Thereafter, the application may be withdrawn only by leave of the Town Council, by majority vote.
- (4) The Planning Director may withdraw applications due to failure of the applicant to submit required information within 90 days of the initial request.

- (5) An applicant may postpone a scheduled public hearing once per application for up to 90 days after the date the first public hearing was scheduled to occur, after which the Planning Director may withdraw the application.

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2007-04-05, passed 4-2-07; Am. Ord. 2011-05-01, passed 5-2-11; Am. Ord. 2013-02-02, passed 2-4-13; Am. Ord. 2013-12-03, passed 12-2-13)

§ 155.713 SIGN PERMIT

(A) APPLICABILITY

- (1) Except as otherwise provided in § 155.403(D) Exemptions, no sign may be erected, located, or altered in any manner until a ~~s~~Sign ~~p~~Permit, and building permit if necessary, has been secured from the Planning Department. The change of copy on a legally constructed sign shall not require a ~~permit~~ Sign Permit ~~unless it is included as part of an approved master sign plan or alternative sign plan (see § 155.403(J) and § 155.403(K)).~~
- (2) ~~After January 19, 1999, all signs erected in conformance with these regulations shall display a sticker which is issued by the Planning Department. Any sign which does not display this sticker shall be considered a zoning violation or nonconforming sign, and subject to the relative provisions of this chapter. Any sign which does not comply with the appropriate regulations in §155.403 "Signs" and cannot produce a valid sign permit within one week of request shall be considered in violation and/or non-conforming, depending on the specifics of the sign.~~

(B) APPLICATION REQUIREMENTS

An application for ~~s~~Sign ~~p~~Permit shall be submitted in accordance with § 155.702(c).

(C) ACTION BY PLANNING DIRECTOR

Following completion of the technical review period, the ~~p~~Planning ~~d~~Director shall review and take final action on the ~~s~~Sign ~~p~~Permit application, for any sign less than eight feet tall, or the master sign plan, provided that all requirements of this chapter, and all other applicable electrical and North Carolina Building Code requirements are met.

(D) ACTION BY TOWN COUNCIL

Following completion of the technical review period, the ~~t~~Town ~~c~~Council shall review and take final action on any aAlternative ~~s~~Sign ~~p~~Plans application and/or billboard ~~s~~sign application provided that all requirements of this chapter, Chapter §155.403 "Signs", and all other applicable electrical and North Carolina Building Code requirements are met.

(E) INSPECTION OF PERMANENT SIGNS

- (6) The applicant shall request an inspection by the appropriate inspector after installation of the signs.
- (7) The ~~s~~Sign ~~p~~Permit shall be null and void if sign installation is not completed within six months or the signs are not in conformance with the approved application.
- (8) Valid ~~s~~Sign ~~p~~Permits may be assigned to a successor as holder of a business license for the same premises.

(F) **TEMPORARY SIGN PERMIT**

A ~~t~~Temporary ~~s~~Sign ~~p~~Permit shall be issued in accordance with § 155.403. A ~~master-sign-plan~~
Alternative Sign Plan shall not be required for applications for ~~t~~Temporary ~~s~~Sign ~~p~~Permits.

(G) **REVOCATION OF A SIGN PERMIT**

The ~~s~~Sign ~~p~~Permit shall be revoked if a sign is found to be in violation of the requirements of this chapter, or other applicable electrical and North Carolina State Building Code requirements.

(H) **APPEAL**

Final action on a ~~s~~Sign ~~p~~Permit may be appealed to the Board of Adjustment in accordance with § 155.717.

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2013-09-06, passed 9-3-13; Am. Ord. 2014-06-10, passed 6-16-14)

ARTICLE 8: DEFINITIONS

§ 155.802 DEFINED TERMS

Abutting

A property that directly touches another piece of property.

Accessory Structure

A structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. A subordinate dwelling unit, garage, carport or storage shed are all examples of accessory structures.

Acreage, Gross

Land area with streets, rights-of-way, driveways which serve as access to more than two units or uses, and major transmission lines not included in its measurement.

Acreage, Net

Land area excluding streets, rights-of-way, driveways which serve as access to more than two units or uses, and major transmission lines not included in its measurement.

Adjacent

Property abutting directly on the boundary of, touching, or sharing a common point.

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.

Alteration

Any change, addition, or modification in construction or occupancy of an existing structure.

Antenna

A system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals. Such shall include, but not be limited to radio, television, cellular, internet, microwave telecommunications and services not licensed by the FCC, but not expressly exempt from the Town's siting, building and permitting authority.

Applicant

Any person, firm, or corporation requesting approval of any land-use, development, or improvement application, or similar entitlement regulated by the municipal code.

Approval Authority

The Town Council, Planning Board, Board of Adjustment or other board or official designated by ordinance or this chapter as being authorized to grant the specific zoning or land use permit or approval that constitutes a site specific development plan.

Best Management Practices (BMP)

A structural or nonstructural management-based practice used singularly or in combination to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.

Buffer

Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically and visually separate one use or property from another in order to mitigate the impacts of noise, light, or other nuisance.

Buffer, Stream

An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not form a channel and which provides for infiltration of the runoff and filtering of pollutants.

Building

Any structure having a roof supported by columns or by walls, and intended for shelter, housing, or enclosure of persons, animals, or property.

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.

Building Separation

The required separation between any two buildings.

Caliper

The diameter of plant material, measured at six inches above grade for calipers of up to four inches, and 12 inches above grade for larger calipers.

Clearance

The shortest distance between two objects that must be maintained clear and free from obstructions or another specific identified object(s).

Co-Location

The use of a wireless telecommunication support facilities by more than one wireless telecommunication provider for the provision of wireless services without increasing the height of the tower or structure.

Conditional Use

A use or occupancy of a structure, or a use of land, permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein.

Construction

On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earthmoving, blasting and landscaping.

Crosswalk

A public pedestrian right-of-way which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

Cul-De-Sac (Commercial, Residential)

A short, street having one end open to traffic and the other permanently terminated by a vehicular turnaround.

Dedication

The transfer of ownership without payment or other interest in real property from a private entity to a public agency.

Density

The number of dwelling units permitted per acre of land.

Development

The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure, mining excavation, landfill, land disturbance; and any use or extension of the use of land.

Driveway

A private roadway located on a parcel or lot used for vehicle access.

Dwelling Unit

One or more habitable rooms which are occupied, or which are intended or designed to be occupied as a residence by one family, with facilities for living, sleeping, cooking, and dining.

Easement

A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

Extraterritorial Jurisdiction (ETJ)

An area outside the Town of Clayton's town limit delineated on the Official Zoning District Map. Pursuant to the North Carolina General Statutes, the Town enforces the following regulations within the ETJ: zoning ordinance; subdivision regulations and the North Carolina State Building Code.

Fence

An enclosure or barrier, such as wooden posts, wire, iron, etc., used as a boundary, means of protection, privacy screening or confinement, but not including hedges, shrubs, trees, or other natural growth.

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.

Flood Fringe Area

That area of the floodplain lying outside the floodway but still lying within the area of special flood hazard, that is, within the 100-year floodplain.

Floodplain

Any land area susceptible to being inundated by water from any source.

Floodway

The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the 100-year flood without a significant increase in the base flood elevation.

Frontage, Building

The straight-line length of any building or store which fronts upon a public street, a customer parking area, or pedestrian mall and which has one or more entrances to the main part of the building or store. If specified, this may also apply to the equivalent distance on another lot line, such as side.

Frontage, Lot

The distance for which the front boundary line of the lot and the street line are coincident. If specified, this may also apply to the equivalent distance on another lot line, such as side.

Frontage, Street

See "Lot Frontage". Not to be confused with Frontage Road, which is a type of physical street occurring near a thoroughfare.

Greenway

A linear, multi-use (pedestrian, bicycle) trail, generally with a finished surface of asphalt or concrete, providing passive and active recreational opportunities. Greenways are typically built to the Town's specification ("Typical Bikeway / Greenway Pavement Section", Detail # 401.03), with a minimum width of 10', with 2' of clear, graded natural surface on each side. Occasionally, greenways will be built to a lesser width and/or with alternative materials, such as gravel, stone dust, lime rock, packed clay, rubber, pervious pavement, or mulch.

Ground Cover

Any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

Hazardous Material

Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

Home Occupation

An occupation carried on in a dwelling unit by the resident thereof; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

Household

A domestic establishment including a member or members of a family or others living under the same roof.

Impervious Surface

Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

Infrastructure

Streets, water lines, sewers lines and other public facilities necessary to the functioning of a community.

Junk

Any scrap, waste, worn out, discarded material or debris collected or stored for destruction, disposal or some other use.

Land Disturbing Activity

Any use of land in residential, industrial, educational, institutional or commercial development, highway and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation. Sedimentation occurs whenever solid particulate matter, mineral or organic, is transported by water, air, gravity, or ice from the site of its origin, and is deposited elsewhere.

Landscape Plan

A plan associated with a subdivision, land development, or parking facility plan indicating the placement of landscape materials, including specifications, species, quantities, and method of installation.

Landscaping

The area within the boundaries of a given a lot that consists of planting materials, including but not limited to trees, shrubs, ground covers, grass, flowers, decorative rock, bark, mulch, and other similar materials.

Livestock

Grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, riding and draft horses, hogs, sheep, goats, miniature horses, llamas, and alpacas.

Loading, Off-Street

An unobstructed area provided and maintained for the temporary parking of trucks and other motor vehicles for the purpose of loading and unloading goods, materials and merchandise.

Local Street Network

System of local streets that include commercial streets, collector streets, residential collectors, cul-de-sacs, and alleys.

Lot

A portion of a subdivision or other parcel of land, intended as a unit for transfer of ownership or for development or both.

Lot Area

The horizontal area within the exterior lines of the lot, exclusive of any area in a public or private way open to public uses.

Lot, Corner

A lot having at least two adjacent sides that abut for their full length upon streets. Both such lot lines shall be considered front lot lines.

Lot, Double Frontage

A continuous or through lot of the same depth as the width of a block, and which is accessible from both of the streets upon which it fronts.

Lot, Flag

A lot that has access to a public right-of-way by means of a narrow strip of land.

Lot of Record

A lot which is part of a subdivision recorded in the Office of the Register of Deeds of Johnston County or Wake County, as appropriate, or a lot described by metes and bounds, the description of which has been so recorded.

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 street yard along a straight line parallel to the front of the property line or along the chord of the front property line.

Net Acreage, Net Gross

Land area with streets, rights-of-way, driveways which serve as access to more than two units or uses, and major transmission lines not included in its measurement.

Nonconformity

A condition that occurs when, on the effective date of adoption of this code or a previous ordinance or on the effective date of an ordinance text amendment or rezoning, an existing lot, structure, building, sign, development, or use of an existing lot or structure does not conform to one or more of the regulations currently applicable to the district.

Nonconforming Lot of Record

A recorded lot described by a plat or a deed that does not meet the minimum lot size or other development requirements.

Outdoor Storage The keeping of personal or business property or motor vehicles in a required open parking space or any other area outside of a building for a period of time exceeding 72 consecutive hours.

Outparcel

An area located within a non-residential development that may share common parking and circulation areas with other buildings or parcels, but is usually situated as its own parcel and is separated from anchor buildings by parking and circulation areas.

Owner

Any person having charge of any real property according to the records held by the Register of Deeds.

Parcel

A continuous plot of recorded land in the possession of or owned by any individual or group of individuals.

Parking Lot

An off-street area used for the storage of motor vehicles on a temporary, daily, or overnight basis.

Parking Space

An off-street area designed to accommodate the parking of one vehicle.

Pervious Surface Coverage

Ground treatments which will allow the infiltration of water, air and nutrients to root systems of adjacent plant material which lie directly under the ground treatment.

Planting Area

The area within the boundaries of a given a lot consists of planting materials, including but not limited to trees, shrubs, ground covers, grass, flowers, decorative rock, bark, mulch, and other similar materials.

Plat

A map or plan of a parcel of land which is to be or which has been subdivided.

Resource Conservation Area

An area set aside for the conservation of natural, archeological or historic resources.

Right-of-Way

An area or strip of land, either public or private, on which an irrevocable right-of- passage has been recorded for the use of vehicles or pedestrians or both.

Road

See "Street".

Frontage Road, Frontage

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.

Not to be confused with Street Frontage, which is a measurement of distance.

Screening

A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

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.

Sewer System, Public

An off-site system for the treatment and disposal of sewage in which sewage is conveyed by interceptor to a publicly operated treatment plant

Sign

Exclusive of architectural features, any words, lettering, figures, numerals, emblems, devices, trademarks, , or trade names, or any combination thereof, by which anything is made known and which is designed to attract attention or to convey a message.

Site

A continuous plot of land to be developed as a single project. A site may contain multiple parcel or lots.

Site Area

Site area shall be the total land area of the proposed development. A site may include multiple parcels or lots.

Site Area, Net

Net site area shall mean the total gross area of the parcel, minus any resource conservation areas.

Site Plan

A plan, to scale, showing uses and structure proposed for a parcel of land as required by the regulations. Includes lot lines, streets, building sites, reserve open space, buildings, landscape features-both natural and manmade.

Special Use

A use that meets the intent and purpose of the zoning district but which requires the review and approval by Town Council to ensure that any adverse impacts on adjacent uses, structures, or public services and facilities that may be generated are mitigated.

Special Use Permit A permit issued for a special use following review and approval by Town Council after consideration and mitigation of potential impacts or incompatibility with adjacent uses.

