Town of Clayton
Planning Board Agenda
Tuesday, May 27, 2025 at 6:00 PM
Council Chambers, Town Hall, 111 E. Second Street

https://www.youtube.com/TownofClaytonNC

THE PLANNING BOARD MEETING WILL BE HELD IN PERSON.

ANY MEMBER OF THE PUBLIC IS INVITED TO THE ATTEND THE MEETING.

THE PUBLIC MAY VIEW THE LIVE MEETING ON THE TOWN'S YOU TUBE CHANNEL:
https://www.youtube.com/TownofClaytonNC

1. CALL TO ORDER

a. Roll call of the Planning Board
Presenter: Conrad Olmedo, Planning Director

2. ADJUSTMENT OF THE AGENDA

3. APPROVAL OF MINUTES

a. Adoption of March 24, 2025 Minutes
Presenter: Conrad Olmedo, Planning Director
March 24, 2025 Minutes

POTENTIAL ACTION: Adoption of March 24, 2025 Minutes

4. PUBLIC MEETINGS

a. Clayton on the Move, Town of Clayton Comprehensive Transportation Plan (CTP)
Presenter: Leah Weaver, WSP USA
Conrad Olmedo, Planning Director
Clayton on the Move, Town of Clayton Comprehensive Transportation Plan (CTP) - Planning - Pdf

b. Unified Development Ordinance Text Amendments (UDOTA 1-25)
Presenter: Conrad Olmedo, Planning Director
Unified Development Ordinance Text Amendments (UDOTA 1-25) - Planning - Pdf

5. NEW BUSINESS

6. INFORMAL DISCUSSION AND PUBLIC COMMENT

7. ADJOURN

Town of Clayton
Planning Board Minutes
Monday, March 24, 2025 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Board Members Present:
Jodie Dupree
Derrick Applewhite
Tom McKearney
Daniel Gleason
Mike Surasky
Anita Bland
Jason Carter
Deborah Hooker
Mark Hall

Staff Present:
Andria Archer, Council Member Liaison
Conrad Olmedo, Planning Director
Heidi Holland, Town Clerk

Board Members Absent:
Ronald Williams

1 CALL TO ORDER

a) Roll Call for the Planning Board
Presenter: Conrad Olmedo, Planning Director

Vice-Chair Dupree called the meeting to order at 6:00 p.m. Mr. Olmedo provided roll call. With the absence of Board Member Williams, Board Member McKearney was able to vote this evening.

2 ADJUSTMENT OF THE AGENDA

a) There was no discussion or adjustment to the agenda.

3 APPROVAL OF MINUTES

a) Adoption of January 28, 2025 Minutes
Presenter: Conrad Olmedo, Planning Director

Adoption of January 28, 2025 Minutes

RESULT:	**CARRIED 9-0**
MOVER:	Anita Bland
SECONDER:	Tom McKearney
YES:	Jodie Dupree, Derrick Applewhite, Tom McKearney, Daniel

	Gleason, Mike Surasky, Anita Bland, Jason Carter, Deborah Hooker, and Mark Hall
NO:	None
ABSENT:	Ronald Williams

4 PUBLIC MEETINGS

a) No public meetings were scheduled for this evening.

5 NEW BUSINESS

a) Election of Chair and Vice-Chair
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo opened the floor for nominations for the position of Chair. Board Member Bland nominated Vice-Chair Dupree. The nomination was seconded by Board Member Surasky. With no other nominations, a roll call vote was conducted. The motion passed unanimously.

For the position of Vice Chair, Board Member Surasky nominated Board Member Applewhite. The nomination was seconded by Board Member Hall. With no other nominations, a roll call vote was conducted, and the motion passed unanimously.

Approval of Chair

RESULT:	**CARRIED 9-0**
MOVER:	Anita Bland
SECONDER:	Mike Surasky
YES:	Jodie Dupree, Derrick Applewhite, Tom McKearney, Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Deborah Hooker, and Mark Hall
NO:	None
ABSENT:	Ronald Williams

Approval of Vice-Chair

RESULT:	**CARRIED 9-0**
MOVER:	Mike Surasky
SECONDER:	Mark Hall
YES:	Jodie Dupree, Derrick Applewhite, Tom McKearney, Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Deborah Hooker, and Mark Hall
NO:	None
ABSENT:	Ronald Williams

b) Comprehensive Transportation Plan - Introduction of the Town of Clayton's first Comprehensive Transportation Plan to the Planning Board. NO ACTION

Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo introduced the Town's first Comprehensive Transportation Plan to the Planning Board. It was noted that no action was required at this meeting, but a formal presentation and recommendation from the Planning Board would be sought at the April 28, 2025 meeting.

He encouraged board members to review the document and provide any comments by April 7, 2025. The draft was described as well-developed, with Mr. Olmedo feeling confident about its content.

Board members raised several questions and comments about the plan.

Chair Dupree inquired about the number of people who attended stakeholder meetings. Mr. Olmedo stated exact numbers were not available but noted the report contained information on stakeholder engagement, including events at the Clayton Clovers baseball stadium and online surveys.

Board Member Hall commended the team for putting together a comprehensive report with good goals for the Town. Board Member McKearney noted the report lacked clarity on prioritization of projects and information on funding and start dates for funded projects.

Vice-Chair Applewhite asked how the Planning Board should use the transportation plan in coordination with other documents when making decisions. Mr. Olmedo explained the plan would be used for various purposes, including right-of-way dedications, road improvements, and as a basis for future focused planning projects.

Board Member Surasky inquired about the plan's relationship with Johnston County's transportation plan. Mr. Olmedo explained that Clayton's plan would feed into the county's plan, which would then inform the Capital Area Metropolitan Planning Organization's (CAMPO) Master Transportation Plan. Board Member Carter asked about NCDOT's involvement in the plan. Mr. Olmedo confirmed that NCDOT had been part of the steering committee and technical team during the plan's creation process. Board Member Gleason asked about fee-in-lieu funds and how they are handled by the Town. Mr. Olmedo agreed to follow up with more information on this topic. Board Member Gleason noted the importance of the plan in providing a basis for requiring developers to allocate right-of-way for future improvements.

Board Member Carter asked for clarification on the proposal for US 70 Business (now Clayton Boulevard). Mr. Olmedo confirmed the plan recommends keeping the road as is and addressing traffic concerns through signalization improvements rather than expanding to six lanes. Board Member Carter suggested adding metrics to measure the success of the plan's goals

and vision.

Mr. Olmedo thanked the board for their input and requested that any additional comments be submitted by April 7, 2025 for consideration in the final draft.

6 INFORMAL DISCUSSION AND PUBLIC COMMENT

a) Mr. Ed Bejster of 268 Steeplechase Boulevard addressed the board regarding a traffic safety concern at the intersection of O'Neill Street and Steeplechase Boulevard. He expressed concern about the lack of a right turn lane for southbound traffic on O'Neill Street turning onto Steeplechase Boulevard, noting that other nearby intersections have turning lanes.

Mr. Bejster shared his communications with Mr. Olmedo and NCDOT regarding this issue. He presented a map showing the turning lanes at other intersections in the area and emphasized the potential safety hazards due to high-speed traffic.

Board members and Mr. Olmedo discussed the issue, noting that Ashcroft could not be required to do work on someone else's property. It was stated a speed study could be requested from NCDOT to potentially lower the speed limit on that section of O'Neill Street. Board Member Surasky stated his suggestion would be the Town suggest to NCDOT to change the speed limit to 45 mph, considering the surrounding area's development and safety concerns.

Mr. Bejster was advised to raise the issue with the land developer during an upcoming meeting and to consider asking if they would be willing to provide property for a turning lane.

Vice-Chair Applewhite commented on the importance of considering public concerns regarding traffic impact analyses, especially in growing areas of Town, even when they may not align with engineering models.

7 ADJOURN

a) Adjourn

With nothing further, the meeting was adjourned at 6:35 p.m.

RESULT:	**CARRIED 9-0**
MOVER:	Mike Surasky
SECONDER:	Anita Bland
YES:	Jodie Dupree, Derrick Applewhite, Tom McKearney, Daniel Gleason, Mike Surasky, Anita Bland, Jason Carter, Deborah Hooker, and Mark Hall
NO:	None

ABSENT:	Ronald Williams

Duly adopted this 27th day of May 2025.

_____
Jodie Dupree
Board Chair

ATTEST:

_____
Heidi L. Holland, MMC, NCCMC
Town Clerk

Planning Board
Agenda Cover Sheet

Meeting Date	Agenda Location
May 27, 2025	PUBLIC MEETINGS

Item Title

Clayton on the Move, Town of Clayton Comprehensive Transportation Plan (CTP)

Presenter(s)

Leah Weaver, WSP USA Conrad Olmedo, Planning Director

Suggested Action

Adoption of Ordinance - Recommendation to Town Council

Strategic Priorities Alignment

						
☐	☐	☐	☒	☐	☐	☐
Vibrant Downtown	**Desirable Amenities and Spaces**	**Sustainable Infrastructure**	**Mobility, Transportation, and Transit**	**Diversified Economic Development**	**Community Outreach and Engagement**	**Public Safety**

Public Hearing: No - Legislative

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Special Mailing
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☒ None Required

Summary

A presentation to the Planning Board of the Town of Clayton's Comprehensive Transportation Plan, Clayton on the Move.

Background/History

The Town initiated the first Comprehensive Transportation Plan (CTP), Clayton on the Move, beginning in the summer of 2023 and after a collaborative and comprehensive effort of Clayton residents, business owners, stakeholders, and staff is now ready for adoption in the spring of 2025. The Town enlisted WSP Consultants to develop the CTP, Clayton on the Move, which develops a vision for Clayton's transportation network.

Recommendation

Staff recommends approval or approval with modifications of the proposed CTP as drafted.

Funding Source

N/A

Corresponding Documentation

01_Staff Report - Clayton on the Move (CTP)_PB 5.27.25 (1)

02_20250527_PB_Meeting2_PB 5.27.25

03_20250512_ClaytonCTP_FULL-reduced_PB 5.27.25

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Conrad Olmedo, Planning Director	Approved - May 16 2025
Courtney Tanner, Deputy Town Manager	Approved - May 16 2025

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: May 27, 2025

STAFF REPORT

Project Name: Clayton on the Move, Town of Clayton Comprehensive Transportation Plan (CTP)

Consultant: Leah Weaver and Shivang Shelat – WSP USA

Applicant: Conrad Olmedo, Planning Director – Town of Clayton Planning Department

Request: Receive presentation on and make recommendation to Town Council on the draft CTP

PROJECT OVERVIEW

The Town initiated the first CTP, Clayton on the Move, beginning in the summer of 2023 and after a collaborative and comprehensive effort of Clayton residents, business owners, community members, and staff the draft Plan is available for review by the public prior to action by Town Council. The Town enlisted WSP Consultants to prepare CTP, Clayton on the Move, which establishes a cohesive vision for how Clayton's transportation network should grow and expand for the next 20 years.

The draft Plan is a product of stakeholder and community engagement, technical and expertise guidance, and application of multimodal (automobile, bicycle, transit, pedestrian) transportation opportunities. The draft Plan includes chapters that cover existing conditions, public input, bicycle and pedestrian facilities, transit, roadway analysis, safety, and prioritization.

PLANNING BOARD STATUTORY REQUIREMENT

Per NCGS § 160D-501, a comprehensive plan, of which the transportation plan is an element of, must be adopted by a governing board (e.g., Town Council) with the advice and consultation of the Planning Board.

STAFF RECOMMENDATION

Staff recommends approval or approval with modifications of the proposed CTP as drafted.

ATTACHMENTS:

1) Staff Report
2) Presentation

3) Draft Clayton on the Move, Comprehensive Transportation Plan (CTP)



Planning Board Meeting

May 27, 2025

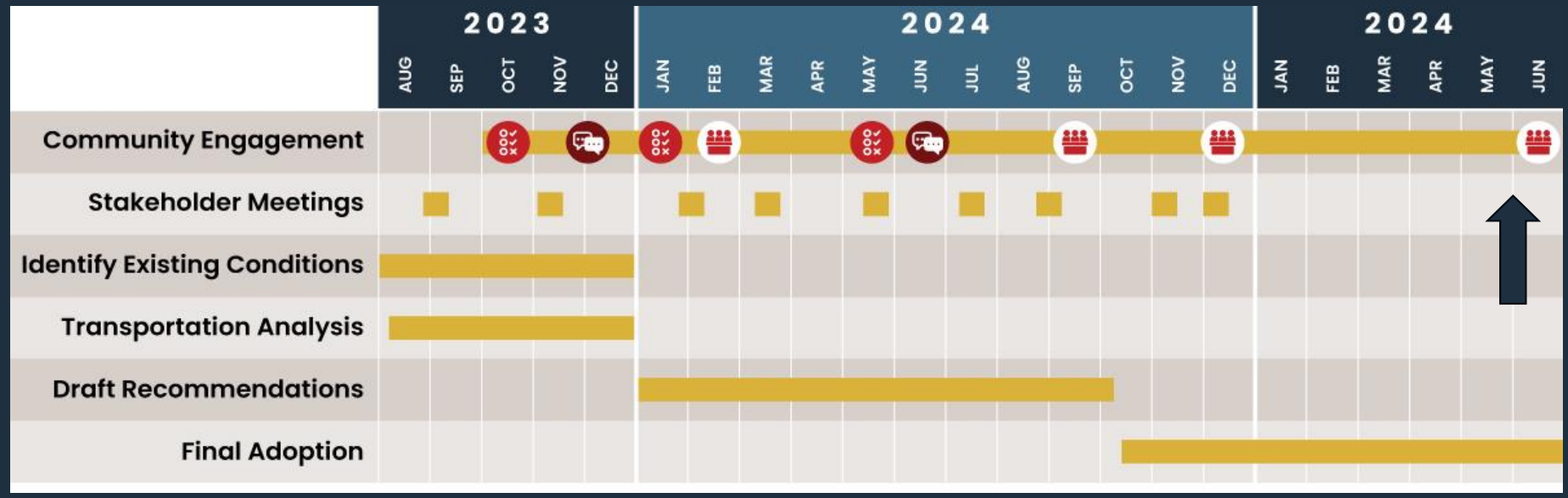
CLAYTON ON THE MOVE

Agenda

1. Process
2. Report Overview
3. Next Steps

CLAYTON ON THE MOVE

Process



- Establish Vision and Goals
- Existing and future conditions analysis
- Consolidating recommendations from previous plans and studies.
- Public Engagement Round 1 (Nov 2023)
- Modified / removed / added projects
- Travel Demand Modeling to validate recommendations
- Public Engagement Round 2 (June 2024)
- Refined recommendations
- Prioritized projects based on Vision and Goals
- Prepared Draft Report
- 3 x Core Technical Team Meetings
- 5 x Stakeholder Steering Committee Meetings
- 3 x Town Council Work Session Presentations

Report Overview

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Appendix A: Enlarged Maps A-1

Chapters 1, 2, 3

CLAYTON ON THE MOVE

123

Chapter 1 – Background

CLAYTON ON THE MOVE

1.1 – Context

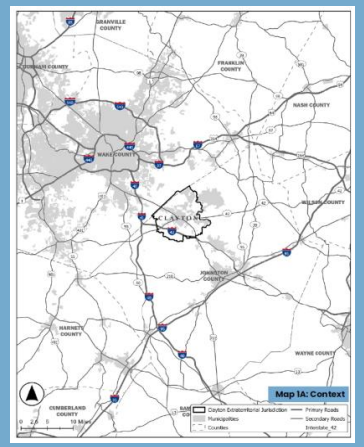
1.2 – Introduction to Comprehensive Transportation Planning

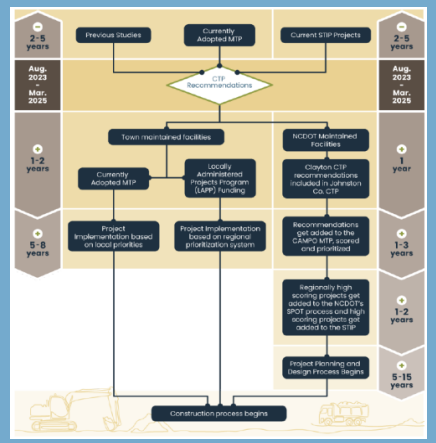
1.3 – Project Development Process

1.4 – Project Overview

1.5 – Vision and Goals

1.6 – Existing Plans and Studies Review



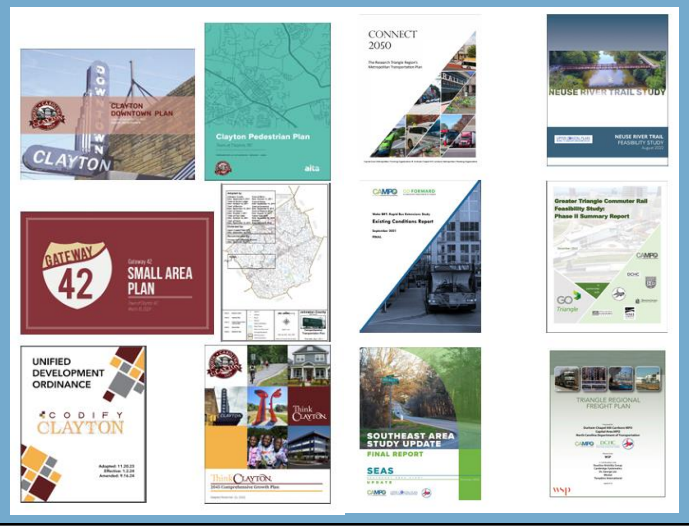


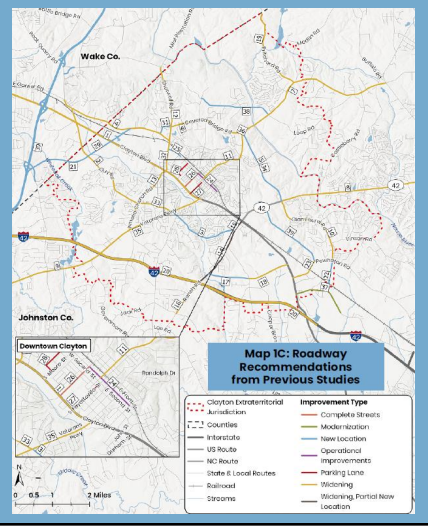
VISION

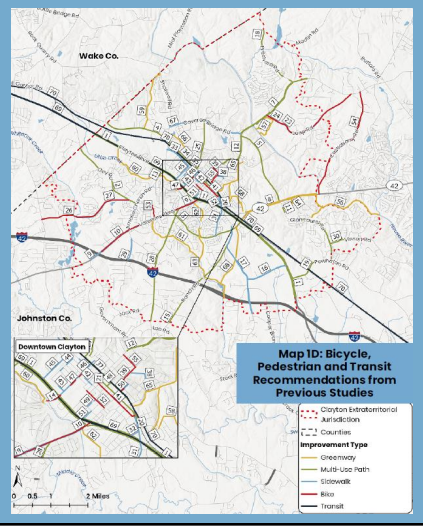
Clayton On the Move envisions a **multimodal transportation** network that –

- Preserves Clayton's character
- Enhances accessibility
- Ensures safety
- Reduces congestion through active transportation options, and
- Places community engagement at its heart

to ensure an equitable and value-driven transportation future for all







Chapter 2 – Existing Conditions Analysis

CLAYTON ON THE MOVE

2.1 – Population and Employment Growth

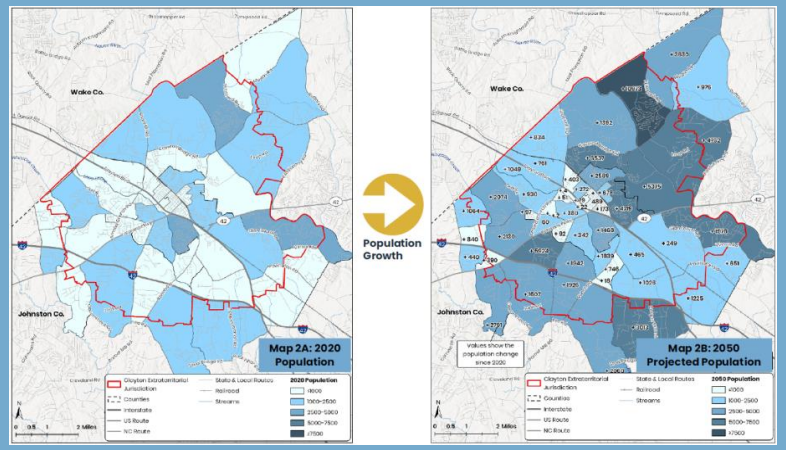
2.2 – Travel Characteristics

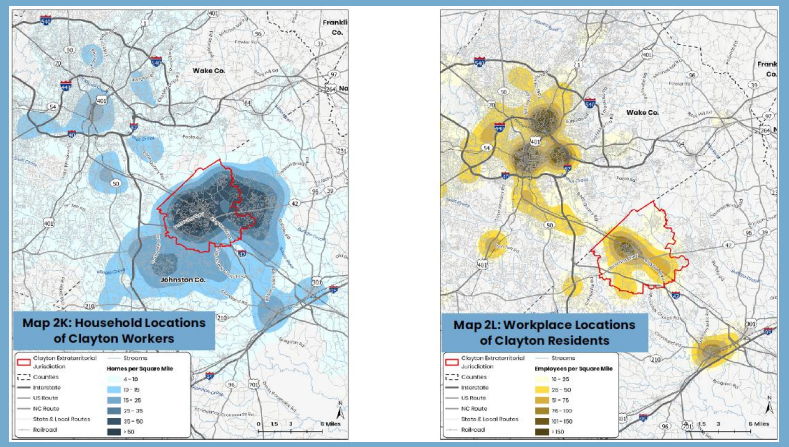
2.3 – Work Travel Characteristics

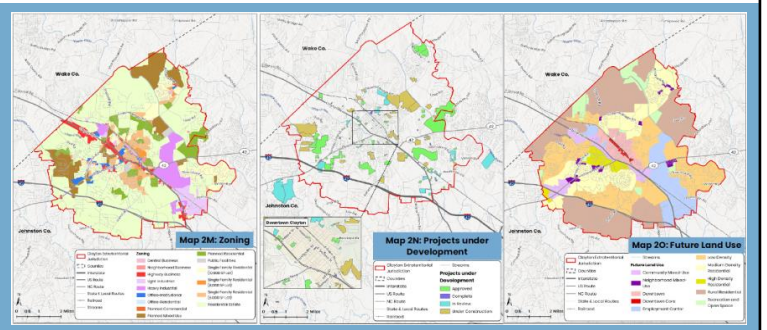
2.4 – Land Use and Development

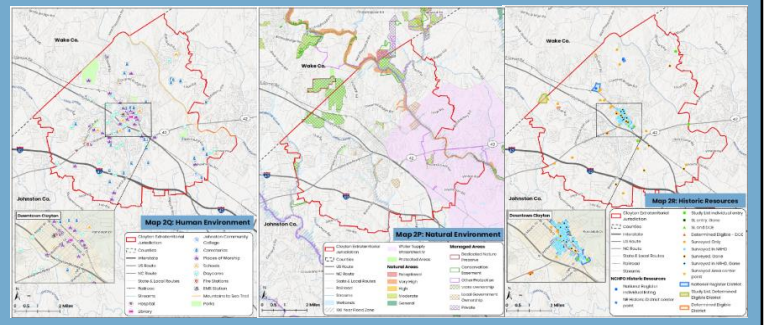
2.5 – Environment

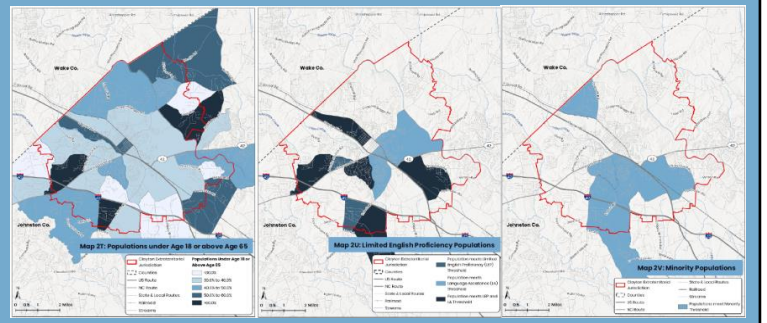
2.6 – Demographics











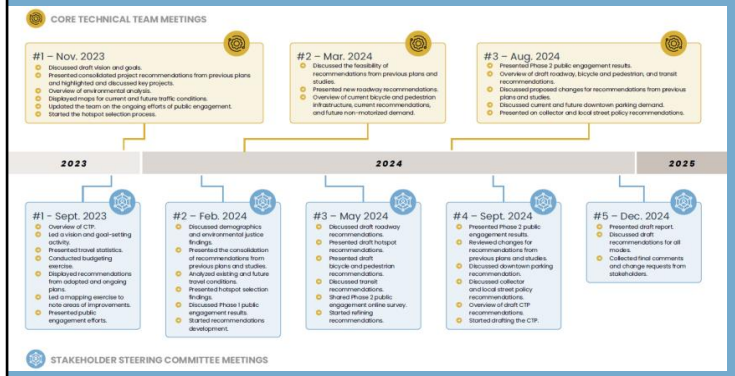
Chapter 3 – Public and Stakeholder Engagement

CLAYTON ON THE MOVE

3.1 – Stakeholder Engagement

3.2 – Public Engagement Phase 1

3.3 – Public Engagement Phase 2







710 participants in the Phase 1 Online Survey

(Nearly double the sample size needed for the community to ensure equal representation)

TOP PRIORITIES for transportation improvements:

- Improve roadways
- Improve pedestrian infrastructure
- Invest in public transit
- Improve bicycle infrastructure
- Move freight more efficiently

When asked **"What do you enjoy about Clayton?"** the most popular phrases were:

SMALL TOWN, COMMUNITY, DOWNTOWN

Pop-Up Events

310+ Clayton residents engaged with the team at **6** events hosted during Phase 1 Engagement

Most mapped issues were roadway concerns regarding **traffic and safety,** at the following locations:

- Shotwell Rd. and Clayton Blvd.
- Clayton Blvd. at NC 42
- Clayton Blvd. from Amelia Church Rd. to Guy Rd.
- Clayton Blvd. at Lombard St.
- Clayton Blvd. at Main St.
- Main St. throughout Downtown
- O'Neil St. at Covered Bridge Rd.

51% of participants currently walk at **least once a week.**

50% are **"highly likely"** to walk more if infrastructure was increased or improved.

Participants would walk more to **recreation, shopping,** and **social** destinations.

31% of participants surveyed are **"very likely"** to take transit if options are increased or improved.



Outreach Results

55% returning survey respondents

433 website views

1.36% social media engagement rate

6,505 e-blasts sent

226 participants in the Phase 2 Online Survey

TOP PRIORITIES for transportation improvements:

- Improve roadways
- Improve pedestrian infrastructure
- Invest in public transit
- Improve bicycle infrastructure

Engagement Events

135+ Clayton residents engaged with the team at **4** events hosted during Phase 2 Engagement

51% of participants selected roadway improvements as **most important.**

Some **locations of concern** for roadway improvements were the following:

1. Guy Rd.
10. Glen Laurel Rd.
13. Amelia Church Rd.
24. Main St.
37. Gordon Rd./Wilson's Mills Rd.

Sidewalks and **crosswalks** tied for the most desired bicycle and pedestrian improvement.

78% of all mapping comments mentioned a need for better **connectivity** and **safety.**

31% of participants surveyed are **"likely"** or **"very likely"** to take transit if options are increased or improved.

Chapter 4 – Bicycle and Pedestrian Facilities

4.1 Existing Network

4.2 Existing and Future Travel Demand

4.3 Project Recommendations

4

Multi-use Path Recommendations

A multi-use path (MUP) (or shared-use path or mixed-use path) is a path alongside a roadway which is designed to accommodate the movement of pedestrians and cyclists.

Recommendations Development Process:

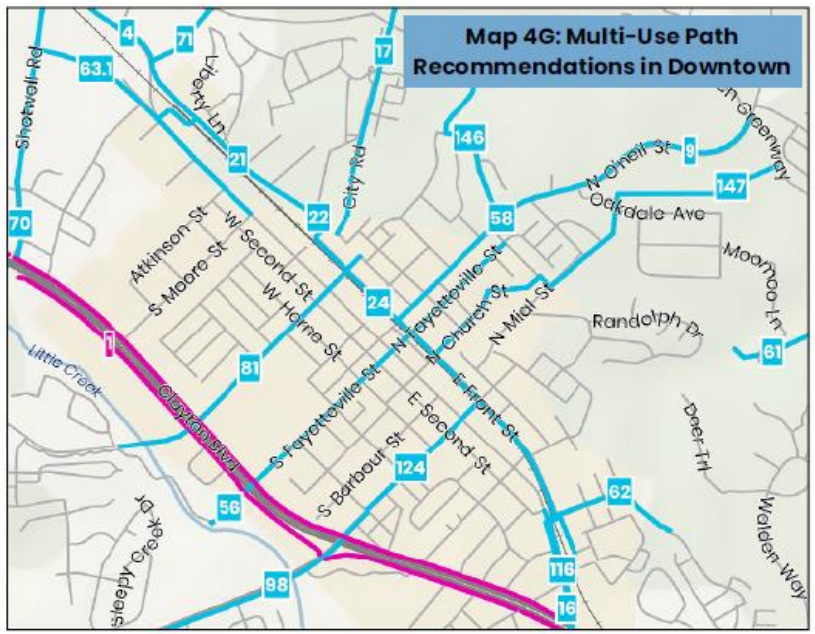
- Develop an MUP network which forms the backbone of non-motorized travel in Clayton.
- Recommend MUPs on one side of most major roads.
- The recommended standard width of the MUPs is 10' plus a 2' buffer on either side.

Through this process, MUP network will form the primary layer for all non-motorized pedestrian and bicycle movements. The gaps in this network are addressed in the subsequent sub-sections.

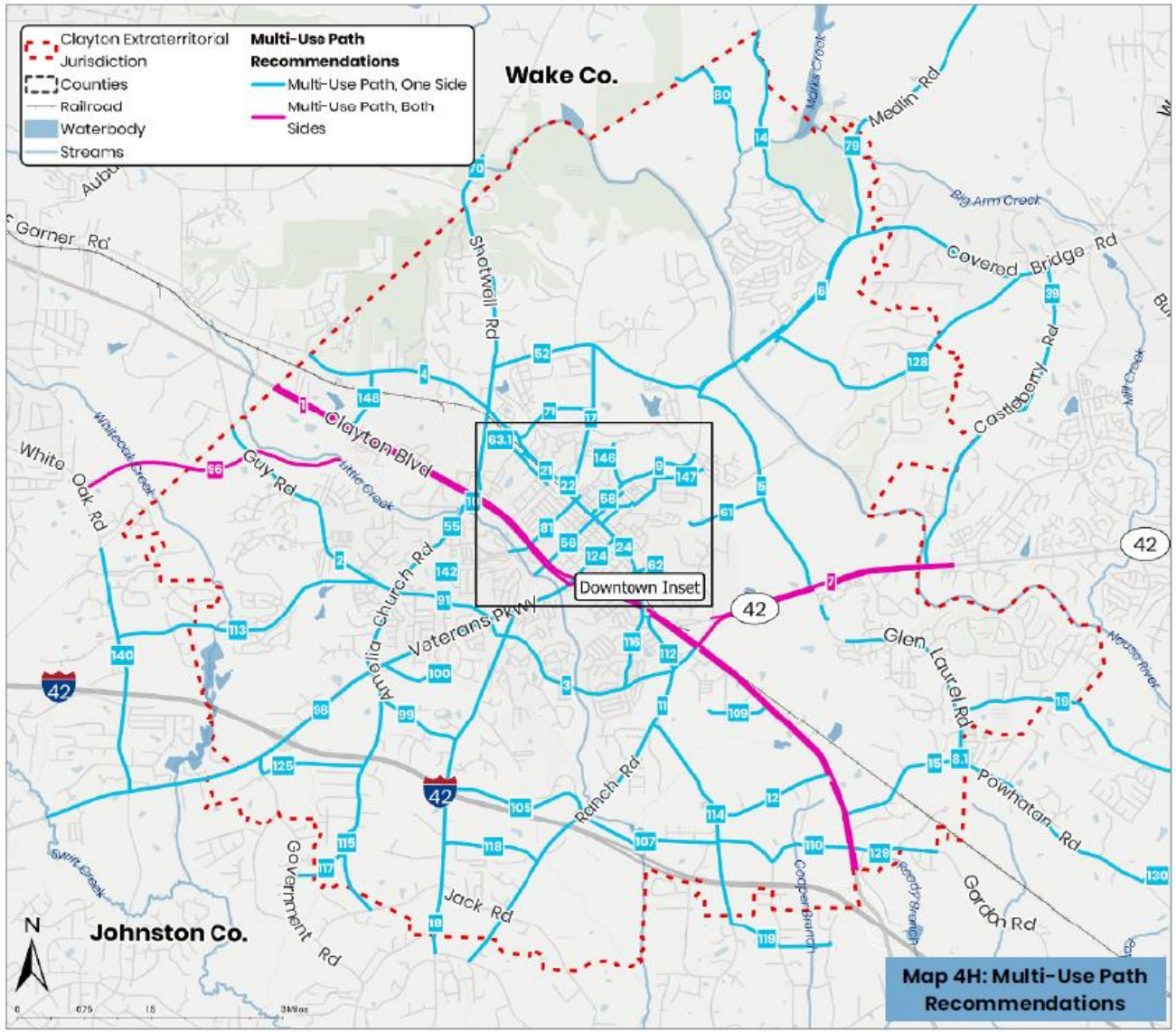
61 Multi-Use Path Network Projects

93 Miles of New Multi-Use Paths (One Side)

23 Miles of New Multi-Use Path (Both Sides)



Map 4G: Multi-Use Path Recommendations in Downtown



Map 4H: Multi-Use Path Recommendations

Sidewalk Recommendations

Sidewalks are the most fundamental pieces of pedestrian infrastructure. While sidewalks exist on some roads in Downtown and in the new developments, they do not form a coherent network that would allow someone to safely use them for significant distances.

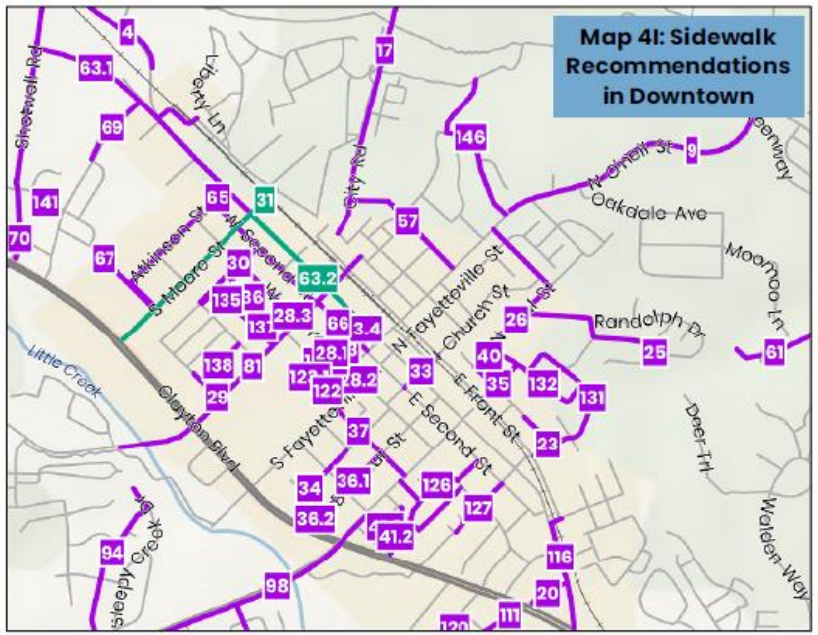
Recommendations Development Process:

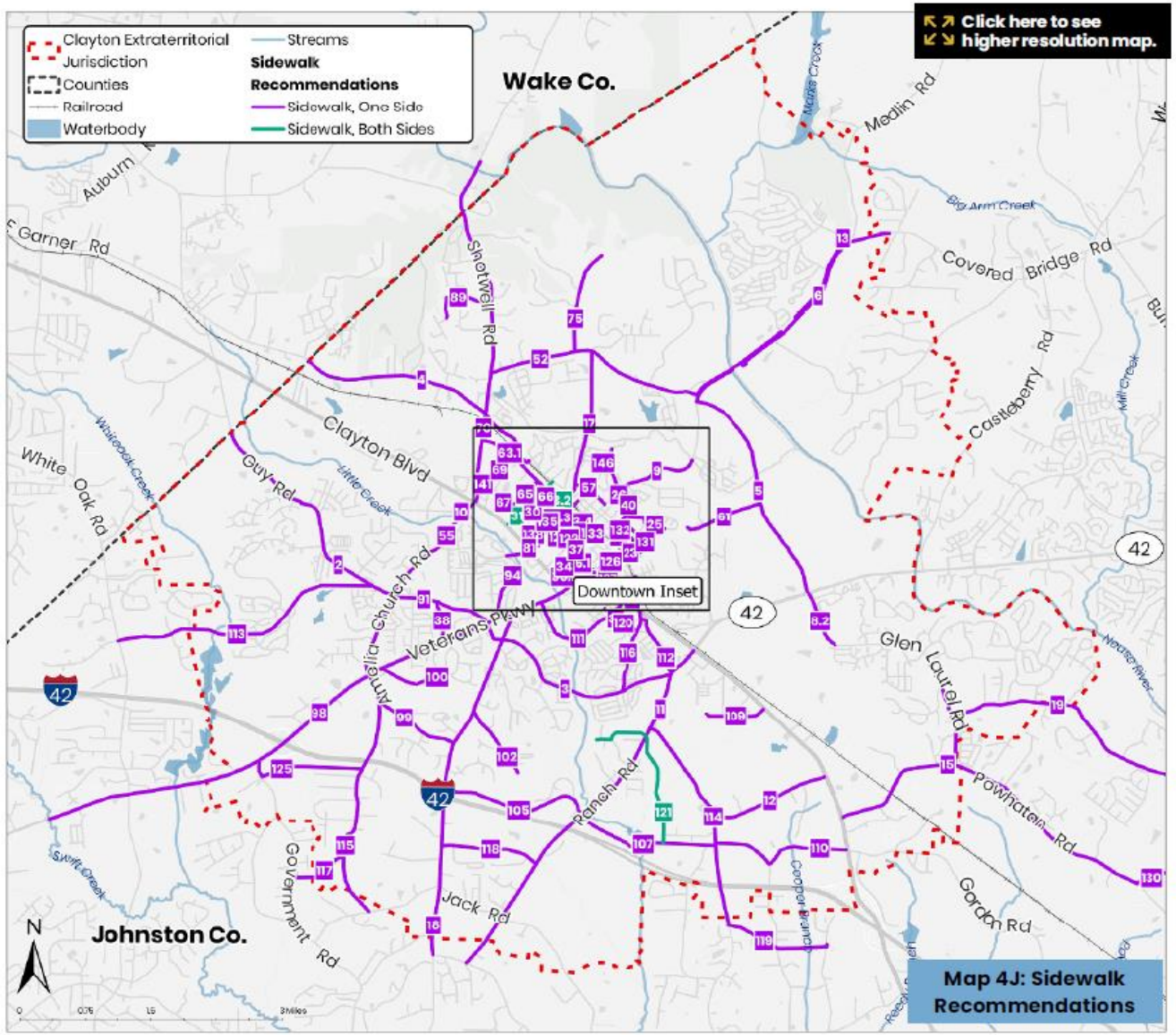
- Identify gaps in the downtown sidewalk network and provide recommendations to fill those gaps.
- Recommend sidewalks on the opposite side of the roads which have MUPs on one side to extend the sidewalk network beyond downtown Clayton.
- The recommended standard width of the sidewalks is 6'.
- Require sidewalks in new developments.