State

The State of North Carolina.

Stream

A body of concentrated flowing water in a natural low area or natural channel on the land surface.

Stream Buffer

A natural or vegetated area adjacent to a stream through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for the infiltration of runoff and filtering of pollutants.

Stream, Intermittent

A watercourse that collects surface runoff and is shown as a dashed blue line on the most recent United States Geologic Survey (USGS) 7½-minute quadrangle topographic maps, is shown as an intermittent stream on the most recent US Department of Agriculture (USDA) Soil Survey, or is shown as an intermittent stream on the Natural Resource Conservation Service (NRCS) maps.

Stream, Perennial

A watercourse that collects surface runoff and is shown as a solid blue line on the most recent USGS 7½-minute quadrangle topographic maps, is shown as a perennial stream on maps in the most recent US Department of Agriculture (USDA) Soil Survey, or is shown as a perennial stream on the Natural Resource Conservation Service (NRCS) maps.

Street, Collector

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.

Street, Commercial

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.

Street, Private

Any road or street that is not publicly owned and maintained and used for access by the occupants of the development, their guests, and the general public.

Street, Public

A dedicated and accepted public right-of-way for vehicular traffic and access to abutting property.

Street, Residential

A street whose principal function is to provide access to adjacent properties.

Street, Residential Collector

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.

Thoroughfare, Major

Major streets, excluding freeways but not excluding limited access facilities that provide for the expeditious movement of large volumes of traffic within and through the urban area. 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.

Thoroughfare, Minor

Streets that perform the function of collecting traffic from local access streets and carrying it to the major thoroughfare system. Such streets may be used to supplement the major thoroughfare system by facilitating minor through movements and may also serve abutting property. 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.

Town

The Town of Clayton, North Carolina.

Transportation Plan

A map approved by the Town Council that indicates the system of roads expected to serve major access and travel needs with regard to auto, truck and transit transportation.

Unified Development Code

Chapter 155 of the Town Code of Ordinances, as adopted by Town Council.

Variance

Permission which is granted by the Board of Adjustment to deviate from zoning requirements when strict enforcement of certain provisions of the Unified Development Code would cause undue hardship because of circumstances unique to the individual property for which the variance is granted. Only the Board of Adjustment can do this after specific findings of fact.

Waiver

Permission which is granted by Town Council or a part of a Planned Development Approval to deviate from specific provisions of the Unified Development Code if mitigating circumstances are justified.

Water Supply, Public

A publically owned system of pipes, structures and facilities through which a water supply is obtained, treated, sold and distributed for human consumption or household use.

Watershed

All of the land area draining to a particular point on a water course or to a water body.

Yard, Front- (also known as Street Yard)

An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the front line of the lot and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the front line of the lot. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required yard.

Yard, Rear

An open space on the same lot with a main building, unoccupied except as hereinafter permitted, extending the full width of lot and situated between the rear line of lot and the rear line of the building.

Yard, Side ~~(Street)~~ (also known as Street Side Yard)

The area extending between the front yard and the rear yard or rear street yard and situated between the side street lot line and the face of the principal building which is parallel to, or most nearly parallel to, the side lot line.

Yard, Side ~~(Interior)~~ (also known as Interior Yard)

A side yard located immediately adjacent to another zoning lot or to an alley separating such side yard from another zoning lot.

Zoning District

A part, zone, or geographic area within the Town or its Extraterritorial Jurisdiction (ETJ) where certain zoning and development regulations apply.

Zoning Vested Right

A right pursuant to G.S. § 160A-385.1 to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan.

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2007-04-05, passed 4-2-07; Am. Ord. 2009-08-01, passed 8-3-09; Am. Ord. 2016-04-04, adopted 04-04-2016)

§ 155.403 SIGNS

(A) PURPOSE AND INTENT

Signs are herein regulated in the interest of promoting traffic safety, safeguarding the public health, facilitating police and fire protection, preventing adverse community appearance, overcrowding of the land, and protecting the character of the area in which they are located. This Section is intended to establish requirements for the concentration, placement, height, bulk, and area of signs, while preserving community scenic, economic, and aesthetic values.

(B) PERMIT REQUIRED

Except as exempted in this Section and in accordance with §155.713, no sign may be erected, located, or altered in any manner until a sign permit (if necessary), and building permit if necessary, has been secured from the Planning Department.

(C) SIGN DEFINITIONS

A sign is described as any visual device or representation designed or used for the purpose of communicating a message or identifying a product, service, person, organization, business or event, with the use of words or characters, visible from outside the premises on which such device is located. "Sign" is further defined in section §155.802 Defined Terms. Specific sign types are described below in further detail.

(1) Abandoned Sign

A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 360 days.

~~(1)~~(2) Awning/Marquee/Canopy Sign

A sign which is attached flat to an awning, marquee, or canopy.

(3) Backlit Sign, (as it applies to Awnings, Marquees, and Canopies)

A awning, either fabric, plastic, or other material that is partially or wholly translucent, and allows lighting from behind to illuminate the part or whole of the awning, marquee, or canopy at night.

~~(2)~~(4) Billboard

A structure used for the permanent display of off-premises advertising.

~~(3)~~(5) Cabinet Sign

A sign in which a removable sign face (usually with translucent sign graphics which are illuminated from behind) is enclosed on all edges by a cabinet.

(6) Clearance

The distance above the walkway, or other surface if specified, to the bottom edge of a structure or sign. The term can also refer to a horizontal distance between two objects.

~~(4)~~(7) Electronic Sign-Changeable Copy Sign – Electronic

A sign or portion thereof that displays non-pictorial, text information in which alphanumeric characters or symbols are defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

~~(5)~~(8) Changeable Copy Sign – Manual

A sign or portion thereof designed to accommodate frequent message changes composed of letters, characters, or illustrations and that can be changed or rearranged manually, without altering the face or surface of the sign.

(9) Channel Letter Sign

A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall or joined by a raceway. Channel letter signs are often internally illuminated. These signs may also include "bullets" or "taglines", which are smaller than and subordinate to the main sign letters, and function as small, irregularly shaped cabinets.

~~(6)~~(10) Deteriorated Sign

Any sign which, together with its supports, braces, anchors, and other structural elements, is not maintained in accordance with the provisions of the North Carolina State Building Code, or where elements of the display area or panel are visibly cracked, broken, or discolored, or where the support structures or frame members are visibly corroded, bent, broken, torn, or dented, or where the message can no longer be read under normal viewing conditions.

~~(7)~~(11) Development Identification Sign – Non-residential

A sign that identifies a non-residential development with multiple buildings. The sign may contain the name of the development, names of the tenants, or a combination of these components.

~~(8)~~(12) Development Identification Sign - Residential

A sign that identifies a residential development such as a single family residential subdivision, apartments, or multi-family development.

~~(9)~~(13) Drive-thru Menu Board

A sign displaying the bill of fare for a drive-thru restaurant.

~~(10)~~(14) **Easel / Sandwich Board / A-Frame Sign**

An upright “A”-frame or “H”-frame structure used for displaying promotional information to the public.

~~(11)~~(15) **~~Electronic Sign: Changeable Copy Sign~~**

~~A sign or portion thereof that displays non pictorial, text information in which alphanumeric characters or symbols are defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.~~

~~(12)~~(16) **Electronic Sign: Electronic Graphic or Video Display**

A sign or portion thereof that displays either static or moving pictorial images or graphics, ~~or~~ with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other electronic illumination devices within the display area. Electronic graphic or video display signs include computer programmable, microprocessor controlled electronic or digital displays, not including electronic changeable copy signs. Electronic graphic or video display signs include projected images or messages with these characteristics onto buildings or other objects.

(17) Façade

Generally known as the face of a building, especially the principal face. More specifically, this is that portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves, and the entire width of the building elevation. The primary façade is the side that includes the storefront and main entrance, or main public facing portion of a building.

(18) Flashing Sign

Any sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include Changeable Copy Signs or Electronic Signs which meet the requirements set forth herein.

~~(13)~~(19) **Freestanding Sign**

A sign supported by a structure that is not itself part of a building.

(20) Gas Balloon (or Balloon Sign)

A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon or its tether in any manner.

~~(14)~~(21) Hanging Sign

A sign that is hanging from an awning, marquee or canopy.

~~(15)~~(22) Historic Sign

A sign that is 50 years or older; particularly unique in character, design, or history; or part of the historic character of a business or building.

(23) Illumination

A source of artificial or reflected light, either directly illuminating a partially or wholly translucent material from a source of light incorporated inside a structure or sign, or indirectly from an artificial source outside of a structure or sign.

(24) Illumination, Halo

A sign using a 3-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect. For the purposes of regulating total sign face area, the entirety of the area covered by the sign and the halo illumination shall be considered.

~~(16)~~(25) Inflatable Sign

Signs that are inflated using air pressure.

~~(17)~~(26) Monument Sign

A freestanding sign where the base of the sign is on the ground and is supported primarily by an internal structural framework or solid structural features other than support posts.

~~(18)~~(27) Obsolete Sign

A sign whose message describes the availability of goods or services at a location where such goods and services are no longer available and have ceased to be available for a period of at least 60 days or, in the alternative, any sign whose content pertains to a time, event or purpose which has elapsed or expired.

~~(19)~~(28) Off-Premises Sign

A sign which conveys information about a business, product, service, owner, or other activity not sold or offered on the premises on which the sign is located.

~~(20)~~(29) **On-Premises Sign**

A sign which conveys information about a business, product, service, or other activity offered or sold at the premises on which the sign is located.

(30) Pan Sign

A flat sign where vinyl or other adhesive graphics are applied to a metal sheet or some other type of flat backing plate. Often these signs are rectangular and used above storefronts, taking the place of areas that might otherwise be channel letter or cabinet signs. Pan signs are not made of translucent materials and are externally illuminated, if they have illumination at all.

(31) Personal Expression Sign

An on-premises sign that expresses an opinion, interest, position, or other non-commercial message.

~~(21)~~(32) **Pole Sign**

A sign mounted on a freestanding pole attached to the ground by a support structure having a ratio of greater than four to one sign width to narrowest width of support structure.

~~(22)~~(33) **Portable Sign**

A sign that is not directly attached to the ground and is designed to be easily transportable.

~~(23)~~(34) **Post Sign**

A freestanding sign permanently affixed to the ground by support posts and does not have a solid base.

~~(24)~~(35) **Post and Arm Sign**

A sign supported by an a single upright post, with a horizontal arm, from which a sign is suspended.

(36) Primary Building Identification Sign

A sign communicating the generic or specific name of an entire building without communicating or advertising for a specific business, service, owner, or product housed therein. Typical examples include "Stephenson Building", "Harvard Medical Building 2", and "Clayton Professional Center".

(37) Primary Sign

Any sign generally occurring on the top of the primary building façade or above the main storefront entrance.

~~(25)~~(38) **Projecting Sign**

A sign fastened directly to and extending out from a building face or wall, so that the sign face is perpendicular to or at an angle to the building face or wall.

~~(26)~~(39) **Roof Sign**

A sign that is mounted to a roof with an angle less than 75 degrees or a sign displayed above the highest point of the roofline on a pitched roof or the parapet wall on a flat roof.

(40) Snipe Sign

A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, trash cans, streetlights, or other objects, or placed on any public property or in the public right of way or on any private property without the permission of the property owner. May also be known as a “bandit sign”.

(41) String or Rope Lighting

Lights, either constant, flashing, or intermittent, arranged in a line, string, or rope, generally lining a window, door, or other architectural or façade feature.

(42) Tenant Identification Sign

A sign that identifies tenants of a single building, such as a multi-family residential building or a multi-tenant, non-residential commercial building, where access to each tenant is provided internally, via a shared external entrance. The sign may contain the name of the development, names of the tenants, suite number or address of each tenant, or a combination of these components. Tenant identification signs are designed to the pedestrian scale, located on or to the side of the shared external entrance, and are generally readable at a distance of less than 10-15 feet.

~~(27)~~(43) **Temporary Signs**

A sign that is not intended or designed for permanent display.

~~(28)~~(44) **Wall/Fascia Sign**

A sign adhered to, attached to or mounted away from but parallel to the building wall.

~~(29)~~(45) **Windblown Sign**

Any sign composed of a banner, flag, pennant, or other objects, mounted and fastened in such a manner as to move upon being subjected to pressure by air pressure, wind, or breeze.

~~(30)~~(46) **Window / Door Sign**

A sign attached to the inside or outside of a window or door, or displayed behind a window.

(D) **EXEMPTIONS**

The following signs (known as “Exempt Signs”) shall not be subject to a Sign Permit application per §155.713 “Sign Permit” regulation hereunder. Exempt Signs shall not count toward the total allowed sign face area on a site, unless otherwise noted below. Exempt Signs shall still be governed by the General Sign Regulations and Specific Sign Regulations, including dimensional standards of each individual sign type, except as otherwise noted below:

- (1) Signs erected by, on behalf of, or pursuant to the authorization of a governmental body.
- (2) Personal expression signs of any sign type, including flags, provided that they do not exceed 6 square feet in area per side, are non-commercial in nature, and are non-illuminated. The maximum number of personal expression signs per lot is two.
- (3) Flags, pennants, or insignia of any governmental or non-governmental organization, when not displayed in connection with a commercial promotion or as an advertising device provided that the following criteria are met:
 - (a) Flags and flagpoles are not located within any public right-of-way, and must meet the setback requirements of the zoning district, as well as the setbacks described in “Flags” (G)(15) of this Section;
 - (b) Flags and flagpoles do not extend more than 25’ above the ground;
 - (c) No more than 2 flags per lot in residential districts, and no more than 3 flags per lot in all other districts;
 - (d) Maximum size per flag is 24 square feet in residential districts and 35 square feet in all other districts;
 - (e) No illumination is permitted.
 - (f) Only one exempt flag pole is permitted per lot; this is an aggregate with any other permitted flag poles.
- ~~(a)~~(g) If the above criteria are not met, or if the flag contains commercial messaging, then the flag shall require a sign permit and shall be regulated according to the General Sign Regulations and Specific Sign Regulations for that sign type.