88 Projects
Sidewalk Network

80 Miles
New Sidewalks, One Side

5 Miles
New Sidewalks, Both Sides





Bicycle Facility Recommendations

Bicycle facilities are limited to "sharrows" for this plan.
This is because bicycle infrastructure was a lower priority than sidewalks or transit for the residents of Clayton. Moreover, these projects are only recommended as a measure to **address the needs not catered by the MUPs.**

Recommendations Development Process:

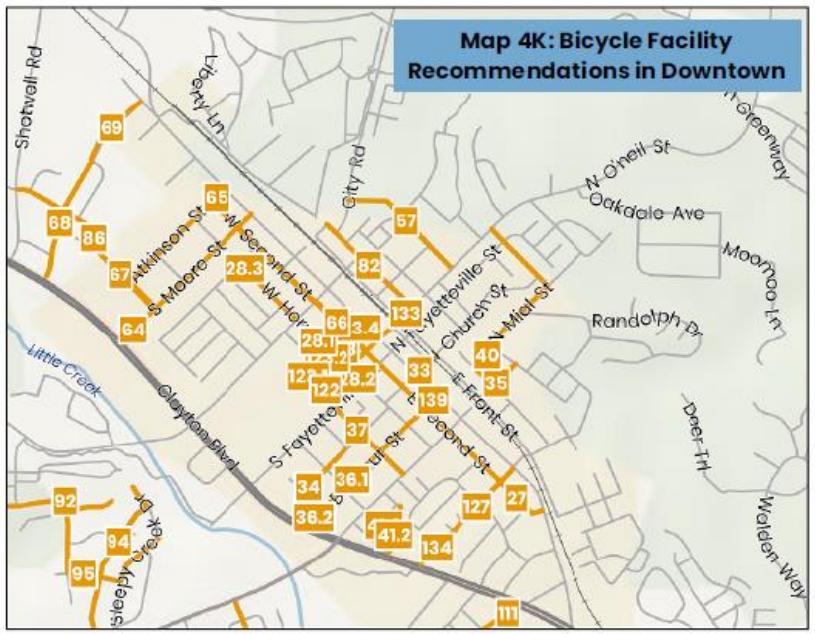
- Identify short gaps in the MUP network.
- Identify low speed (25 mph or less) and low daily traffic volume (5000 or less) roadways which can fill the gaps in the MUP network.
- Recommend implementing "sharrows" on the identified roads.



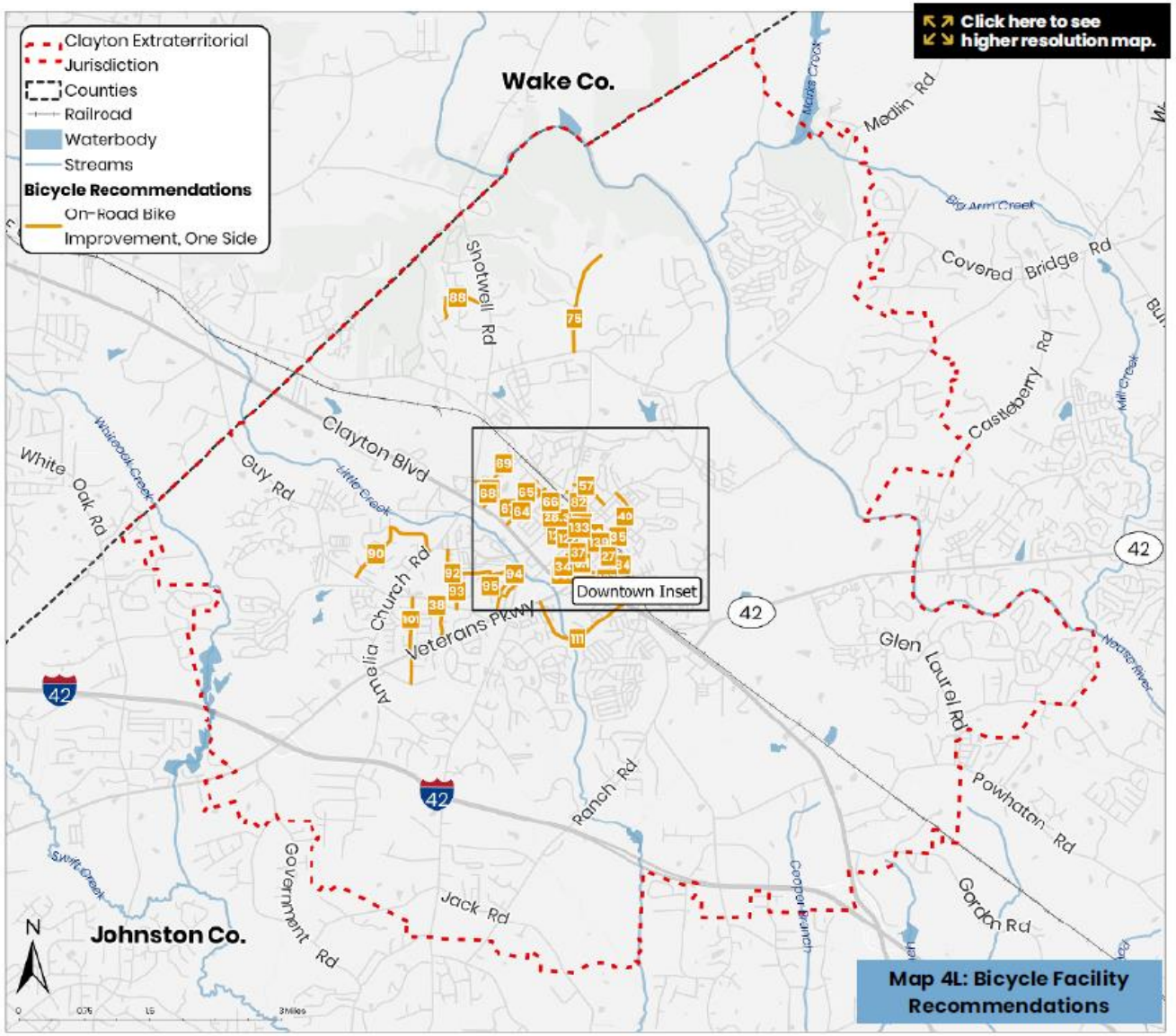
Sharrows are shared lane markings that may be utilized on low traffic roads without the need for construction or lane modifications. They signal to drivers to stay alert and be cautious of bicyclists.

41 Locations
Recommended for Implementing Sharrows

15 Miles
Of Roadway Segments



Map 4K: Bicycle Facility Recommendations in Downtown



Click here to see higher resolution map.

Map 4L: Bicycle Facility Recommendations

Greenway Recommendations

Greenways are a paved surface that may run along streams, through utility corridors, or parks. Greenways may also run along short sections of public roadways but are typically constructed as stand-alone projects. Greenways are public improvements and should be considered as such during plan review of developments.

Recommendations Development Process:

- Develop a greenway network that enhances connectivity separate from the roadway and MUP network.
- Recommend greenways along major streams and providing connectivity to adjacent neighborhoods.
- The recommended standard width of a greenway is 12' plus a 2' buffer on either side.
- Partner with utility agencies to develop greenway corridors.

34 Projects
Greenway Network

60 Miles
New Greenways

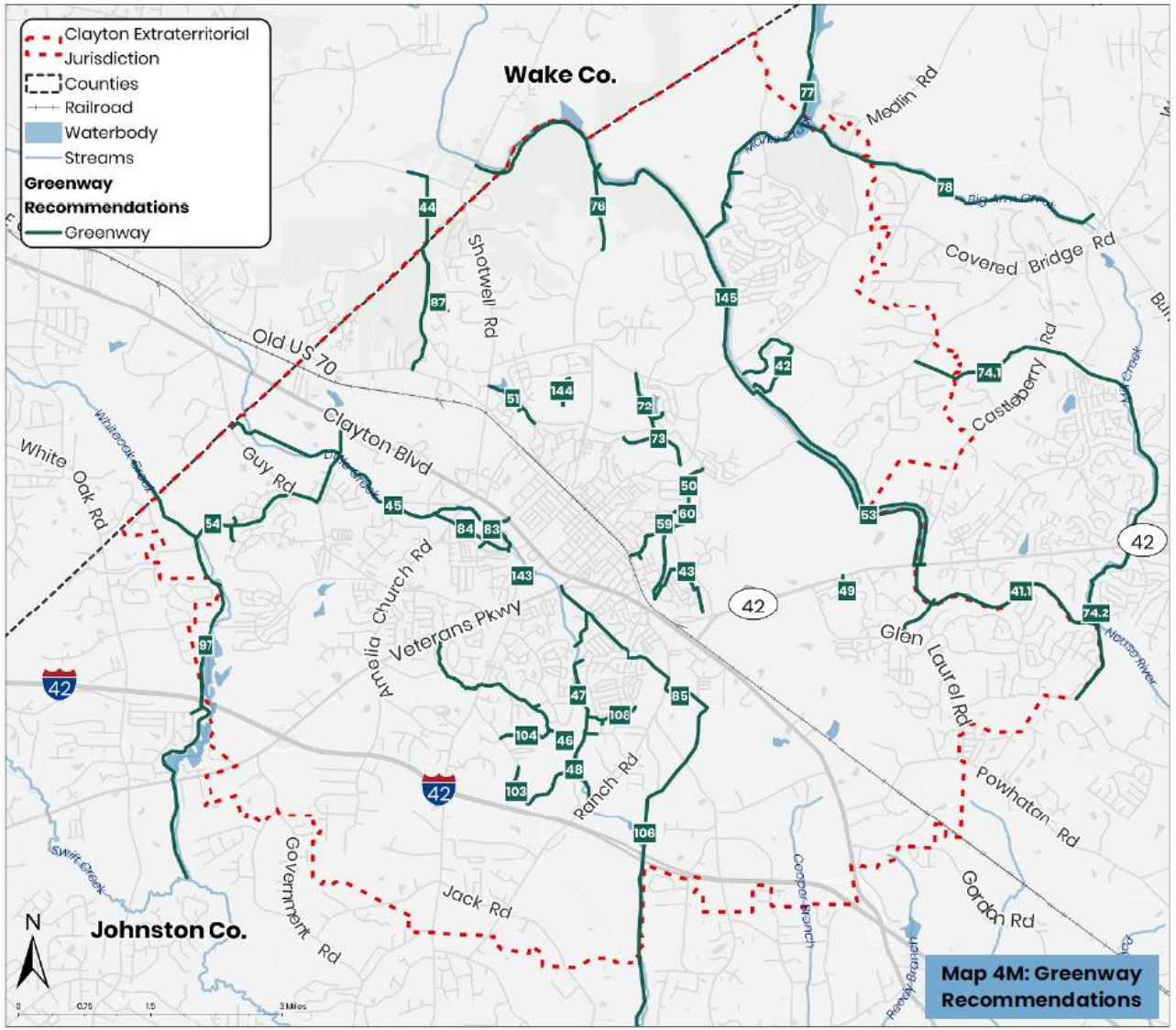
Key Recommendations to Enhance Greenway Connectivity

Neuse River Greenway: The existing greenway runs along one side of the Neuse River from Wake County to Sam's Branch Greenway. This plan recommends constructing a greenway along the opposite side of the Neuse River throughout this section and constructing greenway on both sides of the Neuse River south of Sam's Branch Greenway.

Sam's Branch Greenway: The existing greenway runs along one side of Sam's Branch. This plan recommends adding 3 new greenway connections along Sam's Branch Greenway to connect to nearby neighborhoods.

White Oak Greenway: This plan recommends adding a new greenway along White Oak Creek from Wake County to Swift Creek with connections to nearby neighborhoods and Little Creek.

Little Creek Greenway: This plan recommends adding a new greenway along Little Creek from Wake County to Swift Creek with connections to Clayton Blvd. and nearby neighborhoods.



Crossing Recommendations

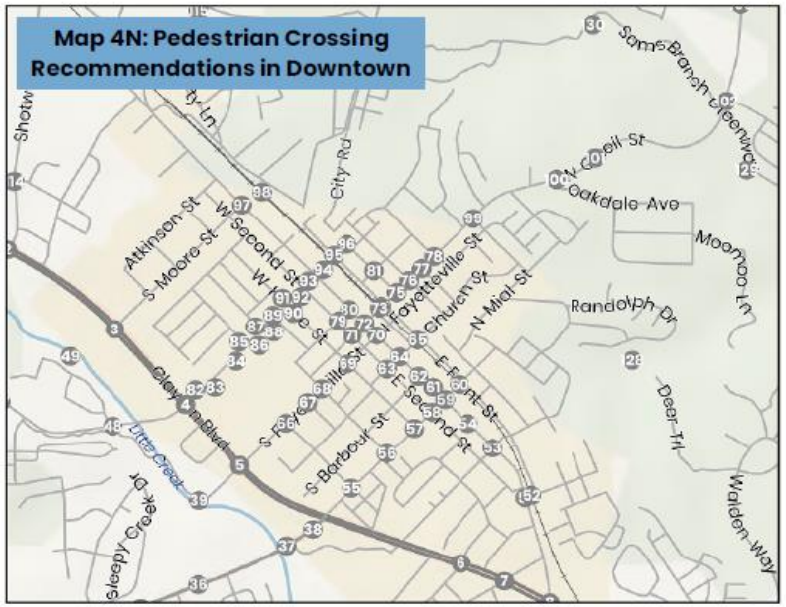
Crossing improvements are designed to allow pedestrians and cyclists to safely cross the roads and intersections. Additionally, they alert drivers to the potential of pedestrians in the area and encourage slower speeds. Roadway crossings also provide better access to destinations by reducing the distance that pedestrians need to travel to destinations. Crossing improvements may include crosswalks, midblock crossings, and pedestrian crossing signals.

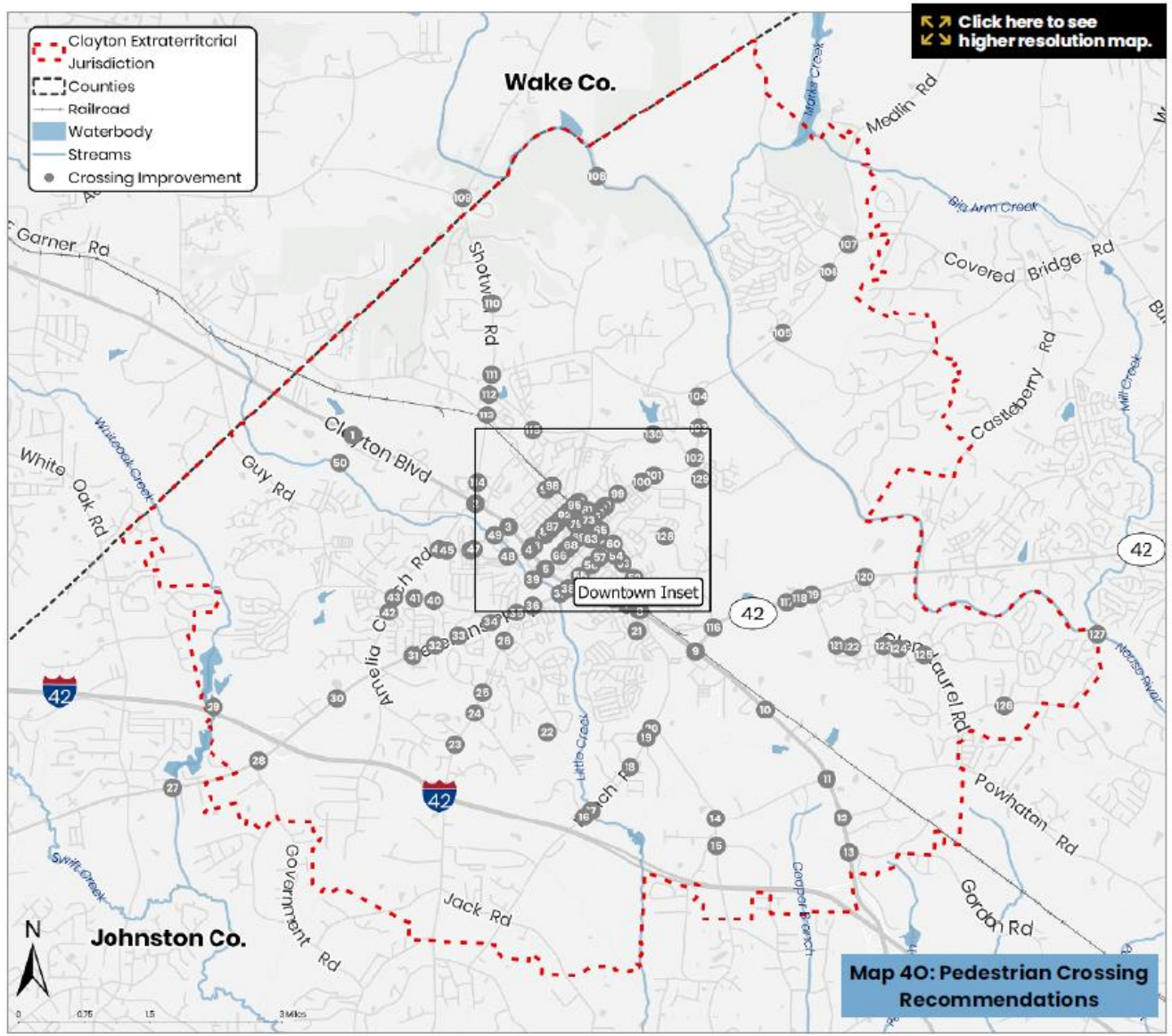
Recommendations Development Process:

- Identify intersections that lack appropriate pedestrian crossing facilities and thereby form gaps in the non-motorized network.
- Recommend crossing improvements (high visibility crosswalks and crossing signals) at these locations.
- Refine crossing improvement recommendations as bicycle and pedestrian facilities are funded and constructed.
- Explore avenues with NCDOT to reduce speed within Clayton to allow for safer mid-block crossings on a case-by-case basis.

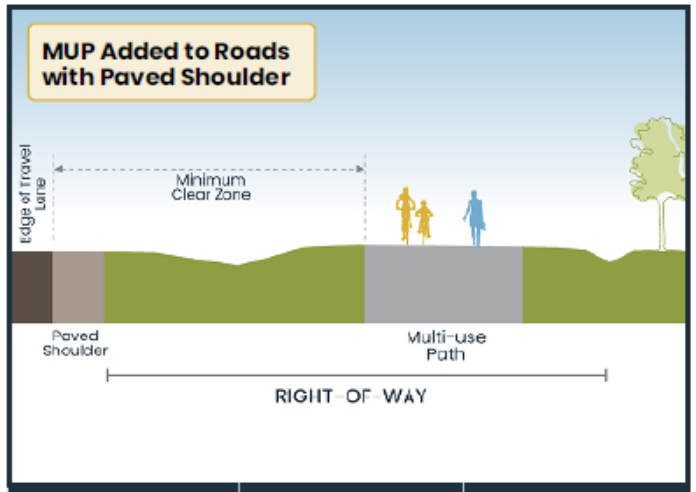
Strategy 8.3.6G: Consider lowering the stop lights to improve visibility for pedestrians and drivers and improve safety.

130 Projects
Crossing Improvements



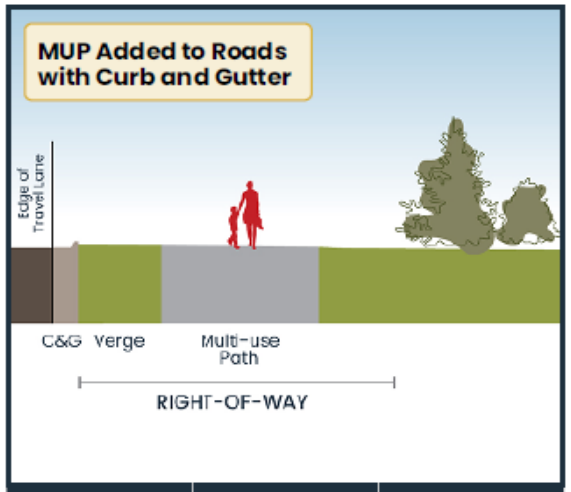


MUP Added to Roads with Paved Shoulder



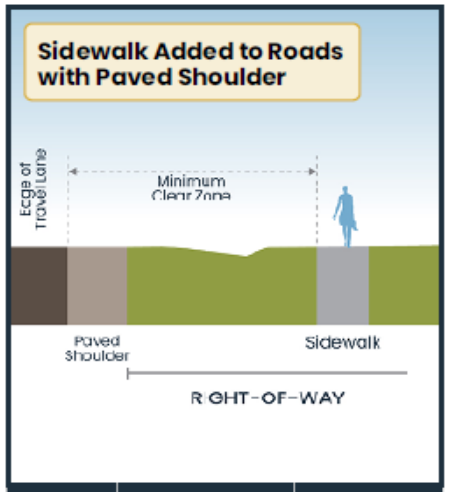
	Recommended Dimensions	Alternate Dimensions
Paved Shoulders	As exists	4' to 10'
Multi-use Path	14'	10' to 14'

MUP Added to Roads with Curb and Gutter



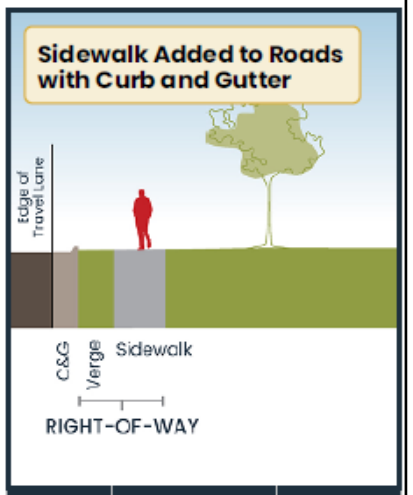
	Recommended Dimensions	Alternate Dimensions
Curb and Gutter	2'-6"	2'-6"
Verge	6'	4' to 7'-6"
Multi-use Path	14'	10' to 14'

Sidewalk Added to Roads with Paved Shoulder



	Recommended Dimensions	Alternate Dimensions
Paved Shoulders	As exists	4' to 10'
Sidewalk	6'	5' to 6'

Sidewalk Added to Roads with Curb and Gutter



	Recommended Dimensions	Alternate Dimensions
Curb and Gutter	2'-6"	2'-6"
Verge	6'	4' to 7'-6"
Sidewalk	6'	5' to 6'

Chapter 5 – Transit

5.1 Existing and Planned Transit Conditions

5.2 Transit Emphasis Areas

5.3 Transit Recommendations

5

5.2 TRANSIT EMPHASIS AREAS

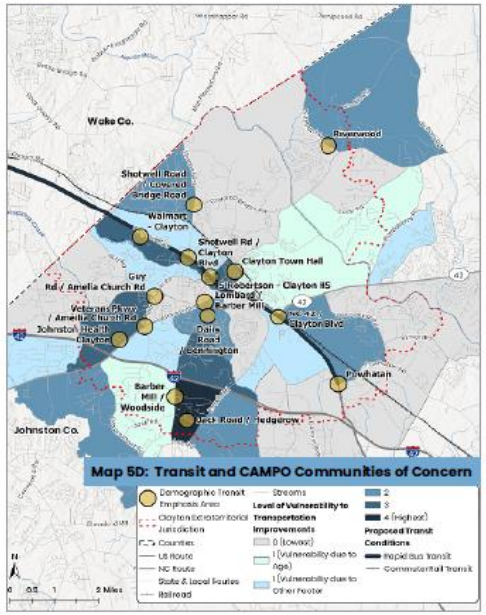
CLAYTON ON THE MOVE

While there is no existing local transit or defined transit stops in Clayton currently, there are strategies to identify where there is a future market and demand for local transit connections. Multiple aspects contribute to the potential market for local public transportation as a service and can be indicators of existing or future transit ridership generators.

The following were reviewed to determine Transit Emphasis Areas in Clayton:

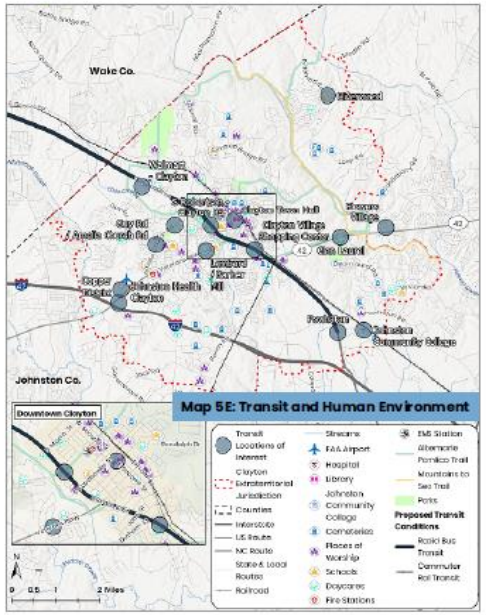
- Demographic Data
- Key Destinations
- Future Land Use and Zoning Maps
- Future Transit System Recommendations

Transit User Concentrations



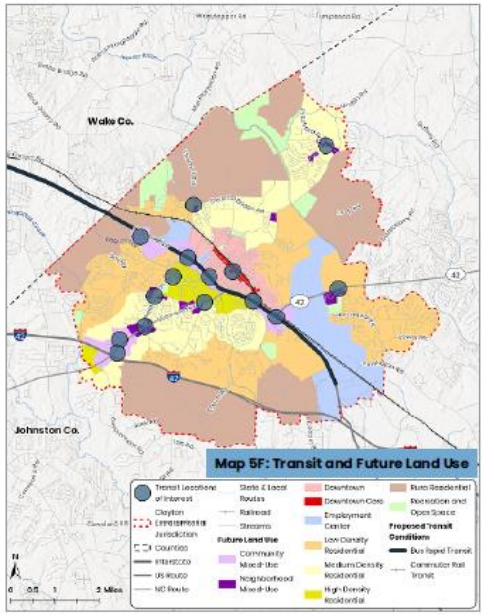
Demographic characteristics like the percentage of populations living in poverty or percent minority can be used as an indicator of which populations may require the use of transit to get to social, medical, academic, and professional destinations. Most of these identified block groups are along Clayton Blvd. or south of Downtown Clayton.

Ridership Generators



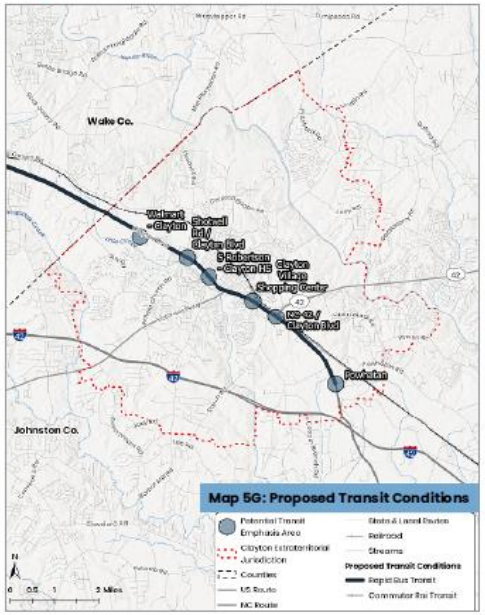
Locations that may be transit ridership generators include the Hocutt-Ellington Library, the Clayton Community Center, Johnston Health Clayton, and other key community destinations. These key community destinations include major civic and community spaces, employers, academic centers, and commercial spaces.

Land Use and Zoning



Most areas in which the land use or zoning categories are particularly conducive to transit such as Downtown Clayton, higher density residential, employment, or Mixed-Use areas have been highlighted as Transit Emphasis Areas.

Regional Transit Connections



Clayton's Transit Emphasis Areas overlap with proposed regional transit investments so local services can connect to regional hubs. Transit Emphasis Areas were identified based on where potential stops or connection points may be in the regional transit network.

5.3 TRANSIT RECOMMENDATIONS

The transit emphasis areas are primarily located near Veterans Pkwy. and Clayton Blvd., two major roadways in Clayton, and around Downtown Clayton. Locations were chosen due to their proximity to future Rapid Bus Extension and Commuter Rail Transit services. Veterans Pkwy. and Clayton Blvd. provide access to various local and regional destinations, including healthcare, education, shopping, and recreation. Areas away from these corridors are zoned as new neighborhood or Community-Mixed Use hubs, potentially offering denser, transit-supportive spaces compared to other suburban areas of Clayton.

Recommended strategies for transit developed as a part of the CTP are preliminary, only to demonstrate that enough demand exists in Clayton to implement fixed route and microtransit service.

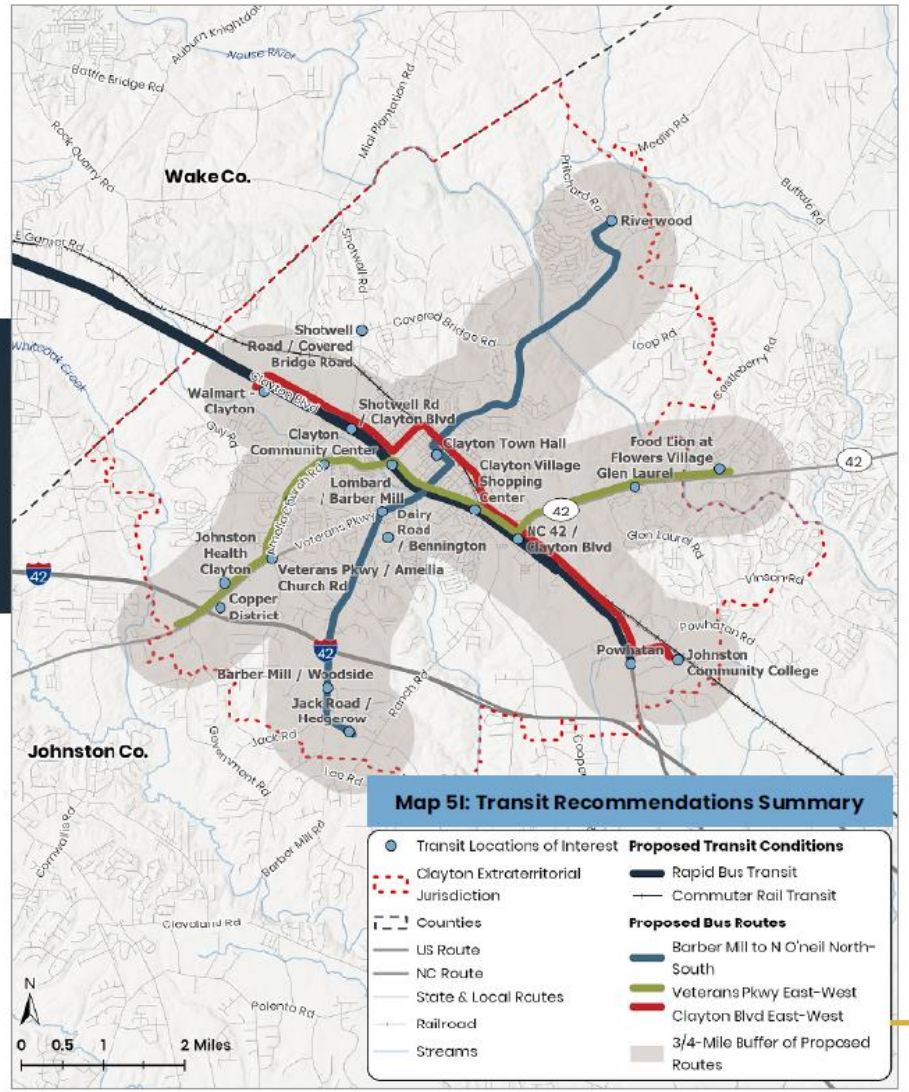
Strategy 8.3.7A: Conduct a **Transit Feasibility Study** in Clayton in conjunction with JCATS and Johnston County.

Strategy 8.3.7B: Identify local funding sources to cater to microtransit trips starting from medical facilities on Veterans Pkwy.

Strategy 8.3.7C: Prepare Clayton Blvd. **for upcoming Rapid Bus service** to ensure its successful implementation. This includes densifying the corridor and improving bicycle and pedestrian access through and across Clayton Blvd.

Strategy 8.3.7D: Continue to work with regional partners to identify the location and **plan for the upcoming commuter rail station.** The plan should include station access, station area characteristics, parking, etc.

Additionally, consider densifying the downtown with mixed-use blocks outside the historic district strategy.





1 North – South Route
- Barber Mill Rd.
- S Lombard St.
- N O'Neil St.
- Riverwood

2 NC 42 / Clayton Blvd.
- NC 42 E
- Amelia Church Rd.
- Clayton Blvd.
- Veterans Pkwy.
- Flowers

3 East – West Route
- Walmart
- Shotwell Rd.
- Downtown
- Clayton Blvd.
- JCCC

4 Microtransit
High transit propensity areas marked in gray on the map

Chapter 6 – Roadway

6.1 Roadway Conditions

6.2 Roadway Recommendations

6.3 Cross Sections

6.4 Downtown Parking Analysis

6.5 Roadway Policy Analysis

6

Roadway Recommendations

35 roadway projects and **6** grade separation projects are recommended as a part of this CTP.

Recommendations Development Process:

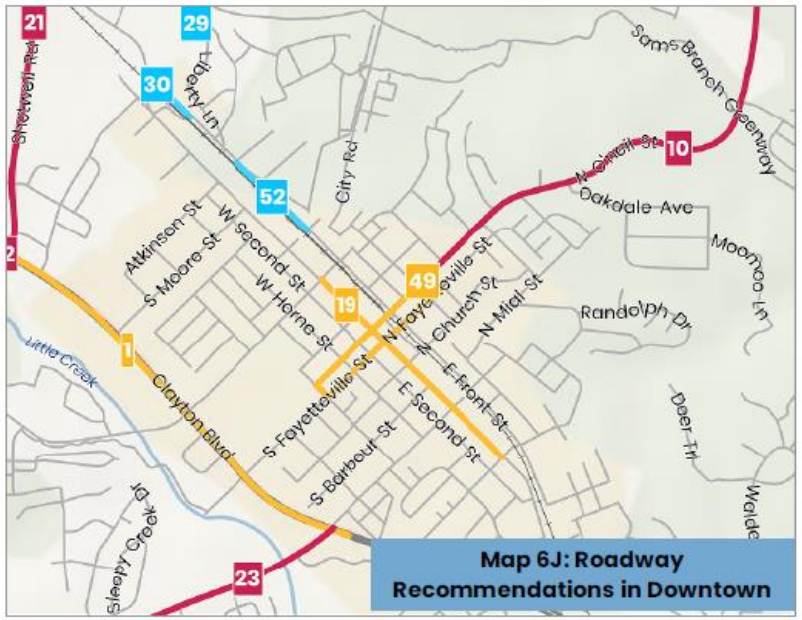
- Identify large drive-blocks and potential new roads to reduce the size of the drive-blocks (Combined with Strategy 6.2.2C).
- Evaluate the combined performance of the recommendations from previous plans and the new roadways identified in Strategy 6.2.1A in the Triangle Regional Model in the horizon year (2050).
- Develop and refine roadway recommendations based on data, feasibility, public and stakeholder engagement, and expert input.
- Identify corridors and segments that require further study.

13 miles of new roadway

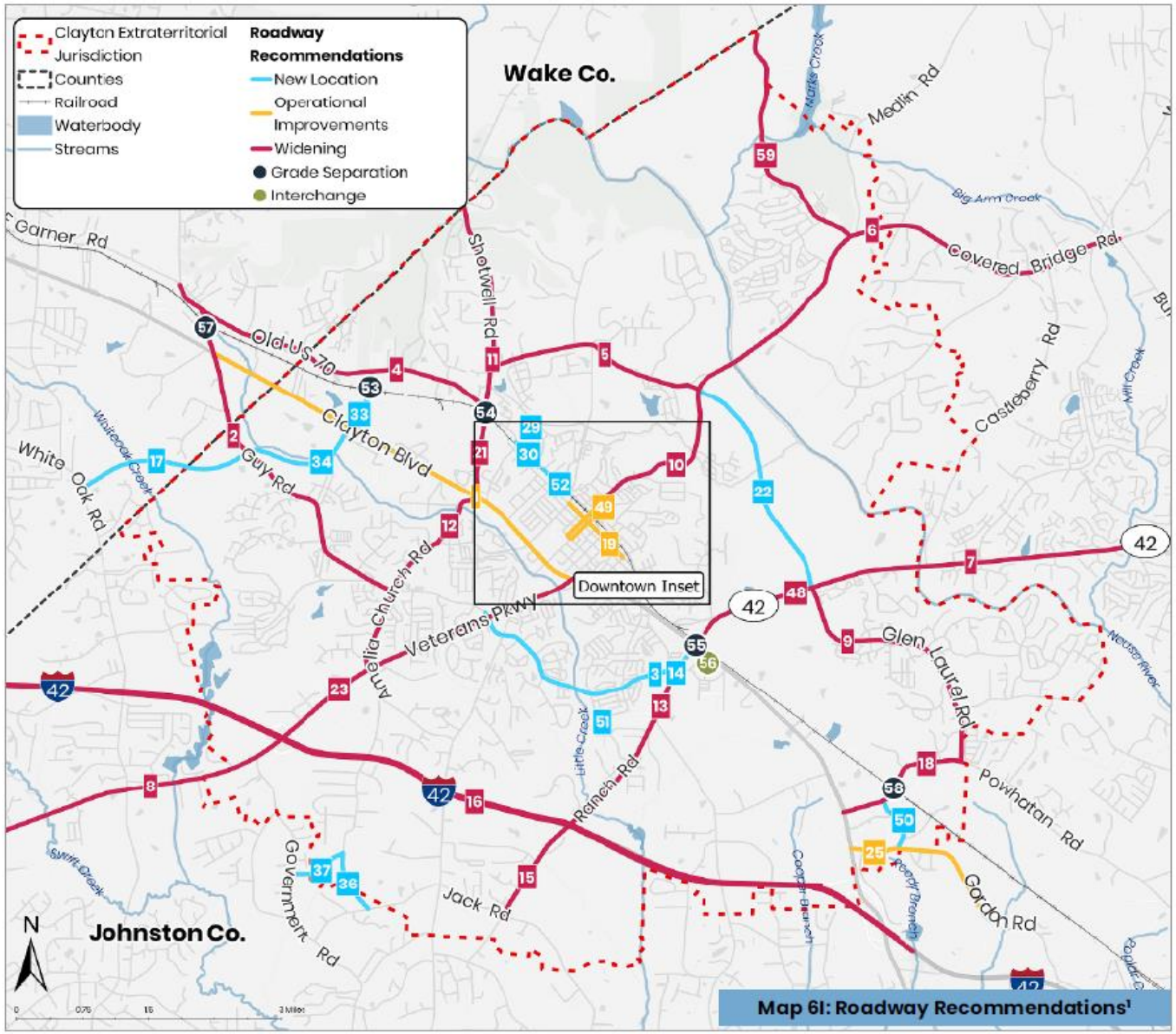
61 miles of road widening

9 miles of operational improvements

144 lane-miles of new pavement



Map 6J: Roadway Recommendations in Downtown



Map 6I: Roadway Recommendations'

Collector Streets Recommendations

A Collector Street is a low-to-moderate capacity road that serves to move traffic from local streets (within subdivisions) to arterial roads. These roads are constructed by the developers as a part of the subdivision such that the additional travel demand from those subdivisions is addressed through the collector streets. Collector streets ideally have a limited number of driveways or properties directly accessible from them.

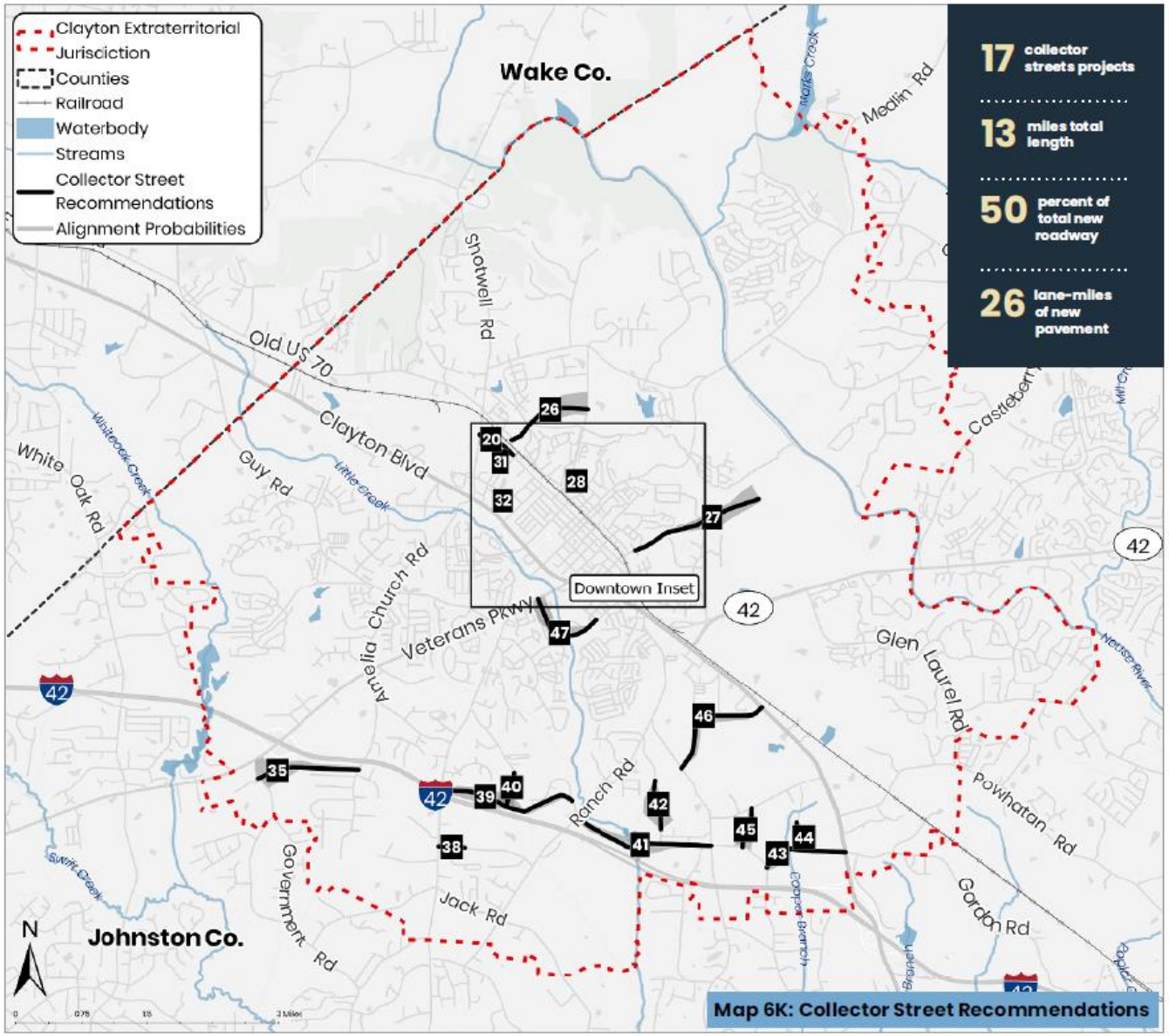
Recommendations Development Process:

- Identify large drive-blocks and potential connections nodes through those blocks.
- Identify large undeveloped parcels through which the collector streets could be routed.
- Evaluate the volumes on these streets in the horizon year of the Triangle Regional Model (Combined with 6.2.1B) and remove the streets with low volumes.
- Develop routing flexibility polygons retaining the start and end points of the collector streets.

17 collector street locations were identified though this CTP based on travel demand and distribution patterns, and availability of large, undeveloped parcels. The alignments shown on the map are preliminary and their key purpose is to denote the end points of the street.



Map 6L: Collector Street Recommendations in Downtown



Map 6K: Collector Street Recommendations

Typical Sections

CLAYTON ON THE MOVE

2A Two Lane Undivided with Paved Shoulders, Multi-use Path, and Sidewalk

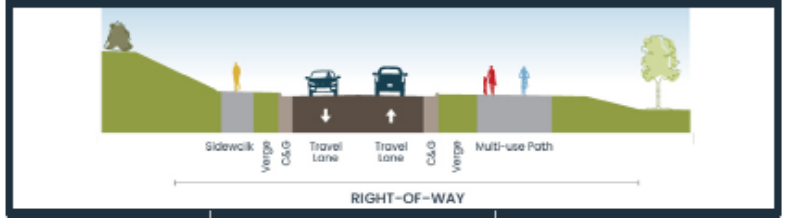
Posted speed: **55 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	115'	100' to 135'
Travel Lane	12'	12'
Paved Shoulder	5'	2' to 6'
Multi-use Path	14'	8' to 14'
Sidewalk	6'	5' to 6'

2B Two Lane Undivided with Curb and Gutter, Multi-use Path, and Sidewalk.

Posted speed: **25-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	80'	65' to 85'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'
Multi-use Path	14'	8' to 14'

2C Two Lane Undivided with Curb and Gutter and Sidewalks.

Posted speed: **25-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	70'	60' to 75'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'

2D Two Lane Undivided with Curb and Gutter and Multi-use Path

Posted speed: **25-45 MPH**

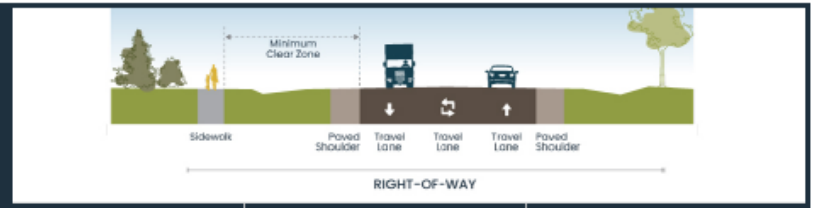


	Recommended Dimensions	Alternate Dimensions
ROW	70'	60' to 75'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'

3A

Three Lane Undivided with Paved Shoulders and Sidewalk on one side.

Posted speed: **25-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	100'	95' to 115'
Travel Lane	11'	11' to 12'
Paved Shoulder	5'	2' to 6'
Sidewalk	6'	5' to 6'

3B

Three Lane Undivided with Curb and Gutter, Multi-use Path, and Sidewalk.

Posted speed: **25-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	95'	80' to 100'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'
Multi-use Path	14'	8' to 14'

4A

Four Lane Divided with Curb and Gutter, Multi-use Path, and Sidewalk.

Posted speed: **35-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	120'	105' to 135'
Travel Lane	11'	11' to 12'
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'
Multi-use Path	14'	8' to 14'

4B

Four Lane Divided with Curb and Gutter and Multi-use Paths.

Posted speed: **45 MPH**

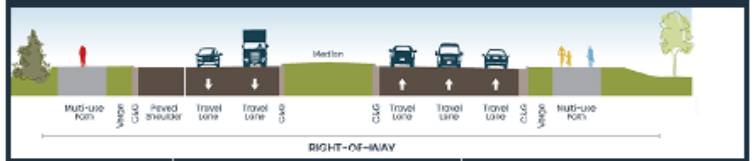


	Recommended Dimensions	Alternate Dimensions
ROW	160'	140' to 170'
Travel Lane	11'	11' to 12'
Paved Shoulder	12"	12"
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Multi-use Path	14'	8' to 14'

5A

Five Lane Undivided with Curb and Gutter, and Multi-use Paths.

Posted speed: **35-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	155'	135' to 170'
Travel Lane	11'	11' to 12'
Paved Shoulder	12"	12"
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"

6A

Six Lane Divided with Curb and Gutter, and Multi-use Path

Posted speed: **35-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	175	140' to 175'
Travel Lane	12'	12'
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Multi-use Path	14'	8' to 14'

6B

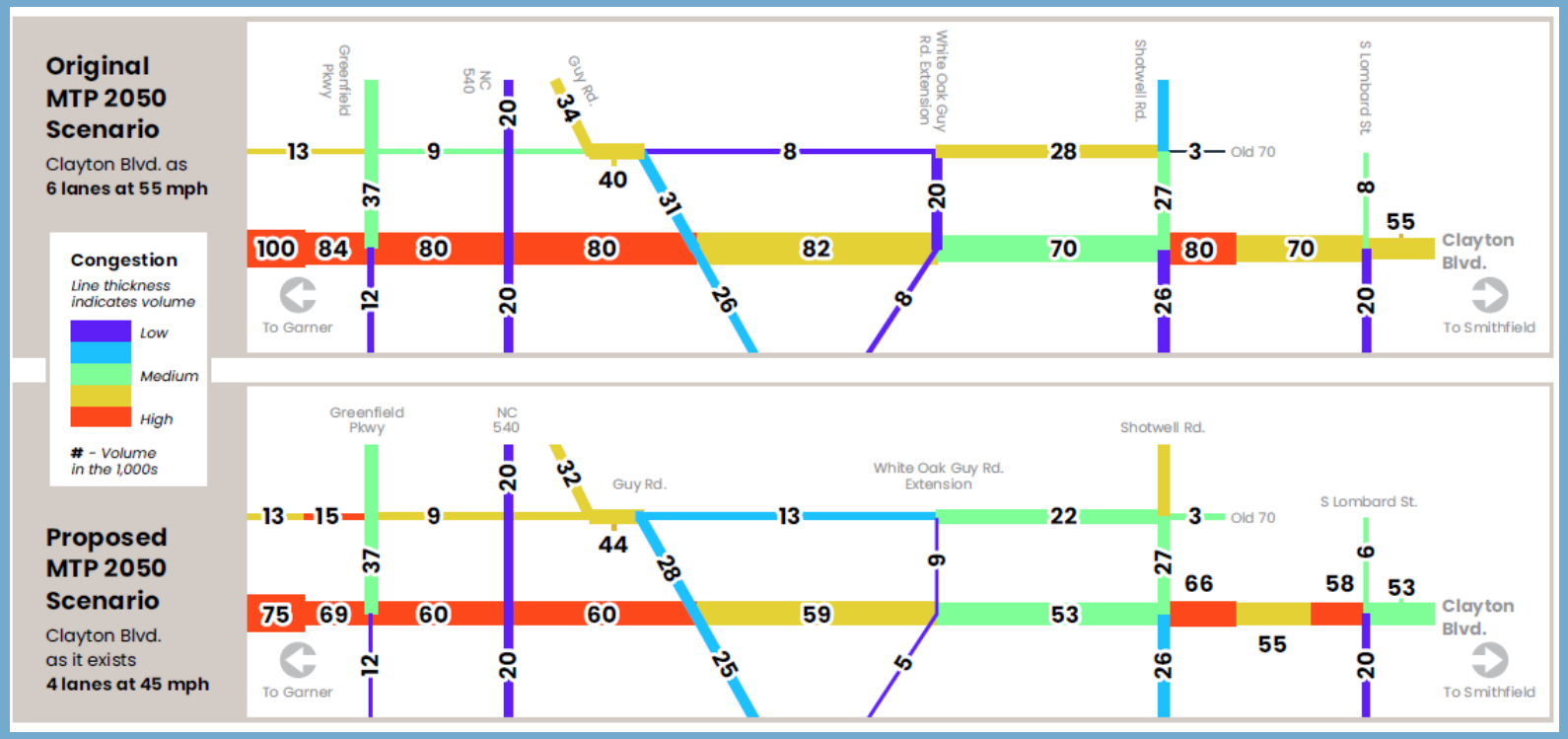
Six Lane Divided with median and paved shoulders.

Posted speed: **55-70 MPH**



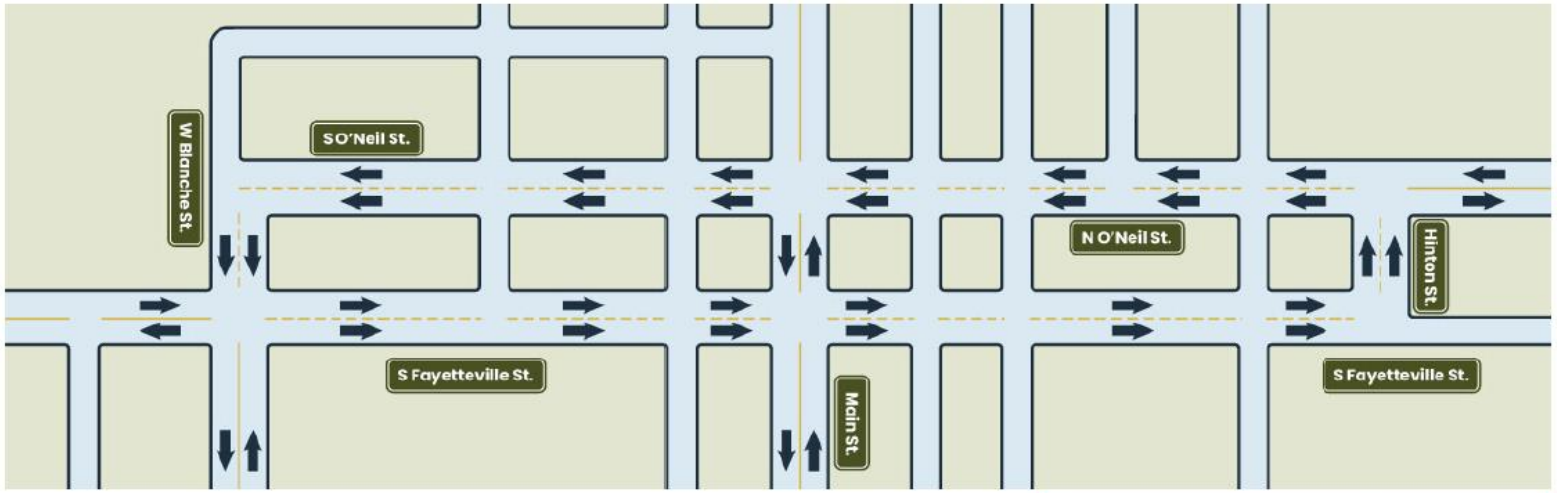
	Recommended Dimensions	Alternate Dimensions
ROW	200	145' to 200'
Travel Lane	12'	12'
Paved Shoulder	12'	10' to 12'
Median	27'	27'

Special Recommendation 1
Clayton Blvd.



- NCDOT Project to convert to a superstreet in short term and a 6-Lane road at 55mph in the long term
- Town of Clayton's vision for this road is for it to be a commercial corridor
- Modeled both scenarios, impact to daily traffic volumes but not much impact to congestion in 2050
- **Requires additional study**

Special Recommendation 2
Downtown One Way Pair



1 - NCDOT and the National Science Foundation have conducted a project to identify ways to catalyze walkable, sustainable, and equitable development in the downtowns of NC using existing ROW. This research can be found here.

Figure 6C: Downtown One-Way Pair Recommendation

- NCDOT Project on N O'Neil St recommending adding a two way left turn lane.
- Historic District
- Limitations on Widening
- Converting O'Neil and Fayetteville Streets to a one-way pair can address turning movement concerns without additional widening
- Requires additional study

Metric Comparisons

	2020 Official Model Understanding current travel metrics	2050 Modified Model Establishing base case for future travel metrics	2050 Clayton CTP Model Understanding the effect of recommendations on travel metrics	
Lane-Miles of Roadway	**190** Total Lane-Miles	**+125** Increase in lane-miles **315 total** lane miles	**+130** Increase in lane-miles **320 total** lane miles	The CTP plans to add 130 lane-miles of roadway in Clayton, which includes 104 miles of non-collector and 26 miles of collector lane-miles. This is similar to the total lane-miles of previously adopted plans, but better distributed to reduce delay.
Total Distance Traveled in Clayton	**~887K** Vehicle miles traveled	**~2.12M** Vehicle miles traveled **2.4X** increase	**~2.06M** Vehicle miles traveled Marginal Change from Modified Model	The CTP projects incur a marginal decrease of more than 20,000 miles in the overall total daily vehicle miles traveled in Clayton.
Total Hours Spent in Travel	**~17K** Hours traveled, with an avg. speed of **51 mph**	**~45K** Hours traveled, with an avg. speed of **47 mph**	**~44K** Hours traveled, with an avg. speed of **47 mph**	There is a slight reduction in the total time people spent on the road between the 2050 baseline and CTP scenarios.
Aggregate Daily Delay	**364** Hours at avg. speed	**3,250** Hours at avg. speed **9X** increase of delay	**2,218** Hours at avg. speed **~30%** reduction	This is the most significant impact of the CTP projects. Approximately 1,000 fewer hours of daily delay than the 2050 baseline scenario.
Auto Trips Generated	**~120K** Auto trips	**~432K** Auto trips **3.6X** increase **~40K** intrazonal auto	**~442K** Auto trips **~2%** increase over Modified Model **~40K** intrazonal auto	The reduction in delay may have resulted in ~10,000 additional daily auto trips in Clayton.

Parking

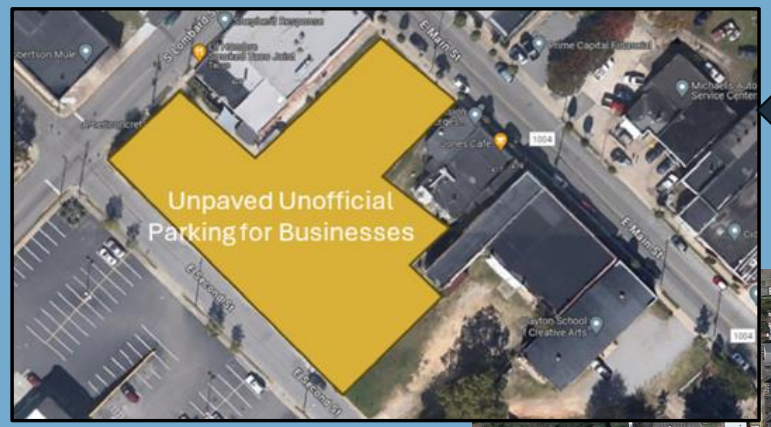
Parking demand **may double** between now and 2050 (optimistic projection).

Recommended Strategies

8.3.4A: Draw parking lane stripes on Second St. where parking is already

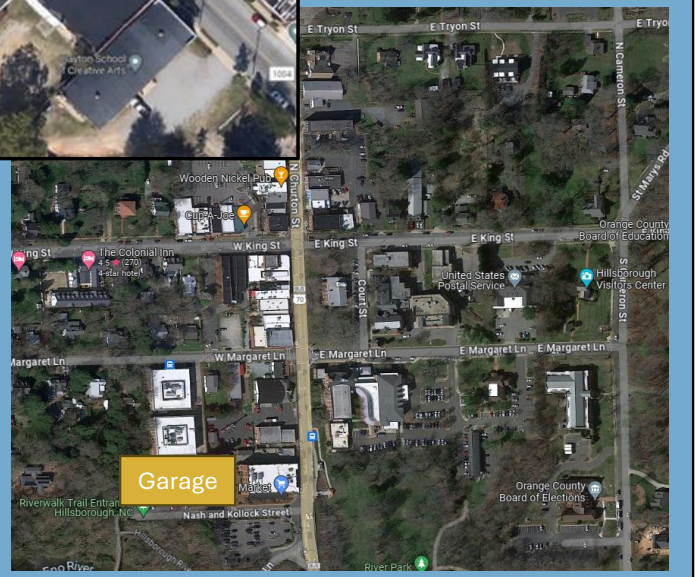
8.3.4 C: Provide additional paved surfaces for parking in Downtown areas behind buildings or within the NCRR corridor.

8.3.4 B: Conduct a Downtown Parking Study to determine demand, supply, and future need for parking.



Parking behind Crawford Cookshop and Jones Cafe

E.g. Parking Garage in Hillsborough



Policy Recommendations

8.3.3A: Develop UDO code language based on the recommendations provided in sections 6.5A through 6.5E to improve roadway connectivity.

8.3.3B: Constitute an empowered committee to discuss the implications of the recommended UDO code language.

8.3.3C: Develop incentives and allowances based on adherence to higher than required connectivity standards.

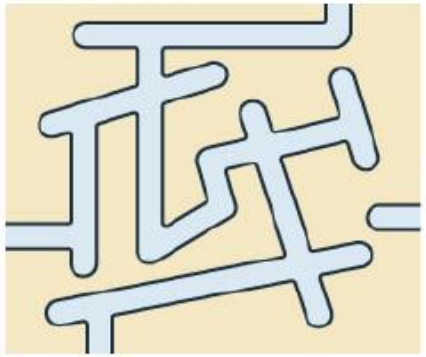
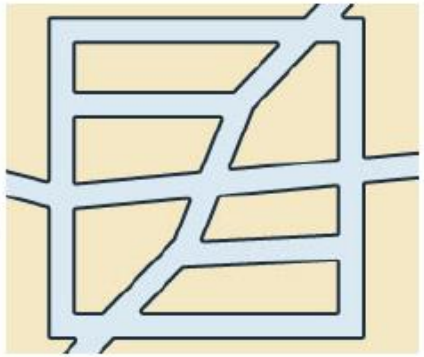
8.3.3D: City of Raleigh is developing Traffic Impact Assessment requirements that include Vehicle Miles Traveled factor.

8.3.5A: Develop UDO code language to increase bicycle and pedestrian connectivity based on the policy recommendations provided in section 6.5F.

8.3.5B: Seek third party evaluation and ratings for bicycle and pedestrian connectivity.



Figure 6E: Street Connectivity



Figure 6G: Internal Street Design

Chapter 7 – Safety

7.1 Roadway Safety Analysis

7.2 Bicycle and Pedestrian Safety Analysis

7.3 Intersection Safety Analysis

7.4 Policy and Design Recommendations

7

Intersection Recommendations

As a pedestrian or bicyclist, getting across a busy street safely can be a daunting task. Many of the intersections in Clayton lack high-visibility crosswalks and pedestrian refuge treatments that can provide the quality of safety that pedestrians need. Crossing improvements are a critical step in creating a safe and convenient pedestrian and bicycle network. Safe crossings are necessary to provide access across major roads and bridges, as well as through key intersections that could otherwise be major barriers to walking and biking. Lack of pedestrian crossing facilities on Clayton Blvd. creates major gaps in the current system.

Primarily, crossing improvements involve adjusting traffic signal timing to allow adequate time to cross, pedestrian countdown signals, high-visibility crosswalks, pedestrian level lighting and in some cases, shade trees. At some intersections, signage might be provided to alert motorists of the potential presence of pedestrians and cyclists, and in some cases, medians might be installed to offer refuge to pedestrians and cyclists on large roads with wide crossing distances.

The following hotspot intersections were chosen to provide recommendations to improve traffic operations and safety:

Implementation Strategies

- **8.3.1B** - Conduct railroad crossing and consolidation study for at-grade crossings in Downtown Clayton
- **8.3.1D** - Program the hotspot intersection recommendations located on Town-managed roads in the CIP
- **8.3.1G** - Develop strategies to progressively lower the speed limits on Town-managed roads to a maximum of 45mph. Engage with NCDOT to lower speed limits to all DOT-managed roads in Clayton's ETJ



Amelia Church Rd. and Shotwell Rd.

- NCDOT maintained
- Line of sight issues
- No crosswalks
- High turn volumes
- Community Center



Front St. and Church St.

- Town maintained
- Railroad vicinity
- Closely spaced intersections
- Low volumes
- No crosswalks



Champion St. and Amos St.

- Town maintained
- Close spacing
- No crosswalks
- High conflicts



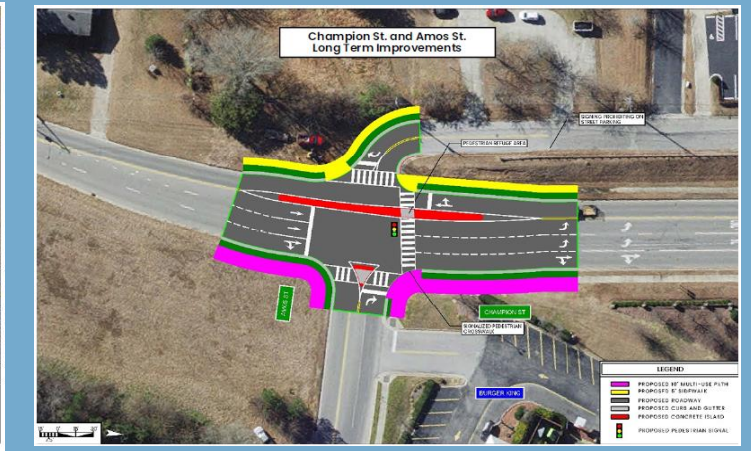
Fayetteville St. between Clayton Blvd. and Front St.

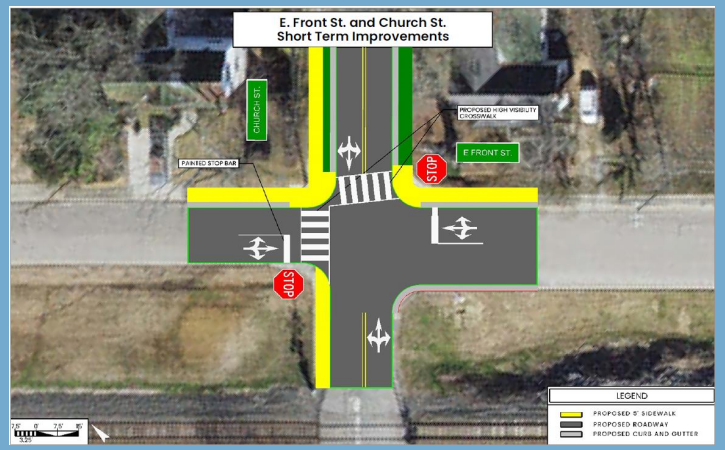
- Town Maintained
- Historic district
- Town Hall
- Safety concerns
- School

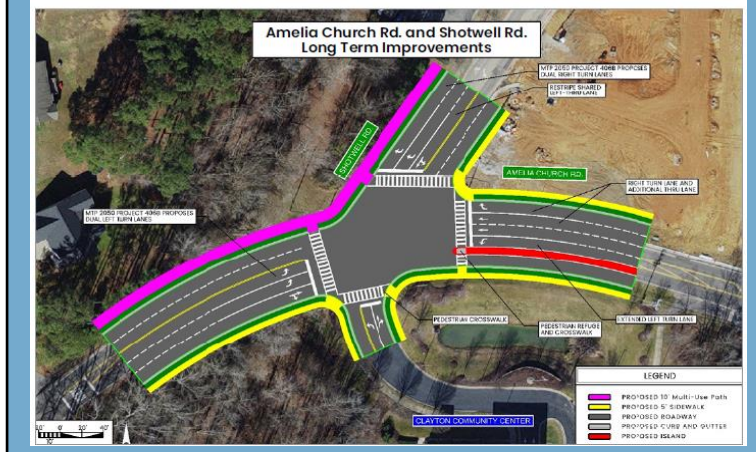
Hot Spot Intersection Improvements

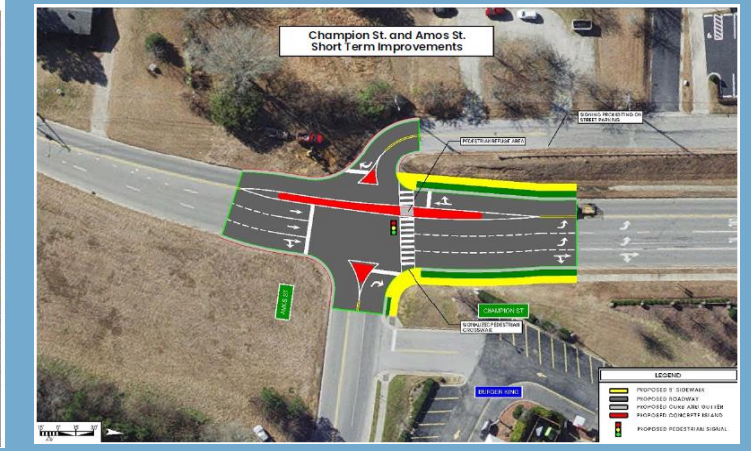
CLAYTON ON THE MOVE











7.4 POLICY AND DESIGN RECOMMENDATIONS

Data indicates that almost all of the crashes involve a car. It should be noted that in a conflict between car drivers and pedestrians or cyclists, it is always the latter that suffer harm. In order to have car drivers drive more carefully, roadway design interventions to make the drivers more alert are necessary.

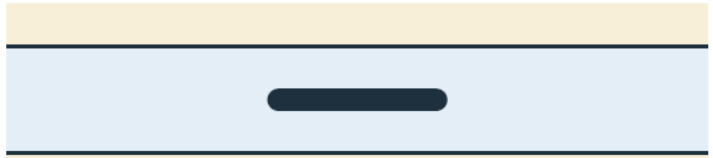
There is a direct correlation between driving speeds and level of injury, especially for those who are outside the car. For this reason, traffic calming and slowing measures should be encouraged in Clayton. Several speed reduction mechanisms can be used to achieve this goal. A few examples are shown here.

In addition to these measures, the Town of Clayton should develop a Vision Zero Plan which would highlight specific interventions to reduce crashes in Clayton over time.

Implementation Strategies

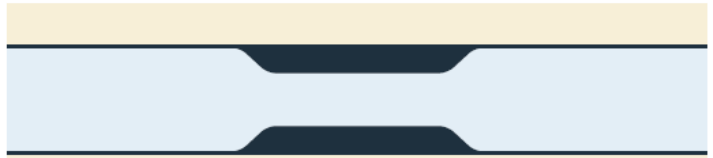
8.3.3E – Develop a Vision Zero Plan for the Town to reduce crashes over time

8.3.3F – Incorporate traffic calming measures as shown in this section to reduce speeding on Town-managed roads.



Median

Medians create a pinchpoint for traffic in the center of the roadway and can reduce pedestrian crossing distances.



Pinchpoint

Pinchpoints restrict motorists from operating at high speeds on local streets and significantly expand the sidewalk realm for pedestrians.



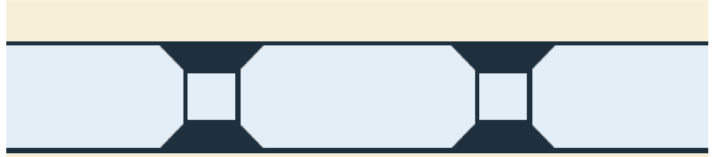
Chicane

Chicanes slow drivers by alternating parking or curb extensions along the corridor.



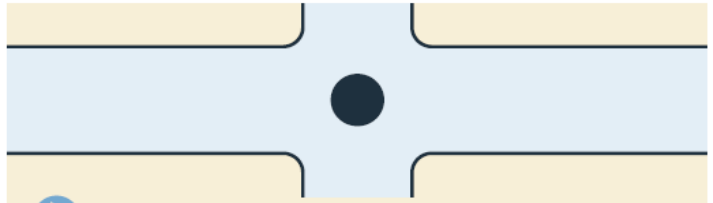
Lane Shift

A lane shift horizontally deflects a vehicle and may be designed with striping, curb extensions, or parking.



Speed Hump

Speed humps vertically deflect vehicles and may be combined with a midblock crosswalk.



Roundabout

Roundabouts reduce traffic speeds at intersections by requiring motorists to move with caution through conflict points.

Chapter 8 – Prioritization

8.1 Prioritization Methodology

8.2 Prioritized Recommendations

8.3 Implementation Strategies



Project Prioritization

- The CTP's goals and objectives were converted to correlating performance measures
- Projects were then assessed using performance measures to identify the highest priority projects

Example:

Goals	Objectives	Performance Measures
Enhance Accessibility and Connectivity	Improve access to key destinations	Improve connectivity to non-residential zones and Downtown Clayton
	Provide connections to unconnected areas	Reduce the block perimeter for roadway and bike-ped modes

Maximum possible score: 12
Lowest possible score: 4

Qualifier	Score
More than half of a project is in non-residential zone or in downtown?	Yes = 1
Is the project on a new alignment?	No = 0

8.2 PRIORITIZED RECOMMENDATIONS

CLAYTON ON THE MOVE

Roadway Projects

High Priority Projects
(Score 10 or higher)

- Clayton Blvd. Operational Improvements and Corridor Study.
- One-Way Pair Study and Operational Improvements on Main St.
- Widening on NC 42 East and Veterans Pkwy., Amelia Church Rd. and Covered Bridge Rd.
- Northern Connector (#22) was redesignated as High Priority at the request of the Town.