~~(2)~~(4) Miscellaneous ~~information~~informational signs. The following types of miscellaneous ~~information~~informational signs shall be exempt from sign permit requirements:

- (a) Informational signs appearing on gasoline pumps, such as the names of grades of fuel and prices and conditions relating to prices (i.e. full or self-service).
- (b) Signs appearing on vending boxes, provided they do not project more than 12 inches above or past the sides of the vending box, and no more than a total of 80 square feet of signage exists on each vending box. Vending boxes that stand apart from the primary structure on a site shall be considered as accessory structures, and shall require sign permits as regulated by General and Specific Sign Regulations, of this Section.
- (c) SDirectional signs appearing on or adjacent to entry doors such as PUSH, PULL, OPEN, and/or CLOSED, although these shall count toward the total allowed sign face area, as regulated by (G)(3) "Window / Door Signs".
- (d) "Open" or "closed" signs that are turned on or displayed only during business hours, provided they are less than 4 square feet and only one may be displayed per exterior storefront or façade.
- ~~(d)~~(e) Signs appearing on display windows or doors denoting hours of operation, credit cards accepted, and similar information, although these shall count toward the total allowed sign face area on a site, as regulated by (G)(3) "Window / Door Signs".
- ~~(e)~~(f) Information pertaining to the operating instructions of vending machines and automatic teller machines, including bank logos on the face of ATM machines, provided they do not project more than 12 inches above or to the sides of the vending box or machine housing.
- (g) Signs providing directions or guiding traffic on private property that do not exceed four square feet in size or four feet in height each, ~~and~~ do not contain a business name, logo, or an advertising message, and are non-illuminated. If business names, logos or an advertising message is included, then the sign's ~~square footage will sign face area shall~~ be counted against toward the total allowable site signage sign face area and number of signs on the site, unless otherwise regulated as part of an Alternative Sign Plan, per (K) of this Section.
- (h) Signs internal to a large campus or multi-building development that are not visible from the public right-of-way or public realm.

~~(3)~~(5) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used for or strategically parked to be used as a sign.

~~(4)~~(6) Signs not exceeding four square feet in size that are customarily associated with residential use and that are not of a commercial nature, such as signs giving names of occupants, signs on mailboxes and paper tubes, and signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.

~~(5)~~(7) "Yard sale" signs displayed at the location of the yard sale, not exceeding four square feet in area, and not used in connection with any continuous commercial activity. ~~Yard sale signs shall not be located in the public right-of-way. Yard Sale Signs are further regulated in Section (16) "Temporary Signs".~~

~~(6)~~(8) Signs containing the message that the real estate on which the sign is located is for sale, lease, or rent, together with information identifying the owner or agent ~~are exempt but must, provided that such signage~~ meets the standards of ~~the~~ Table 4-8 "Real Estate Sign Standards" ~~below~~. Such signage may have a maximum of two sides, ~~shall be non-illuminated~~, and shall be removed within 15 days after sale, lease, or rental. Only one sign on each street frontage may be erected, but on lots having a street frontage in excess of 400 feet, a second sign not exceeding nine square feet in size ~~per side~~ may be erected. ~~Feather or windblown signs shall not be permitted as real estate signs, per Section (E) of this Article.~~

TABLE 4-8: REAL ESTATE SIGN STANDARDS

Nonresidential or Mixed Use Property		
Acreage	Maximum sign face area	Maximum Height
Less than two acres	16 square feet per side	Six feet
Greater than two acres	32 square feet per side	Six feet
Residential Property		
Acreage	Maximum sign face area	Maximum Height
Less than one acre	Six square feet per side	Six feet
One - Five acres	Nine square feet per side	Six feet
Five – 20 acres	16 square feet per side	Six feet
Greater than 20 acres	32 square feet per side	Six feet

~~(7)~~(9) Displays, including lighting and inflatables, erected in connection with the observance of holidays that do not bear an advertising message. Such displays shall be removed within ten days following the holiday.

~~(8)~~(10) Sign face plate changes, ~~unless the sign was approved as part of a common signage plan, master sign plan or alternative sign plan. Sign face plate changes, provided that it meets the applicable criteria of General and Specific Sign Regulations and other applicable portions of this Article.~~

(11) Window and door signs, provided that these signs conform to the Specific Sign Regulations (§155.403(G)(3)), and such signage shall count toward the total allowed sign face area and number of signs on a site.

(12) Easel / Sandwich Boards / A-Frames, provided that these signs conform to the Specific Sign Regulations (§155.403(G)(7)), and such signage shall count toward the total allowed sign face area and number of signs on a site.

(13) Menu Displays

Restaurants and other food- or beverage- selling businesses where consumption occurs on-site may display a menu or list of daily specials on the wall adjacent to their main and secondary entrances provided that it is not larger than the actual printed menu available inside the establishment and is housed in a decorative frame.

(14) Legal notices

(15) Historic signs, provided

(a) the ~~Technical Review Committee (TRC)~~Planning Director determines the sign meets the following criteria:

1. The sign is 50 years or older; ~~or~~
2. The sign is particularly unique in character, design, or history; or
3. The sign is a part of the historic character of a building, business, or district; ~~and-~~
4. The sign is kept in good, working order.

(b) Historic signs shall not count toward the total allowable sign face area for a site.

(E) **SIGNS PROHIBITED**

The following signs are expressly prohibited within all zoning districts:

(1) Abandoned signs or obsolete signs.

(2) Backlit Awnings, Marquees, or Canopies, unless part of an approved Alternative Sign Plan.

~~(1)~~(3) Portable signs, including any signs painted on or displayed on vehicles or trailers parked or located for the primary purpose of displaying that sign, except ~~e~~Easel / ~~s~~andwich ~~b~~Board / A-Frame ~~s~~Signs located on the ground as regulated ~~herein~~in (G)(7) of this Section.

~~(2)~~(4) Roof signs.

~~(3)~~(5) ~~Squared or rectangular~~ ~~e~~Cabinet signs of any shape, attached to a building wall or roof, except that portion that is a federally or state registered trademark. State or federally registered trademarks used in this fashion require a sign permit (per §155.713 "Sign Permit") and are allowed one per tenant per façade, up to a maximum size of 12 square feet.

~~(4)~~(6) Inflatable signs, with the exception of those erected in connection with the observance of holidays and do not bear an advertising message as described in D(8) of this Section.

- ~~(5)~~(7) Any sign or device set into motion by mechanical, electrical, or other means, except barber poles and those regulated in (G)(~~40~~11) "Electronic Changeable Copy Sign / Electronic Sign" of this Section.
- ~~(6)~~(8) Flashing Signs, including but not limited to aAny sign or device displaying flashing or intermittent lights, lights of changing degrees or intensity, or animation. This includes electronic video display signs. However, eElectronic eChangeable eCopy sSigns / Electronic Signs are permitted, as regulated in (G)(~~40~~11) of this Section.~~are permitted.~~
- (9) String or rope lighting, that is not explicitly associated with the traditional observance of a holiday and regulated by the conditions of (D)(9) under "Exemptions". All string or rope lighting shall be removed by the owner by January 1st, 2017.
- ~~(7)~~(10) Any sign which is a copy or imitation of an official sign, or which purports to have official status.
- ~~(8)~~(11) Off-premises signs, except billboards not specifically regulated herein.
- (12) Snipe signs.
- ~~(9)~~(13) Unless approved as part of a tTemporary sSign pPermit, tTemporary product/promotional advertisement signs that are hung on, attached to or placed over a permanent fixture including but not limited to a light pole, tree, fence or bollard, whether on or off-premises, unless approved as part of a Temporary Sign Permit.
- ~~(10)~~(14) Pole signs.
- (15) Signs mounted inside a window or on a wall directly behind a window, and/or otherwise visible from outside the building that are not accounted for or do not meet the criteria of (G)(3) "Window / Door Signs".
- (16) Signs displayed in secondary windows not located on the first floor or in secondary windows not located in the primary building façade or a storefront entrance, unless as part of an Alternative Sign Plan.
- (17) Signs painted directly onto a wall or other building surface or structure, unless as part of an Alternative Sign Plan.
- (18) Windblown signs, except those exempted in Exemptions (found in (D)(~~2~~2) and (3) of this Section), part of an approved Flag Sign ((G)(15) of this Section, and or those allowed as part of a tTemporary sSign pPermit in accordance with §155.713 (F).
- ~~(11)~~(19) Any sign advertising a commercial service, business, activity, or product that is stenciled, painted, projected, or otherwise displayed on the ground, sidewalk, or pavement.

(F) **GENERAL SIGN REGULATIONS**

(1) **Signs Located in Overlay Districts**

Signs located within an Overlay District are subject to the provisions of this Section, except that regulations within § 155.204 (~~“Overlay Districts”~~) shall supersede and may be either more or less restrictive than the regulations for signs contained in this Section, unless permitted as an Alternative Sign Plan per (K) of this Section.

(2) **Signs Located as Part of a Home Occupation**

Signs erected in connection with a home occupation pursuant to § 155.308(C)(2) are subject to the provisions of this Section, except that regulations within § 155.308(C)(2) shall supersede and may be either more or less restrictive than the regulations for signs contained in this Section, unless permitted as an Alternative Sign Plan per (K) of this Section.
Signs erected in connection with a home occupation shall not be illuminated.

(3) **Total Allowable Sign Face Area**

- (a) The total square footage of allowable sign face area permitted on any site shall be calculated by multiplying the amount of linear lot frontage or building frontage (in feet) by 1.25. The total allowable sign face area for any site shall not exceed this calculation (as shown below).

$$\text{Total allowable sign face area (in square feet)} = \text{Linear frontage (feet)} \times 1.25$$

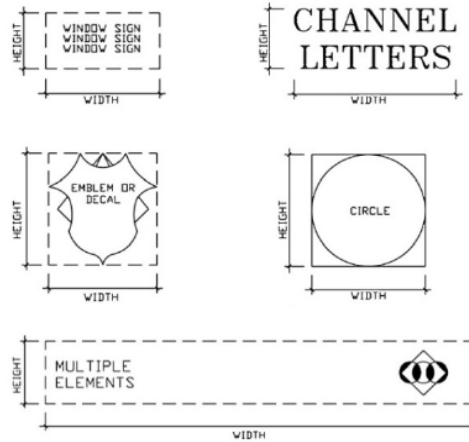
On lots with frontage on more than one street, the longest frontage may be used to calculate the total allowable sign face area.

- (b) In addition, the total area and specific area of allowable sign face area permitted on a sign or site shall be governed by the sign type criteria for each specific sign type (as described below in Section (G) “Specific Sign Regulations”).

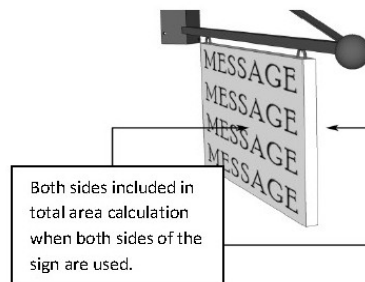
~~(3)~~(4) **Computation of Sign Measurements**

(a) **Computation of Sign Face Area**

1. The area of a sign, otherwise known as sign face area, is measured by finding the area of the minimum imaginary rectangle or square, aligned parallel to the horizon which fully encloses all sign words, symbol, copy, or message, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed. Sign face area does not include any supporting framework or bracing, unless it is part of the message or sign face, or otherwise functions as an attention-attracting device.



- A. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, unless otherwise specified.
- B.



2. The sign face area of free-form or sculptural (non-planar) signs is calculated as fifty percent of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.

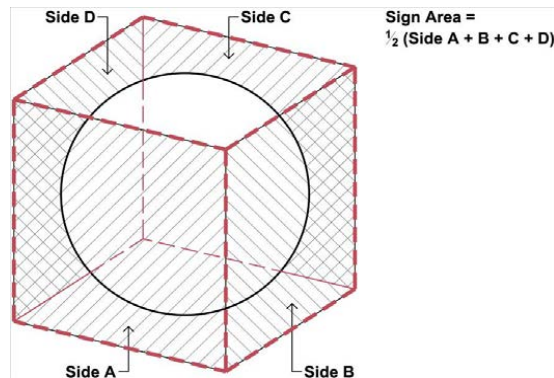


Illustration of sign area for sculptural non-planar signs.