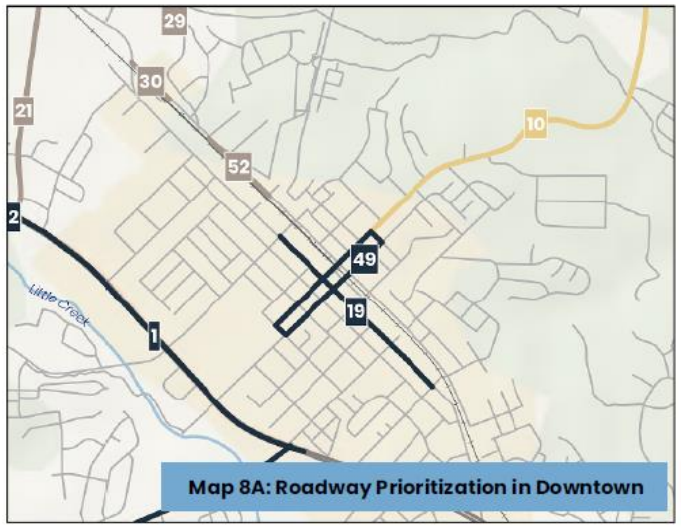
Medium Priority Projects
(Score 7 to 9)

Widening Guy Rd., Ranch Rd., Glen Laurel Rd., Powhatan Rd., Shotwell Rd., etc.

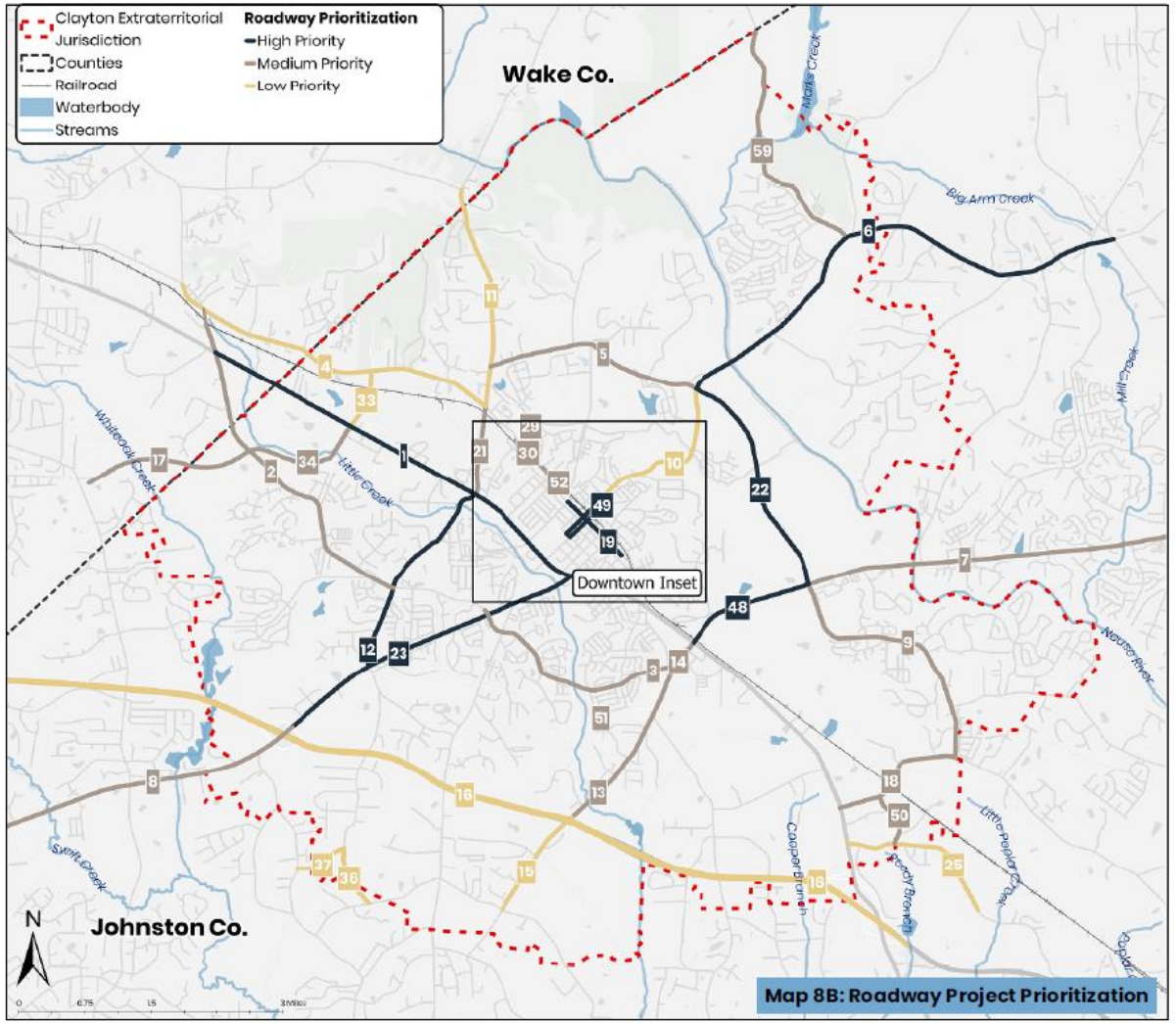
- New Location Roads – Southern Connector, White Oak – Guy Rd. – Clayton Blvd. Connector and few short connectors in downtown.

Low Priority Projects
(Score 6 or lower)

- All other projects, notably widening I-42 which ranks low based on local priorities.



Map 8A: Roadway Prioritization in Downtown



Map 8B: Roadway Project Prioritization

8.3 IMPLEMENTATION STRATEGIES

CLAYTON ON THE MOVE

Strategy 8.3.1: Roadway Projects and Studies

- **8.3.1A:** Reconsider further advancement of U-6113 project in STIP. Conduct Corridor and Access Management Study for Clayton Blvd. between I-40 and I-42 to improve safety, multimodal, and land use aspects of the corridor. *PAGE 124*
- **8.3.1B:** Conduct Railroad Crossing and Consolidation Study for at-grade crossings in Downtown Clayton. *PAGE 147*
- **8.3.1C:** Conduct a Feasibility Study to convert O'Neil St. and Fayetteville St. to one-way pairs. Combine this with other recommended multimodal enhancements on Fayetteville St. *PAGE 126*
- **8.3.1D:** Program the hotspot intersection recommendations located on Town-managed roads in the CIP. *PAGE 147*
- **8.3.1E:** Incorporate all roadway recommendations from this CTP to Johnston County CTP, which will be further rolled into CAMPO MTP.
- **8.3.1F:** Fee in Lieu collections and usage should be kept up to date based on State Law and the UDO.
- **8.3.1G:** Develop strategies to progressively lower the speed limits in the Town to a maximum of 45 mph on roads managed by the Town. Engage with NCDOT to extend lower speed limits to all the DOT managed roads in the Town's ETJ. *PAGE 147*

Strategy 8.3.2: Collector Street Policy

- **8.3.2A:** Develop policy language pertaining to collector streets as recommended in Chapter 6 and add it to the UDO. *PAGE 116*
- **8.3.2B:** Add Collector Street alignment polygons to the online map as a reference to the developer. *PAGE 116*
- **8.3.2C:** Policy language regarding Stub Streets to be incorporated into the UDO. *PAGE 116*

Strategy 8.3.3: Roadway Policy

- **8.3.3A:** Develop UDO code language based on the policy recommendations provided in Chapter 6 to improve roadway connectivity. *PAGE 138*
- **8.3.3B:** Constitute an empowered committee to discuss the implications of the recommended UDO code language. *PAGE 138*
- **8.3.3C:** Develop incentives and allowances based on adherence to higher than required connectivity standards. *PAGE 138*
- **8.3.3D:** City of Raleigh is developing Traffic Impact Assessment requirements that include Vehicle Miles Traveled factor. Discuss their experiences and potentially emulate the requirement in Clayton. *PAGE 138*
- **8.3.3E:** Develop a Vision Zero Plan for the Town to reduce crashes over time. *PAGE 157*
- **8.3.3F:** Incorporate traffic calming measures as shown in this section to reduce speeding on Town-managed roads. *PAGE 157*

Strategy 8.3.4: Parking

- **8.3.4A:** Draw parking lane stripes on Second St. where parking is already allowed. *PAGE 132*
- **8.3.4B:** Conduct a Downtown Parking Study to determine the demand, supply and future need for parking. *PAGE 132*
- **8.3.4C:** Provide additional paved surfaces for parking in Downtown areas behind buildings or within the NCRR corridor. *PAGE 132*

Strategy 8.3.5: Bicycle and Pedestrian Policy

- **8.3.5A:** Develop UDO code language to increase bicycle and pedestrian connectivity based on the policy recommendations provided in Chapter 6. *PAGE 138*
- **8.3.5B:** Seek third party evaluation and ratings for bicycle and pedestrian connectivity. *PAGE 138*

Strategy 8.3.6: Bicycle and Pedestrian Projects and Studies

- **8.3.6A:** Program the high-priority recommendations on Town-managed roads in the CIP.
- **8.3.6B:** Coordinate with Wake County to determine feasibility study of a second Neuse River Greenway.
- **8.3.6C:** Coordinate with NCDOT to add pedestrian signals across Clayton Blvd. in the short term. *PAGE 124*
- **8.3.6D:** Develop and expand on the sidewalk GIS shapefile with attributes such as width, condition, etc. to help make more informed decisions on sidewalk network expansion in the future.
- **8.3.6E:** Consider additional non-motorized crossings across the North Carolina Railroad (NCRR) corridor.
- **8.3.6F:** Continue support for sidewalks on both sides of the streets within Downtown area.
- **8.3.6G:** Consider lowering the stop lights to improve visibility for pedestrians and drivers and improve safety.

Strategy 8.3.7: Transit Projects and Studies

- **8.3.7A:** Conduct a Transit Feasibility Study in Clayton ETJ and surroundings. *PAGE 98*
- **8.3.7B:** Coordinate with JCATS to provide microtransit in Clayton. Identify local funding sources to cater to microtransit trips starting from medical facilities on Veterans Pkwy. *PAGE 98*
- **8.3.7C:** Incorporate Rapid Bus Extension accommodations to any plans on Clayton Blvd. *PAGE 98*
- **8.3.7D:** Continue to work with regional partners to identify the location and plan for the upcoming commuter rail station. The plan should include station access, station area characteristics, parking, etc. *PAGE 98*

8.4 POLICY IMPLEMENTATION MATRIX

The Strategies of Clayton on The Move are the action items that will help the plan's Vision materialize, "Clayton on the Move envisions a multimodal transportation network that ensures an equitable and value-driven transportation future for all of Clayton." These strategies represent a culmination of the plan's overall consideration of stakeholder engagement, technical expertise, and best practices in the planning profession. The strategies have been organized by their responsible agency, their relative timeline for completion, alignment with the plan's goals, and a level of estimated funding. This Implementation Matrix is intentional in setting the foundation from which further action can be taken to realize the plan's vision.

	Policy Implementation Strategies	Responsible Party	On-Going	Year 1-5	Year 6-10	Year 11+	Program / Study	Goal Alignment	Level of Estimated Funding
8.3.1A	Reconsider further advancement of U-6113 project in STIP. Conduct Corridor and Access Management Study for Clayton Blvd. between I-40 and I-42 to improve safety, multimodal, and land use aspects of the corridor.	ToC / NCDOT		●			●		$
8.3.1B	Conduct Railroad Crossing and Consolidation Study for at-grade crossings in Downtown Clayton.	ToC / NCDOT		●			●		$$
8.3.1C	Conduct a Feasibility Study to convert O'Neil St. and Fayetteville St. to one-way pairs. Combine this with other recommended multimodal enhancements on Fayetteville St.	ToC		●			●		$
8.3.1D	Program the hotspot intersection recommendations located on Town-managed roads in the CIP.	ToC		●					$$$
8.3.1E	Incorporate all roadway recommendations from this CTP to Johnston County CTP, which will be further rolled into CAMPO MTP.	ToC / Johnston County		●					-
8.3.1F	Fee in Lieu collections and usage should be kept up to date based on State Law and the UDO.	ToC	●						-
8.3.1G	Develop strategies to progressively lower the speed limits in the Town to a maximum of 45 mph on roads managed by the Town. Engage with NCDOT to extend lower speed limits to all the DOT managed roads in the Town's ETJ.	ToC / NCDOT		●					$
8.3.2A	Develop policy language pertaining to collector streets as recommended in Chapter 6 and add it to the UDO.	ToC		●					$
8.3.2B	Add Collector Street alignment polygons to the online map as a reference to the developers.	ToC		●					$
8.3.2C	Policy language regarding Stub Streets to be incorporated into the UDO.	ToC		●					-
8.3.3A	Develop UDO code language based on the policy recommendations provided in Chapter 6 to improve roadway connectivity.	ToC	●				●		-
8.3.3B	Constitute an empowered committee to discuss the implications of the recommended UDO code language.	ToC		●			●		-
8.3.3C	Develop incentives and allowances based on adherence to higher than required connectivity standards.	ToC		●			●		-
8.3.3D	City of Raleigh is developing Traffic Impact Assessment requirements that include Vehicle Miles Traveled factor. Discuss their experiences and potentially emulate the requirement in Clayton.	ToC		●					$
8.3.3E	Develop a Vision Zero Plan for the Town to reduce crashes over time.	ToC		●			●		$
8.3.3F	Incorporate traffic calming measures as shown in section 7.4 to reduce speeding on Town-managed roads	ToC		●					$$

- Enhance Accessibility & Connectivity
- Develop Public Transit Accessibility
- Preserve Local Character
- Enhance Safety
- Accommodate Future Growth
- Community Engagement in Planning
- Efficiency & Congestion Reduction
- Optimize Collector Street Network
- Expand Active Transportation Options
- Continuous Evaluation & Adaptation

ToC = Town of Clayton
NCDOT = North Carolina Department of Transportation
JCATS = Johnston County Area Transit System
CAMPO = Capital Area Metropolitan Planning Organization
NCRR = North Carolina Railroad

Next Steps



Town Council Work Session

June 2nd, 2025



Adoption of CTP

June 16th, 2025 – Public Hearing, CTP Adoption

Thank you!

CLAYTON ON THE MOVE

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CLAYTON ON THE MOVE

Comprehensive Transportation Plan

TOWN OF CLAYTON

FINAL DRAFT

Letter from the Mayor



As the Mayor of the Town of Clayton, I am proud to present Clayton on the Move, our first-ever Comprehensive Transportation Plan.

Clayton on the Move is a forward-looking strategy designed to meet the evolving transportation needs of our growing community. This plan represents our commitment to ensuring safe and efficient multimodal transportation options that connect our residents, neighborhoods, and businesses both within the Town and throughout the region.

Clayton on the Move was developed through a thoughtful and collaborative process. More than 930 responses were provided in our overall public engagement efforts that were held between October and December of 2023, and June and July of 2024. These efforts included both in-person and online engagement, reaching more than 440 residents. As such, Clayton on the Move reflects input from our residents, community members, key stakeholders, the consultant team, and Town staff.

Clayton on the Move presents strategies to enhance traffic flow while elevating the importance of pedestrian and bicycle access. A key example of balancing these transportation needs is the plan's recommendation to maintain Clayton Boulevard as a 4-lane road rather than expanding it to a 6-lane super street. This will help prevent the road from becoming a divider and a barrier to movement across Town. It also creates more opportunities for safer crossings, whether by driving, walking, or biking.

In addition, this plan includes forward-thinking strategies to explore the introduction of a transit system, laying the groundwork for enhanced connectivity and accessibility in the future. This plan supports Clayton connecting to the broader region via bus rapid transit and continues to envision commuter rail for the Town.

With a focus on safety, innovation, and sustainability, Clayton on the Move prepares Clayton with a transportation network that supports our small-town charm while fostering economic growth and enhancing quality of life. The plan sets the stage for improving mobility, strengthening connectivity, and addressing current and future challenges in a way that serves all members of our community.

I encourage you to explore Clayton on the Move. We are confident it will serve as a valuable tool to guide our investments and decisions in the years ahead.

Thank you to everyone who contributed to the development of this plan. Your voices and ideas have shaped a vision that reflects our shared goals for Clayton's future. Together, we are building a vibrant and connected community where everyone can thrive.

— Mayor Jody McLeod

CLAYTON ON THE MOVE

Acknowledgments

Town of Clayton Council

Jody McLeod • *Mayor*
Michael Sims • *Mayor Pro Tem*
Ruth Anderson • *Councilmember*
Andria Archer • *Councilmember*
Porter Casey • *Councilmember*
Gretchen Williams • *Councilmember*

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Derrick Applewhite • *Vice-Chair*
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Jason Kress • *Town of Archer Lodge*
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Taelor Fields • *NC Railroad Company*
Jamar Nixon • *NC Railroad Company*
Sarah Brooks • *The Woman's Club of Clayton*
Ray Carr • *Baptist Center Church*
Jon Soika • *St. Ann Catholic Church*
Mike Surasky • *Resident / Town of Clayton Planning Board*
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Dean Penny • *Resident*

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CLAYTON ON THE MOVE

Abbreviations

ACS	U.S. Census American Community Survey
BRT	Bus Rapid Transit
CAMPO	Capital Area Metropolitan Planning Organization
CIP	Capital Improvement Project
CofC	Community of Concern
CTP	Comprehensive Transportation Plan
CTT	Core Technical Team
CV	Commercial Vehicles
EJ	Environmental Justice
ETJ	Extraterritorial Jurisdiction
JCATS	Johnson County Area Transit System
KABCO	Injury Classification Scale
LA	Language Assistance
LAPP	Locally Administered Projects Program
LEP	Limited English Proficiency
LPA	Locally Preferred Alternative
MIS	Major Improvement Study
mph	Miles per Hour
MTP	Metropolitan Transportation Plan
MUP	Multi-Use Path
MUT	Multi-Unit Truck
NCDOT	North Carolina Department of Transportation
NCRR	North Carolina Railroad
ROW	Right of Way
RPO	Regional Planning Organization
SEAS	Southeast Area Study
SPOT	Strategic Transportation Priortization
SSC	Stakeholder Steering Committee
SSS	Safety Section Score
STIP	State Transportation Improvement Program
SUT	Single Unit Truck
TAZ	Traffic Analysis Zone
TRM	Triangle Regional Model
UDO	Unified Development Ordinance
USDOT	United States Department of Transportation
VMT	Vehicle Miles Traveled
VOC	Volume over Capacity (also V/C)

CLAYTON ON THE MOVE

1. Background

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1.1 CONTEXT

CLAYTON ON THE MOVE

Foundation

The Town of Clayton began in the early 1700s, when settlers started to occupy land formerly inhabited by Tuscarora and Sioux Indians. Originally known as Stallings' Station, a depot along the North Carolina Railroad, it mostly consisted of several small stores that served the rural area. The first post office, built in 1845, was located just southeast of its present site, under the name of Gulley's Store and was officially renamed Clayton in 1856.

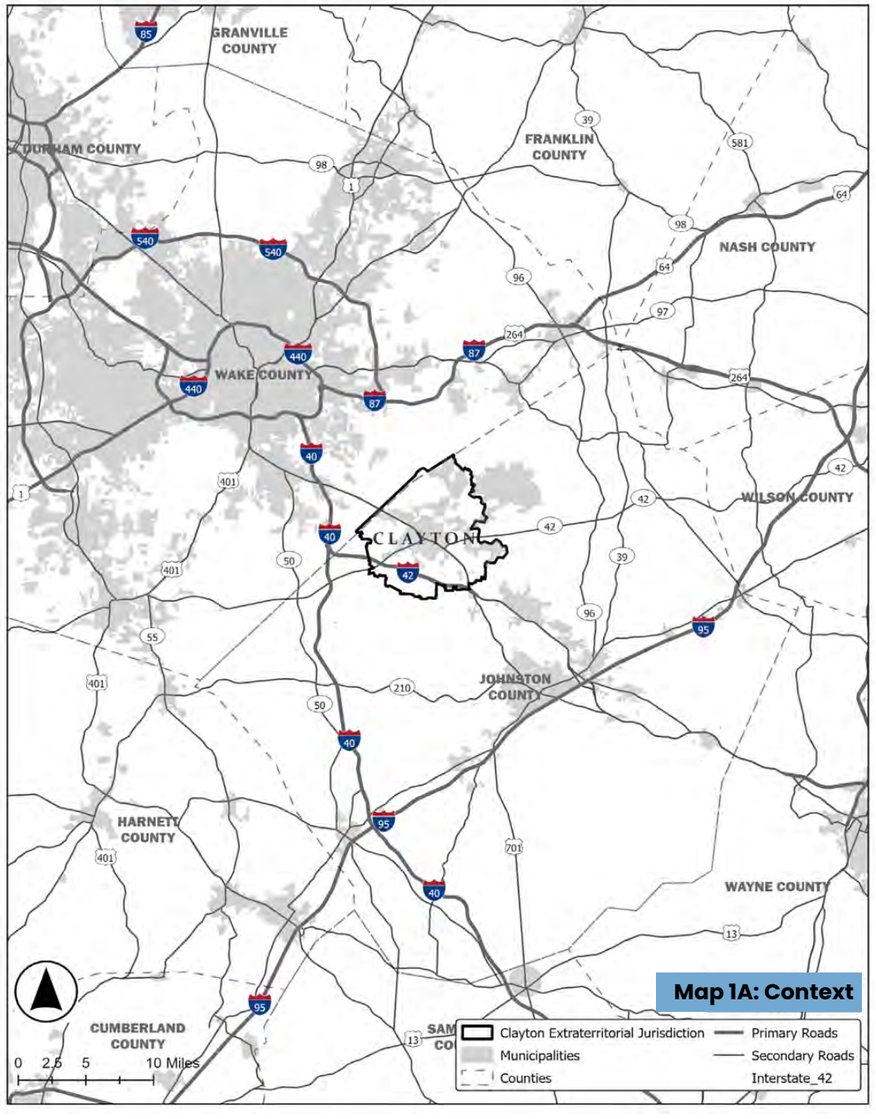
Growth

Since its incorporation, Clayton grew gradually in the 19th century, not yet exceeding 1,000 residents. In the 20th century, the population grew almost sevenfold to about 7,000. The population within the incorporated Town limits then grew fourfold to 26,307 by 2020. In the Extra Territorial Jurisdiction (ETJ) of Clayton, the population in 2020 was estimated to be 43,500 which is projected to triple by 2050.

Incorporation

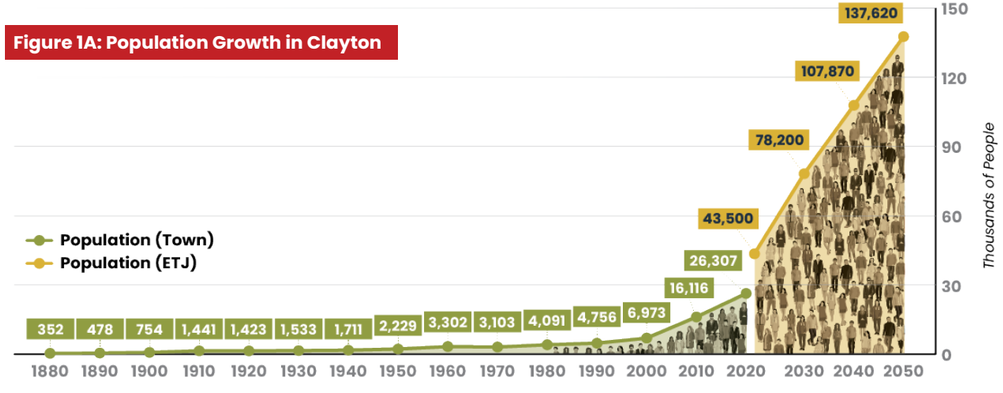
Following the Civil War, Clayton saw an increase in agricultural production resulting in new markets formed, both locally and regionally, connected via the railroad to other economic centers. The Town of Clayton was incorporated in 1869 and since then, it has become a dynamic, thriving community that has grown into the largest town in Johnston County. US Highway 70 has become the central highway, which now bypasses Clayton but still provides an important link in the town's transportation system.





Map 1A: Context

Figure 1A: Population Growth in Clayton



Sources: US Census, ACS 5 year estimates, Triangle Regional Model

1.2 VISION & GOALS

Clayton on the Move's vision statement and goals express the core values for the Town of Clayton's transportation system. They were derived from key feedback received during the planning process including community-wide public engagement, meetings with the Stakeholder Steering Committee (SSC) and Core Technical Team (CTT), presentations to the Town Council and Town Executive Team, and collaboration with Town Staff. This information has been synthesized into the following vision statement and goals, which set the foundation for this Comprehensive Transportation Plan.

Vision

Clayton On the Move envisions a multimodal transportation network that ensures an equitable and value-driven transportation future for all of Clayton.



Goals

Enhance Accessibility and Connectivity

Efficient and convenient access to key locations

Develop Public Transit Accessibility

Develop a reliable and accessible public transit system that serves our community's needs

Preserve Local Character

Transportation development should strive to preserve Clayton's small-town character

Enhance Safety

Implement measures to enhance transportation safety for pedestrians, cyclists, and motorists

Accommodate Future Growth

Develop an adaptable, efficient, and sustainable transportation plan that accommodates expected growth

Community Engagement in Planning

Foster active community engagement in transportation planning process

Efficiency and Congestion Reduction

Implement strategies to reduce congestion and enhance traffic flow

Optimize Collector Street Network

Efficiently distribute traffic within the community, enhancing overall flow and accessibility

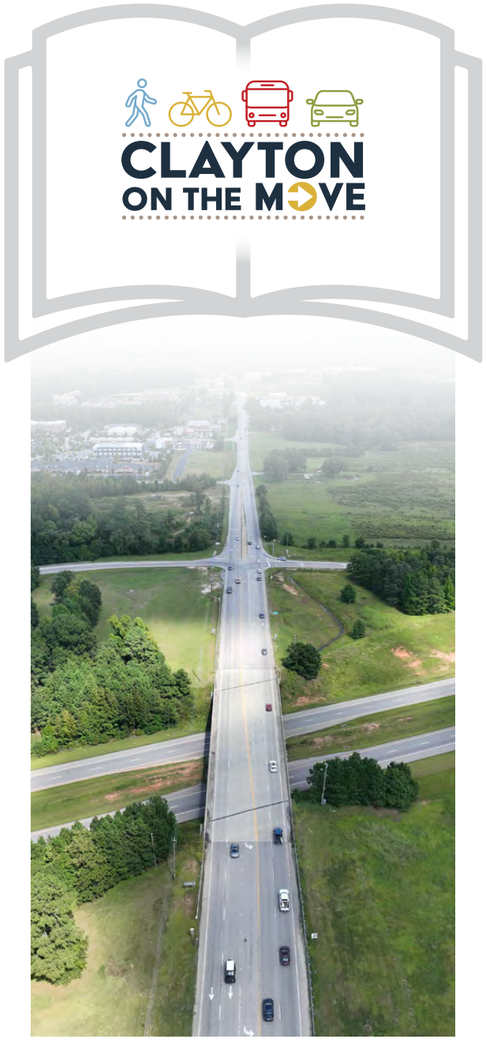
Expand Active Transportation Options

Invest in pedestrian and cyclist-friendly infrastructure, encouraging active transportation methods

Continuous Evaluation and Adaptation

Respond to changing community needs and emerging transportation trends

1.3 INTRODUCTION TO THE COMPREHENSIVE TRANSPORTATION PLAN (CTP)



Clayton's population and employment is expected to triple in the next three decades, and meeting these transportation needs and challenges as Clayton grows is essential. Through the course of development of this plan, hundreds of Clayton residents and stakeholders representing a diverse cross-section of backgrounds, regions, and interests have come together to lay out their vision for a transportation system that reflects our collective values as a Town. Their collective voices, as well as the Town's previous transportation planning efforts, were synthesized to develop a plan that addresses the future transportation demand in Clayton. This plan is **'Clayton On the Move', the Comprehensive Transportation Plan (CTP)** for the Town of Clayton. This plan is a consolidated document that includes all projects pertaining to mobility improvements and investments in Clayton.

The key purpose of this plan is to determine safe, resilient, and universally accessible multimodal transportation systems that support the vibrant community, advance social and economic equity, and improve public and environmental health.

Clayton on the Move is Clayton's CTP that sets for achieving its vision by providing recommendations that reflect the plan's goals to improve the quality of life of all Clayton residents.

What is a Comprehensive Transportation Plan?

A Comprehensive Transportation Plan (CTP) is a long-range multimodal plan that identifies transportation needs and proposes solutions and project recommendations for the next 25 years. The CTP provides a vision for the future of transportation in Clayton. The plan will also act as a guide for future municipal plans, Capital Improvement Projects (CIPs) and private and public development projects.

How was this plan developed?

The CTP was developed through intensive traffic and demographic data analyses, referring to previous plans, consultations with Town staff, comments and concerns voiced by the Core Technical Team (CTT) and Stakeholder Steering Committee (SSC), milestone presentations to Town Council, and two rounds of Public Engagement.

What will these recommendations include?

Recommendations include improvements to roadways, pedestrian infrastructure, bicycle infrastructure, and transit systems. These recommendations are based on current and future travel demand, safety, network connectivity, regional connectivity, and adherence to the plan's vision and goals.

What are the limitations of this plan?

The plan is not fiscally constrained, which means the project costs have not been calculated and **costs are not a factor in developing recommendations.** This is neither a land use nor a utility plan. Recommendations in the CTP show preliminary alignments which need to be refined as the project progresses into design and construction phases.

How will previous transportation planning efforts be incorporated into this CTP?

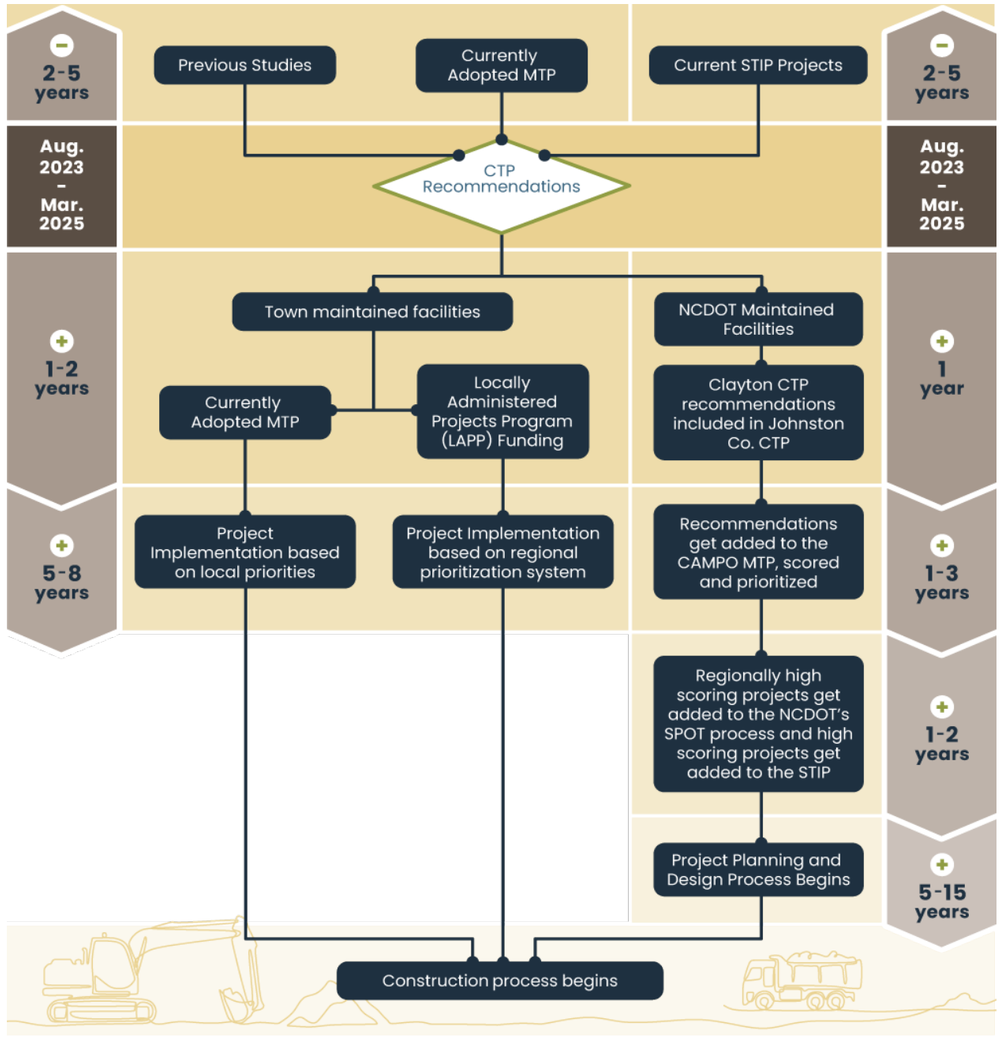
The CTP is a multimodal plan that includes recommendations from previous plans and reports. To develop the CTP, existing town plans and ordinances were considered, current and projected population and employment growth were analyzed, and land use and future development potential were evaluated.

How do these recommendations become projects?

The path from plan to project will vary primarily depending on whether the facility is maintained by the Town of Clayton or the North Carolina Department of Transportation (NCDOT). The steps required for these plans to become projects are described in detail in section 1.4 – Project Development Process. Recommendations were also prioritized based on the goals and objectives of the plan.

1.4 PROJECT DEVELOPMENT PROCESS

Figure 1B: Project Development Process



Implementation of facilities maintained by Town of Clayton

Projects funded by the Town of Clayton are programmed through the Town's Capital Improvement Projects (CIP). The CIP is updated annually during budget planning to accurately reflect the needs of the Town. The Town also receives federal funding from the Capital Area Metropolitan Planning Organization (CAMPO) through its Locally Administered Projects Program (LAPP). Projects are selected for funding using a prioritization system that is based on criteria categories and priority levels.



Implementation of facilities maintained by NCDOT

The CTP project recommendations for NCDOT facilities will be included in the **Johnston County CTP.** Clayton (and Johnston County) is part of the Capital Area Metropolitan Planning Organization (CAMPO), which is responsible for long-range transportation planning for the Raleigh region. CAMPO produces a **Metropolitan Transportation Plan** (MTP), a fiscally constrained long-range planning document. Recommendations from Clayton CTP (and other CTPs from the region) roll up to the MTP, where they are scored based on local and regional priorities, and the high scoring projects are passed on to NCDOT's prioritization process.

In 2013, NCDOT introduced a performance-based scoring system, referred to as 'Prioritization' or 'SPOT', to allocate funding for projects. Projects are submitted and scored on a variety of metrics. These scores are normalized so projects, regardless of mode, can compete for available funding.

Projects with high enough scores are included in the State Transportation Improvement Program (STIP), that 'programs' transportation projects over a ten-year period. Projects listed in the first five years of the STIP have dedicated funding, while projects in the second five years do not have dedicated funding. Those projects must re-compete in the next round of Prioritization / SPOT to gain funding. Though not required, projects submitted to Prioritization/SPOT often originate from MTPs.

Once projects have dedicated funding, they enter project development. At this stage, environmental review and mitigation are conducted, and project design is finalized before construction begins.

Detailed information about this process is available on the **'Residents Online Guide to Transportation' page** on NCDOT's website.



1.5 PROJECT OVERVIEW

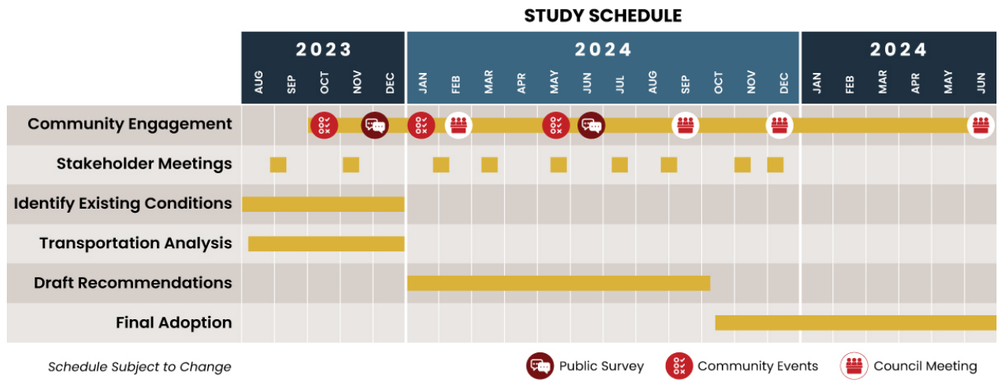
Perched on the northwestern edge of North Carolina's Johnston County, Clayton is no stranger to growth and is in one of the fastest growing counties in the state. Clayton's population and employment is projected to triple in the next 25 years. Growth in Clayton is outpacing its existing infrastructure; furthermore, both available land and funding for transportation improvements are finite resources.

This is the first comprehensive transportation plan developed for Clayton. The CTP functions as a long-range multi-modal plan for enhancement of the transportation system, informing subsequent development, and funding transportation improvements incrementally over the next 20 to 30 years. Generally speaking, the CTP aligns Clayton's vision for its future growth and development with phased transportation investments and strategies needed to realize that vision.

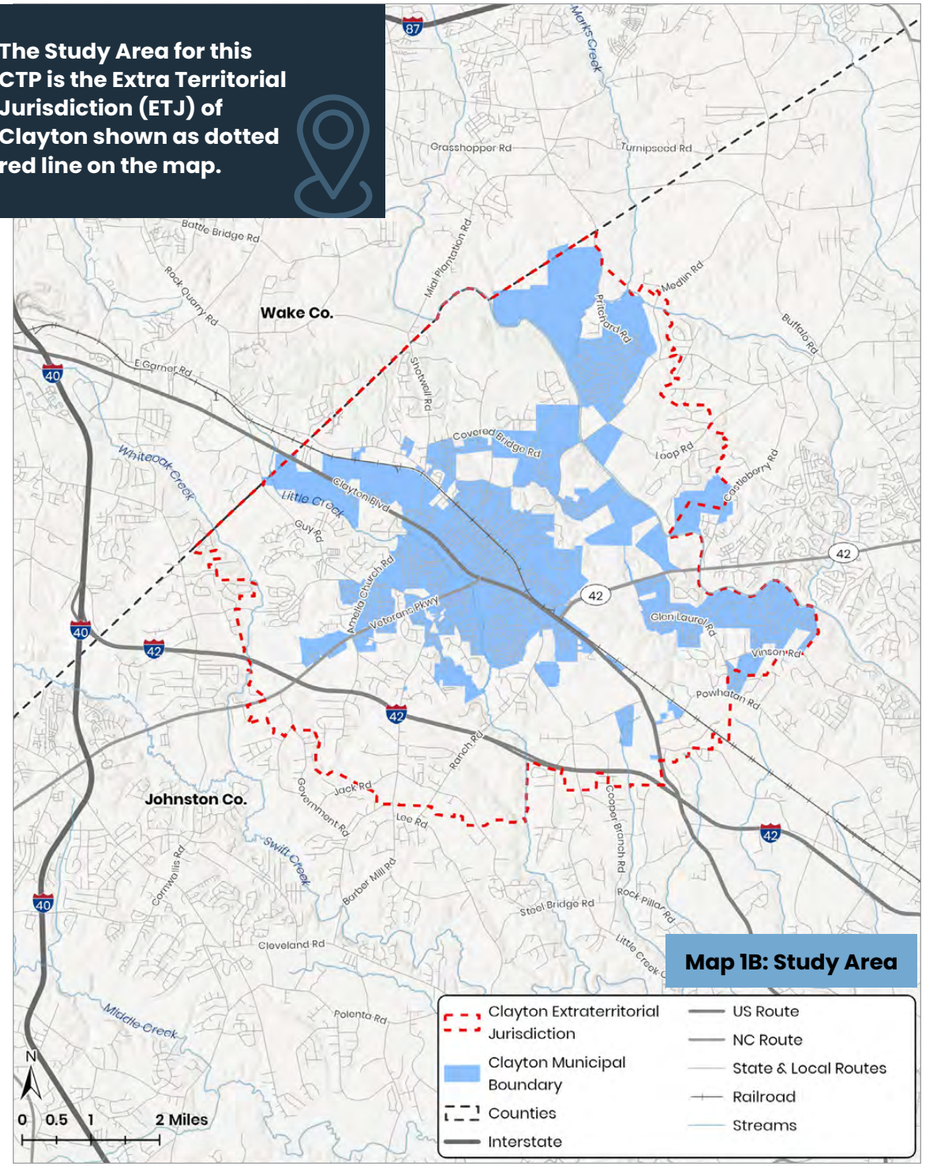
The development of the first Clayton CTP was a year and a half effort involving cross-sector coordination with State, regional, and local partners, extensive research, public engagement, technical analysis, and oversight from multiple committees. The CTP builds on concurrent efforts included in existing and adopted plans and policies such as the CAMPO 2050 MTP and the 2022 Clayton Pedestrian Plan. It also drew from research on demographic shifts, and projected employment growth to help inform where we are going as a Town, what strategies we can employ, and what challenges and opportunities we may face along the way. To evaluate future conditions and plan benefits, the CTP employed a suite of technical tools and models to help inform policy-decision making.

A comprehensive public participation strategy was implemented to receive feedback from the public. For more information about public engagement efforts, view **Chapter 3 - Public Engagement**.

Figure 1C: Clayton CTP Timeline



The Study Area for this CTP is the Extra Territorial Jurisdiction (ETJ) of Clayton shown as dotted red line on the map.



Map 1B: Study Area

1.6 EXISTING PLANS & STUDIES REVIEW

This CTP occurs in the context of Clayton's previous planning efforts. These plans provide a guiding framework, revealing Clayton's prior efforts and specific studies to improve transportation, its vision for itself and recommendations to achieve that vision.

Common themes emerged from consolidating the recommendations from these plans, which helped to shape the final recommendations. This CTP provides a vision that builds upon these prior planning efforts, consistent with the Town's vision, to increase the overall accessibility, safety, and active transportation network.

Clayton Downtown Master Plan (2024)



The Clayton Downtown Master Plan (PDF), adopted by the Clayton Town Council on September 16, 2024, represents a comprehensive and collaborative vision for the future of Downtown Clayton, developed through the input of residents, business owners, stakeholders, Town staff, and elected officials. This plan outlines a strategic direction for growth and development, focusing on enhancing the Downtown area to create a vibrant and welcoming commercial district.

CTP incorporates and supersedes transportation recommendations from this plan.

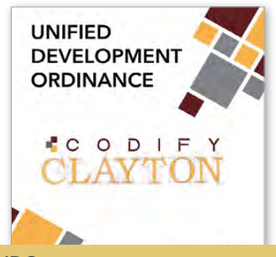
Gateway 42 Small Area Plan (2024)



The Gateway 42 Small Area Plan (PDF), adopted by the Clayton Town Council on March 18, 2024, establishes a forward-looking framework to guide development and transformation along the NC 42 (Veterans Parkway) corridor. This plan envisions a well-designed, connected, and vibrant gateway into Clayton, enhancing both residential and commercial opportunities while maintaining the unique character of the area.

CTP supersedes transportation recommendations from this plan.

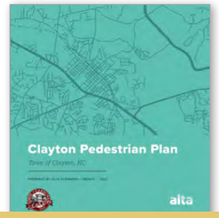
Clayton Unified Development Ordinance (UDO) 2023



The UDO represents the Town's primary tool for implementing its plans and policies. The UDO for Clayton contains development regulations and standards addressing connectivity and bicycle parking not always seen in municipalities of its size. Other sections that are pertinent to and should be reviewed for the CTP include: traffic impact analyses, sidewalk/bicycle designs, and signage standards.

CTP policy recommendations will need to be incorporated into the UDO.

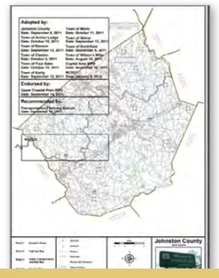
Clayton Pedestrian Plan (2022)



The 2022 Clayton Pedestrian Plan (PDF), adopted November 21, 2022 by the Clayton Town Council, provides a strategic roadmap for creating a safer, more connected, and accessible environment for pedestrians throughout the Town of Clayton. This plan outlines improvements to existing infrastructure, identifies new pedestrian routes, and integrates community feedback to ensure that walking becomes a more enjoyable and viable option for residents and visitors alike.

CTP incorporates and supersedes transportation recommendations from this plan.

Johnston County Comprehensive Transportation Plan (2012)



Adopted in 2012, the Johnston County Comprehensive Transportation Plan (PDF) identified long-term priorities for updating the County's transportation system. The suggested improvements for the Town of Clayton and all of Johnston County are included and are used as one component to determine what local transportation projects eventually get funded. It is not, however, intended to be a definitive listing of projects to be built. This plan was being updated concurrently with the Clayton CTP.

CTP incorporates and supersedes transportation recommendations from this plan.
CTP recommendations will be incorporated into the JoCo CTP 2024.

Comprehensive Growth Plan 2045 (2021)



The Comprehensive Growth Plan 2045 (PDF), adopted by the Clayton Town Council on November 15, 2021, is the Town of Clayton's statement of how we want to grow and develop. The plan guides where and how private development should occur. It guides how the Town should provide public facilities and services to support future growth. The plan is long range in scope, focusing on the ultimate needs of the community rather than the pressing concerns of today.

CTP incorporates and supersedes transportation recommendations from this plan.

In addition to locally adopted plans, several regional plans were also referred to understand the impacts of the regional project recommendations on the transportation network of Clayton.

These included overall regional plans like the MTP, and studies regarding specific aspects of transportation like trails and transit.

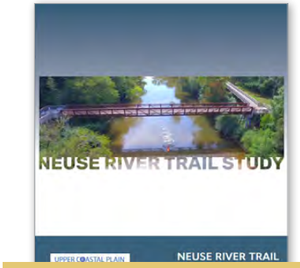
CAMPO 2050 Metropolitan Transportation Plan (2023)



The Capital Area and the Durham Chapel-Hill Carrboro MPOs worked collaboratively to develop the **2050 Metropolitan Transportation Plan (MTP)** for the Triangle region. The MTP is the long-range plan for transportation improvements across the region. It includes roadway, transit, rail, bicycle, pedestrian and other transportation projects for the next 30 years.

CTP incorporates transportation recommendations from the MTP. CTP recommendations will be incorporated into the MTP 2055.

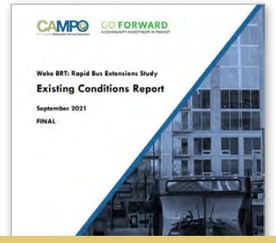
Neuse River Trail Feasibility Study (2022)



The proposed Neuse River Trail is a 15-mile corridor in Johnston County connecting existing greenways in Clayton and Smithfield. The proposed trail is a critical missing link in the regional greenway network and is the identified corridor for gap segments of the Mountains-to-Sea Trail and East Coast Greenway. The Johnston County **Neuse River Trail Feasibility Study** will evaluate potential route scenarios along roadway corridors and the Neuse River to determine the preferred route. The study will also develop cost estimates and an implementation plan to construct the trail.

CTP incorporates and supersedes transportation recommendations from this study.

Rapid Bus Extension Study (2021)



CAMPO has completed a **major investment study (MIS)** that identified and evaluated rapid bus routing options and selected preferred solutions for rapid bus extensions to both of the planned Wake Bus Rapid Transit (BRT): Western and Southern Corridors. The planned Wake BRT: Western Corridor will connect downtown Raleigh to downtown Cary. The planned Wake BRT: Southern Corridor will connect downtown Raleigh to Garner.

CTP incorporates transportation recommendations from this study pertaining to Clayton ETJ.

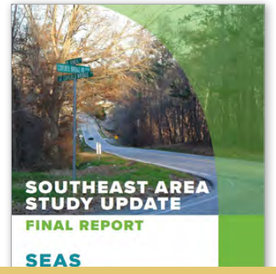
Greater Triangle Commuter Rail Study (2022)



GoTriangle completed the **Greater Triangle Commuter Rail study**, which identified significant benefits to the region from implementing regional rail, and significant feasibility challenges to implementing regional rail within the budget and timeline established in the current Wake and Durham Transit Plans. Public input on the project revealed favorable sentiment towards commuter rail and an appetite for transit solutions to mobility challenges in the Triangle.

CTP incorporates transportation recommendations from this study pertaining to Clayton ETJ.

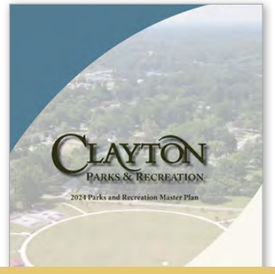
CAMPO Southeast Area Study (SEAS) (2023)



The **SEAS Update** is an update to the original 2017 Southeast Area Study that looked at land use and multimodal transportation needs of the study area shown in **Map 1C**. The study covered parts of Wake and Johnston Counties and the City of Raleigh, as well as the municipalities of Archer Lodge, Benson, Clayton, Four Oaks, Garner, Kenly, Micro, Selma, Smithfield and Wilson's Mills, and was conducted in coordination with NCDOT and the Upper Coastal Plain RPO.

CTP incorporates and supersedes transportation recommendations from this study

Clayton Parks & Recreation Comprehensive Plan (2024)

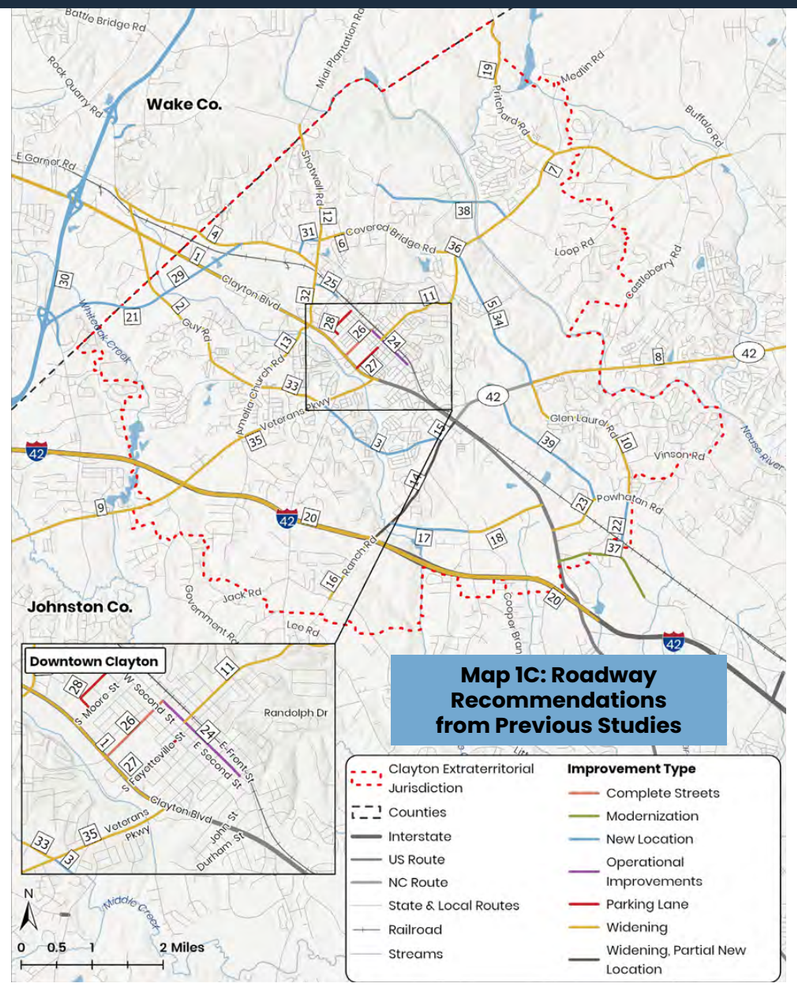


The Parks and Recreation Master Plan sets forth a strategic vision for enhancing Clayton's parks, green spaces, and recreational facilities to meet the evolving needs of our community. It outlines goals for expanding park amenities, improving accessibility, and fostering inclusive, active spaces for all ages. By guiding future investments and program development, the Parks and Recreation Master Plan aims to enrich the quality of life in Clayton and create a lasting legacy of outdoor enjoyment and community well-being.

CTP incorporates transportation recommendations from this Plan

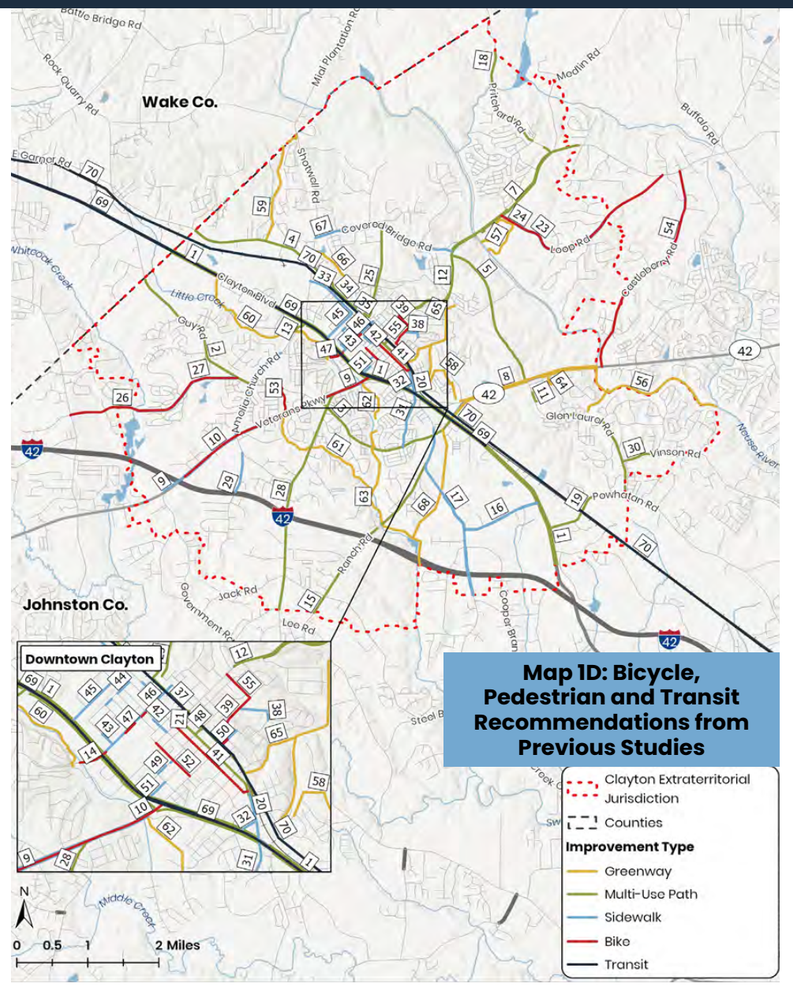
Consolidated Recommendations from previous studies

- **Roadway recommendations consolidated from the previously adopted plans are shown in Map 1C.**



Map 1C: Roadway Recommendations from Previous Studies

- **Bike and pedestrian recommendations from the adopted plans can be found in Map 1D. Approximately 200 project recommendations for various modes were consolidated to provide a baseline understanding for the development of this CTP.**



Map 1D: Bicycle, Pedestrian and Transit Recommendations from Previous Studies

2. Existing Conditions Analysis

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2.1 POPULATION AND EMPLOYMENT

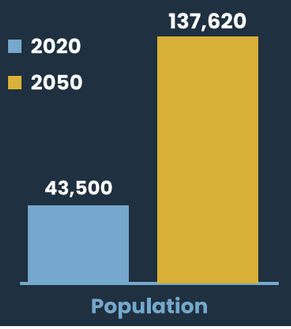
CLAYTON ON THE MOVE

Population Growth

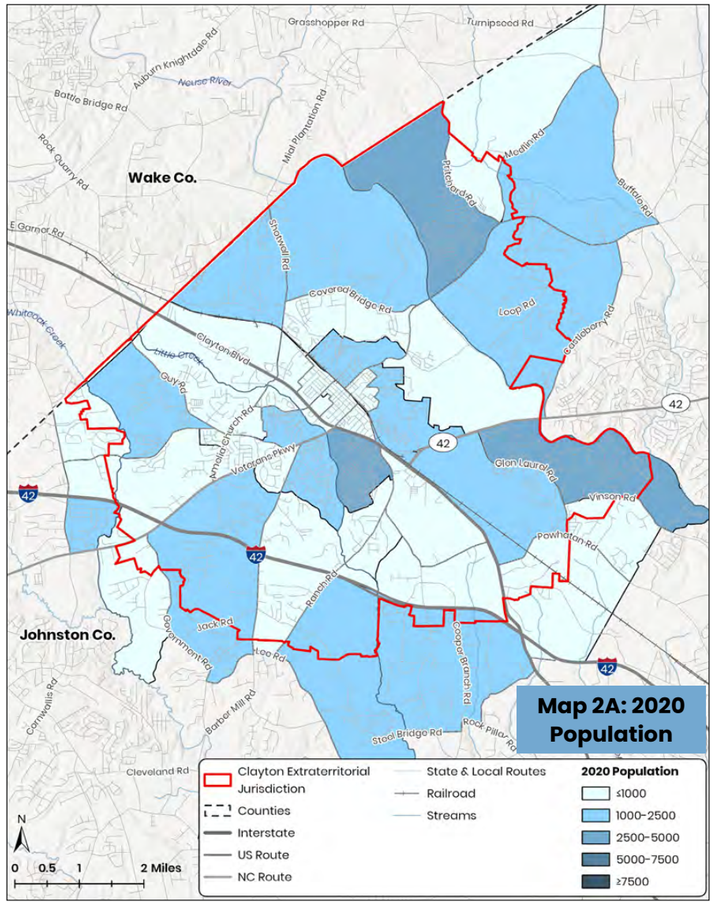
Maps 2A and **2B** show the changes in population between 2020 and 2050*. Labeled values show the population change. The data was derived from the 2020 official and 2050 modified Triangle Regional Model (TRM) outputs. Population is projected to increase in all Traffic Analysis Zones (TAZs), with population increase ranging from 0.4% to 1,800%. 32 of the TAZs are projected to experience a population increase of 100% or greater between 2020 and 2050. The TAZs east of downtown will see the largest increase.

Figure 2A: 2020 and 2050 Population

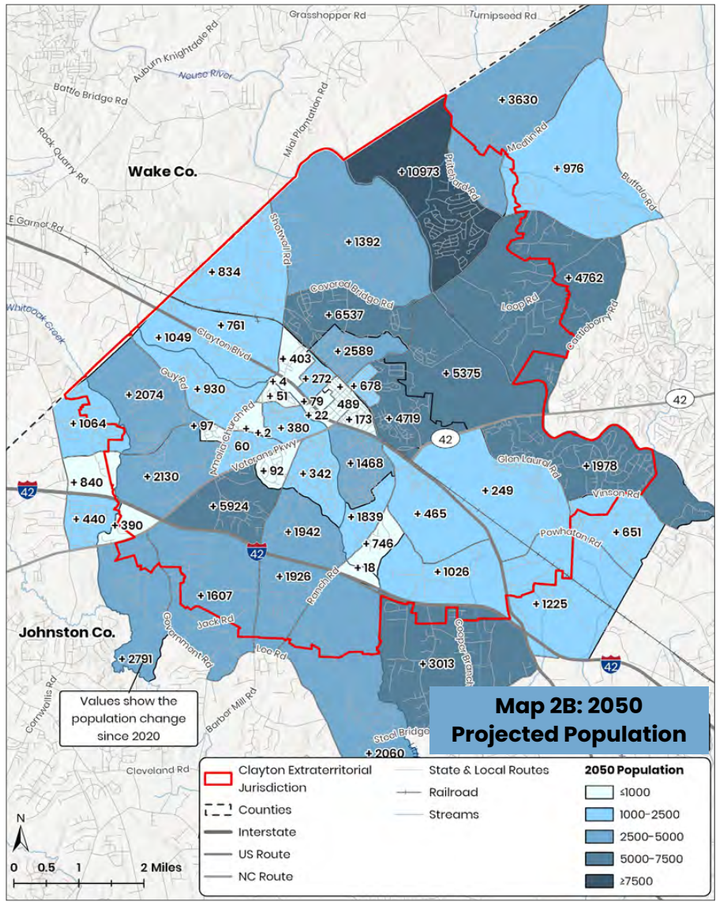
Traffic Analysis Zone (TAZ) is a special area delineated by state and/or local transportation officials for tabulating travel demand modeling data and statistics



** The 2050 population and employment projections shown here differ from the official Triangle Regional Model data. The Town of Clayton planning staff reviewed the official data and made several changes to better reflect the development patterns in the Town.*



Population Growth

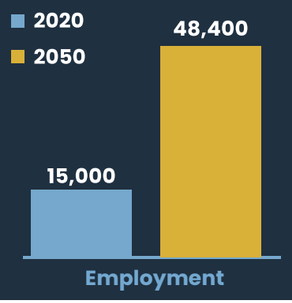


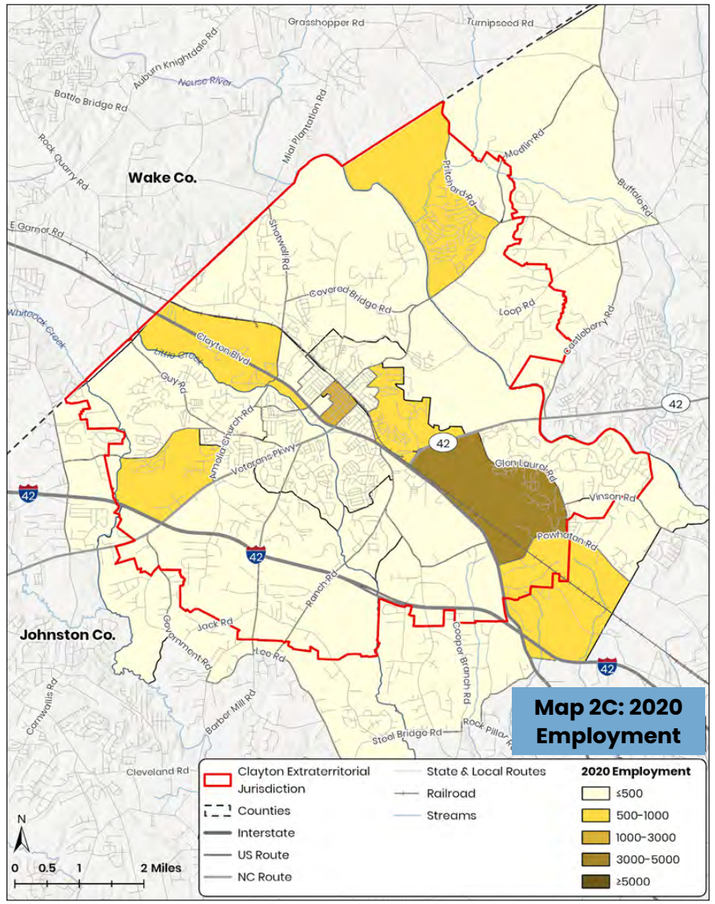
Employment Growth

Maps 2C and **2D** show the changes in employment between 2020 and 2050. Labeled values show the population change. The data was derived from the 2020 official and 2050 modified TRM outputs. Employment is projected to increase in all but 3 TAZs, with employment increase ranging from 1% to 4,418%. Twenty-seven of the TAZs are projected to experience an employment increase of 100% or greater between 2020 and 2050. The TAZs southeast of downtown will see the largest increase.

Figure 2B: 2020 and 2050 Employment

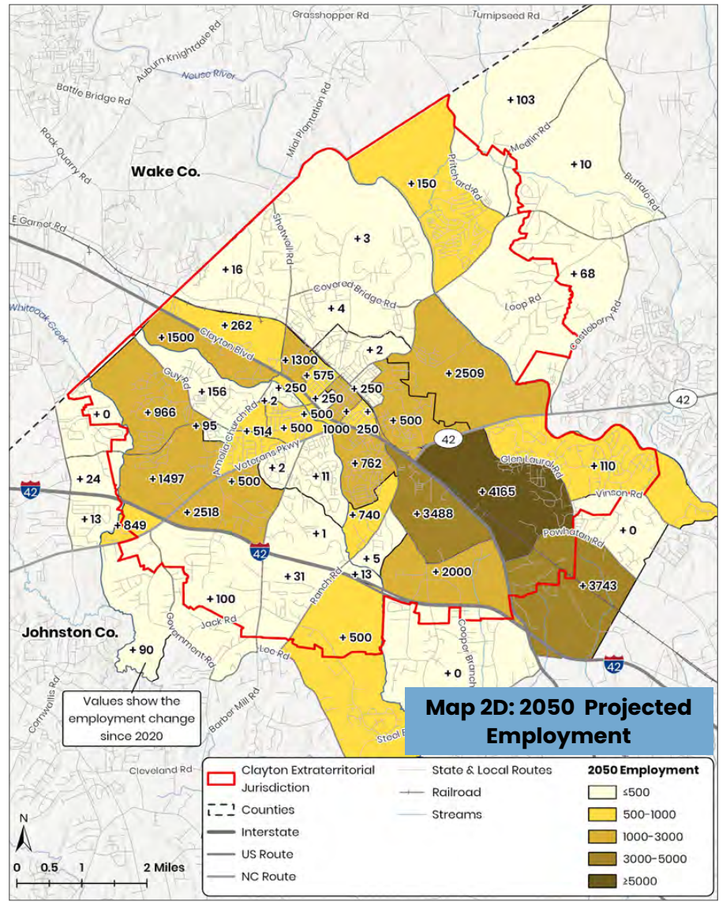
Employment numbers are projected to increase three-fold over the next thirty years.





Map 2C: 2020 Employment

Employment Growth



Map 2D: 2050 Projected Employment

2.2 TRAVEL CHARACTERISTICS

The graphs in **Figure 2C** display travel characteristics, including the means of travel, purpose of travel, and distance traveled. The data was derived from Replica examining travel patterns in Fall 2022.

92% of trips are made by vehicle, with only 31% of these trips involving carpool. 7% of trips are made by walking and 1% are made by bicycle.

The majority of trips (58%) are for leisure purposes including social outings, shopping, and eating.

33% of trips are for work and school purposes, while the remaining 9% of trips are for medical and other purposes.

10% of trips involve traveling less than 1 mile. For these trips, 47% of them are made by walking, while the other 53% are made by vehicle.

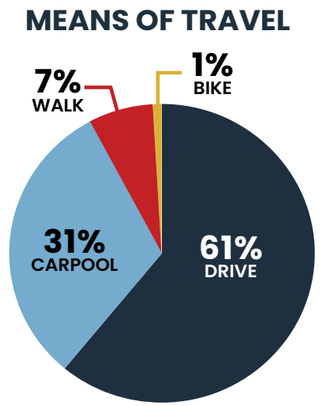
11% of trips involve traveling 1-2 miles. For these trips, only 16% are made by walking, while the other 84% are made by vehicle.

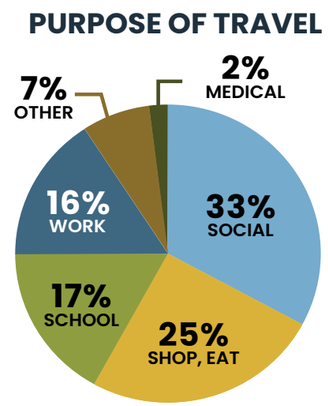


10.7 miles: The average trip in Clayton

6.3 miles: The median trip in Clayton

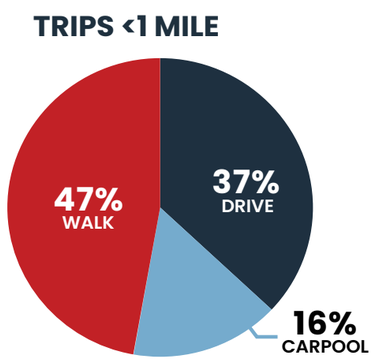
Figure 2C: Clayton Travel Characteristics

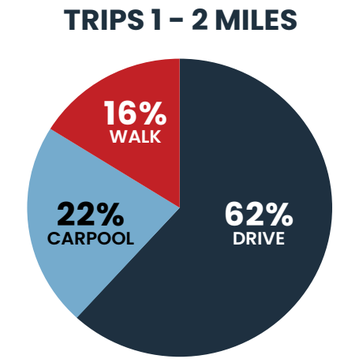




Work/School travel consists of only a third of total travel in the study area. Most travel is for social purposes

Trips shorter than 2 miles can easily shift to walk-bike modes if proper facilities are provided.





Source: Replica (Fall 2022)

Average Daily Person-Trip Distribution

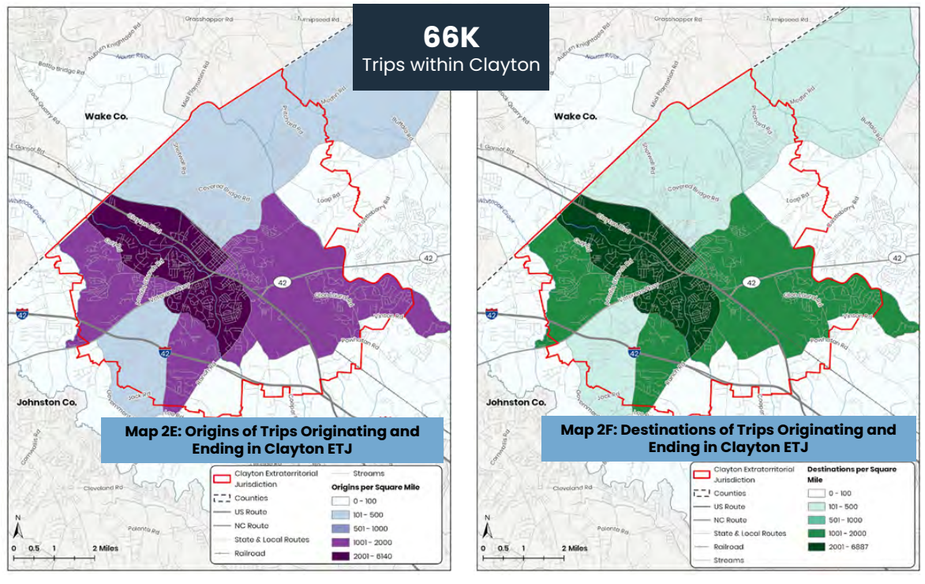
Clayton is situated within the larger Triangle region and its travel patterns show interactions with the larger region. The origins and destinations of trips inside and outside of the Clayton ETJ were analyzed using Replica data. This data provides a better understanding of where people are traveling from and to, as well as what roads they are utilizing for these trips.

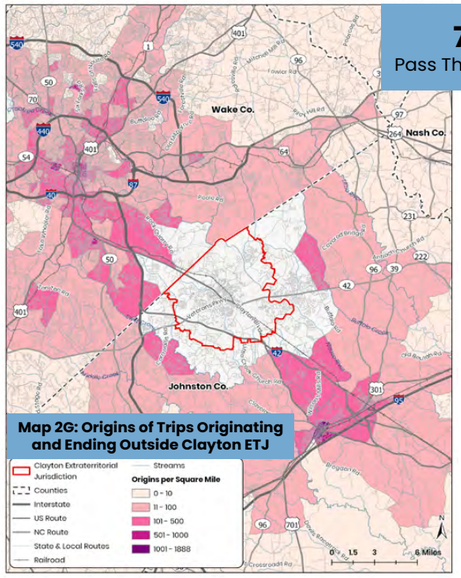
Maps 2E and **2F** show there are 66,000 daily person-trips that originate and end in the ETJ. The origins and destinations of these trips are concentrated in the same areas, with the downtown area having the highest concentration of origins and destinations. It is likely many of these, especially in downtown Clayton, are shorter trips that could easily shift to walk-bike modes.

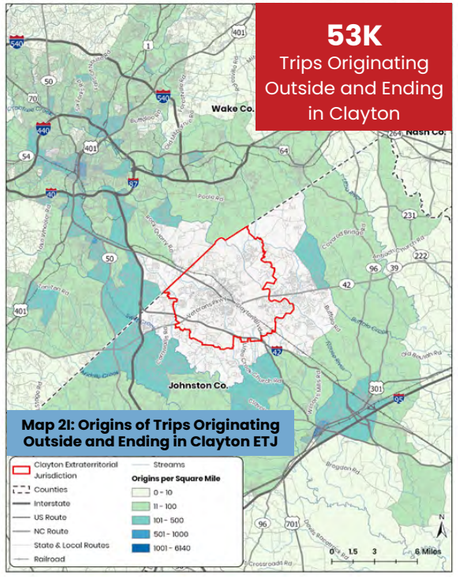
Maps 2G and **2H** show there are 73,000 daily trips that begin outside of the ETJ, drive through the ETJ, and end outside of the ETJ. These trips passing through the ETJ are more likely to utilize major roads, such as Clayton Blvd. and NC 42, as their means of travel.

Maps 2I and **2J** show there are 53,000 daily trips that originate outside of the ETJ and end inside of the ETJ. There are 54,000 trips that originate inside of the ETJ and end outside of the ETJ. These relatively consistent numbers show individuals that are likely commuting to and from the ETJ for work and school.