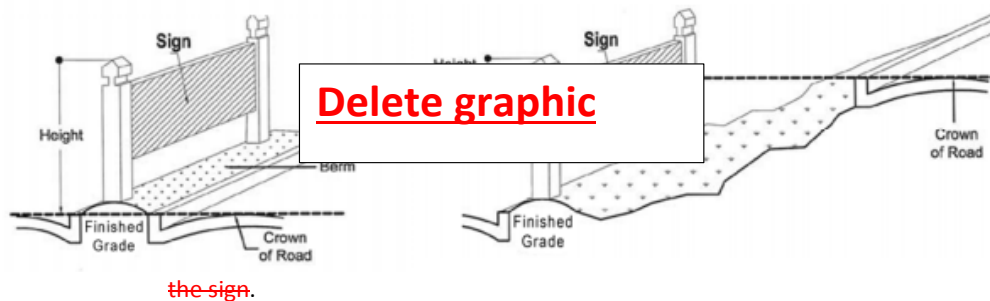
(b) **Computation of Sign Height**

1. General

Sign height is measured as described below. The height of a sign shall include the highest point of the sign face area, including-with the supporting structure and/or any decorative elements dedicated or attached exclusively to the sign limited to 125% of the allowed sign height, unless approved as part of an Alternative Sign Plan per (K) of this Section.

1-2. Freestanding Signs-Height Measurement

The vertical distance from the average grade of the ground or walkway immediately surrounding the sign to the highest point of the sign face area, or from the level of the average crown of the nearest abutting public street, alley or highway (other than a structurally elevated roadway) to the highest point of the sign face area, whichever measurement permits the greater elevation. ~~of~~



2. Signs Attached to Buildings

~~The vertical distance from the base of the building to which to the sign is attached, to the highest point of the sign.~~

~~(4)~~(5) **Construction Standards**

- (a) All signs shall comply with the appropriate provisions of the North Carolina Building Code, the National Electric Code, and this Section.
- (b) Signs shall be located in such a way that they maintain sufficient horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electric Code specifications, provided that no sign, except governmental signs, shall be installed closer than ten feet horizontally or vertically from any conductor or public utility guy wire.
- (c) In no way shall a sign hinder or obstruct the visibility of the right-of-way, as defined by § 155.400(K), "Visibility at Intersections", either at intersections or points of ingress or egress from parking lots.
- (d) Signs shall match or exceed in quality the materials of the primary structure on the site. All signs shall be constructed of quality materials and shall not include unfinished wood. The Planning Director may modify this requirement based on conditions specific to an applicant, business, or site. In no case shall financial cost of sign construction be acceptable justification for reduced quality of sign materials.
- (e) Signs with a separate electric meter shall have the pedestal and meter completely screened from view, or be otherwise seamlessly hidden by or integrated into the design of the sign or structure.

(6) Illumination

- (a) At a minimum, illumination of signs shall be limited to business hours when the business is open to the public and/or clients, or as otherwise restricted in this Section. This does not apply to Billboards.
- (b) Illuminated signs shall have no movement, including but not limited to flashing, blinking, or animation, except as allowed for Electronic Changeable Copy Signs in (11) of this Section, or as otherwise permitted as part of an Alternative Sign Plan in (K) of this Section.
- (c) At a minimum, illumination of signs in or within 50' of residential zoning districts is prohibited from the hours of 9:00PM to 7:00AM, or as otherwise restricted in this Section.
- (f) Internal illumination of signs is prohibited in mixed use zoning districts with conforming residential uses, and in and within 50' of residential zoning districts, unless approved as part of an Alternative Sign Plan (K).

(g) Signs associated with a home occupation shall not be illuminated.

(7) Secondary Signs

Where signs are displayed on more than the primary side of a building, any secondary signs shall be no larger than the primary sign. The primary sign is defined as the sign associated with the primary façade or storefront entrance.

(8) Windows and Translucent Doors

Primary windows and translucent doors located in first floor non-residential storefronts shall not be obstructed, covered, or otherwise blocked so as to prohibit visibility from the outside for more than half of regular business hours. Permanent coverings which include but not limited to signage and window treatments shall cover no more than 25% of the above surfaces.

(G) SPECIFIC SIGN REGULATIONS

Requirements additional to Section (F) "General Sign Regulations", for sign area, dimensions, placement, illumination, and other standards as necessary are described below. All signs must be located on-premises unless otherwise explicitly indicated.

~~(1) **Total Allowable Sign Face Area**~~

~~The total square footage of allowable sign face area permitted on any site shall be calculated by multiplying the amount of linear street frontage (in feet) by 1.25. The total sign face area for any site shall not exceed this calculation.~~

~~Total allowable sign face area (in square feet) = Linear street frontage (feet) x 1.25~~

~~On lots with frontage on more than one street, the longest street frontage may be used to calculate the total allowable sign face area.~~

~~(2)~~ **(1) Sign Color**

The Pantone Matching System (PMS) colors, vinyl manufacturer and numbers, or comparable industry standard of color identification shall be clearly indicated for each proposed sign when applying for a sign permit.

~~(2)~~ **Wall / Fascia Signs**

(a) ~~Size~~Allowed Sign Face Area (max.)

1. ~~25-~~Twenty-five percent of the surface area of each wall, façade, storefront, or fascia area (as applicable) exclusive of windows/doors.
2. Max. 75 square feet

(b) Number (max.)

1. ~~No limit.~~Each building face may have one ~~Primary Building Identification Sign~~ plus one sign per tenant, provided the cumulative area does not exceed the total allowable sign face area for that façade.
2. Only one sign per tenant per wall / façade is allowed.
- ~~1-3.~~ Only one trademarked logo per tenant per façade is allowed.

(c) Positioning

1. No portion of a wall/fascia sign may extend above the roof line of a building without a parapet wall.
2. No portion of a wall/fascia sign may extend above parapet walls.
3. No portion of wall/fascia sign may extend above the lower eave line of a building with a pitched roof with a ~~an-~~ vertical angle less than 75 degrees.
4. Signs may be placed in gables, provided they meet the conditions above.
- ~~3-5.~~ No sign shall be allowed on a dormer.

(d) Projection (max.)

~~12-~~Twelve inches from wall or surface to which the sign is attached. ~~(See Section (G)(6), Projecting Wall Signs)~~

(e) Clearance (min.)

If the sign projects more than six inches from the wall it is attached to, the sign shall maintain a clearance of 8 feet from the ground below.

(f) Construction

1. All wall signs shall be fastened directly to the supporting wall.
2. ~~Flush-mounted channel letters are encouraged over raceway mounted~~

~~channel letters. All supporting brackets or raceways shall be painted to blend in with the building.~~

Illumination

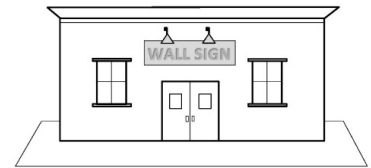
- ~~1. May be illuminated internally or externally.~~
- ~~2. Illumination is prohibited 12am – 6am when sign is located within 50 feet of a residential district.~~
- ~~3-1. Internally illuminated wall signs are prohibited in residential zoning districts.~~

(g) Location

1. Allowed in residential zoning districts as part of a permitted non-residential use.
2. Allowed in all non-residential and mixed use zoning districts.

(h) Other Conditions

1. In multi-tenant, non-residential or mixed use buildings,
 - a. Each tenant shall be allowed one color per wall sign with black also allowable as trim, background, or accent.
 - b. Pan or rectangular signs must incorporate decorative embellishments or features.
 - c. Federally and state registered trademarks may occupy a maximum of 12 square feet of sign face area per tenant and shall be counted toward the allowable sign face area.



~~(4)~~(3) Window/Door Signs

(a) **Allowed Sign Face Area Area (max)**

~~25-Twenty-five~~ percent of the area of the surface of each window/door area. The window/door area is counted as a continuous surface until divided by a solid architectural or structural element with a width greater than 12 inches. Stated alternatively, 75% transparency must be maintained for windows and transparent doors. Faux windows may be up to 100% opaque, but are restricted to the 25% sign face area maximum described above.

(b) **Positioning**

Attached to the inside or outside of a window or door, or displayed behind a window or transparent door.

(c) **Illumination**

- ~~1. May be illuminated internally or externally. Illumination is prohibited, except for "Open" signs as described in Exempt Signs.~~
2. Illuminated window signs are prohibited in residential zoning districts. This prohibition includes the "Open" Signs described above under Exempt Signs.

(d) **Location**

1. Allowed in residential zoning districts as part of a permitted non-residential use.
2. Allowed in all non-residential and mixed use zoning districts.



~~(5)~~(4) **Freestanding Signs (Monument Sign, Post Sign, Post and Arm Sign)**

(a) **Allowed Sign Face Area Size (max.) Per Sign Face**

1. **Maximum size of 64 square feet, and further restricted by type:**

- Monument Signs:** A total of 0.25 square feet per linear foot of lot frontage or streetbuilding frontage along the street on which the sign is oriented.
- Post Signs:** A total of 0.20 square feet per linear foot of parcel street frontage or storefront street frontage along the street on which the sign is oriented.
- ~~Post and Arms~~Post-and-Arm Sign:** Six square feet.

(b) **Height (max.)**

Eight feet.

(c) **Minimum Frontage (either building frontage or lot frontage, both as measured parallel to the street on which the sign will be located or facing)**

- Monument and Post Signs:** 100 linear feet
- ~~Post and Arms~~Post-and-Arm Signs:** 50 linear feet.

(d) **Number (max.) Per Site**

- 0 to 599 linear feet = 1 sign.
- 600 to 1499 linear feet = 2 signs (min. 300 linear feet on two frontages = 2 signs).
- 1500+ linear feet = 3 signs (min. 300 linear feet on three frontages = 3 signs).

(e) **Setback and Separation (min.)**

- Five feet from the public right-of-way.
- ~~15-Fifteen~~ feet from any interior side lot line.
- ~~50-Fifty~~ feet between signs.

(f) **Construction**

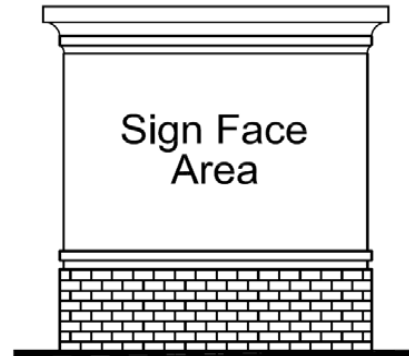
- ~~Materials shall be consistent with the primary building construction.~~

(g) **Illumination**

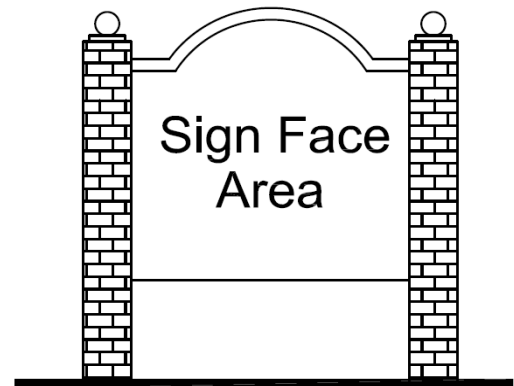
- May be illuminated internally or externally, subject to Section (F) "General Sign Regulations".
- ~~Internal illumination is prohibited in residential districts.~~
- ~~3-2. Illumination is prohibited 12am - 6am when sign is located within 50 feet of a residential zoning district.~~

(h) **Location**

Allowed in all non-residential and mixed use zoning



Monument Sign



Post Sign

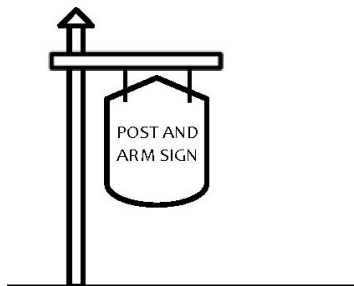
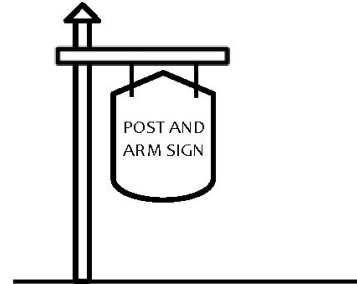
districts.

(i) Landscaping

A planting bed area equal to at least one-half of the sign face area (for two-sided signs, use only one sign face area for the calculation) shall be planted around the entire base of any freestanding sign, with decorative landscape features or materials using shrubs, flowers, or ground cover. The Planning Director may modify this requirement based on constraints specific to the site.

(i) Other Conditions

1. In multi-tenant, non-residential or mixed use buildings,
 - a. Each tenant or sign shall be allowed two colors for face plate lettering with black always allowed as trim or accent, and white required as the background.



~~(6)~~(5) **Projecting Signs and Hanging Signs**

(a) **Allowed Sign Face Area Size (max.) Per Sign Face**

1. Projecting signs: 10 square feet.
2. Hanging signs: Six square feet.

(b) **Number (max.) Per Site**

One per business unit. A corner business unit may have one per street frontage.

(c) **Positioning and Clearance**

1. Minimum eight feet ~~from clearance from~~ the ground level to the bottom of the sign.
2. Maximum 15' of clearance from ground level to the top of the sign.
3. Minimum three feet clearance from curb line.
4. May not extend above roof eaves or parapet walls.

(d) **Projection (max.)**

1. Projecting sign: Three feet from the building wall or one-half the width of the sidewalk.
2. Hanging Sign: ~~N/A~~No restriction provided the sign does not extend past the roof, marquee, or awning to which it is attached.

(e) **Construction**

1. Projecting Signs: Signs shall be fastened directly to a building wall and shall intersect the building wall at right angles. When a building corner is at the intersection of two streets, one projecting sign at a 45 degree angle is allowed in lieu of one sign per street frontage.
2. Hanging Signs: Shall be fastened directly and securely to the awning, ~~+~~ marquee, or ~~+~~ canopy.

(f) **Illumination**

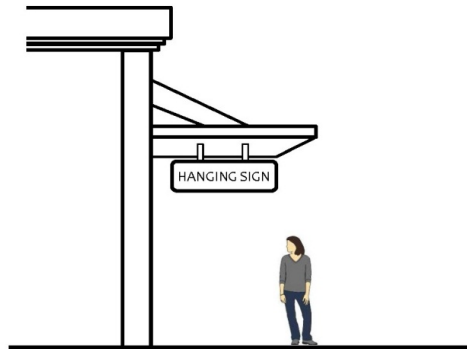
1. ~~May~~Projecting signs may be illuminated internally or externally.
- ~~1-2.~~ Hanging signs may only be illuminated externally.
- ~~2. Internal illumination is prohibited in~~

~~residential districts.~~

3. ~~Illumination is prohibited 12am — 6am
when sign is located within 50 feet of a
residential district.~~

(g) **Location**

1. Allowed in residential zoning districts as part of a permitted non-residential use.
2. Allowed in all non-residential and mixed use zoning districts.



~~(7)~~(6) **Awning, Marquee, or Canopy Signs**

(a) **Allowed Sign Face Area Size-(max.)**

75 percent of the surface area of the face of the awning, marquee, or canopy to which it is attached.

(b) **Number (max.) Per Site**

One permitted on each side or face of awning, marquee, or canopy.

(c) **Clearance**

Minimum eight feet from ~~the~~ ground level.

(d) **Positioning**

Lettering or graphics shall not project horizontally more than one inch from the surface to which it is attached.

~~(d)~~(e) **Construction**

Shall be fastened or adhered directly and securely to the awning/marquee/canopy face.

~~(e)~~(f) **Illumination**

- ~~1. May be illuminated internally or externally.~~
- ~~2. Illumination is prohibited 12am—6am when sign is located within 50 feet of a residential zoning district.~~
- ~~3.1. Illumination is prohibited in residential zoning districts. Backlit illumination is prohibited.~~

~~(f)~~(g) **Location**

1. Allowed in residential zoning districts as part of a permitted non-residential use.
2. Allowed in all non-residential and mixed use zoning districts.

~~(8)~~(7) **Easel/Sandwich Boards/A-frame**

(a) **Allowed Sign Face Area Size (max) Per Sign Face**

~~12~~8 square feet.

(b) **Number (max.) Per Site.**

One per business unit or tenant, with an overall maximum of 1 sign per 20 linear feet of store frontage.

(c) **Positioning**

1. Sign must be located within 20 feet of the business entrance.
2. No easel/sandwich board / A-frame sign shall be placed on ~~any public the~~ sidewalk, and must leave at least so as to leave less than 4 feet of unobstructed clearance for pedestrians.
3. Prohibited within the public right-of-way.
4. No easel/sandwich board / A-frame sign shall remain on ~~any public the~~ sidewalk adjacent to any premises at any time when the premises are closed to the public.
- 4.5. No easel / sandwich board / A-frame sign shall be tied, locked, chained, or otherwise attached to any other feature.

(d) **Height (max.)**

Four feet.

(e) **Width (max.)**

Three feet.

(f) **Construction**

1. All A-frame/sandwich board/easel signs shall be adequately weighted or anchored to prevent accidental movement of the sign, including by wind gusts. and Such weighting shall be integral to the design of the sign, and shall not consist of separate materials such as sandbags or concrete blocks.
2. No sign shall obstruct ~~ion of~~ any public street.

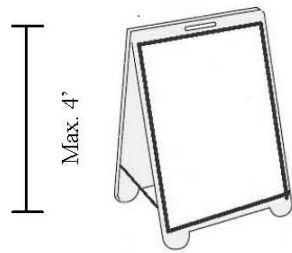
(g) **Illumination**

Illumination is prohibited.

(h) **Location**

1. Allowed in residential zoning districts as part of a permitted non-residential use.
2. Allowed in all non-residential and mixed use

zoning districts.



(8) Tenant Identification Signs

(a) Allowed Sign Face Area (max.)

Six square feet.

(b) Number (max.)

One sign per external entrance.

(c) Positioning

1. Signs shall be located to the side of the external door which accesses the internal tenants described on the sign.

(d) Projection (max.)

Three inches from wall to which the sign is attached.

(e) Construction

1. All tenant identification signs shall be fastened directly to the supporting wall.

(f) Illumination

1. May be illuminated externally only. No backlighting.

(g) Location

1. Allowed in residential zoning districts as part of a permitted non-residential use.
2. Allowed in all non-residential and mixed use zoning districts.

(h) Other Conditions

1. Only tenant(s) accessed by the entrance adjacent to the sign may have their signage displayed.
2. Letters shall not be taller than 1 inch.
3. Faceplates shall not be taller than 2 inches.
4. All faceplates shall utilize one color for lettering and one color for background. The colors shall be consistent among tenants on the sign.

White House Plaza	
1600 Pennsylvania Ave	
Smith's Savory Sweets	First Floor, Suite 1
Guns & Gorgonzola	First Floor, Suite 2
Ruffs and Rolls	First Floor, Suite 3
Designs by DD	Second Floor, Suite 1
Bunns and Breads	Second Floor, Suite 2
So Sew Me	Second Floor, Suite 3

(9) **Drive-Thru Menu Boards**

(a) **Number (max.)**

1. Two per drive-thru lane.

(b) **Allowable Sign Face Area (max.)**

36 square feet allowed per drive-thru lane.

~~(b)~~(c) **Height (max.)**

Eight feet.

~~(c)~~(d) **Construction**

Sign materials shall be consistent with the primary building construction or other signs on the site.

(e) **Location**

Drive-Thru Menu Boards shall be located within the minimum vehicle queuing spaces plus one queuing space, of the ordering window or pick-up window, per the use, as identified in Table 4-4: Minimum Queuing Standards (§155.401(D)(1).

~~(d)~~(f) **Illumination**

May be illuminated internally or externally.

~~(e)~~(g) **Other**

Drive-Thru Menu Boards~~Menu boards~~ are only permitted as an accessory to a drive-thru business.

(10) **Changeable Copy Sign – Manual**

(a) **Location**

Manual ~~e~~CChangeable ~~e~~Ccopy ~~s~~Signs may be used as a part of a permitted freestanding sign for public, institutional and not-for-profit uses only, unless expressly prohibited elsewhere in the Town's code.

(b) **Number (max) Per Site**

One per ~~business development parcel or site, whichever is more restrictive.~~

(c) **~~Allowable Sign Face Area Size~~ (max) Per Sign Face**

- ~~1.~~ The changeable copy area shall be limited to 40 percent of the total ~~sign, including structure sign face area.~~
- ~~1-2.~~ Sign face area shall be otherwise regulated per Freestanding Signs, in (5) of this Section.

(d) **Construction**

1. Sign structure shall be constructed of high quality materials.
2. Materials shall be consistent with the primary building construction.

(e) **Illumination**

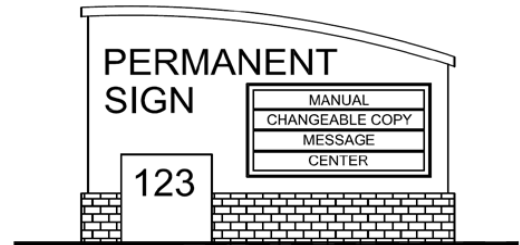
Internal Illumination is prohibited.

(f) **Landscaping**

A planting bed area equal to at least one-half of the sign face area (for two-sided signs, use only one sign face area for the calculation) shall be planted around the entire base of any freestanding sign, using shrubs, flowers, or ground cover. The Planning Director may modify this requirement based on constraints specific to the site.

(g) **Other Criteria**

Manual Changeable Copy Signs shall otherwise conform to the regulations of Freestanding Signs (per (4) of this Section).



(11) ~~Electronic~~ Changeable Copy Sign – Electronic, and Electronic Sign

(a) **Location**

Electronic changeable copy signs may be a part of any permitted freestanding sign.

(b) **Number (max) Per Site**

One per ~~business development parcel or~~ site, whichever is more restrictive.

(c) **Allowable Sign Face Area (max.)Size**

Sign face may be any part of the total allowable sign face area for a freestanding sign.

(d) **Illumination**

Electronic signs shall be equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions at all times of day and night, and be set at a level no higher than .3 foot candles above ambient light conditions (measured from a distance as specified below) as to not cause glare, distraction, reduced visibility or safety concerns from adjacent roadways.

Sign Size	Measurement Distance
0-100 square feet	100 feet
101-350 square feet	150 feet
351-650 square feet	200 feet

(e) **Permitted Colors**

1. Signs associated with associated with uses other than gas station pricing: background must be black. Electronic display is limited to text/logo which may be one of the following: white or red.
2. Signs associated with gas station pricing: background must be black. Pricing may be white, red, and green.

(f) **Copy/Text**

Copy/text may consist of alphanumeric symbols only, except that pictorial imagery associated with the logo may be permitted.

(g) **Construction**

1. Sign structure shall be constructed of high quality materials.
2. Materials shall be consistent with the primary building construction.

(h) **Other**

1. Electronic changeable copy signs must be physically attached to the primary sign.
2. Sign display shall~~Must~~ be static. No portion of the sign may flash, scroll, twirl, change color, blink, or in any

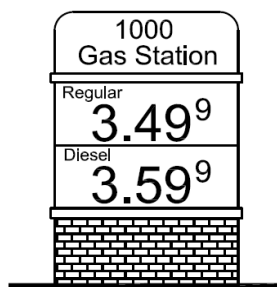
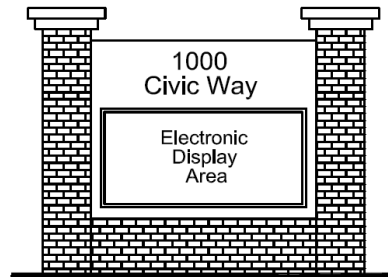
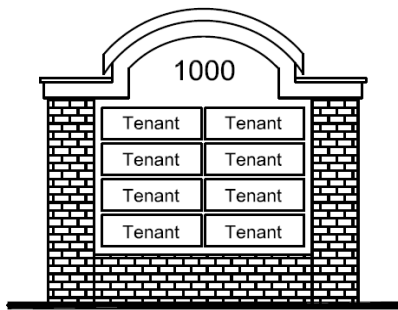
manner imitate movement.

3. Copy may change once every 6 minutes.
4. A sign strictly displaying time and temperature may change on no less than a five second interval.

(i) Landscaping

A planting bed area equal to at least one-half of the sign face area (for two-sided signs, use only one sign face area for the calculation) shall be planted around the entire base of any freestanding sign, using shrubs, flowers, or ground cover. The Planning Director may modify this requirement based on constraints specific to the site.

Electronic Changeable Copy Sign Examples:



(12) **Billboards**

(a) **Allowable Sign Face Area ~~Size~~ (max) Per Sign Face**

1. 200 square feet per sign face.
2. Maximum sign face height of 15 feet.
3. Maximum sign face width of 20 feet.
4. Maximum one advertising face per side.

(b) **Spacing between billboards (min)**

2,000 feet.

(c) **Setback (min)**

50 feet from right-of-way.

(d) **Height (max) of structure**

25 feet.

(e) **Clearance (min)**

Eight feet above the ground at the base of the sign or highway grade level, whichever is higher.

(f) **Illumination**

1. May be externally illuminated only.
2. Internal illumination is prohibited.

(g) **Location**

1. Prohibited within Town limits.
2. Limited to locations on U.S. 70 Bus. HWY.
3. All billboards shall be primarily oriented toward the east-bound or west-bound lanes of U.S. 70 Business.
4. Billboards must be located off-premises.

(h) **Annexation**

Billboards located on property that is annexed into Town limits shall be removed within the timeframe established within a Developers Agreement or Annexation Agreement.

(13) Development Identification Signs – Residential

(a) **Allowable Sign Face Area Size (max.) per sign face**

24 square feet.

(a) **Number (max.) per site**

Two per each major project/development entrance, or one in the median of an entrance driveway.

(b) **Height (max.)**

1. ~~Six-Eight~~ feet ~~for freestanding signs.~~
2. ~~If sign is attached to an entrance feature, sign face may not exceed the height of the structure to which it is attached. Entrance features shall comply with the provisions of this Chapter. If attached to an approved entrance feature, the sign face may not exceed 8 feet in height. Entrance features shall comply with the provisions of this Chapter.~~

(c) **Setbacks (min.)**

Five feet from the public right-of-way or property line and may not encroach into safe sight triangles.

(d) **Construction**

1. Sign may take the form of a freestanding sign or wall style sign.
2. Freestanding signs shall be a monument style sign or ~~post and post and~~-arm style sign.
3. Sign may be attached to a decorative wall or fence, or to a building wall.

(e) **Illumination**

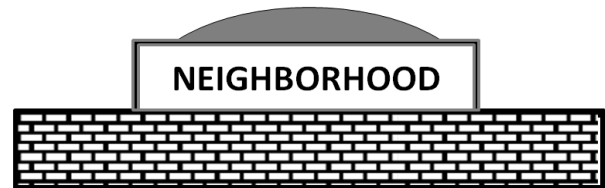
May be illuminated externally or backlit.

(f) **Location**

1. Shall be located on property contiguous to the development identified.
2. Shall be located on private property or within the median of the entrance driveway.
3. May be located on one or both sides of major entrances to the development, or one sign may be located in the median of the entrance driveway with a sign easement and permission from NCDOT or the Town as applicable.