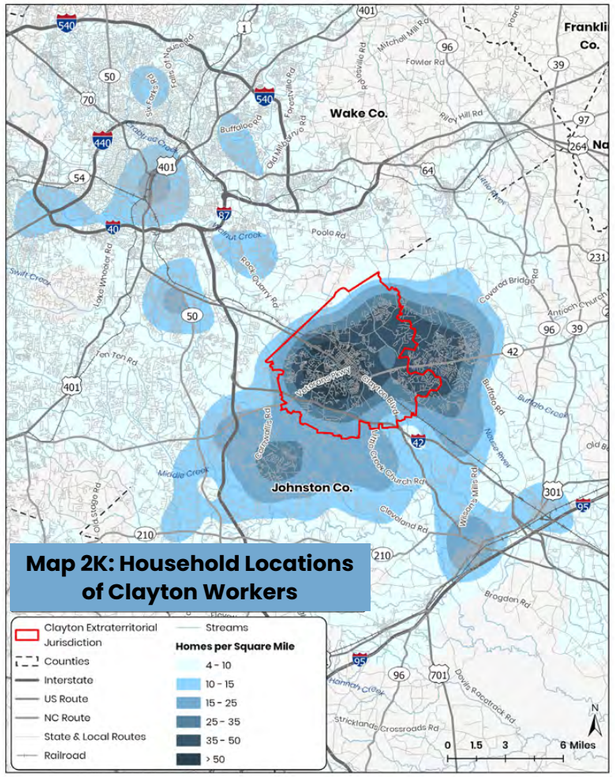
The metrics shown on this page are for 'person trips', which means trips taken by each person. For instance, if one car carries two people, it is considered as 1 auto-trip and 2 person-trips. The data shown in the maps pertain to **Daily Person-Trips**



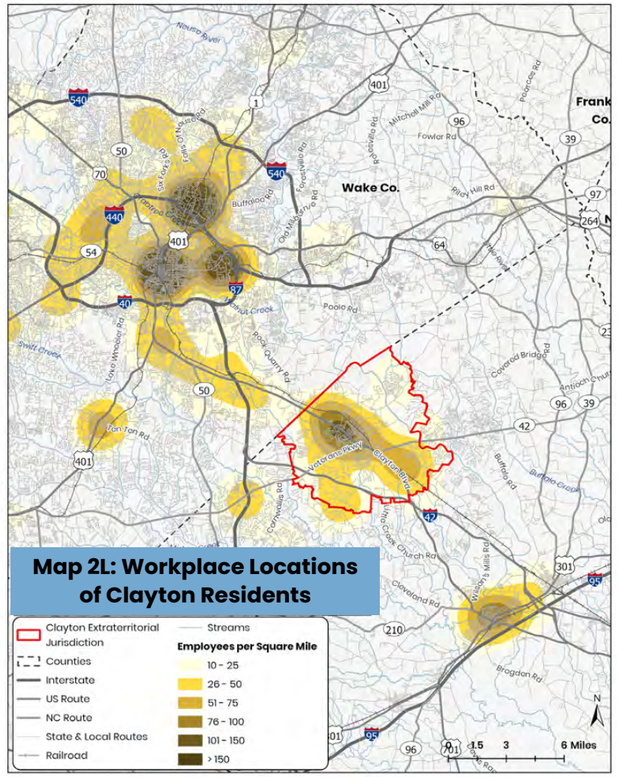




2.3 WORK TRAVEL CHARACTERISTICS



Map 2K: Household Locations of Clayton Workers



Map 2L: Workplace Locations of Clayton Residents

Work Travel

Approximately
13,700 workers
travel from **outside the ETJ (or Study Area)**

Approximately
16,000 residents
work **outside the ETJ (or Study Area)**

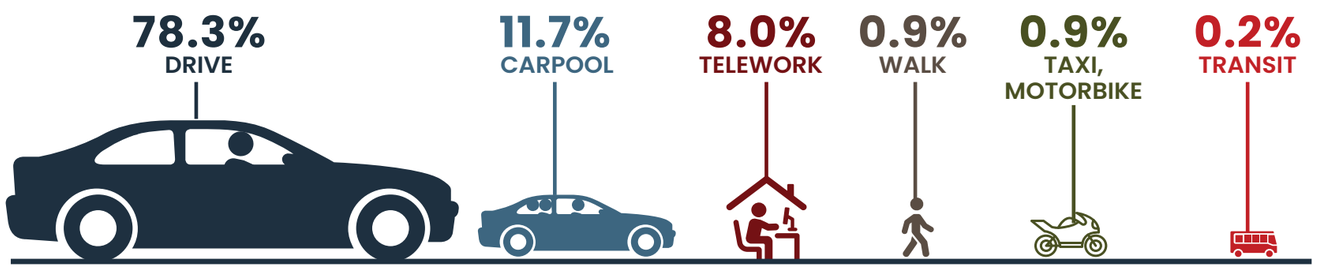
Approximately
1,700
live and **work in the ETJ (or Study Area)**

Identifying areas with a high concentration of workplaces can help understand peak travel destinations to and from Clayton and potential transit connections.

Map 2K shows the household locations of Clayton workers organized by households per square mile. Most Clayton workers reside within the ETJ or to the east of the ETJ. Map 2L shows the workplace locations of Clayton residents organized by employees per square mile. Most Clayton residents work in three concentrated areas of Raleigh: the central business district (aka downtown), North Hills, and the WakeMed Raleigh campus. Downtown Clayton has the next highest concentration of workplace locations followed by downtown Smithfield. Downtown Durham and the Research Triangle Park have a moderate concentration of workplace locations.

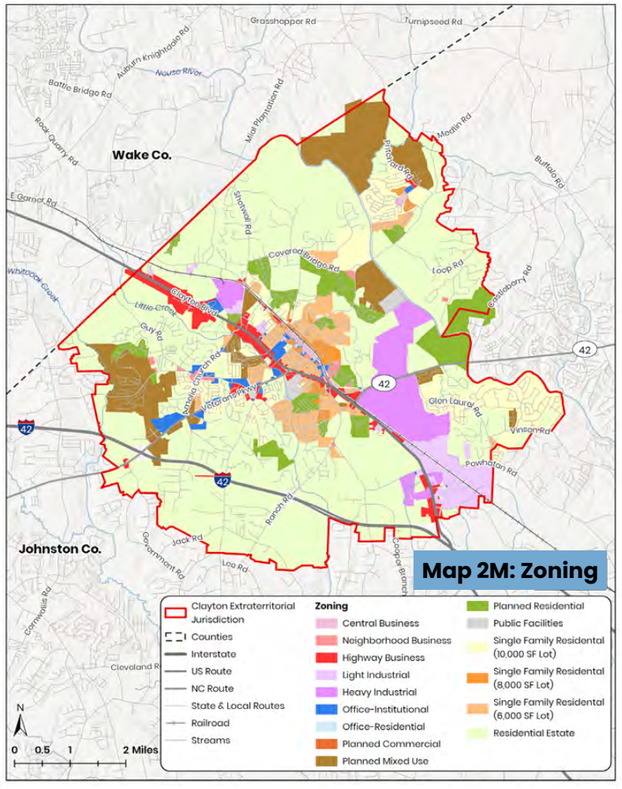
Figure 2D: Means of Travel to Work

How Clayton residents get to work:



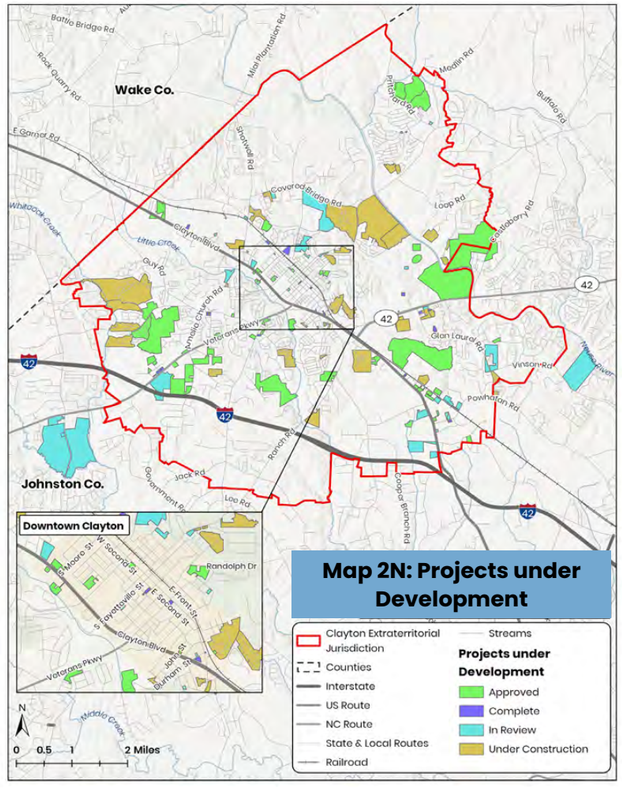
Source: Replica 2022

2.4 LAND USE AND DEVELOPMENT



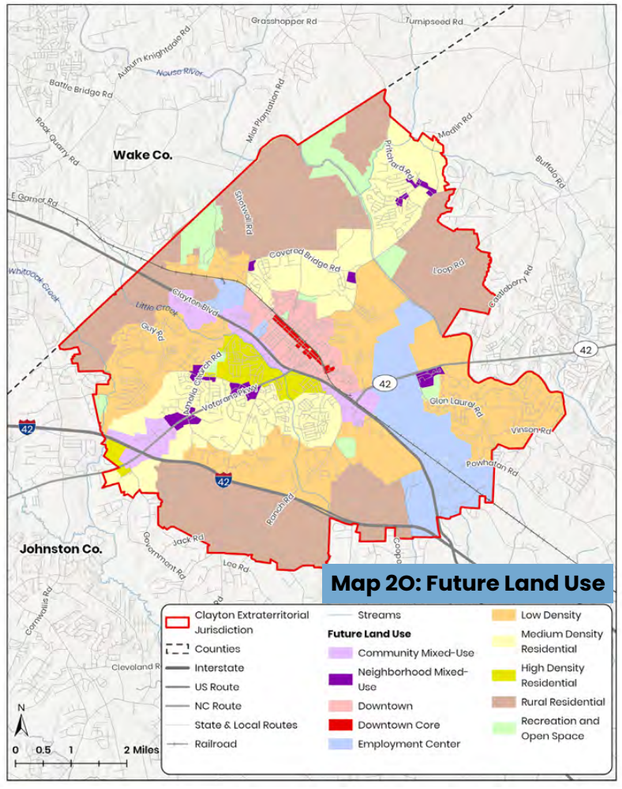
Zoning

Map 2M shows zoning within the ETJ. Zoning within the Clayton ETJ is a mix of business, industrial, residential, institutional, mixed-use, and public facilities. Residential Estate zoning comprises 58% of the ETJ as evidenced by the low-density single-family homes found outside of downtown Clayton. The Highway Business district, which allows for various types of commercial uses like restaurants and retail shopping uses, is predominantly found along the Veterans Pkwy. and Clayton Blvd. Both Light Industrial (LID) and Heavy Industrial (HID) districts, which allow for a variety of life science and manufacturing uses, are found along Shotwell Rd. and the eastern portion of the Planning Area along NC 42 and Clayton Blvd.



Projects under Development

Map 2N shows projects under development as of October 2023. There are 58 approved developments including 22 residential developments, 21 commercial developments, and 1 mixed-use development. There are 39 developments under construction.



Future Land Use

Map 2O shows the future land use within the ETJ. Future land use in the ETJ is a mix of mixed-use, downtown, employment centers, residential, and recreation and open space. 78% of future land use is residential with the majority comprised of rural residential and low density residential.

2.5 ENVIRONMENT

Natural Environment

The following properties are considered managed areas and may have protected uses:

- **Central Crops Research Station and Clemmons Educational State Forest, both of which are state-owned managed areas along the northwestern border of the ETJ**
- **Three private conservation easements in the northeast corner of the ETJ**
- **Mountains to Sea Trail**
- **Clemmons State Forest**
- **368 acres of Town of Clayton open space and 2.41 acres of Johnston County open space**
- **Three NCDOT mitigation sites**

The ETJ also includes two natural areas: Neuse River Forest and Neuse River Aquatic Habitat.

Natural and managed areas where residents can enjoy nature are found throughout Clayton. Notably, the Neuse River and Marks Creek run through the northeastern portion of the ETJ. Little Creek runs northwest to southeast through the center of the ETJ. Whiteoak Creek runs through the westernmost portion of the ETJ. One-hundred-year floodplains are located along these major hydrography features and their tributaries. There are also 1,736 acres of wetlands scattered throughout the ETJ and a water supply watershed IV in the southeastern quadrant of ETJ.

Any improvements near the Neuse River are likely to impact multiple natural resources.

The natural areas shown in this section function as parcels of land where new roadway alignments cannot be placed without significant mitigation efforts.

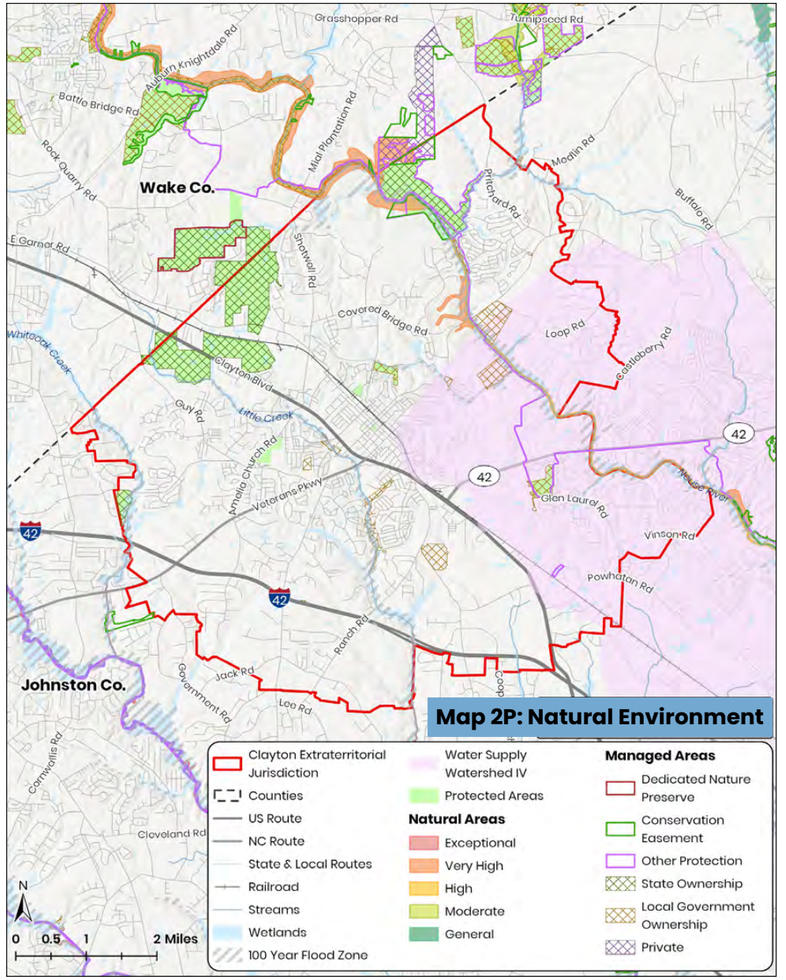
Contrarily, greenways and other non-motorized modes can be aligned through or along many of these areas. These factors were taken into consideration while developing roadway and pedestrian-bicycle recommendations during the CTP development process.



Clemmons Educational State Forest (Source: NC Forest Service)



Clayton River Walk on the Neuse, part of the Mountains to Sea Trail



Human Environment

The following community resources are within the Clayton ETJ:

- **1 Emergency Medical Services/Rescue at 317 South Robertson St.**
- **2 Fire Stations (Station 1 at 325 West Horne St. and Station 2 at 800 State Highway 42 East) and 1 future Fire Station at 143 Short Johnson Rd.**
- **1 Hospital (Johnson Health—Clayton) at 2138 Veterans Pkwy.**
- **1 Library (Hocutt Ellington Memorial Library) at 100 Church St.**
- **9 Schools (Riverwood Elementary, Riverwood Middle, Clayton Middle, Clayton High, West Clayton Elementary, Cooper Academy, Powhatan Elementary, Academy of Hope, and Southside Christian School)**
- **37 Churches**
- **29 Daycares**
- **32 Cemeteries**
- **Johnston Community College**
- **Mountains to Sea Trail**
- **Clemmons Educational State Forest** and four parks: **Municipal Park, All-Star Park, Clayton Community Park, East Clayton Community Park**

Most community resources are concentrated within downtown and southwest of downtown. Resource numbers are approximate as of October 2023.

Clemmons Educational State Forest and Clayton Community Park, are also Section 6(f) properties. Special attention should be given to these properties to avoid impacts.

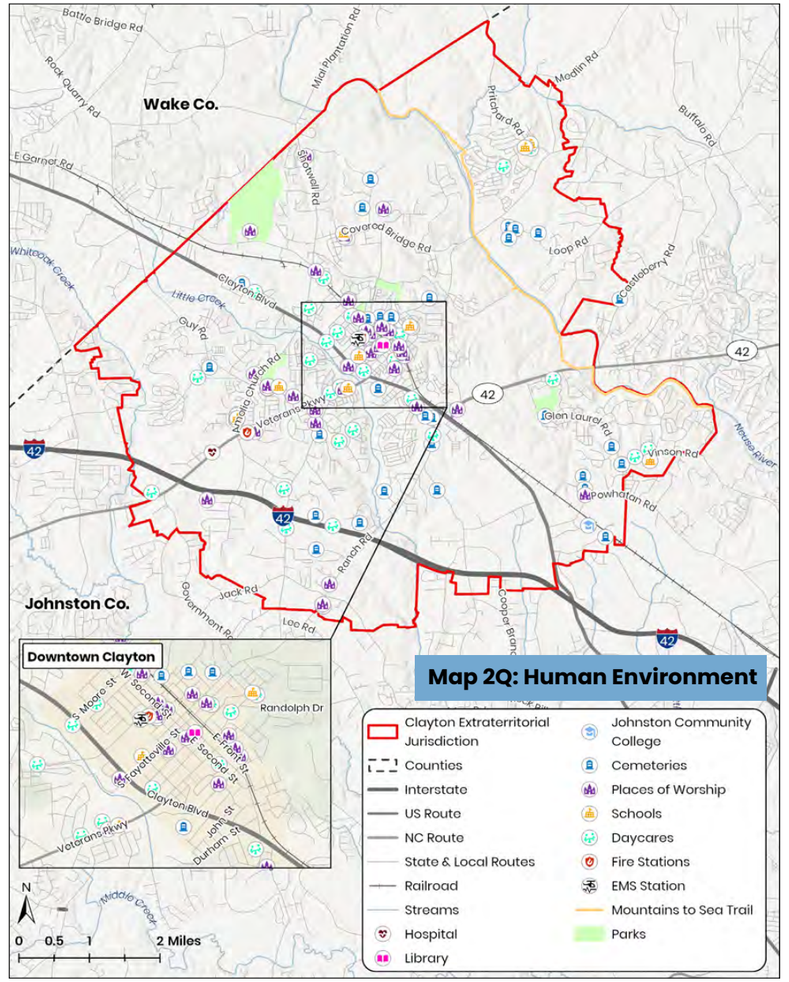
Improvements in downtown Clayton are likely to have some impact on community resources.

The points on Map 2.5B show places that serve the community and have the potential to generate ridership for transit routes. These factors were taken into consideration while developing transit recommendations during the CTP development process.





Hocutt Ellington Memorial Library



Map 2Q: Human Environment

Historic Resources

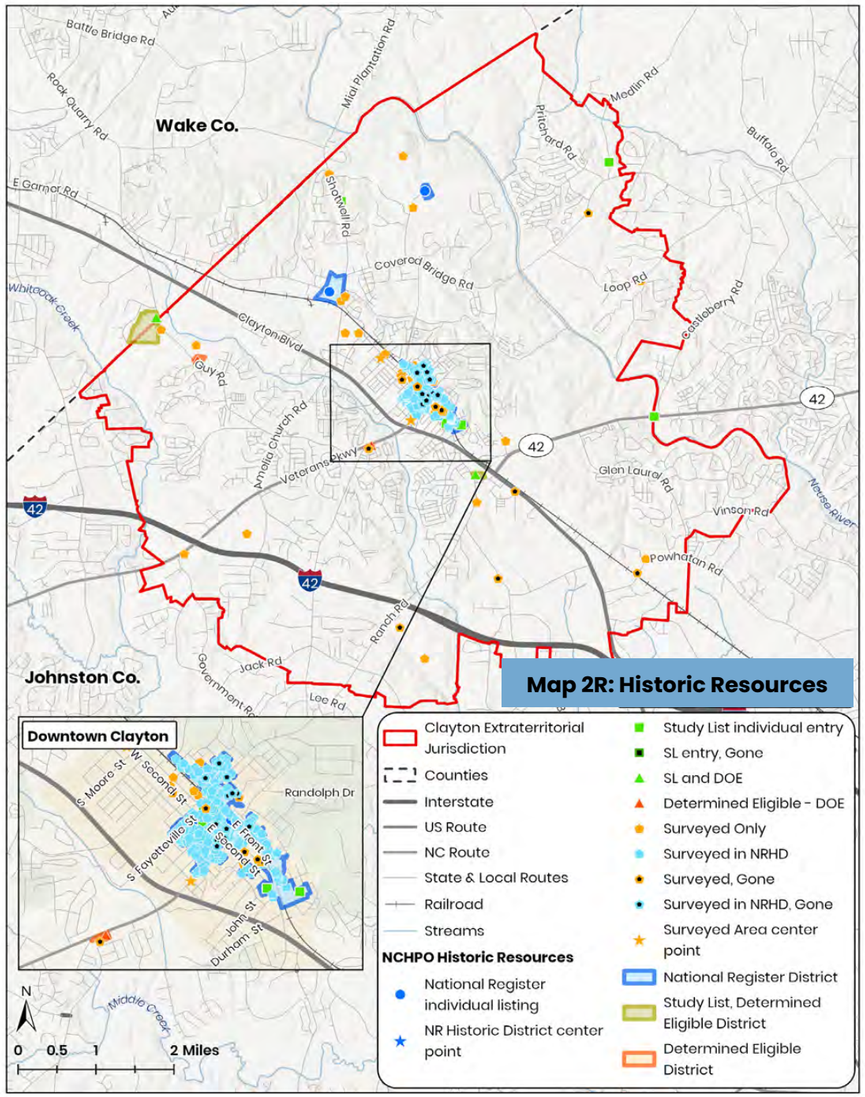
The following historic or potentially historic resources are within the Clayton ETJ:

- **Gower-Johnson House (Determined Eligible):** A c. 1870 1-story side gable frame Greek Revival/Italianate house located at 2082 Guy Rd.
- **Home of the Keeper of Records and Seals (Determined Eligible):** A 1930 1 1/2-story Tudor Revival brick house w/ stone fence located at 1101 S Lombard St.
- **Clayton Graded School & Grammar School/ Municipal Auditorium (National Register):** A 1915-1926 school located at 101-111 E. Second St.
- **Ellington-Ellis Farm (National Register):** A 19th C. farm with a 2-story frame house and outbuildings located at the north side of SR 1004, 0.2 miles west of jct. w/SR 1553
- **Stallings-Carpenter House (Bend of the River) (National Register):** A c. 1826-1865 2-story hip roof weatherboarded frame double pile Greek Revival house located at 1004 Bobbitt Rd.
- **Clayton Banking Company Building (National Register):** A 1919 Neoclassical building located at 301 E. Main St.
- **Clayton Historic District (National Register):** A 19th-early 20th C. commercial and residential district located in downtown Clayton bounded by Mulberry, W. Barnes, Mill, S. Lombard and Blanche
- **Battle-Horne-Benson House (Study List, Determined Eligible):** A 1909-1911 Tuscan house located at NE side SR 1560, 0.6 miles south of Clayton Blvd.
- **W. A. Gowers Farm (Gowers House) (Study List, Determined Eligible):** A c. 1900 2-story cross gable weatherboarded frame single pile Traditional/Vernacular house located at 4333 Guy Rd.
- **306 Surveyed Only and 9 Study List properties**

The location of historic structures will influence future transportation planning decisions. Federal, state, and local regulations around historic districts and landmarks can influence the changes that can be made to and around these properties. Historic properties are concentrated in downtown Clayton. Improvements in downtown Clayton are likely to have some impact on historic resources.

Special attention should be paid to the following locations to avoid or minimize impacts to historic properties, as these areas have the highest concentration of properties:

- Near the intersection of **Shotwell Rd.** and **East Garner Rd.;**
- At the northern terminus of **Bobbitt Rd.;**
- Near the intersection of **Guy Rd.** and **Golden Nugget Dr.;**
- Near the intersection of **Guy Rd.** and **White Oak Cir.;** and
- In **downtown Clayton,** particularly on the northeast side of the rail track and south of **Fayetteville St.**



Map 2R: Historic Resources

2.6 DEMOGRAPHICS

Demographic characteristics help provide an understanding of the transportation needs of a community, particularly for bicycle, pedestrian, and public transportation modes.

The Capital Area Metropolitan Planning Organization (CAMPO) uses U.S. Census Bureau Block Group-level data from the American Community Survey (ACS) to look for concentrations of classes protected under Title VI. These "communities of concern" (CofCs) represent where potential concentrations of protected populations exist. Planning for equitable outcomes has become an important element within transportation planning efforts and often involves historically underserved populations or CofCs.

A screening for CofCs in Clayton used socio-economic indicators from the ACS five-year estimates (2016-2020) at the Block Group level. The relevant data tables include: population below the poverty line, zero-vehicle households, seniors (age 65+), youth (age <18), and travel to work by modes other than motor vehicle. Census block groups with a greater proportion than the county average are considered indicators for CofCs, and the sum of these five categories identify areas to prioritize investment in transportation infrastructure. The communities with the highest levels of vulnerability (levels 3 and 4) are focused around the southern part of the ETJ, but there also several communities of level 2 scattered evenly throughout the ETJ.

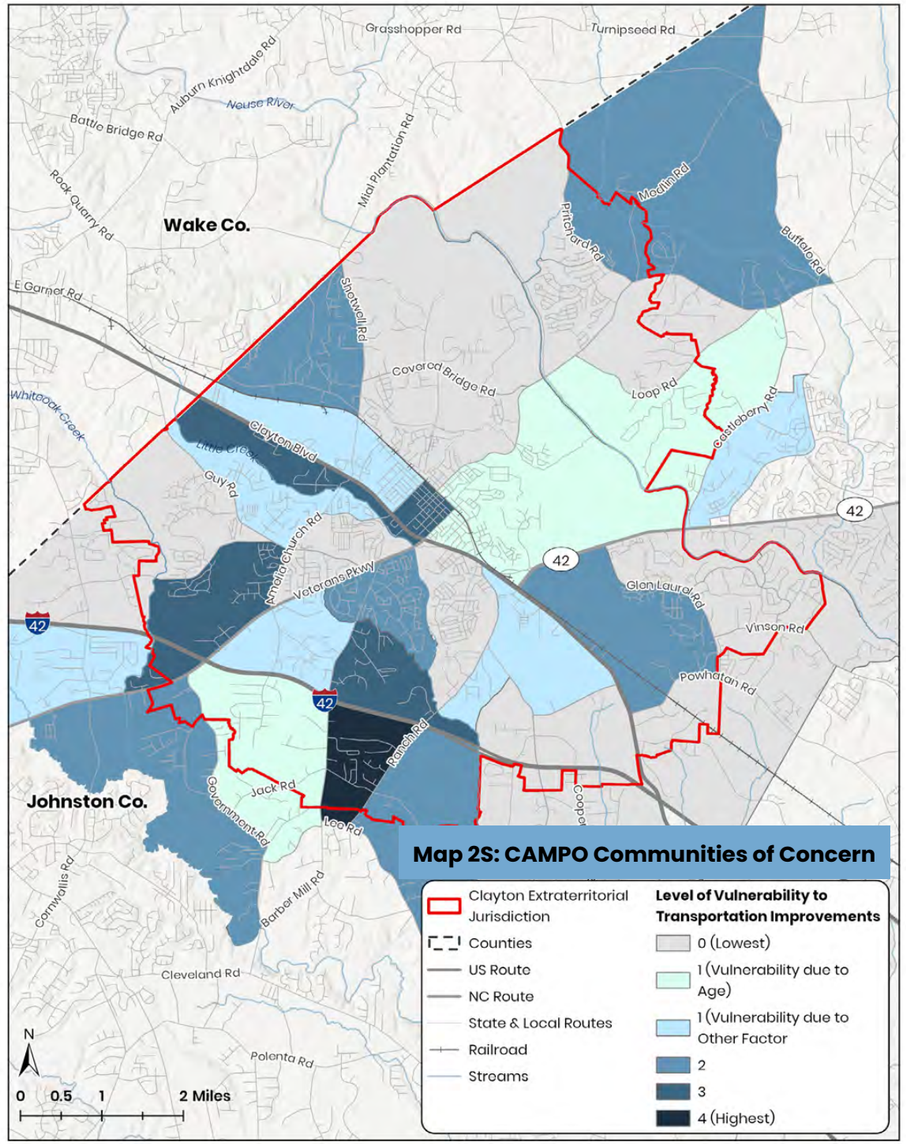
34 years is the **median age** in Clayton (39 years in NC)

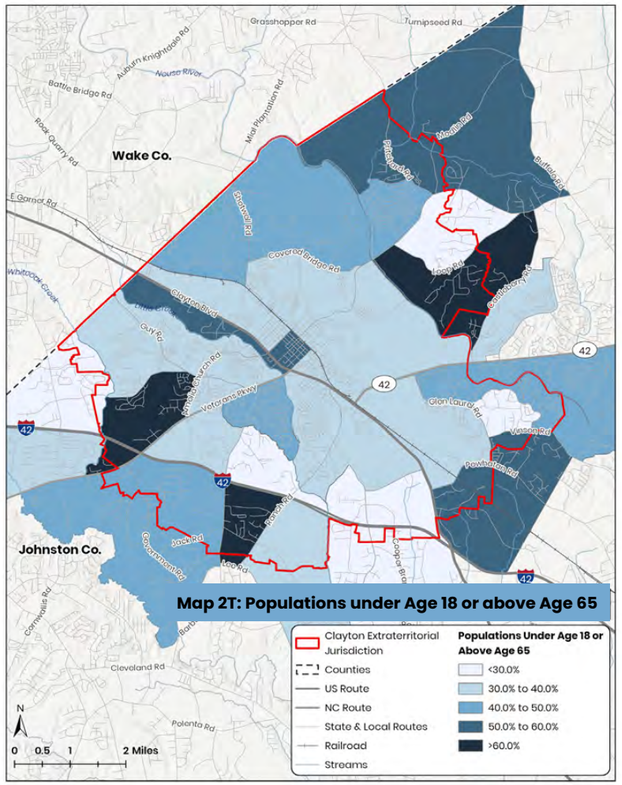
Median household income in Clayton is **$63,166** (NC median is $60,516)

7.8% of households are **below the threshold of poverty** (13.4% in NC)

1.4% (2.1% in NC) of households have **no vehicle**

18% (19% in NC) of households have **1 vehicle**

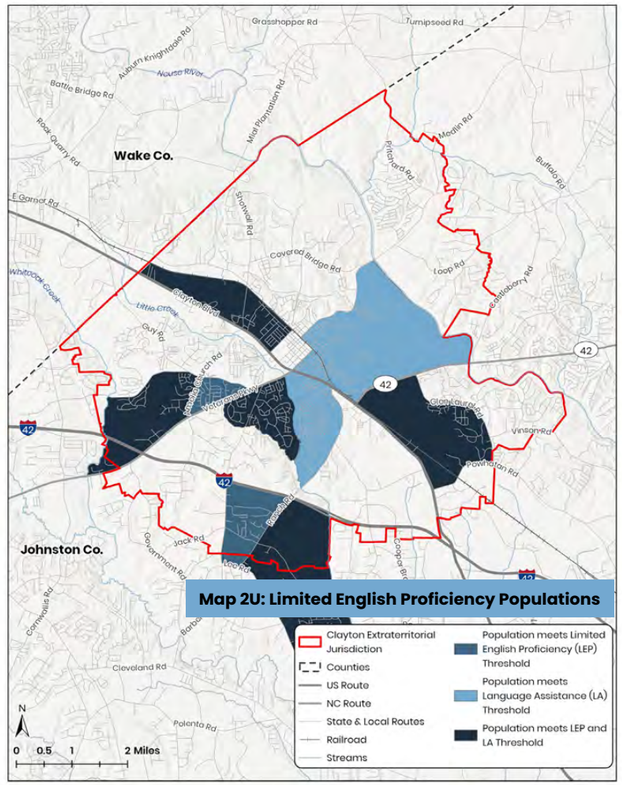




Map 2T: Populations under Age 18 or above Age 65

Populations Under Age 18 or Above Age 65

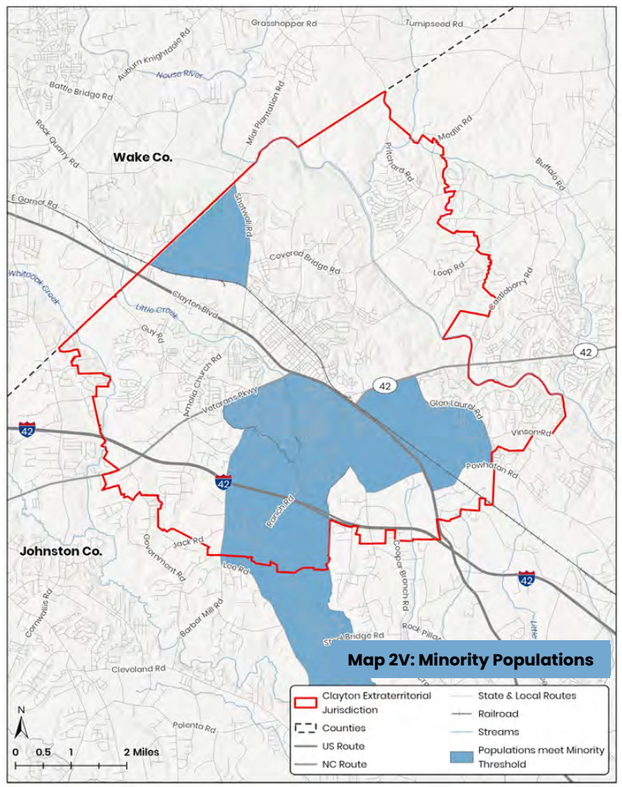
Populations in youth and senior age groups are considered transportation disadvantaged as they are less likely to be able to travel by car, due to being too young to drive or having health or sight issues that prevent them from driving. Seven of the 36 Census Tract Block Groups have 50% or more of the population under the age of 18 or over the age of 65.



Map 2U: Limited English Proficiency Populations

Limited English Proficiency Populations

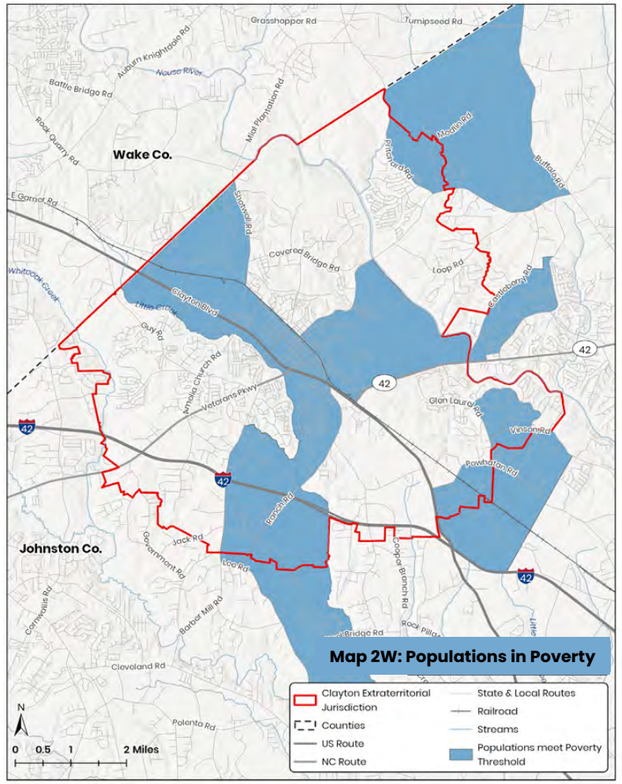
Five census tract block groups within the Clayton ETJ have populations that meet the Limited English Proficiency (LEP) and language assistance (LA) threshold. Two census tract block groups have populations that meet the LEP threshold. The federal threshold for LEP is met when a language group has at least 1,000 adults who speak English less than very well OR constitute more than 5 percent of the aggregate population. NCDOT added a stipulation that when more than 50 adults of a U.S. Census Bureau Block Group speak English less than very well, the LEP threshold has been met. When these thresholds are met, language assistance through oral interpretation and media advertising is warranted.



Map 2V: Minority Populations

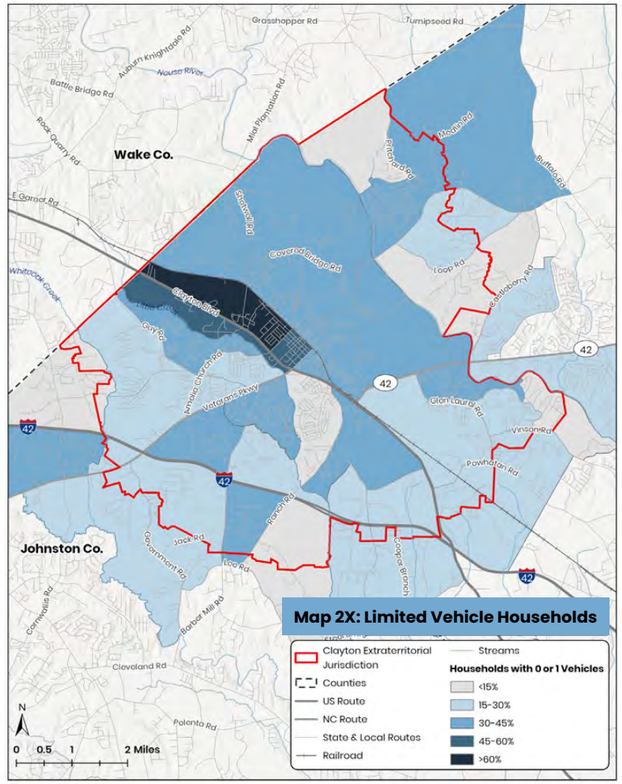
Minority Populations

Minority population thresholds are determined using NCDOT standards. A Census Tract Block Group meets the threshold for minority populations if 50% or more of the population is minority or if the minority population is at least 10% higher than the County minority average. Eight of the 36 Census Tract Block Groups meet the threshold for minority populations. The census tract block groups that meet the minority threshold are mainly in southern Clayton.



Populations in Poverty

Higher concentrations of poverty are found in Clayton along Clayton Blvd., north of NC 42 E, and the southeastern edge of the study area. Poverty guidelines are established annually by the Department of Health and Human Safety and used by NCDOT to establish poverty levels within a U.S. Census Bureau Block Group. These thresholds include any Block Group where the percentage of the population in any of the poverty categories – Below Poverty Level, Very Poor, or Near Poor equals or exceeds 25 percent of the total population of that Block Group and any Block Group where the percentage of the population in any of the poverty categories – Below Poverty Level, Very Poor, or Near Poor exceeds the county average by five percentage points or more.



Limited Vehicle Households

Limited vehicle households are defined as those with 0 or 1 vehicle. Limited vehicle households in the ETJ range from 0% to 68% in Census Tract Block Groups. The highest concentration of limited vehicle households are those in downtown and along Clayton Blvd. north of downtown.

	Clayton ETJ	Johnston County
Populations Under Age 18 or Above Age 65	13.2%	13.3%
Limited English Proficiency Populations	0.3%	0.1%
Minority Populations	32.8%	34.1%
Populations in Poverty	9.8%	8.9%
Limited Vehicle Households	28.4%	28.9%

3. Public & Stakeholder Engagement

3.1 Stakeholder Engagement 47

3.2 Public Engagement Phase 1 49

3.3 Public Engagement Phase 2 51



The CTP development process is rooted in extensive public and stakeholder involvement. Through Stakeholder Steering Committee, Core Technical Team, Town Council, Public Workshops, community pop-up events and online surveys, the CTP received broad input from public agencies, private organizations, and community members. The CTP was developed in close coordination with a range of committed stakeholder representatives, who provided strategic guidance and oversight of the planning process.

The Clayton on the Move brand was developed to reflect the plan's purpose and public participation goal of encouraging those who live and travel throughout the community to provide feedback on transportation and transit access. The branding was used on all outreach and engagement materials to provide a recognizable, cohesive look for all plan activities.

3.1 STAKEHOLDER ENGAGEMENT

This plan was steered using the inputs of two groups:

Core Technical Team (CTT)

Comprised of representatives from the Town of Clayton planning team, Johnston County planning, NCDOT Division 4 and CAMPO.

Stakeholder Steering Committee (SSC)

Comprised of the CTT members, other departments of the Town of Clayton, NCRR, Clayton Chamber of Commerce, departments of Johnston County, Johnston County Community College, Wake County Planning, planning personnel from the towns of Garner and Archer Lodge and representatives from a few faith-based and minority groups.

Eight meetings were held through the course of the plan development at key milestones. Key subjects discussed in each of these meetings are shown to the right.

CORE TECHNICAL TEAM MEETINGS

#1 – Nov. 2023
- Discussed draft vision and goals.
- Presented consolidated project recommendations from previous plans and highlighted and discussed key projects.
- Overview of environmental analysis.
- Displayed maps for current and future traffic conditions.
- Updated the team on the ongoing efforts of public engagement.
- Started the hotspot selection process.

#2 – Mar. 2024
- Discussed the feasibility of recommendations from previous plans and studies.
- Presented new roadway recommendations.
- Overview of current bicycle and pedestrian infrastructure, current recommendations, and future non-motorized demand.

#3 – Aug. 2024
- Presented Phase 2 public engagement results.
- Overview of draft roadway, bicycle and pedestrian, and transit recommendations.
- Discussed proposed changes for recommendations from previous plans and studies.
- Discussed current and future downtown parking demand.
- Presented on collector and local street policy recommendations.

2023 | **2024** | **2025**

STAKEHOLDER STEERING COMMITTEE MEETINGS

#1 - Sept. 2023
- Overview of CTP.
- Led a vision and goal-setting activity.
- Presented travel statistics.
- Conducted budgeting exercise.
- Displayed recommendations from adopted and ongoing plans.
- Led a mapping exercise to note areas of improvements.
- Presented public engagement efforts.

#2 – Feb. 2024
- Discussed demographics and environmental justice findings.
- Presented the consolidation of recommendations from previous plans and studies.
- Analyzed existing and future travel conditions.
- Presented hotspot selection findings.
- Discussed Phase 1 public engagement results.
- Started recommendations development.

#3 – May 2024
- Discussed draft roadway recommendations.
- Presented draft hotspot recommendations.
- Presented draft bicycle and pedestrian recommendations.
- Discussed transit recommendations.
- Shared Phase 2 public engagement online survey.
- Started refining recommendations.

#4 – Sept. 2024
- Presented Phase 2 public engagement results.
- Reviewed changes for recommendations from previous plans and studies.
- Discussed downtown parking recommendation.
- Discussed collector and local street policy recommendations.
- Overview of draft CTP recommendations.
- Started drafting the CTP.

#5 – Dec. 2024
- Presented draft report.
- Discussed draft recommendations for all modes.
- Collected final comments and change requests from stakeholders.

3.2 PUBLIC ENGAGEMENT PHASE 1

Clayton conducted its first phase of community engagement for the plan between October and December of 2023. The goal of this first phase was to:

- **Introduce the planning process to the public.**
- **Present the findings from initial research of existing plans and studies.**
- **Collect feedback on community priorities and goals via a robust survey and engagement campaign.**

During this phase, an online survey was used to solicit feedback from the community, and pop-up events were held to conduct meaningful outreach that met the public directly at events and near popular town destinations.

For all engagement activities, a multifaceted approach and promotional campaign was developed to reach a wide range of the plan's targeted audiences, including community members who live, work, and travel throughout the plan area. The planning team provided community members with convenient ways to access plan information, public participation opportunities, informational resources, and comment opportunities. Both print and digital promotional materials were distributed to reach residents, employees, visitors, and the broader community who may have an interest in the plan. These tools included plan branding, flyers, e-blasts, social media, press releases, and a plan-specific webpage hosted on the Town website: www.townofclaytonnc.org/CTP.

Respondents cited these priorities in addition to managing the continued growth of Clayton to maintain its small-town charm and continuing to provide high-quality recreational access.

During Phase I, pop-up events were one of the main methods for meeting with community members to introduce the plan, solicit feedback via the online survey, and engage with stakeholders to establish plan recognition throughout the Town. The purpose of this pop-up event format was to reach populations who typically do not attend public meetings. Pop-ups also helped maximize public participation within communities that have not historically participated in similar studies, by meeting people at events or locations they frequent rather than requesting them to attend a traditional public meeting. The planning team engaged with an estimated 380 community members throughout these events.

- **Harvest Festival** • *Oct. 28th*
- **Deep River Brewing Company** • *Nov. 17th*
- **Clayton River Walk on the Neuse** • *Nov. 19th*
- **Clayton Bakery & Café/NCWorks Career Center** • *Nov. 30th*
- **Annual Christmas Village and Tree Lighting** • *Nov. 30th*
- **Clayton Christmas Parade** • *Dec. 9th*

The first Clayton on the Move survey was conducted during Phase I of engagement and focused on collecting information about the type of transportation projects that should be prioritized, locations in Clayton that need specific improvements, and the community's preferences for different modes of transportation.

A total of 710 responses were collected during the engagement period. Overall, the survey data shows that the highest priorities of the community are:

- **Improving roadways by reducing traffic and increasing safety at intersections.**
- **Increasing pedestrian infrastructure and safety.**
- **Creating regional access through new roadways and transit opportunities .**





710 participants in the Phase 1 Online Survey

(Nearly double the sample size needed for the community to ensure equal representation)

TOP PRIORITIES for transportation improvements:

- **Improve roadways**
- **Improve pedestrian infrastructure**
- **Invest in public transit**
- **Improve bicycle infrastructure**
- **Move freight more efficiently**

When asked **"What do you enjoy about Clayton?"** the most popular phrases were:

"SMALL TOWN, COMMUNITY, DOWNTOWN"

Pop-Up Events

310+ Clayton residents engaged with the team at **6** events hosted during Phase 1 Engagement

Most mapped issues were roadway concerns regarding **traffic and safety,** at the following locations:

- Shotwell Rd. and Clayton Blvd.
- Clayton Blvd. at NC 42
- Clayton Blvd. from Amelia Church Rd. to Guy Rd.
- Clayton Blvd. at Lombard St.
- Clayton Blvd. at Main St.
- Main St. throughout Downtown
- O'Neil St. at Covered Bridge Rd.

51% of participants currently walk at **least once a week.**

50% are **"highly likely"** to walk more if infrastructure was increased or improved.

Participants would walk more to **recreation, shopping,** and **social** destinations.

31% of participants surveyed are **"very likely"** to take transit if options are increased or improved.

3.3 PUBLIC ENGAGEMENT PHASE 2

Between June 4 and July 26, 2024, the Town of Clayton conducted the second phase of public engagement. Draft recommendations were drafted with feedback incorporated from the first phase of public engagement. The primary goals for Phase II of engagement were to:

- **Inform the community of draft recommendations.**
- **Collect meaningful public input through a robust survey.**
- **Execute intentional engagement opportunities by targeting audiences at events and locations they already frequent.**

A formal public meeting was held during this phase to present draft recommendations and collect feedback, supplemented by an online survey and additional pop-up events. At these events, materials including display boards and handouts were used to educate the public on the draft recommendations so that they could make informed decisions on the survey regarding the recommendations and desired changes. An estimated 135 residents were engaged with during the Phase 2 public events:

- **Public Meeting at Clayton Town Hall** • *June 18*
- **Pop-up event at Downtown Clayton Concert Series at Clayton Town Square** • *June 20*
- **Pop-up event at Clayton Clovers Baseball Game** • *June 27*
- **Pop-up event Clayton Farm and Community Market** • *June 29*

The discussion at events focused on the benefits of transportation improvements, the need for draft recommendations in specific areas, and the divisive nature of U.S. 70. Participants emphasized the necessity for pedestrian infrastructure to connect communities and expressed satisfaction with draft recommendations at problematic locations. There was a strong desire for increased pedestrian and bicycle infrastructure, including crosswalks and sidewalks. Some attendees supported one-way streets downtown and limited parking on Church St., Second St., and Main St., while others opposed infrastructure development to support growth in Clayton due to traffic concerns. A few participants also raised environmental concerns regarding new development.

The survey collected feedback from 226 participants, which highlighted the community's desire for increased pedestrian infrastructure to improve safety, support for roadway improvements and the draft recommendations of the study, and overall agreement that the vision statement that was developed reflected the needs of Clayton.

Outreach Results

55% returning survey respondents

433 website views

1.36% social media engagement rate

6,505 e-blasts sent





51% of participants selected roadway improvements as **most important.**

Some **locations of concern** for roadway improvements were the following:

1. Guy Rd.
10. Glen Laurel Rd.
13. Amelia Church Rd.
24. Main St.
37. Gordon Rd./Wilson's Mills Rd.

Sidewalks and **crosswalks** tied for the most desired bicycle and pedestrian improvement.

78% of all mapping comments mentioned a need for better **connectivity** and **safety.**

31% of participants surveyed are **"likely"** or **"very likely"** to take transit if options are increased or improved.

226 participants in the Phase 2 Online Survey

TOP PRIORITIES for transportation improvements:

- **Improve roadways**
- **Improve pedestrian infrastructure**
- **Invest in public transit**
- **Improve bicycle infrastructure**

Engagement Events

135+ Clayton residents engaged with the team at

4 events hosted during Phase 2 Engagement

4. Bicycle and Pedestrian Facilities

4.1 Existing Network: Sidewalk, Multi-Use Path, Greenway, Bicycle 55

4.2 Existing and Future Non-motorized and Short-Distance Travel Demand 57

4.3 Project Recommendations 59

Multi-use Path Recommendations 59
Sidewalk Recommendations 65
Bicycle Facility Recommendations 73
Greenway Recommendations 77
Crossing Recommendations 81
MUP and Sidewalk Cross Sections 85



4.1 EXISTING NETWORK: SIDEWALK, MULTI-USE PATH, GREENWAY, BICYCLE

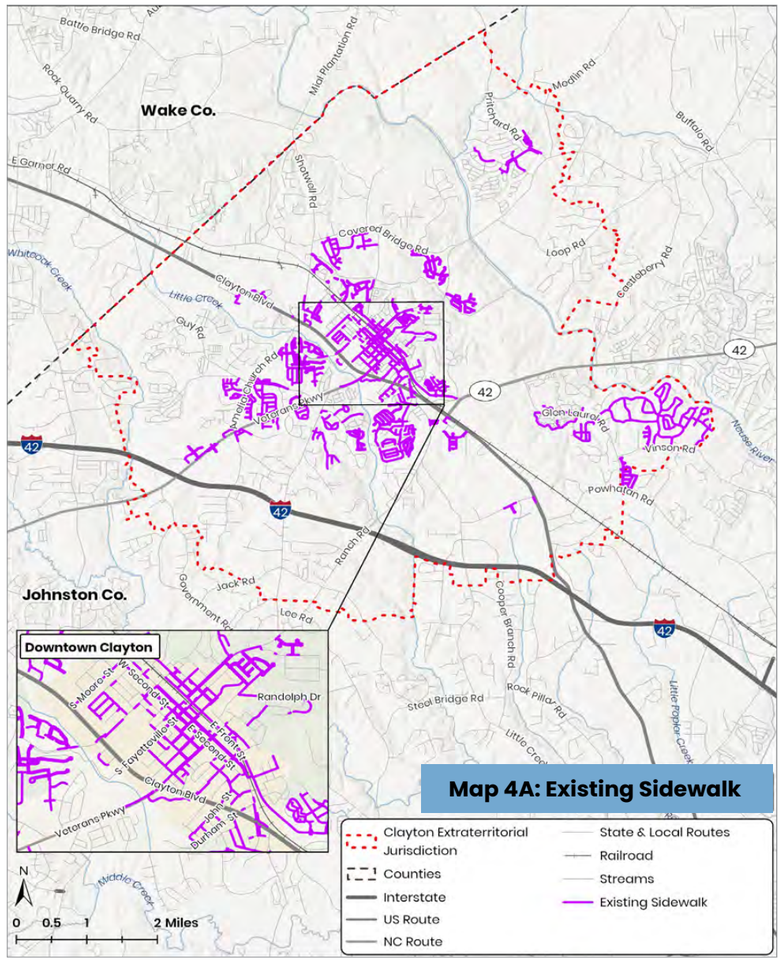
Clayton has a few pockets of well-connected streets, including those in some of Clayton's older neighborhood developments, that accommodate pedestrian travel through sidewalks. More recent suburban and commercial growth has either not accommodated pedestrian travel or has implemented sidewalks that are disconnected from the overall sidewalk network.

There are also significant physical barriers in the town that limit pedestrian and bicycle connectivity via I-42, Clayton Blvd., the railroad corridor, and Neuse River all of which run northeast to southwest roughly parallel to each other.

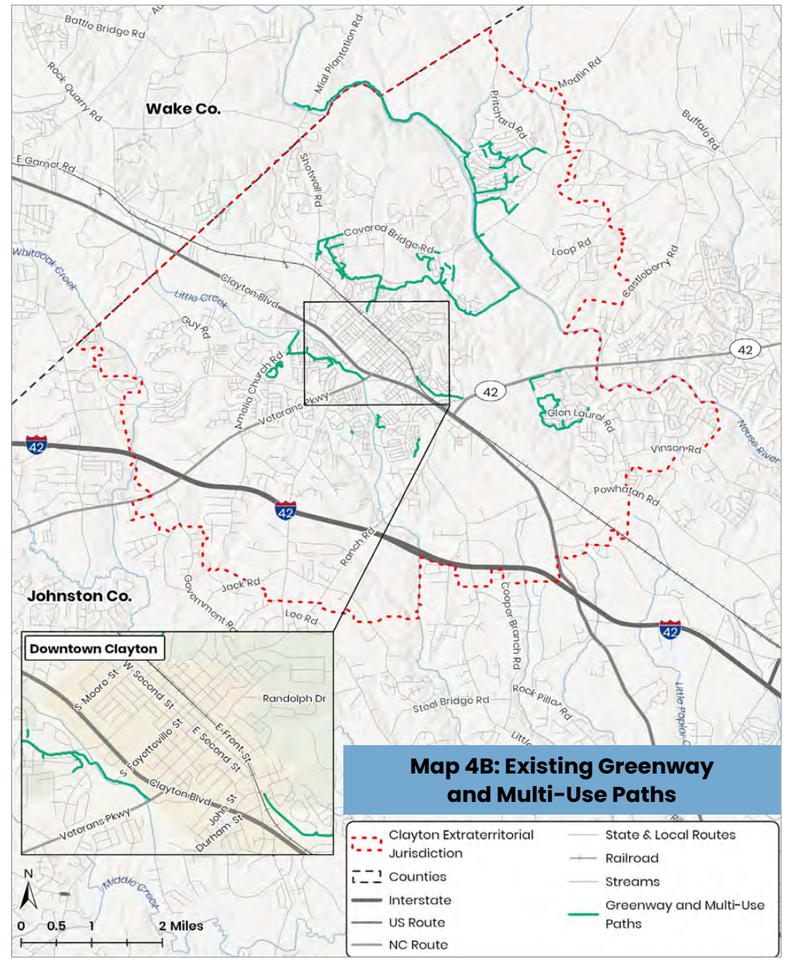
Currently there are no designated on-street bicycle facilities in Clayton. The existing greenways and multi-use paths accommodate bicyclists, but do not provide connectivity throughout Clayton. Many of the towns planned pedestrian facilities accommodate buffered or separated shared-use path facilities.

Maps 4A and **4B** show the concentration of sidewalks, greenways, and multi-use paths in downtown Clayton and neighborhoods surrounding Clayton. Sidewalks and shared-use paths are currently planned along most of Clayton's major roadways.





Map 4A: Existing Sidewalk



Map 4B: Existing Greenway and Multi-Use Paths

94 miles
Sidewalk

3 miles
Multi-Use Path

0 miles
On-Road Bicycle Lanes

21 miles
Greenway

4.2 EXISTING AND FUTURE NON-MOTORIZED AND SHORT-DISTANCE TRAVEL DEMAND

Non-Motorized Travel Demand

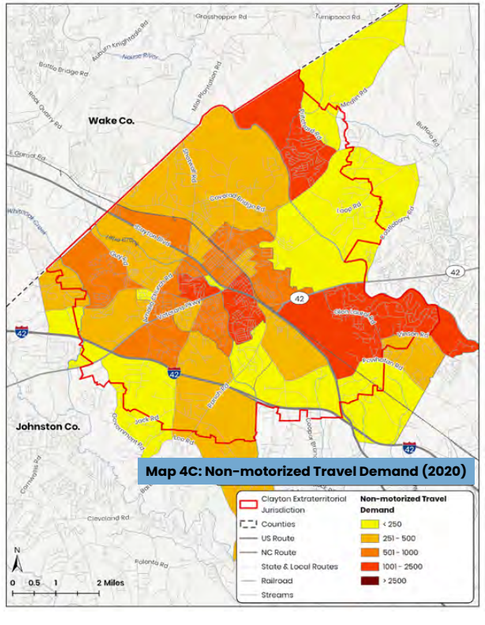
2020 Demand
~12K trips

2050 Demand
~44K trips
3.7X growth

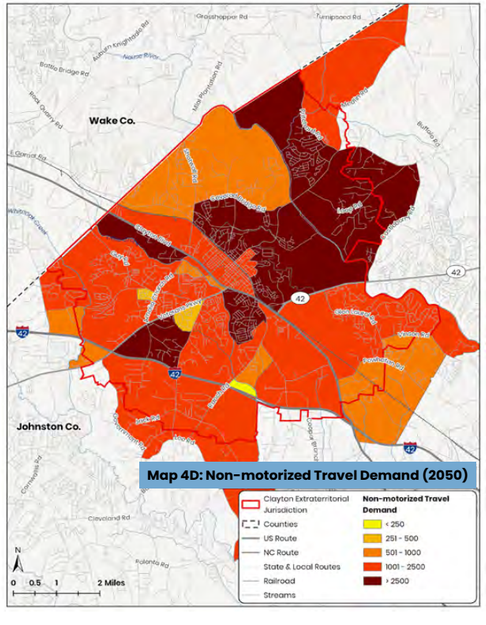
In 2020, there were approximately 0.41 non-motorized trips per socio-economic (SE) unit (= population + jobs). In 2050, this is anticipated to increase to 0.64 non-motorized trips per SE Unit.

Non-motorized travel is any mode of travel that does not use a motor or engine but is primarily composed of walking and bicycling. The projected increase in residential and population density in Clayton between 2020 and 2050 has a considerable impact on the walk-bicycle travel demand. Destinations being slightly closer on average would mean that more people can make their trips without cars if proper facilities are provided.

Maps 4C and 4D show the changes in the non-motorized travel demand between 2020 and 2050. The data was derived from the 2020 official and 2050 modified Triangle Regional Model (TRM) outputs. Non-motorized travel demand is projected to increase in all Traffic Analysis Zones (TAZs), with the TAZs just east of downtown seeing the largest increase.



Map 4C: Non-motorized Travel Demand (2020)



Map 4D: Non-motorized Travel Demand (2050)

Intrazonal Travel Demand

2020 Demand
~10K car
~6K walk

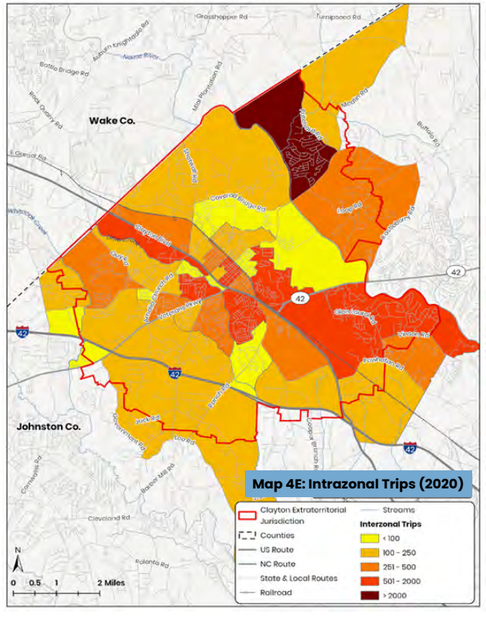
2050 Demand
~40K car
4X growth
~22K walk
3.7X growth

In 2050, ~40,000 car trips are projected to be short trips. Many of these trips can easily shift to walk-bicycle modes if proper facilities are provided.

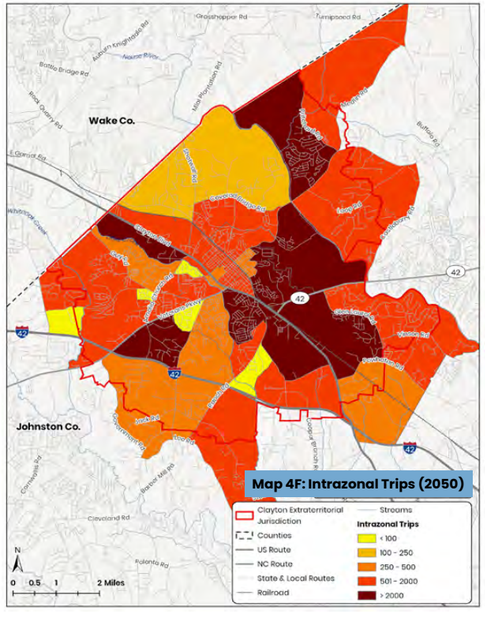
Intrazonal Trips are trips that start and end within the same TAZ. These are short trips taken within the neighborhood that don't interact with any major roads. The TRM data shows that despite these trips being very short, auto trips still form a significant portion of these trips, both in 2020 and 2050.

Maps 4E and 4F highlight that intrazonal travel is projected to increase in almost all TAZs. The areas surrounding downtown will see the largest increase in intrazonal travel demand. In 2020, there were approximately 0.28 intrazonal trips per SE unit. In 2050, this is anticipated to increase to 0.46 intrazonal trips per SE unit.

This indicates that there will be higher demand of short trips in the future which can be addressed by improving non-motorized infrastructure.



Map 4E: Intrazonal Trips (2020)



Map 4F: Intrazonal Trips (2050)

4.3 PROJECT RECOMMENDATIONS

Multi-use Path Recommendations

A multi-use path (MUP) (or shared-use path or mixed-use path) is a path alongside a roadway which is designed to accommodate the movement of pedestrians and cyclists.

Recommendations Development Process:

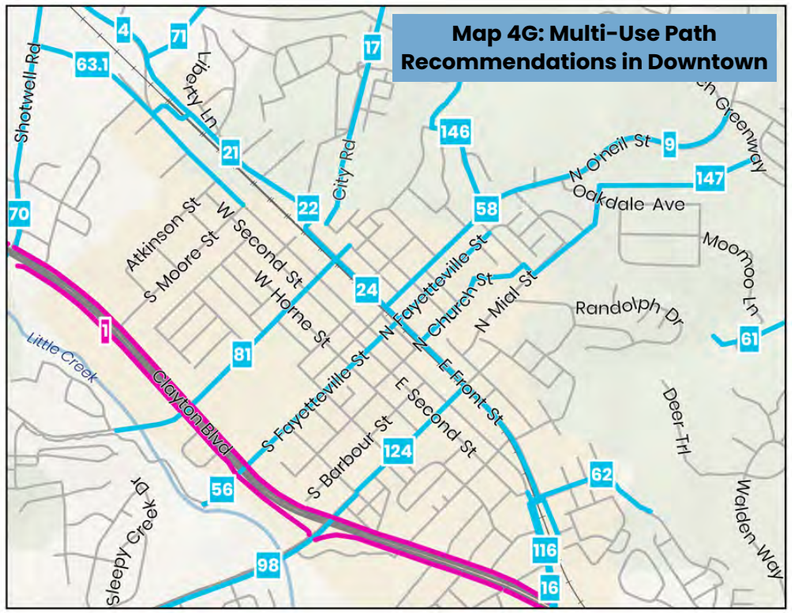
- Develop an MUP network which forms the backbone of non-motorized travel in Clayton.
- Recommend MUPs on one side of most major roads.
- The recommended standard width of the MUPs is 10' plus a 2' buffer on either side.

Through this process, MUP network will form the primary layer for all non-motorized pedestrian and bicycle movements. The gaps in this network are addressed in the subsequent sub-sections.

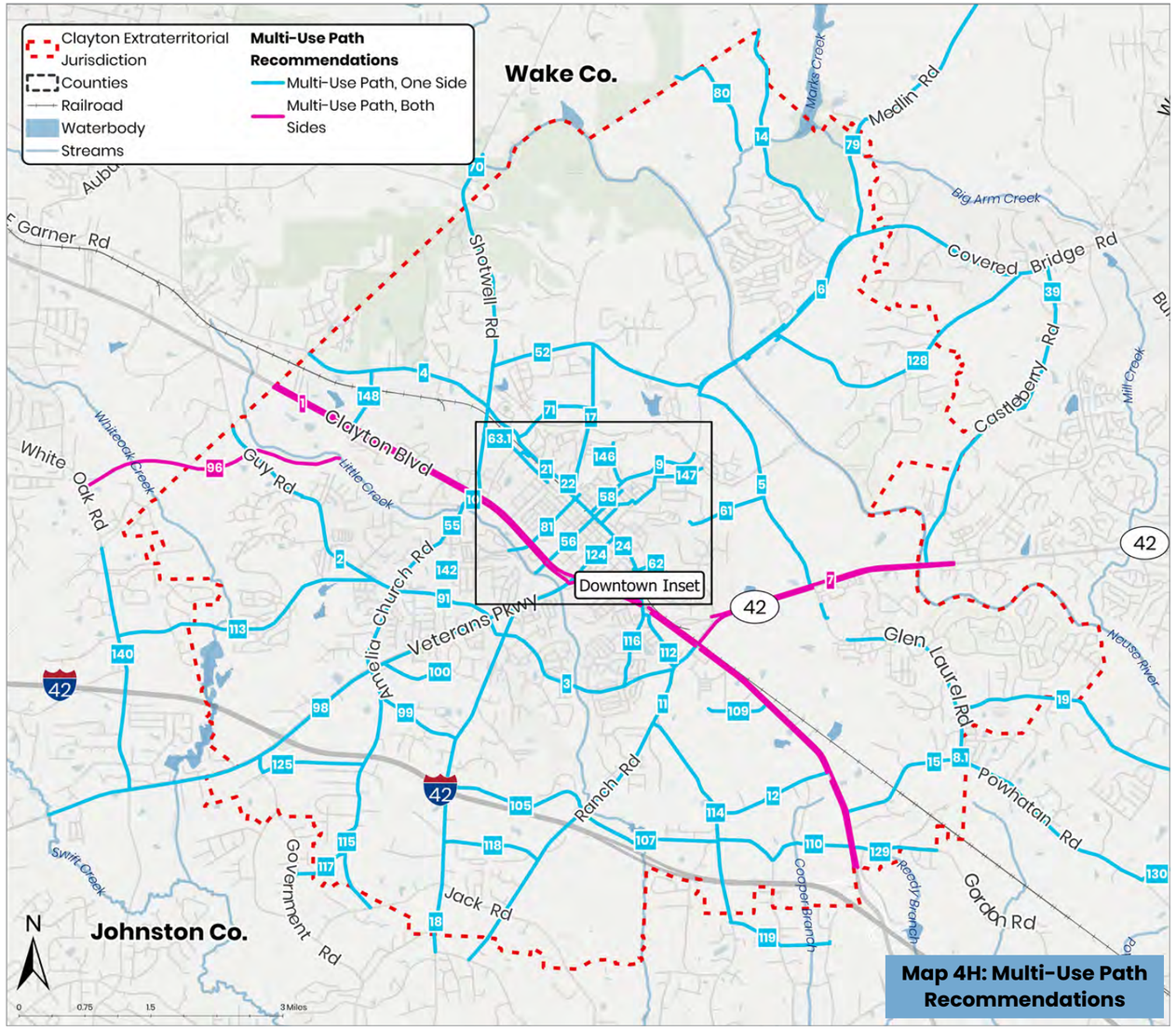
61 Multi-Use Path Network Projects

93 Miles of New Multi-Use Paths (One Side)

23 Miles of New Multi-Use Path (Both Sides)



Map 4G: Multi-Use Path Recommendations in Downtown



Map 4H: Multi-Use Path Recommendations

Table 4A: Multi-Use Path (MUP) Recommendations

Project Key	Rd. Name	From Rd.	To Rd.	Recommended Improvement	Concurrent Improvement	Plan Reference	Dist. (Mile)	Prioritization Score
1	Clayton Blvd.	Wake County Line	I-42 Interchange	Multi-Use Path on both sides		Clayton Ped Plan	13.90	12
2	Guy Rd.	Clayton Blvd.	Amelia Church Rd.	Multi-Use Path	Sidewalk	Clayton Ped Plan	2.24	7
3	South Connector	Little Creek Church Rd.	Veterans Pkwy.	Multi-Use Path	Sidewalk	Clayton Ped Plan	2.07	8
4	Old US 70	Rock Quarry Rd.	W. Main St.	Multi-Use Path	Sidewalk	MTP 2050	2.23	5
5	Northern Connector	NC 42 East	O'Neil St.	Multi-Use Path	Sidewalk	Clayton Ped Plan	2.19	8
6	Covered Bridge Rd.	Northern Connector	Buffalo Rd.	Multi-Use Path	Sidewalk	Clayton Ped Plan	4.28	9
7	NC 42 East	Clayton Blvd.	ETJ Limits	Multi-Use Path on both sides		MTP 2050	4.62	11
8.1	Glen Laurel Rd.	NC 42 East	Powhatan Rd.	Multi-Use Path		MTP 2050	2.02	7
9	O'Neil St.	W. Main St.	Northern Connector	Multi-Use Path	Sidewalk	Clayton Ped Plan	0.76	8
10	Shotwell Rd.	Amelia Church Rd.	Clayton Blvd.	Multi-Use Path	Sidewalk	MTP 2050	0.17	10
11	Ranch Rd.	Clayton Blvd.	ETJ Limits	Multi-Use Path	Sidewalk	Clayton Ped Plan	3.66	8
12	Pony Farm Rd.	Clayton Blvd.	Little Creek Church Rd.	Multi-Use Path	Sidewalk	Clayton Ped Plan	1.10	7
14	Pritchard Rd.	Athletic Club	Wake County Line	Multi-Use Path		Clayton Ped Plan	2.10	7
15	Powhatan Rd.	Glen Laurel Rd.	Southerland Rd.	Multi-Use Path	Sidewalk	SEAS	3.31	7
16	E. Main St.	Second St.	Clayton Blvd.	Multi-Use Path		STIP	0.31	11
17	City Rd.	Parkview Dr.	Cullen Ct.	Multi-Use Path	Sidewalk	MTP 2050	1.38	9
18	Barber Mill Rd.	Veterans Pkwy.	ETJ Limits	Multi-Use Path	Sidewalk	Clayton Ped Plan	3.32	8
19	Vinson Rd.	Glen Laurel Rd.	Southerland Dr.	Multi-Use Path	Sidewalk	Clayton Ped Plan	3.31	5
21	W. Stallings St.	Old US 70	McCullers Dr.	Multi-Use Path		Clayton Ped Plan	0.61	7
22	W. Stallings St.	N. King St.	New Hope Ln.	Multi-Use Path		MTP 2050	0.04	7
24	Front St.	W. Stallings St.	NC 42 East	Multi-Use Path		Clayton Ped Plan	1.25	9
39	Castleberry Rd. / Covered Bridge Rd.	NC 42 East	Covered Bridge Rd.	Multi-Use Path		MTP 2050	4.80	4
52	Covered Bridge Rd.	N. O'Neil St.	Shotwell Rd.	Multi-Use Path	Sidewalk	Clayton Ped Plan	2.03	6
55	Amelia Church Rd.	Little Creek Greenway	Veterans Pkwy.	Multi-Use Path	Sidewalk	MTP 2050	1.84	10
56	Fayetteville St.	Little Creek Greenway Trl.	E. Wilson St.	Multi-Use Path		CTP	1.11	10
58	O'Neil St.	Front St.	Georgetowne Dr.	Multi-Use Path		CTP	0.42	7
61	Smith St. Extension	Downtown Sam's Branch Greenway Connection	Northern Connector	Multi-Use Path	Sidewalk	CTP	0.74	7
62	Central St.	E. Front St.	Village Walk Dr.	Multi-Use Path		CTP	0.36	7
63.1	W Main St.	S. Moore St.	Shotwell Rd.	Multi-Use Path	Sidewalk	CTP	0.89	10
70	Shotwell Rd.	Clayton Blvd.	Neuse River Trl.	Multi-Use Path	Sidewalk	CTP	3.32	10
71	New Road 26	Old US 70	City Rd.	Multi-Use Path		CTP	0.80	7

See Section 8.1 for Prioritization Methodology.

Project Key	Rd. Name	From Rd.	To Rd.	Recommended Improvement	Concurrent Improvement	Plan Reference	Dist. (Mile)	Prioritization Score
79	Medlin Rd.	Lake Wendell Rd.	Covered Bridge Rd.	Multi-Use Path		CTP	3.17	4
80	New MUP	Marks Creek Greenway	Lake Myra Greenway	Multi-Use Path		CTP	1.16	7
81	S Robertson St.	W. Stallings St.	Kenmore Dr.	Multi-Use Path	Sidewalk	CTP	0.86	11
91	Guy Rd.	Amelia Church Rd.	Veterans Pkwy.	Multi-Use Path	Sidewalk	CTP	0.95	10
96	White Oak-Guy Rd. Connector	NC 540	Little Creek Greenway	Multi-Use Path on both sides		CTP	4.89	6
98	Veterans Pkwy.	Hamby St.	Swift Creek	Multi-Use Path	Sidewalk	CTP	5.54	12
99	Amelia Church Rd.	Veterans Pkwy.	Barber Mill Rd.	Multi-Use Path	Sidewalk	CTP	1.08	7
100	Short Johnson Rd.	Veterans Pkwy.	New Greenway 46	Multi-Use Path	Sidewalk	CTP	0.61	7
105	New Road 39	Barber Mill Rd.	Ranch Rd.	Multi-Use Path	Sidewalk	CTP	1.45	6
107	Peele Rd Extn. (New Road 41)	Ranch Rd.	Little Creek Church Rd.	Multi-Use Path	Sidewalk	CTP	1.33	6
109	New Road 46	Little Creek Greenway Connector	Clayton Blvd.	Multi-Use Path	Sidewalk	CTP	0.57	8
110	Peele Rd. and Gordon Rd. Extn. (New Road 43)	Little Creek Church Rd.	Clayton Blvd.	Multi-Use Path	Sidewalk	CTP	1.36	8
112	Boling St.	Champion St.	Little Creek Church Rd.	Multi-Use Path	Sidewalk	CTP	0.60	7
113	Winston Rd.	Cornwallis Rd.	Guy Rd.	Multi-Use Path	Sidewalk	CTP	2.57	7
114	Little Creek Church Rd.	Ranch Rd.	Wilson Jones Rd.	Multi-Use Path	Sidewalk	CTP	2.09	7
115	Corbett Rd.	Jack Rd.	Amelia Church Rd.	Multi-Use Path	Sidewalk	CTP	2.18	7
116	Champion St.	Central St.	S. Connector Blvd	Multi-Use Path	Sidewalk	CTP	1.14	11
117	New Road 37	Government Rd.	Corbett Rd. Extn. (New Road 36)	Multi-Use Path	Sidewalk	CTP	0.52	4
118	Twin Acres Rd.	Barber Mill Rd.	Ranch Rd.	Multi-Use Path	Sidewalk	CTP	0.91	6
119	Wilson Jones Rd.	Little Creek Church Rd.	Cole Rd.	Multi-Use Path	Sidewalk	CTP	0.99	4
124	S. Lombard St.	Hamby St.	E. Front St.	Multi-Use Path		CTP	0.43	8
125	New Road 35 and Government Rd.	Veterans Pkwy.	Corbett Rd.	Multi-Use Path	Sidewalk	CTP	1.11	5
128	Loop Rd.	Covered Bridge Rd.	Covered Bridge Rd.	Multi-Use Path		CTP	2.91	5
129	Gordon Rd.	Clayton Blvd.	0.2 mi. east of Slateford Dr.	Multi-Use Path		CTP	0.78	7
130	Southerland Rd.	Powhatan Rd.	Fire Department Rd.	Multi-Use Path	Sidewalk	Town Input	1.46	4
140	Cornwallis Rd.	White Oak Rd.	Veterans Pkwy.	Multi-Use Path		Town Input	2.32	5
142	Proposed MUP	Clayton Park Trl.	Garrison Ave	Multi-Use Path		Town Input	0.26	7
146	Georgetowne Dr. / Gordon St. / Lake Dr.	N. O'Neil St.	Greenway	Multi-Use Path	Sidewalk	Town Input	0.49	7
147	N. Church St. / Mial St.	Front St.	Sam's Branch Greenway	Multi-Use Path		2024 CPRMP	1.20	6
148	West Gateway North	Clayton Blvd.	Garner Rd.	Multi-Use Path		2024 CPRMP	0.55	6

See Section 8.1 for Prioritization Methodology.