(g) **Landscaping**

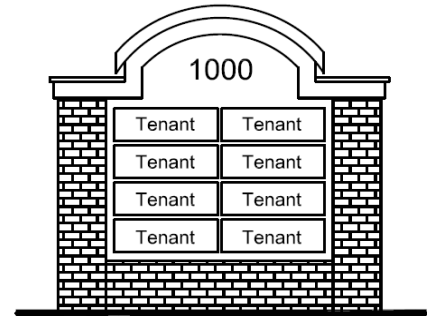
A planting bed area equal to at least one-half of the sign face area (for two-sided signs, use only one sign face area for the calculation) shall be planted



around the entire base of any freestanding sign, using shrubs, flowers, or ground cover. The Planning Director may modify this requirement based on constraints specific to the site.

(14) Development Identification Signs – Non-residential (Sites with Multiple Buildings)

A Non-residential Development Identification Sign may be used in association with a parcel with multiple buildings, or a grouping of parcels such as a medical park, business park, or a shopping center with outparcels where one or more tenants receive the benefit of common signage. A single building (either single or multi-story) with multiple tenants is not eligible for a Development Identification Sign.



Non-residential Development Identification Signs are approved via ~~a Master Sign Plan (or Alternative Sign Plan)~~. Applications shall clearly identify what businesses, buildings, or parcels are included.

In addition to a Development Identification Sign, parcels within the development ~~and subject to the Master Sign Plan (or Alternative Sign Plan)~~ may have one monument style freestanding sign ~~with a maximum of 24 square feet of sign face (per side of a two-sided sign) and a maximum of six feet in height provided they meet the criteria for Freestanding Signs in (4) of this Section. All other sign specifications shall be in accordance with Section 155.403(G)(5) above.~~

(a) Allowable Sign Face Area ~~Size~~ (max.)

A total of 0.25 square feet per linear foot of lot frontage or building frontage along the street on which the sign is oriented, or 64 square feet, whichever is less.

(a) Number (max.) per roadway frontage

One sign along roadway at main entrance to the development.

(b) Height (max.)

1. Eight feet.
2. If ~~sign is~~ attached to an approved entrance feature, the sign face may not exceed 8 feet in height. Entrance features shall comply with the provisions of this Chapter.

(c) Setbacks (min.)

Five feet from the public right-of-way or property line and may not encroach into safe sight triangles.

(d) Construction

1. Shall be a freestanding monument style sign, or attached to an entry feature.
2. Materials shall be consistent with or exceed the materials of the primary building ~~construction~~.

(e) Illumination

May be illuminated internally or externally.

(f) Location

1. Shall be located on property contiguous to the development identified.
2. Shall be located on private property or within the median of the entrance driveway.
3. May be located at the main entrance to the development, or within the median of the entrance driveway with a sign easement and permission from NCDOT or the Town as applicable.

(g) Landscaping

A planting bed area equal to at least one-half of the sign face area (for two-sided signs, use only one sign face area for the calculation) shall be planted around the entire base of any freestanding sign, using shrubs, flowers, or ground cover. The Planning Director may modify this requirement based on constraints specific to the site.

(h) Other Conditions

1. In multi-tenant, non-residential or mixed use buildings.

a. Each tenant or sign shall be allowed two colors for face plate lettering with black always allowed as trim or accent, and white required as the background.

|

(15) Flags

(a) Allowable Sign Face Area (max.) per sign face

1. For vertically-projecting poles, 24 square feet per flag in residential zoning districts, and 35 square feet per flag in all other zoning districts.
2. Twelve square feet per flag on angled- or horizontally projecting poles.

(b) Number (max.) per site

1. A maximum of up to three vertically-projecting flag poles or two angled- or horizontally-projecting flag poles are allowed per frontage, subject to satisfaction of all other criteria herein.
2. Only one type of flag pole – vertically-projecting or horizontally-projecting – is allowed on a site.
3. For vertically-projecting flag poles, as measured by lot frontage:
 - a. 0 to 199 linear feet = 1 flag pole
 - b. 200 to 499 linear feet = 2 flag poles
 - c. 500+ linear feet = 3 flag poles
4. Angled- or horizontally-projecting flag pole, as measured by lot frontage:
 - a. 100-200 linear feet = 1 flag pole.
 - b. 200+ linear feet = 2 flag poles.
5. One flag is allowed as advertising for an on-site operator, tenant, or use, and all other flags shall conform to the exemption listed in (D)(3) of this Section.
6. Vertically-projecting flag poles shall be allowed a maximum of three flags, with one flag allowed per every 5' above 15' of pole height.
7. Angled- or horizontally-projecting flag poles shall have a maximum of one flag per pole.
8. Residential zoning districts are allowed a maximum of one flag pole and two flags.

(c) Height or length (max.)

1. Vertically-projecting flag poles may not be taller than the primary structure on the site, or 35', whichever is less.
2. Angled- or horizontally-projecting flag poles may not have a pole length greater than 8'.

(d) Minimum Required Frontage (either building frontage or lot frontage, as measured parallel to the street on which the flag pole(s) are located)

1. Vertically-projecting flag pole: 175 linear feet.
2. Angled- or horizontally-projecting flag pole: 100 linear feet.

(e) Clearance (min.)

1. On vertically-projecting flagpoles, under normal operation but including times during which a flag is raised at half-mast, no portion of any flag shall extend below the mid-point of the flagpole, with an absolute minimum clearance of 8 feet required above the ground beneath the flag.
2. On angled- or horizontally-projecting flag poles, all flags and flagpoles shall maintain a minimum of 8 feet of vertical clearance above the ground beneath the flagpole.
3. All flags and flagpoles shall maintain minimum required safety clearances from electrical utilities at all times.

(f) Setbacks (min.) required for all parts of, flagpole and other supporting or related structure

1. For vertically-projecting flagpoles, must meet setback requirements of the zoning district, plus one foot setback for every one foot of height above 25 feet.

(g) Construction

1. Vertically-projecting flagpoles shall be anchored to a footing in the ground or attached to a wall or building and shall project vertically to the maximum allowed height.
2. Flagpoles may be attached to a structure or building wall, and may project vertically, horizontally, or at an angle to the wall.
3. Zoning Compliance Permits and building permits may be required.

(h) Illumination

May be illuminated externally only.

(i) Landscaping

1. On vertically-, or angled-projecting flagpoles anchored in the ground, a planting bed area equal to at least one-half of the sign face area (use only one side of the largest flag for the calculation) shall be planted around the entire base of any freestanding sign, using shrubs, flowers, or ground cover. The Planning Director may modify this requirement based on

constraints specific to the site.

2. On vertically-, angled-, or horizontally projecting flagpoles anchored directly to a building, no planting bed is required.

~~(15)~~(16) **Temporary Signs**

The signs described below may be erected on a temporary basis only after a permit has been issued by the Planning Director. No sign shall be placed in a public right-of-way, nor attached to a utility pole or other utility-related structure.

(a) ***On-Premises Construction Sign***

1. The regulation of on-premises construction signs shall be in accordance with North Carolina General Statutes §160A-381(j), or as otherwise regulated below.

1-2. Residential

One sign, not to exceed 20 square feet in size, may be erected in a residential zoning district.

2-3. Non-Residential

Up to two on-premises construction project signs may be erected in a business, industrial, or office and institutional zoning district, so long as the total sign face area does not exceed 32 square feet. If a sign is two-sided with faces positioned back to back, only one side of the sign face shall be included in this calculation.

3-4. Construction signs shall not be erected prior to site plan or plat approval or the issuance of a building permit, and shall be removed within 15 days after final inspection and approval of the project.

(b) ***Political Signs***

The ~~placement regulation~~ of political signs shall be in accordance with North Carolina General Statutes § 136-32, Regulation of Signs.

(c) ***Special Event Signs*** (fair, carnival, festival, grand opening, sale, or similar non-permanent activity)

1. Limited to two feather signs, not exceeding 16 square feet each (per face), or one banner style sign, not exceeding 32 square feet (per face).

2. Signs may be erected, placed, or located for maximum of 10 consecutive days.

3. Limited to four times per calendar year (40 days in total).

4. Such signs shall be removed by the applicant by the permit expiration date.

5. Prohibited within public rights-of-way and shall not obstruct the view of oncoming traffic.

~~5-6.~~ The Planning Director shall have the authority to extend the timeframe up to a maximum of 60 days for new businesses or businesses undergoing exterior renovation.

(d) ***Yard Sale Signs***

1. Prohibited within public rights-of-way ~~and shall not obstruct oncoming traffic.~~
2. Such signs may not exceed four square feet in size.
- ~~3.~~ Signs shall not be erected more than seven days before the sale date and shall be removed within 48 hours of the sale date.
- ~~3-4.~~ ~~Signs shall not be affixed to any structure within public rights-of-way.~~

(e) ***Gas Balloons***

1. May be erected, placed, or located in connection with a special event, such as a fair, carnival, grand opening, sale, or similar non-permanent activity.
2. Balloons may be used for maximum of 10 consecutive days.
3. Limited to four times per calendar year (40 days in total).
4. Balloons shall be removed by the applicant within ~~seven days~~ one day after the event has taken place.

(H) **REMOVAL OF ~~ABANDONED, OBSOLETE, OR DETERIORATED~~ SIGNS**

~~(1)~~ **Abandoned Signs**

(a) ***Removal***

Obsolete signs shall be removed by the owner of the premises on which the sign is situated within 15 days of receipt of notification by the enforcement officer.

~~(1)~~(2) **Obsolete Signs**

(a) ***Removal***

Obsolete signs shall be removed by the owner of the premises on which the sign is situated within 15 days of receipt of notification by the enforcement officer.

~~(2)~~(3) **Deteriorated Signs**

(a) ***Removal/Compliance***

Deteriorated signs shall be removed or brought into compliance with all codes and ordinances within 15 days of notification by the enforcement officer.

(I) **MAINTENANCE**

- (1) All signs shall be maintained in a state of good repair, and shall not be abandoned, made to be obsolete, or become deteriorated. The Planning Director or designee is authorized to inspect each sign periodically to determine that it meets the requirements set forth in this subchapterSection. Whenever a sign has been built or is being maintained in violation of this subchapterSection, such sign shall be made to conform to all regulations herein, or shall be removed at the expense of the owner within 15 days after written verification thereof by the Planning Director.
- (2) To ensure that signs are erected and maintained in a safe and attractive manner, the following maintenance requirements shall apply to all signs visible from any street-right-of-way or public area:
 - (a) A sign shall have no more than five percent of its surface area covered with peeling paint, chipped corners, rust, mud, broken parts and pieces, or other unsightly conditions for a period of more than 15 successive days.
 - (b) A sign shall not stand with bent or broken sign facing, broken supports, loose appendages or struts, or leaning more than 15 percent from vertical for a period greater than 15 successive days.
 - (c) A sign shall not have weeds, trees, vines, or other vegetation growing upon it, that obscures the view of the sign from the street or right-of-way from which it is to be viewed, for a period greater than ten successive days.

~~(K) **MASTER SIGN PLAN**~~

~~A Master Sign Plan (MSP) is required for development which includes multiple uses or tenants, planned developments, residential developments where more than one sign is proposed, and Non-residential Development Identification Signs. The purpose of the MSP is to provide a unified record of signs and promote coordinated signage. A MSP is required prior to the erection of any permanent signs and all signs within the development shall comply with the MSP. Applicants wishing to deviate from the requirements listed below may submit an Alternative Sign Plan pursuant to § 155.403(K).~~

~~(1) **Application**~~

~~The MSP shall be submitted to the Planning Department for review following the process requirements of § 155.713 with the decision made by the Planning Director. For new development, the MSP shall be submitted concurrently with the initial development site plan, master plan, or subdivision application.~~

~~(2) **MSP Elements**~~

~~The MSP shall include, at a minimum, criteria and specifications for the following:~~

- ~~(a) Location.~~
- ~~(b) Allocation of permitted sign area among tenants and any other proposed signs. Total allowable sign face area for the project is determined using the total sign face area allowance calculation defined in (G)(1) of this Section.~~
- ~~(c) Sketches of generic sign design and appearance for each sign type.~~
- ~~(d) Construction materials.~~
- ~~(e) Color palette, provided in Pantone Matching System (PMS) colors, vinyl manufacturer and numbers, or comparable industry standard of color identification. Permitted colors for each sign component shall be specified, including but not limited to sign face backgrounds, font, and sign structure.~~
- ~~(f) Illumination, including type, where illumination is permitted, and lighting fixture style.~~
- ~~(g) Map/site plan showing what buildings and parcels are included within the MSP.~~

~~(3) Approval Criteria~~

~~Prior to approval of a MSP, the following review criteria shall be satisfied:~~

- ~~(a) The proposed sign design, size, color, and placement are compatible in style and character with any building to which the sign is to be attached, any surrounding structures, and any adjoining signage on the site.~~
- ~~(b) Similar sign types are constructed of similar materials.~~
- ~~(c) The MSP provides for signs that meet size limitations, location requirements, material standards and other applicable requirements of this Section.~~
- ~~(d) One standard Pantone Matching System (PMS) color, vinyl manufacturer and number, or comparable industry standard of color identification shall be permitted for wall signs, with the exception of wall signs on outparcels. Black may be used as an accent to the permitted color. If the exterior of the sign includes trim, the material and color must be identified for consistency. Federal and state registered trademarks may be employed in addition to the specified color, but may not exceed 12 square feet in copy area.~~
- ~~(e) Future tenants will be provided adequate opportunities to construct, erect, or maintain a sign for identification.~~
- ~~(f) Directional signage and building addressing is adequate for pedestrian and vehicular circulation and emergency vehicle access.~~
- ~~(g) The MSP improves the safety and welfare of the general public by minimizing distractions, hazards, and obstructions from sign design or placement.~~

~~(h) Sign design, scale, and placement are oriented to pedestrian traffic.~~

~~(i) Components of the MSP are consistent with the Town of Clayton General Design Guidelines.~~

~~(4) Conditions of Approval~~

~~The Planning Director may impose Conditions of Approval to carry out the intent of the MSP while still permitting each sign user opportunities for effective identification and communication. These conditions may include, but are not limited to, reductions in the allowable number of signs, total sign face area, location of signs, and types of signs allowed.~~

~~(5) Amendments~~

~~A MSP may be amended by filing a new master plan and updated application with the Planning Director. The amended MSP shall include a schedule that requires bringing all signs not conforming to the proposed plan into conformance.~~

~~(L)(K)~~ **ALTERNATIVE SIGN PLAN**

The purpose and intent of an Alternative Sign Plan ~~(ASP)~~ is to allow for creativity of sign design, providing an opportunity to demonstrate the intent of this Section can be exceeded, in whole or in part, ~~through an ASP~~. Any sign application, ~~including a Master Sign Plan,~~ may ~~submit~~ include an Alternative Sign Plan ~~ASP~~ as an alternative. The Alternative Sign Plan ~~ASP~~ need not comply with the requirements of this Section, however in no case shall an Alternative Sign Plan ~~ASP~~ allow a prohibited sign. The Alternative Sign Plan ~~ASP~~ shall be prepared in accordance with the design principles set forth below.

(1) Application

The Alternative Sign Plan ~~ASP~~ shall be submitted to the Planning Department for review following the process requirements of § 155.713 "Sign Permit", with the decision made by Town Council. ~~For new development, the ASP shall be submitted concurrently with the initial development site plan or subdivision.~~

(2) Alternative Sign Plan ~~ASP~~ Elements

The Alternative Sign Plan ~~ASP~~ shall include, at a minimum, criteria and specifications for the following:

(a) Justification statement which details project information, modifications being requested, specific code references proposed for waiver, ~~and~~ proposed alternatives, and explanation of how the alternative exceeds the requirements of this Section.

~~(b) ASPs submitted in lieu of MSPs shall include all information required for an MSP.~~

~~(b)~~ Alternative Sign Plans ASPs—submitted for a permanent sign shall include all information required for a ~~permanent sign~~Permanent Sign Permit application (per §155.713), to be issued at a later date.

~~(c)~~ Location of regulated properties.

~~(d)~~ Allocation of permitted sign area among tenants and any other proposed signs. Total allowable sign face area for the project is determined using the total sign face area allowance calculation defined in (F)(3) of this Section.

~~(e)~~ Sketches of generic sign design and appearance for each sign type provided in Pantone Matching System (PMS) colors, vinyl manufacturer and numbers, or comparable industry standard of color identification. Permitted colors for each sign component shall be specified, including but not limited to sign face backgrounds, lettering, and sign structure.

~~(f)~~ Map, site plan, or other graphical depiction showing where each particular sign type is permitted.

~~(g)~~ Justification for the Alternative Sign Plan.

(3) **Approval Criteria**

To qualify for consideration, an Alternative Sign Plan ASP shall demonstrate compliance with the following review criteria:

(a) Components of the Alternative Sign Plan ASP shall be consistent with the Town of Clayton General Design Guidelines.

(b) The proposed sign design, size, color, illumination, and placement are compatible in style and character with any building to which the sign is to be attached, any surrounding structures, ~~and~~ any adjoining signage on the site, and/or the district character or architectural character of the area in which it is located.

(c) Innovative use of materials and design techniques in response to unique characteristics of the specific site, if applicable.

~~(d)~~ Placement of sign incorporates or preserves existing native vegetation.

~~(e)~~ (d) Sign design, scale, and placement are oriented to pedestrian traffic.

~~(f)~~ (e) Integrates architectural features in a manner compatible with the surroundings and district in which the development is located.

~~(g)~~ Includes pedestrian facilities, including but not limited to sidewalks, walkways, street furniture, landscaping, and lighting.

~~(h)~~ (f) Consistent with approved neighborhood plans, studies, or area plans.

~~(i) — Future tenants will be provided adequate opportunities to construct, erect, or maintain a sign for identification.~~

~~(j) — Directional signage and building addressing is adequate for pedestrian and vehicular circulation and emergency vehicle access.~~

~~(k)~~(g) The Alternative Sign Plan ASP improves the safety and welfare of the general public by minimizing distractions, hazards, and obstructions from sign design or placement.

(4) Conditions of Approval

The Town Council may impose Conditions of Approval to carry out the intent of the Alternative Sign Plan ASP while still permitting each sign user opportunities for effective identification and communication. These conditions may include, but are not limited to, specification of color(s), reductions in the allowable number of signs, total sign face area, location of signs, and types of signs allowed.

(5) Amendment

An Alternative Sign Plan ASP may be amended by filing ~~a new ASP and an~~ updated application with the Planning Director. The amended Alternative Sign Plan ASP shall include a schedule that requires bringing all signs not conforming to the proposed plan into conformance.

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2008-03-02, passed 3-3-08; Am. Ord. 2008-04-02, passed 4-7-08; Am. Ord. 2012-01-04, passed 1-3-12; Am. Ord. 2012-12-04, passed 12-3-12; Am. Ord. 2013-09-05, passed 9-3-13; Am. Ord. 2014-06-11, passed 6-16-14)



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
October 24, 2016*

STAFF REPORT

Application Number: 2016-217-OA

Project Name: Administrative Process & TRC Update (Ord. Amendment)

Applicant: Town

Public Noticing:

- Newspaper ad posted prior to November 23, 2016

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to administrative processes having to do with the Technical Review Committee, Planning Board, and Board of Adjustment.

SECTIONS PROPOSED FOR AMENDMENT:

The following sections of Title XV, Chapter 155 are proposed for amendment:

- o 700 – Review Bodies
- o 701 – Summary of Review Authority
- o 702 – Common Review Procedures

STAFF ANALYSIS AND COMMENTARY:

Overview

Some portions of the Unified Development Code are proposed for update regarding the operation of boards related to development review, including Planning Board, Board of Adjustment, and Technical Review Committee. This involves clarification of operations, membership (in accordance with state statute), and relocation of text to (or from) more appropriate chapters in the Town Code of Ordinances.

Approval Criteria:

- **Consistency with remainder of the Chapter**
The request is consistent with the remainder of Chapter 155 and the Town Code of Ordinances.
- **Novelty of the request**

Page 1 of 2

The request does not introduce overly novel changes to the Code.

- **Correction of existing errors**

The request largely represents relocation, 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, and some changes (regarding board composition) bring the Code more into compliance with state requirements.

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 recommends approval.

CONDITIONS:

No Conditions recommended.

ATTACHMENTS:

- 1) Application
- 2) Draft Ordinance Amendment, in strikethrough/underline.



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ORDINANCE AMENDMENT APPLICATION

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

Application Fee: TBD

Advertisement Fee: \$100.00

All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: Article 700 Administrative Process Update & TRC (project#: 2016-217-OA)

Existing title of Code Section(s): Article 700 "Administration"

Code Section Number(s): Title XV, §155.700, .701, and .702

APPLICANT/CONTACT INFORMATION

Applicant: Planning Department, Town of Clayton

Mailing Address: PO Box 879, Clayton, NC 27528

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

Contact Person: Jay McLeod

Email Address: jwmcleod@townofclaytonnc.org

DESCRIPTION OF REQUESTED CHANGES

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

Relocate language from Chapter 32, regarding Technical Review Committee (TRC) to Chapter 155.700 section. Revise, relocate, and update some language regarding boards and how they operate.

FOR OFFICE USE ONLY

Date Received: 10/17/2016 **Amount Paid:** N/A, Town initiated. **File Number:** 2016-217-OA

REQUIRED INFORMATION (to be submitted with the application)

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

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

APPROVAL CRITERIA

All applications for Ordinance Amendment must address the following criteria:

1. The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.

The revisions bring the selected sections of Code more into compliance by relocating text to more appropriate chapters and updating board procedures.

2. The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.

These are minor, routine updates, and not novel changes.

3. Whether or not the proposed text amendment corrects an error in the chapter.

Errors are corrected by relocating text to more appropriate locations.

4. Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.

The revisions bring the Code closer to the exact language of state statutes regarding board member composition.

APPLICANT AFFIDAVIT

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

Jay McLeod, Senior Planner
Print Name


Signature of Applicant

10/17/2016
Date

ARTICLE 7: ADMINISTRATION

§ 155.700 REVIEW BODIES.

(A) *Town Council.*

- (1) *Establishment and composition.* The Town Council is established and composed pursuant to the Town Charter and [Chapter 30](#) of the Town's Code of Ordinances.
- (2) *Powers and duties.* In execution of the provisions of this chapter, the Town Council shall be responsible for final action regarding the following:
 - (a) Text amendments (§ [155.703](#));
 - (b) Rezoning (§ [155.704](#));
 - (c) Planned development review (§ [155.705](#));
 - (d) Preliminary plat review (§ [155.706](#));
 - (e) Special use review (§ [155.711](#)); and
 - (f) Zoning vested rights (§ [155.718](#)).

(B) *Planning Board.*

- (1) *Establishment and composition.* The Planning Board is established and composed pursuant to [Chapter 32](#) of the Town's Code of Ordinances.
- (2) *Powers and duties.* In execution of the provisions of this chapter, the Planning Board shall have the following power and duties.
 - (a) General authority.
 1. The Planning Board may exercise additional powers as may be described elsewhere in this chapter and as permitted by North Carolina General Statutes.
 2. The Planning Board shall perform related duties as directed by the Town Council.
 - (b) Review authority. The Planning Board shall make recommendations regarding the following:
 1. Text amendments (§ [155.703](#));
 2. Rezoning (§ [155.704](#));
 3. Planned development review (§ [155.705](#));
 4. Preliminary plat review (§ [155.706](#)); and
 5. Special use review (§ [155.711](#)).

(c) Final authority. The Planning Board shall be responsible for final action regarding the following:

1. Major site plan review (§ [155.707](#)); and
2. Alternative means of compliance in the Thoroughfare Overlay District.

(C) *Board of Adjustment.*

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

~~—(2) *Composition.*~~

~~—(a) *Number and term.*~~

~~—1. The Board of Adjustment shall consist of seven members with four members residing in the corporate limits and three members residing within the town's extraterritorial jurisdiction (ETJ); and each member is to be appointed for three years.~~

~~—2. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the Town Council may appoint certain members for less than three years to the end that thereafter the terms of all members shall not expire at the same time.~~

~~—(b) *Membership.*~~

~~—1. Membership on the Board of Adjustment shall include representatives from the ETJ.~~

~~—2. Any member of the Board of Adjustment representing the ETJ shall be appointed by the Town Council, subject to approval by the Johnston County Board of County Commissioners.~~

~~—(c) *Alternate members.*~~

~~—1. The Town Council may, in its discretion, appoint and provide compensation for two alternate members to serve on the Board of Adjustment in the absence of any regular member. One alternate member shall be from the town and one alternate member shall be from the ETJ.~~

~~—2. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members.~~

~~—3. Each alternate member, while attending any regular or special meeting and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.~~

~~—(d) *Attendance.* All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The secretary to the Board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called meetings. If at any time a member either fails to attend two thirds of the scheduled meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the Board shall notify the Chairman of the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Clerk. The Town Clerk shall include~~

~~the letter as an item on the next available Town Council meeting agenda requesting Council as a whole make a decision on this member's continued service to the Board.~~

~~—(3) *Proceedings.*~~

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

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

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

~~(4)~~(2) *Powers and duties.* In execution of the provisions of this chapter, the Board of Adjustment shall have the following powers and duties.

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

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

1. Conditional use review (§ [155.710](#));
2. Variances (§ [155.716](#)); and
3. Administrative appeals (§ [155.717](#)).

(D) *Planning Director.*

(1) *Designation.* The Planning Director shall administer certain provisions of this chapter as may be required below.

(2) *Delegation of authority.* The Planning Director may designate any staff member to represent the Planning Director in any function assigned by this chapter but shall remain responsible for any final action.

(3) *Powers and duties.* In execution of the provisions of this chapter, the Planning Director shall have the following powers and duties.

(a) *General authority.*

1. The Planning Director may exercise additional powers as may be described elsewhere in this chapter and as permitted by North Carolina General Statutes.

2. The Planning Director shall perform related duties as directed by the Town Council.

(b) Review authority. The Planning Director shall make recommendations regarding the following:

1. Text amendments (§ [155.703](#));
2. Rezoning (§ [155.704](#));
3. Planned Development review (§ [155.705](#));
4. Preliminary plat review (§ [155.706](#));
5. Major site plan review (§ [155.707](#));
6. Conditional use review (§ [155.710](#));
7. Special use review (§ [155.711](#));
8. Alternative sign plans (§ [155.713](#));
9. Variances (§ [155.716](#)); and
10. Zoning vested rights (§ [155.718](#)).

(c) Final authority. The Planning Director shall be responsible for final action regarding the following:

1. Minor plat review (§ [155.706](#));
2. Final plat review (§ [155.706](#));
3. Administrative amendment (§ [155.707](#));
4. Minor site plan review (§ [155.707](#));
5. Traffic impact analyses (§ [155.708](#));
6. Zoning permits (§ [155.709](#));
7. Temporary use permits (§ [155.712](#));
8. Sign permits for signs under eight feet in height (§ [155.713](#));
9. Master sign plans (§ [155.713](#)); ~~and~~
10. [Tree Clearing Certificates \(§155.21\)](#); and
11. Written interpretations (§ [155.715](#)).

(E) *Technical Review Committee.*

(1) *Establishment and composition.* The Technical Review Committee (TRC) is established for the purpose of performing technical evaluations of land development activities, including but not limited to subdivisions, planned developments, and site plan applications as set forth in Section 155.701(E) of the Unified Development Code (UDC).

The TRC is further authorized to complete appropriate analyses of land development activities pursuant to the Town's Code of Ordinances. The Technical Review Committee shall be composed of the persons below, or their designee:

- (a) The Planning Director, chairman;
- (b) Planning department staff, designated with primary review responsibility for each application;
- (c) The Public Works Director;
- (d) The Electric System Director;
- (e) The Town Engineer;
- (f) The Fire Chief;
- (g) The Parks and Recreation Director; and
- (h) The North Carolina Department of Transportation.

The TRC may request input from other governmental agencies including, but not limited to, the School Board, the USPS Clayton Postmaster, Johnston County Department of Public Utilities, North Carolina Railroad and adjacent municipalities as needed.

~~The Technical Review Committee is established and composed pursuant to Chapter 32 of the Town's Code of Ordinances.~~

(2) *Powers and duties.* The Technical Review Committee has the following duties and responsibilities regarding the review and consideration of applications that come before them:

- (a) The TRC shall undertake technical evaluations of land development applications and activities to identify deficiencies and/or discrepancies from the provisions of the Town's Unified Development Code and the Town's Code of Ordinances. This includes:

~~In execution of the provisions of the chapter, the Technical Review Committee shall have the following powers and duties.~~

~~(a) Review authority. The Technical Review Committee shall review and provide comments regarding the following:~~

1. Planned development review (§ [155.705](#));
2. Minor plat review (§ [155.706](#));
3. Preliminary plat review (§ [155.706](#));

4. Final plat review (§ [155.706](#));
5. Minor site plan review (§ [155.707](#)); and
6. Major site plan review (§ [155.707](#)).

(b) The TRC, through its chairman, may approve, approve with conditions, disapprove or postpone consideration of applications that require staff-level approval only. Actions by the TRC regarding staff-level approvals shall be final unless appealed in accordance with Section 155.717 of the UDC. Applications which proceed to the Board of Adjustment, Planning Board, or Town Council will be scheduled for the next available agenda, once receiving TRC chairman approval to proceed.

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2008-09-01, passed 9-2-08; Am. Ord. 2011-12-02, passed 12-5-11; Am. Ord. 2013-02-02, passed 2-4-13; Am. Ord. 2013-12-03, passed 12-2-13; Am. Ord. 2014-06-10, passed 6-16-14)

§ 155.701 SUMMARY OF REVIEW AUTHORITY

Table 7-1 below summarizes review and approval authority under this chapter.

Table 7-1 Review and Approval Authority

	Technical Review Committee TRC	Planning Director PD	Board of Adjustment BOA	Planning Board PB	Town Council TC	
Text Amendment		Review		Review	<DECISION>	§ 155.703
Rezoning		Review		Review	<DECISION>	§ 155.704
Planned Development	Review	Review		Review	<DECISION>	§ 155.705
Minor Subdivision Plat	Review	DECISION				§ 155.706
Preliminary Plat	Review	Review		Review	<DECISION>	§ 155.706
Final Plat	Review	DECISION				§ 155.706
Administrative Amendment		DECISION				§ 155.707
Minor Site Plan	Review	DECISION				§ 155.707
Major Site Plan	Review	Review		DECISION		§ 155.707
Traffic Impact Analysis						§ 155.708
Zoning Permit		DECISION				§ 155.709
Conditional Use		Review	<DECISION>			§ 155.710
Special Use		Review		Review	<DECISION>	§ 155.711
Temporary Use Permit		DECISION				§ 155.712
Sign Permit		DECISION				§ 155.713
Master Sign Plan		DECISION				§ 155.713
Alternative Sign Plan		Review			<DECISION>	§ 155.713
Written Interpretation		DECISION				§ 155.715
Variance		Review	<DECISION>			§ 155.716
Administrative Appeal			<DECISION>			§ 155.717
Zoning Vested Right		Review			<DECISION>	§ 155.718
Tree Clearing Certificate	Review	DECISION				§ 155.721

<Public Hearing Required>

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2013-02-02, passed 2-4-13; Am. Ord. 2013-12-03, passed 12-2-13)

ARTICLE 7: ADMINISTRATION

§ 155.702 COMMON REVIEW PROCEDURES

(A) **PRE-APPLICATION CONFERENCE**

- (1) Before submitting an application for development approval, each applicant shall schedule a pre-application conference with the Planning Department to discuss the procedures, standards and regulations required for development approval in accordance with this chapter.
- (2) Unless waived by the Planning Director, ~~A~~a pre-application conference with the Planning Department shall be required for all development approvals listed in Table 7-1, with the exception of Written Interpretations ([§155.715](#)), [Administrative Appeals \(§155.717\)](#), [Zoning Permits \(§155.709\)](#), and [Sign Permits \(§155.713\)](#).

(B) **NEIGHBORHOOD MEETING**

- (1) After the pre-application conference and prior to the first public meeting, the applicant shall hold a mandatory neighborhood meeting for the following:
 - (a) Rezoning (§ 155.704);
 - (b) Planned development review (§ 155.705);
 - (c) Major subdivision / Preliminary Plat review, (§ 155.706);
 - (d) Major site plan review (§ 155.707);
 - (e) Special use review (§ 155.711); and
 - (f) Conditional use review (§ 155.710).
- (2) Only the initial application for Planned Development review shall require a neighborhood meeting. Subsequent applications for Subdivision or Site plan review do not require further neighborhood meetings.
- (3) The purpose of the neighborhood meeting shall be to inform the neighborhood of the nature of the proposed land use and development features, explain the site plan if any, and solicit comments.
- (4) The applicant shall provide notification by mail to property owners as identified in (D)(2)(c) of this Section. The notice shall be mailed at least ten days but not more than 25 days prior to the date of the neighborhood meeting. Neighborhood meetings shall be held no earlier than 6:00 pm Monday through Friday to allow adequate time for attendees to get to the meeting.

- (5) The applicant shall provide to the Planning Department a copy of all notice materials including the letter and addresses, and provide written certification of the mailing. Certification shall note the date of the mailing and be signed by the applicant.
- (6) The applicant shall prepare and submit to the Planning Director a meeting summary that outlines attendance, major points discussed, and any agreements reached between the parties involved.
- (7) The Planning Director may develop administrative rules pertaining to any additional requirements for the conduct of the meeting.

(C) **APPLICATION REQUIREMENTS**

(1) **Forms**

Applications required under this Chapter shall be submitted on forms and in such numbers as required by the Planning Director.

(2) **Fees**

- (a) All applications and associated fees shall be filed with the Planning Department.
- (b) Filing fees shall be established from time to time to defray the actual cost of processing the application, as listed in the Town's Comprehensive List of Fees and Charges.
- (c) An applicant who has paid the appropriate fee pursuant to the submission of an application, but who chooses to withdraw such application prior to its distribution for review shall be entitled to a refund of the total amount paid, less 10% for administrative costs, upon written request to the appropriate department. Once review has begun, no refund shall be available, except that unused notice surcharges shall be refunded less 10% for administrative purposes.

(3) **Application Deadline**

Applications shall be submitted to the Planning Department in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

(4) **Applications Sufficient For Processing**

- (a) All applications shall be sufficient for processing before the Planning Department is required to review the application.
- (b) An application shall be sufficient for processing when it contains all of the required information and materials have been submitted for review. necessary to decide whether or not the development, as proposed, will comply with all of the requirements of this Chapter.

~~(c)~~(b) The presumption shall be that all of the information required in the application materials is necessary to satisfy the requirements of this section. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the appropriate department as to whether more or less information should be submitted.

~~(d)~~(c) Once the application has been determined sufficient for processing, copies of the application shall be referred by the Planning Department to the appropriate reviewing entities.

(5) **Final Determinations On Sufficient Applications**

- (a) Following review by appropriate entities, Planning Department staff shall review any updated application materials and confer with the applicant to ensure an understanding of the applicable requirements of this Chapter; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.
- (b) Once the applicant indicates that the application is as complete as the applicant intends to make it, Planning Department staff will make a determination on the application, or as required by this Chapter, the application shall be placed on the agenda of the appropriate review board in accordance with standard procedures.

(6) **Concurrent Applications**

- (a) If approved by the Planning Director, applications for development approvals may be filed and reviewed concurrently. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.
- (b) Applications submitted concurrently are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

(D) **NOTICE AND PUBLIC HEARINGS**

(1) **Summary Of Notice Required**

Notice shall be required for applications for approval as shown in Table 7-2 below.

Table 7-2 – Public Notice Requirements

	Published	Mailed	Posted	
Text Amendment	•			§ 155.703
Rezoning	•	•	•	§ 155.704

Planned Development	•	•	•	§ 155.705
Preliminary Plat Review	•	•	•	§ 155.706
Major Site Plan			•	§ 155.707
Conditional Use Review	•	•	•	§ 155.710
Special Use Review	•	•	•	§ 155.711
Variance	•	•	•	§ 155.716
Administrative Appeal		•	•	§ 155.717

(2) **Public Notice Requirements**

(a) ***Published Notice***

Where published notice is required, a distinctive advertisement shall be placed by the Town in a local newspaper of general circulation once a week for two successive calendar weeks, the first notice being published not less than ten days nor more than 25 days before the date fixed for the public hearing.

(b) ***Posted Notice (Sign)***

Where posted notice is required, a sign shall be posted not less than ten days prior to the public hearing at which the application shall be reviewed. The sign shall be posted on the property or at a point visible from the nearest public street. The sign shall indicate that a public hearing will be held and a phone number to contact the Town.

(c) ***Mailed Notice***

1. Where mailed notice is required, the applicant shall supply stamped addressed envelopes to the Planning Department. The notification shall be made by first-class mail by Planning Department Staff (at the last addresses listed for such owners in the county tax records) to all property owners within 100 feet and immediately abutting 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. The Planning Department shall certify to the Town Council that fact, and such certificate shall be deemed conclusive in the absence of fraud.
2. The notice shall be mailed at least ten but not more than 25 days prior to the date of the public hearing.
3. Mailed notice under this section shall not be required if a rezoning (including a planned development rezoning) directly affects more than 50 properties owned

by a total of at least 50 different property owners, and the Town elects to use the following expanded notice requirements:

- A. Published notice of the hearing shall be provided as set forth in (D)(2)(a) of this section. The advertisement shall not be less than one-half of a newspaper page in size.
- B. Mailed notice of the hearing shall be provided (as set forth in (D)(2)(c)1. and 2. of this section) to all property owners who reside outside of the newspaper's circulation area.

(d) ***Content of Notice***

A published or mailed notice shall provide at least the following:

- 1. Parcel identification number;
- 2. The address of the subject property (if available);
- 3. The general location of the land that is the subject of the application, which may include, a location map;
- 4. A description of the action requested;
- 5. Where a rezoning is proposed, the current and proposed districts;
- 6. The time, date and location of the public hearing;
- 7. A phone number to contact the Town; and
- 8. A statement that interested parties may appear at the public hearing.

(3) **Constructive Notice**

Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.

(E) **REQUIRED HEARINGS**

A public hearing shall be required for development review as shown in- Table 7-3 below.

Table 7-3 Required Hearings

	Board of Adjustment BOA	Town Council TC	
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Text Amendment		•	§ 155.703
Rezoning		•	§ 155.704
Planned Development		•	§ 155.705
Preliminary Plat		•	§ 155.706
Conditional Use Review	•		§ 155.710
Special Use Review		•	§ 155.711
Alternative Sign Plan		•	§ 155.713
Variance	•		§ 155.716
Administrative Appeal	•		§ 155.717

(F) **DECISIONS**

Unless specifically provided elsewhere, all decisions on land use changes, including rezonings, shall require an affirmative vote. Tie votes shall be considered denials of any requested change.

(G) **NOTICE OF DECISION**

Within 14 days after a decision is made, a copy of the decision shall be delivered to the applicant by personal delivery, electronic mail or first-class mail. The decision shall also be filed with the Planning Department and available for public inspection during regular office hours.

(H) **WITHDRAWAL OF APPLICATION**

- (1) An applicant may withdraw an application at any time, by filing a statement of withdrawal with the Planning Director.
- (2) The statement of withdrawal shall be signed by all persons who signed the application, or in the event of death or incompetence, by the estate's lawful personal representative.
- (3) If a valid zoning protest petition shall have been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the Town Council hearing date upon which the matter is to be returned for action by the Town Council. Thereafter, the application may be withdrawn only by leave of the Town Council, by majority vote.
- (4) The Planning Director may withdraw applications due to failure of the applicant to submit required information within 90 days of the initial request.
- (5) An applicant may postpone a scheduled public hearing once per application for up to 90 days after the date the first public hearing was scheduled to occur, after which the Planning Director may withdraw the application.

(Ord. 2005-11-02, passed 11-21-05; Am. Ord. 2007-04-05, passed 4-2-07; Am. Ord. 2011-05-01, passed 5-2-11; Am. Ord. 2013-02-02, passed 2-4-13; Am. Ord. 2013-12-03, passed 12-2-13)