Sidewalk Recommendations

Sidewalks are the most fundamental pieces of pedestrian infrastructure. While sidewalks exist on some roads in Downtown and in the new developments, they do not form a coherent network that would allow someone to safely use them for significant distances.

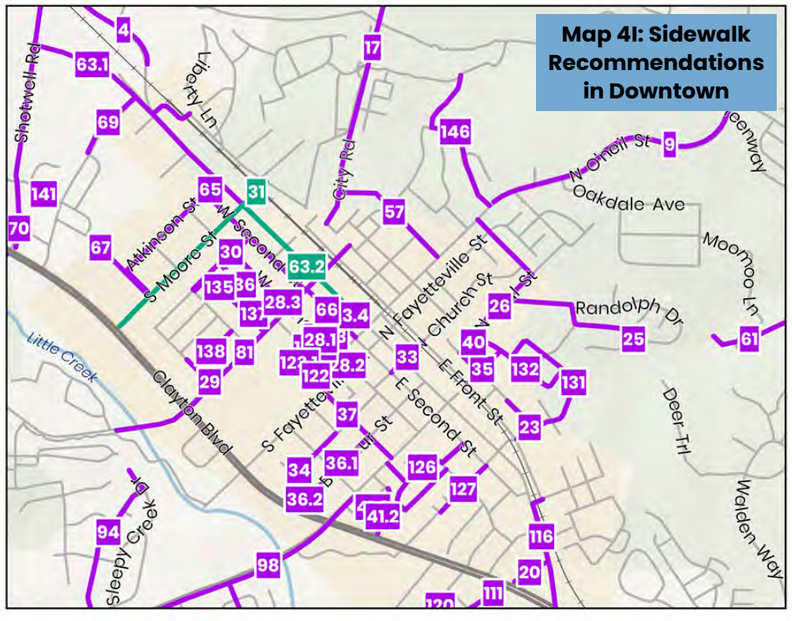
Recommendations Development Process:

- Identify gaps in the downtown sidewalk network and provide recommendations to fill those gaps.
- Recommend sidewalks on the opposite side of the roads which have MUPs on one side to extend the sidewalk network beyond downtown Clayton.
- The recommended standard width of the sidewalks is 6'.
- Require sidewalks in new developments.

88 Projects
Sidewalk Network

80 Miles
New Sidewalks, One Side

5 Miles
New Sidewalks, Both Sides



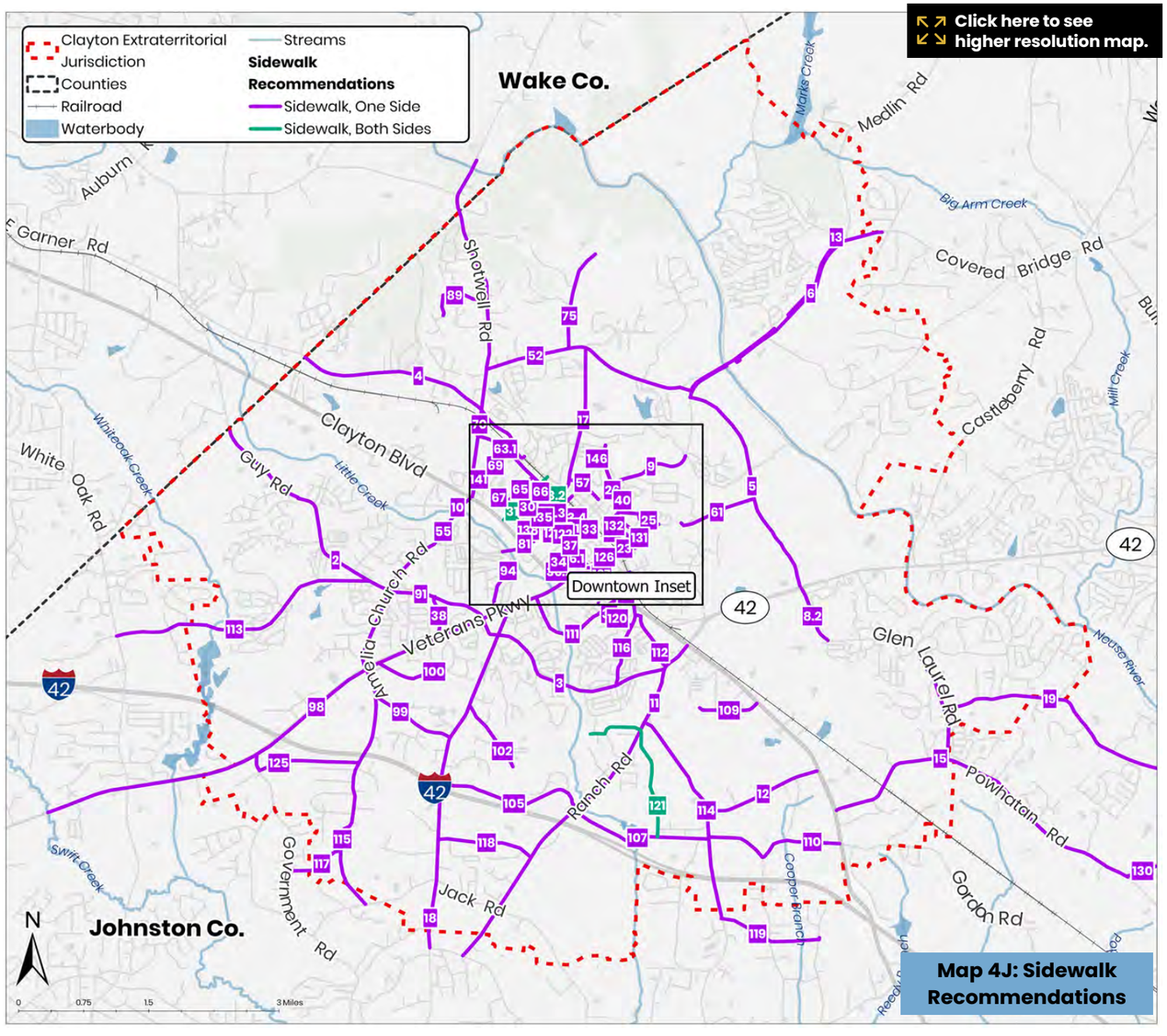


Table 4B: Sidewalk Recommendations

Project Key	Road Name	From Road	To Road	Recommended Improvement	Concurrent Improvement	Plan Reference	Dist. (Mile)	Prioritization Score
2	Guy Rd.	Clayton Blvd.	Amelia Church Rd.	Sidewalk	Multi-Use Path	Clayton Ped	2.24	7
3	South Connector	Little Creek Church Rd.	Veterans Pkwy.	Sidewalk	Multi-Use Path	Clayton Ped	2.07	8
4	Old US 70	Rock Quarry Rd.	W. Main St.	Sidewalk	Multi-Use Path	MTP 2050	2.23	5
5	Northern Connector	NC 42 East	O'Neil St.	Sidewalk	Multi-Use Path	Clayton Ped	2.19	8
6	Covered Bridge Rd.	Northern Connector	Buffalo Rd.	Sidewalk	Multi-Use Path	Clayton Ped	4.28	9
8.2	Glen Laurel Rd.	NC 42 East	Powhatan Rd.	Sidewalk		CTP	1.60	7
9	O'Neil St.	W. Main St.	Northern Connector	Sidewalk	Multi-Use Path	Clayton Ped	0.76	8
10	Shotwell Rd.	Amelia Church Rd.	Clayton Blvd.	Sidewalk	Multi-Use Path	MTP 2050	0.17	10
11	Ranch Rd.	Clayton Blvd.	ETJ Limits	Sidewalk	Multi-Use Path	Clayton Ped	3.66	8
12	Pony Farm Rd.	Clayton Blvd.	Little Creek Church Rd.	Sidewalk	Multi-Use Path	Clayton Ped	1.10	7
13	Pritchard Rd.	Covered Bridge Rd.	Riverwood Middle School	Sidewalk		Clayton Ped	0.11	5
15	Powhatan Rd.	Glen Laurel Rd.	Southerland Rd.	Sidewalk	Multi-Use Path	SEAS	3.31	7
17	City Rd.	Parkview Dr.	Cullen Ct.	Sidewalk	Multi-Use Path	MTP 2050	1.38	9
18	Barber Mill Rd.	Veterans Pkwy.	ETJ Limits	Sidewalk	Multi-Use Path	Clayton Ped	3.32	8
19	Vinson Rd.	Glen Laurel Rd.	Southerland Dr.	Sidewalk	Multi-Use Path	Clayton Ped	3.31	5
20	Durham St.	I-42	E. Main St.	Sidewalk		Clayton Ped	0.10	9
23	E. Stallings St.	N. Mial St.	N. Smith St.	Sidewalk		MTP 2050	0.19	7
25	Camel St.	Randolph Dr.	Randolph Dr.	Sidewalk		Clayton Ped	0.44	8
26	N. Mial St.	E. Stallings St.	Camel St.	Sidewalk		MTP 2050	0.25	7
28.1	W. Horne St.	Robertson St.	S. O'Neil St.	Sidewalk	On-Road Bicycle Route	Clayton Ped	0.12	8
28.2	W. Horne St.	Fayetteville St.	S. O'Neil St.	Sidewalk	On-Road Bicycle Route	CTP	0.03	8
28.3	W. Horne St.	S. Ellington St.	S. Robertson St.	Sidewalk	On-Road Bicycle Route	CTP	0.21	8
29	Carter St.	West Brook Ln.	Robertson St.	Sidewalk		Clayton Ped	0.10	8
30	Charles St.	W. Second St.	Brook St.	Sidewalk		Clayton Ped	0.37	8
31	S. Moore St.	W. Main St.	Clayton Blvd.	Sidewalks on both sides		Clayton Ped	1.17	10
32	Pond St.	Damon St.	Black Oak Ct.	Sidewalk		CTP	0.13	7
33	S. Church St.	E. Front St.	E. 2nd St.	Sidewalk	On-Road Bicycle Route	Clayton Ped	0.13	9
34	Page St.	Blanche St.	Hamby St.	Sidewalk	On-Road Bicycle Route	Clayton Ped	0.18	8
35	Lombard St.	Hinton St.	E. Front St.	Sidewalk	On-Road Bicycle Route	MTP 2050	0.13	7
36.1	Barbour St.	Blanche St.	Hamby St.	Sidewalk	On-Road Bicycle Route	CTP	0.14	8

See Section 8.1 for Prioritization Methodology.

Project Key	Road Name	From Road	To Road	Recommended Improvement	Concurrent Improvement	Plan Reference	Dist. (Mile)	Prioritization Score
36.2	Barbour St.	Hamby St.	Clayton Blvd.	Sidewalk	On-Road Bicycle Route	Clayton Ped	0.12	9
37	W. Blanche St.	S. O'Neil St.	S. Lombard St.	Sidewalk	On-Road Bicycle Route	MTP 2050	0.31	8
38	Laurel Ridge Rd.	Guy Rd.	Veterans Pkwy.	Sidewalk	On-Road Bicycle Route	MTP 2050	0.39	7
40	E. Wilson St.	N O'Neil St.	N. Mial St.	Sidewalk	On-Road Bicycle Route	MTP 2050	0.64	8
41.2	Starling St.	Clayton Blvd.	Fisher St.	Sidewalk	On-Road Bicycle Route	CTP	0.13	9
41.3	Hamby St.	Fisher St.	Starling St.	Sidewalk	On-Road Bicycle Route	CTP	0.04	8
52	Covered Bridge Rd.	N. O'Neil St.	Shotwell Rd.	Sidewalk	Multi-Use Path	Clayton Ped	2.03	6
55	Amelia Church Rd.	Little Creek Greenway	Veterans Pkwy.	Sidewalk	Multi-Use Path	MTP 2050	1.84	10
57	Barnes St.	N. O'Neil St.	City Rd.	Sidewalk	On-Road Bicycle Route	CTP	0.35	8
61	Smith St. Extension	Downtown Sam's Branch Greenway Connection	Northern Connector	Sidewalk	Multi-Use Path	CTP	0.74	7
63.1	W. Main St.	S. Moore St.	Shotwell Rd.	Sidewalk	Multi-Use Path	CTP	0.89	10
63.2	W. Main St.	S. Moore St.	S. O'Neil St.	Sidewalks on both sides		CTP	0.99	10
65	Atkinson St.	W. Main St.	S. Moore St.	Sidewalk	On-Road Bicycle Route	CTP	0.46	8
66	W. 2nd St.	Atkinson St.	S. O'Neil St.	Sidewalk	On-Road Bicycle Route	CTP	0.59	9
67	Atkinson St.	Blakely St.	S. Moore St.	Sidewalk	On-Road Bicycle Route	CTP	0.21	8
69	Summit Ave.	Liam St.	W. Main St.	Sidewalk	On-Road Bicycle Route	CTP	0.21	8
70	Shotwell Rd.	Clayton Blvd.	Neuse River Trl.	Sidewalk	Multi-Use Path	CTP	3.32	10
75	Bobbit Rd.	Bobbit Rd. Terminus	Covered Bridge Rd.	Sidewalk	On-Road Bicycle Route	CTP	0.97	4
81	S. Robertson St.	W. Stallings St.	Kenmore Dr.	Sidewalk	Multi-Use Path	CTP	0.86	11
89	Forest Dr.	Clemmons SF Greenway Connector	Shotwell Rd.	Sidewalk		CTP	0.61	4
91	Guy Rd.	Amelia Church Rd.	Veterans Pkwy.	Sidewalk	Multi-Use Path	CTP	0.95	10
94	Cricket Hollow Run	Little Creek Greenway	Veterans Pkwy.	Sidewalk	On-Road Bicycle Route	CTP	0.52	7
98	Veterans Pkwy.	Hamby St.	Swift Creek	Sidewalk	Multi-Use Path	CTP	5.54	12
99	Amelia Church Rd.	Veterans Pkwy.	Barber Mill Rd.	Sidewalk	Multi-Use Path	CTP	1.08	7
100	Short Johnson Rd.	Veterans Pkwy.	New Greenway 46	Sidewalk	Multi-Use Path	CTP	0.61	7
102	Country Ln.	Barber Mill Rd.	Country Ln. Extn. (New Road 40)	Sidewalk		CTP	0.72	5
105	New Road 39	Barber Mill Rd.	Ranch Rd.	Sidewalk	Multi-Use Path	CTP	1.45	6
107	Peele Rd Extn. (New Road 41)	Ranch Rd.	Little Creek Church Rd.	Sidewalk	Multi-Use Path	CTP	1.33	6
109	New Road 46	Little Creek Greenway Connector	Clayton Blvd.	Sidewalk	Multi-Use Path	CTP	0.57	8
110	Peele Rd. and Gordon Rd. Extn. (New Road 43)	Little Creek Church Rd.	Clayton Blvd.	Sidewalk	Multi-Use Path	CTP	1.36	8
111	Durham St. - New Road	Clayton Blvd.	S. Lombard St.	Sidewalk	On-Road Bicycle Route	CTP	1.09	9

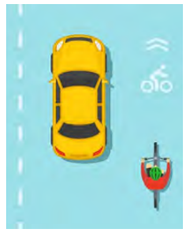
See Section 8.1 for Prioritization Methodology.

Project Key	Road Name	From Road	To Road	Recommended Improvement	Concurrent Improvement	Plan Reference	Dist. (Mile)	Prioritization Score
112	Boling St.	Champion St.	Little Creek Church Rd.	Sidewalk	Multi-Use Path	CTP	0.60	7
113	Winston Rd.	Cornwallis Rd.	Guy Rd.	Sidewalk	Multi-Use Path	CTP	2.57	7
114	Little Creek Church Rd.	Ranch Rd.	Wilson Jones Rd.	Sidewalk	Multi-Use Path	CTP	2.09	7
115	Corbett Rd.	Jack Rd.	Amelia Church Rd.	Sidewalk	Multi-Use Path	CTP	2.18	7
116	Champion St.	Central St.	S. Connector Blvd	Sidewalk	Multi-Use Path	CTP	1.14	11
117	New Road 37	Government Rd.	Corbett Rd. Extn. (New Road 36)	Sidewalk	Multi-Use Path	CTP	0.52	4
118	Twin Acres Rd.	Barber Mill Rd.	Ranch Rd.	Sidewalk	Multi-Use Path	CTP	0.91	6
119	Wilson Jones Rd.	Little Creek Church Rd.	Cole Rd.	Sidewalk	Multi-Use Path	CTP	0.99	4
120	Pond St., Damon St., Joyner St.	John St.	Champion St.	Sidewalk		CTP	0.43	7
121	Crooked Creek Rd.	Little Creek Greenway Southern Segment (New Greenway 47)	Peele Rd. Extn. (New Road 41)	Sidewalks on both sides		CTP	3.16	8
122	S. O'Neil St.	W. Blanche St.	W. Horne St.	Sidewalk	On-Road Bicycle Route	CTP	0.10	8
123.1	S. Ellington St.	W. Blanche St.	S. Ohara Dr.	Sidewalk	On-Road Bicycle Route	CTP	0.08	6
123.2	S. Ellington St.	S. Ohara Dr.	W. Horne St.	Sidewalk	On-Road Bicycle Route	CTP	0.03	8
123.3	S. Ellington St.	W. Horne St.	S. Ellington St.	Sidewalk	On-Road Bicycle Route	CTP	0.02	8
123.4	S. Ellington St.	W. 2nd St.	W. Main St.	Sidewalk	On-Road Bicycle Route	CTP	0.04	8
125	New Road 35 and Government Rd.	Veterans Pkwy.	Corbett Rd.	Sidewalk	Multi-Use Path	CTP	1.11	5
126	Canady St., Johnson Dr., Hardee St.	Lombard St.	E. 2nd St.	Sidewalk		CTP	0.53	8
127	S. Smith St.	Oak St.	E. 2nd St.	Sidewalk	On-Road Bicycle Route	CTP	0.18	8
130	Southerland Rd.	Powhatan Rd.	Fire Department Rd.	Sidewalk	Multi-Use Path	Town Input	1.46	4
131	West St. / Washington St. / N. Smith St.	E. Hinton St.	E. Front St.	Sidewalk		Town Input	0.50	8
132	E. Hinton St. / Wall St.	E. Hinton St.	Washington St.	Sidewalk		Town Input	0.29	8
135	Willow Dr.	Charles St.	S. Robertson St.	Sidewalk		Town Input	0.22	8
136	Park Dr.	Charles St.	Virginia St.	Sidewalk		Town Input	0.16	8
137	Virginia St.	Willow Dr.	W. Horne St.	Sidewalk		Town Input	0.09	8
138	Mitchell St.	Carter St.	Brook St.	Sidewalk		Town Input	0.14	8
141	Cameron Way	Mechanical Dr.	N. Enterprise Dr.	Sidewalk		Town Input	0.07	7
146	Georgetowne Dr. / Gordon St. / Lake Dr.	N. O'Neil St.	Greenway	Sidewalk	Multi-Use Path	Town Input	0.49	7

See Section 8.1 for Prioritization Methodology.

Bicycle Facility Recommendations

Bicycle facilities are limited to "sharrows" for this plan. This is because bicycle infrastructure was a lower priority than sidewalks or transit for the residents of Clayton. Moreover, these projects are only recommended as a measure to **address the needs not catered by the MUPs.**



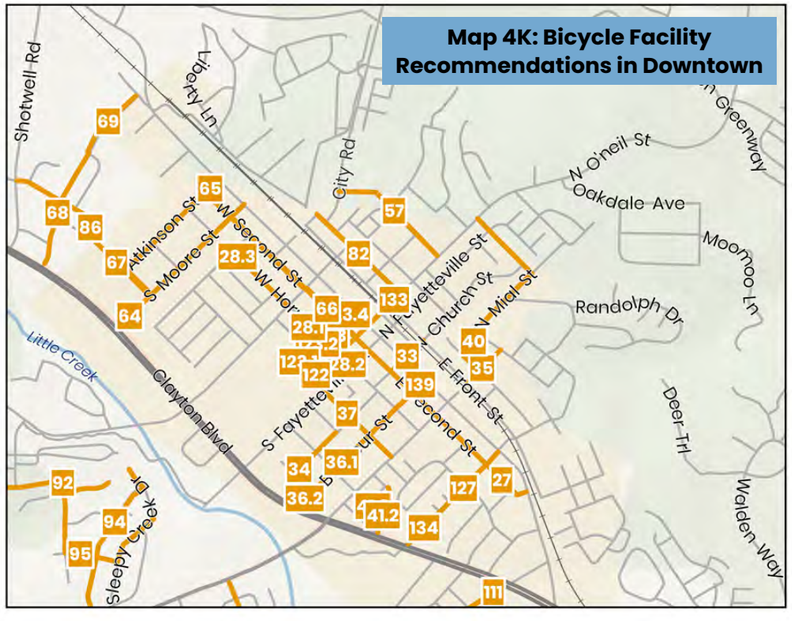
Recommendations Development Process:

- Identify short gaps in the MUP network.
- Identify low speed (25 mph or less) and low daily traffic volume (5000 or less) roadways which can fill the gaps in the MUP network.
- Recommend implementing "sharrows" on the identified roads.

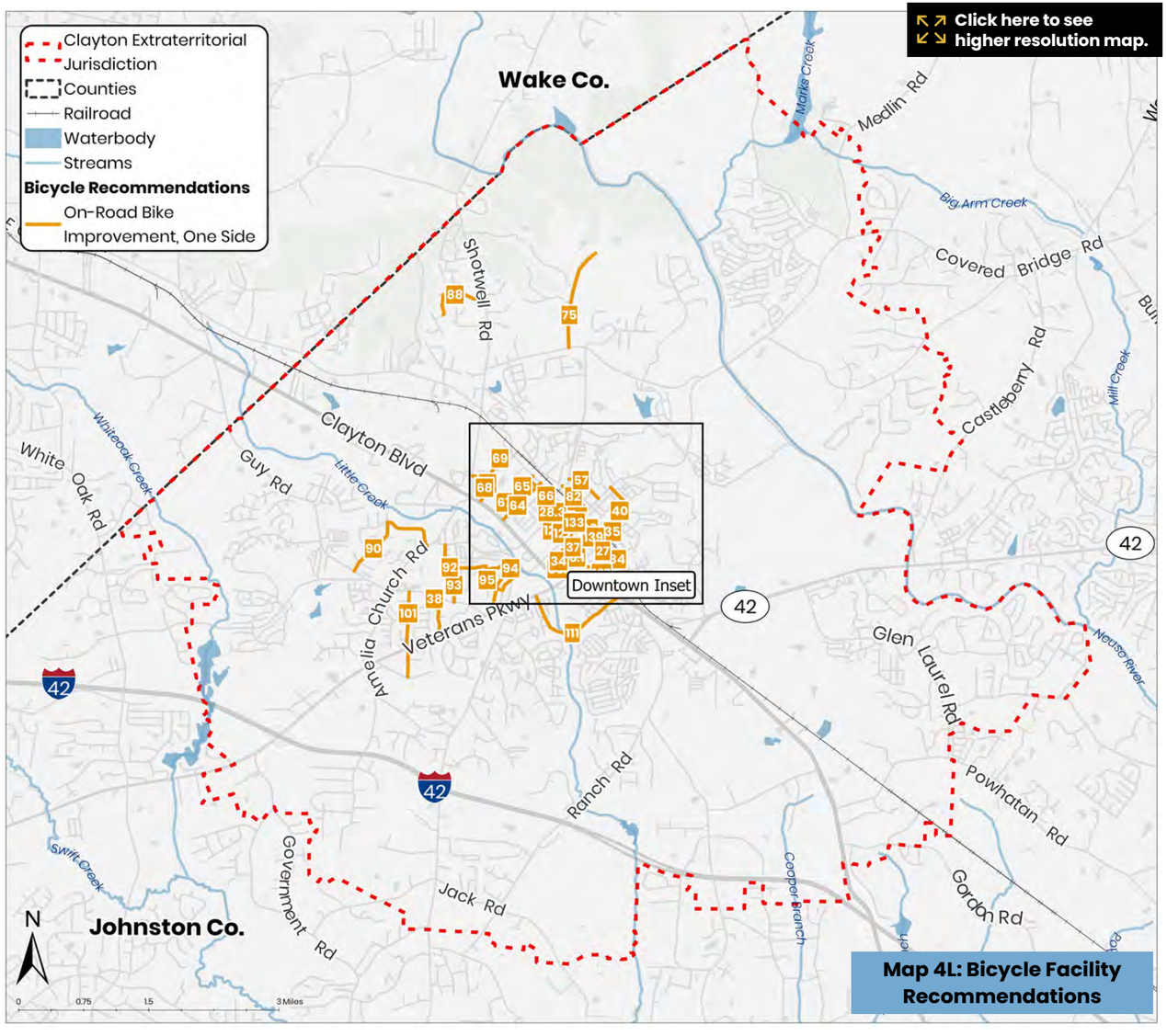
Sharrows are shared lane markings that may be utilized on low traffic roads without the need for construction or lane modifications. They signal to drivers to stay alert and be cautious of bicyclists.

41 Locations
Recommended for Implementing Sharrows

15 Miles
Of Roadway Segments



Map 4K: Bicycle Facility Recommendations in Downtown



Click here to see higher resolution map.

Map 4L: Bicycle Facility Recommendations

Table 4C: Bicycle Facility Recommendations

Project Key	Road Name	From Road	To Road	Recommended Improvement	Plan Reference	Dist. (Mile)	Priortization Score
27	E. Second St.	S. Moore St.	E. Main St.	On-Road Bicycle Route	MTP 2050	1.16	10
28.1	W. Horne St.	Robertson St.	S. O'Neil St.	On-Road Bicycle Route	Clayton Ped	0.12	8
28.2	W. Horne St.	Fayetteville St.	S. O'Neil St.	On-Road Bicycle Route	CTP	0.03	8
28.3	W. Horne St.	S. Ellington St.	S. Robertson St.	On-Road Bicycle Route	CTP	0.21	8
33	S. Church St.	E. Front St.	E. 2nd St.	On-Road Bicycle Route	Clayton Ped	0.13	9
34	Page St.	Blanche St.	Hamby St.	On-Road Bicycle Route	Clayton Ped	0.18	8
35	Lombard St.	Hinton St.	E. Front St.	On-Road Bicycle Route	MTP 2050	0.13	7
36.1	Barbour St.	Blanche St.	Hamby St.	On-Road Bicycle Route	CTP	0.14	8
36.2	Barbour St.	Hamby St.	Clayton Blvd.	On-Road Bicycle Route	Clayton Ped	0.12	9
37	W. Blanche St.	S. O'Neil St.	S. Lombard St.	On-Road Bicycle Route	MTP 2050	0.31	8
38	Laurel Ridge Rd.	Guy Rd.	Veterans Pkwy.	On-Road Bicycle Route	MTP 2050	0.39	7
40	E. Wilson St.	N O'Neil St.	N. Mial St.	On-Road Bicycle Route	MTP 2050	0.64	8
41.2	Starling St.	Clayton Blvd.	Fisher St.	On-Road Bicycle Route	CTP	0.13	9
41.3	Hamby St.	Fisher St.	Starling St.	On-Road Bicycle Route	CTP	0.04	8
57	Barnes St.	N. O'Neil St.	City Rd.	On-Road Bicycle Route	CTP	0.35	8
64	S. Moore St.	I-42	W Main St.	On-Road Bicycle Route	CTP	0.49	10
65	Atkinson St.	W. Main St.	S. Moore St.	On-Road Bicycle Route	CTP	0.46	8
66	W. 2nd St.	Atkinson St.	S. O'Neil St.	On-Road Bicycle Route	CTP	0.59	9
67	Atkinson St.	Blakely St.	S. Moore St.	On-Road Bicycle Route	CTP	0.21	8
68	Enterprise Dr.	Clayton Blvd.	Liam St.	On-Road Bicycle Route	CTP	0.34	8
69	Summit Ave.	Liam St.	W. Main St.	On-Road Bicycle Route	CTP	0.21	8
75	Bobbit Rd.	Bobbit Rd. Terminus	Covered Bridge Rd.	On-Road Bicycle Route	CTP	0.97	4
82	W. Stallings St.	N. O'Neil St.	W. Front St.	On-Road Bicycle Route	CTP	0.32	8
86	Cameron Way	Shotwell Rd.	Blakley St.	On-Road Bicycle Route	CTP	0.32	7
88	Forest Dr.	Clemmons SF Greenway Connector	Shotwell Rd.	On-Road Bicycle Route	CTP	0.61	4
90	Creekview Dr. / Ridge Dr.	Guy Rd.	Amelia Church Rd.	On-Road Bicycle Route	CTP	1.09	4
92	Garrison Ave.	Amelia Church Rd.	Hocutt Dr.	On-Road Bicycle Route	CTP	0.75	7
93	Brandon Dr.	Garrison Ave.	Guy Rd.	On-Road Bicycle Route	CTP	0.33	7
94	Cricket Hollow Run	Little Creek Greenway	Veterans Pkwy.	On-Road Bicycle Route	CTP	0.52	7
95	Hocutt Dr. / Timothy Ridge / Sleepy Creek Dr.	E. Lumber Ct.	New Greenway 143	On-Road Bicycle Route	CTP	0.48	7
101	Pinecroft Dr.	Guy Rd.	Veterans Pkwy.	On-Road Bicycle Route	CTP	0.81	8
111	Durham St. - New Road	Clayton Blvd.	S. Lombard St.	On-Road Bicycle Route	CTP	1.09	9
122	S. O'Neil St.	W. Blanche St.	W. Horne St.	On-Road Bicycle Route	CTP	0.10	8
123.1	S. Ellington St.	W. Blanche St.	S. Ohara Dr.	On-Road Bicycle Route	CTP	0.08	6
123.2	S. Ellington St.	S. Ohara Dr	W Horne St.	On-Road Bicycle Route	CTP	0.03	8
123.3	S. Ellington St.	W. Horne St.	S. Ellington St.	On-Road Bicycle Route	CTP	0.02	8
123.4	S. Ellington St.	W. 2nd St.	W. Main St.	On-Road Bicycle Route	CTP	0.04	8
127	S. Smith St.	Oak St.	E. 2nd St.	On-Road Bicycle Route	CTP	0.18	8
133	S. O'Neil St.	W. Stallings St.	W. Blanche St.	On-Road Bicycle Route	Town Input	0.35	10
134	S. Smith St.	Clayton Blvd.	Oak St.	On-Road Bicycle Route	Town Input	0.17	9
139	Barbour St.	E. Blanche St.	E. Main St.	On-Road Bicycle Route	Town Input	0.22	8

See Section 8.1 for Prioritization Methodology.

Greenway Recommendations

Greenways are a paved surface that may run along streams, through utility corridors, or parks. Greenways may also run along short sections of public roadways but are typically constructed as stand-alone projects. Greenways are public improvements and should be considered as such during plan review of developments.

Recommendations Development Process:

- Develop a greenway network that enhances connectivity separate from the roadway and MUP network.
- Recommend greenways along major streams and providing connectivity to adjacent neighborhoods.
- The recommended standard width of a greenway is 12' plus a 2' buffer on either side.
- Partner with utility agencies to develop greenway corridors.

34 Projects
Greenway Network

60 Miles
New Greenways

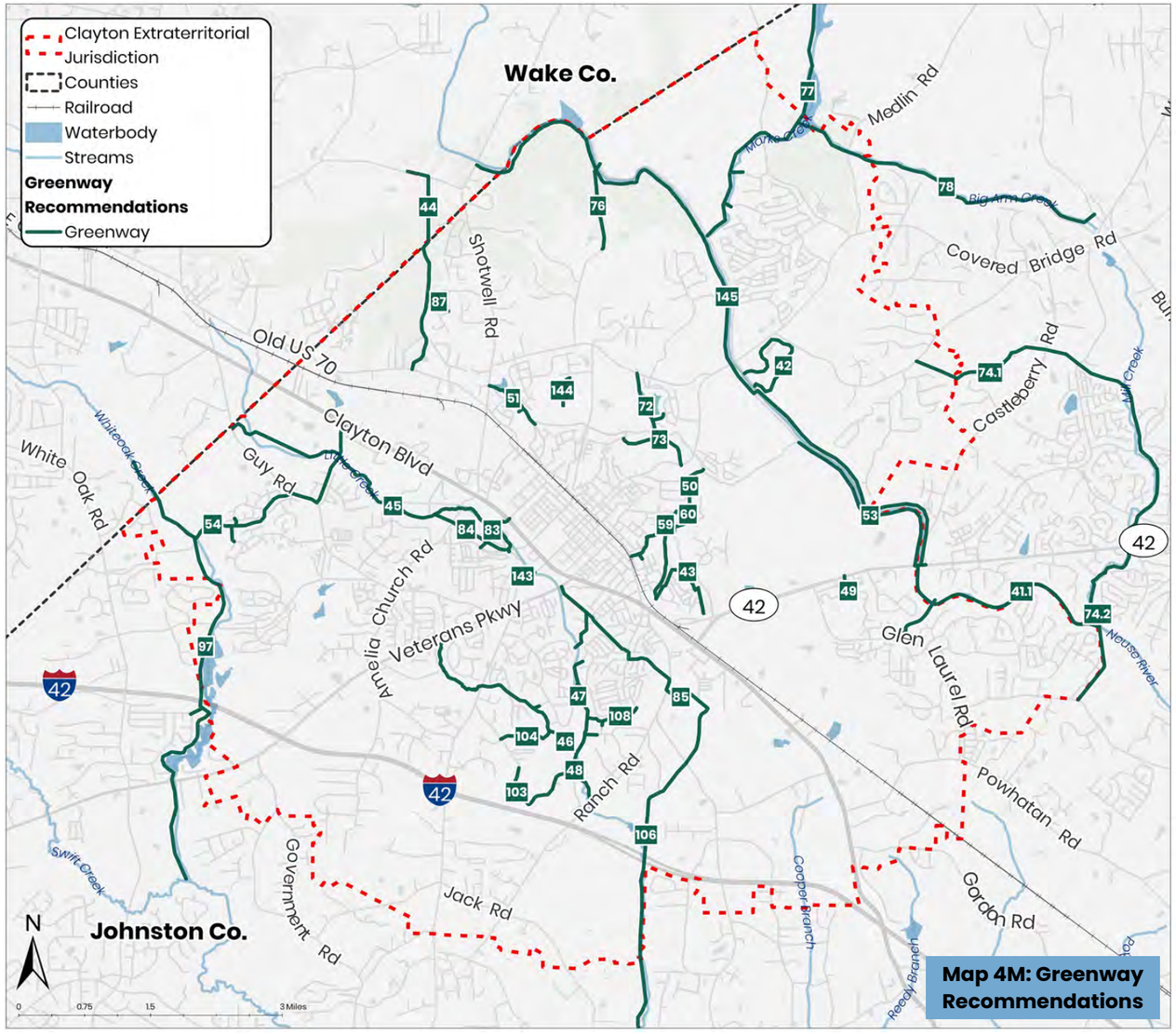
Key Recommendations to Enhance Greenway Connectivity

Neuse River Greenway: The existing greenway runs along one side of the Neuse River from Wake County to Sam's Branch Greenway. This plan recommends constructing a greenway along the opposite side of the Neuse River throughout this section and constructing greenway on both sides of the Neuse River south of Sam's Branch Greenway (Strategy 8.3.6B).

Sam's Branch Greenway: The existing greenway runs along one side of Sam's Branch. This plan recommends adding 3 new greenway connections along Sam's Branch Greenway to connect to nearby neighborhoods.

White Oak Greenway: This plan recommends adding a new greenway along White Oak Creek from Wake County to Swift Creek with connections to nearby neighborhoods and Little Creek.

Little Creek Greenway: This plan recommends adding a new greenway along Little Creek from Wake County to Swift Creek with connections to Clayton Blvd. and nearby neighborhoods.



Map 4M: Greenway Recommendations

Table 4D: Greenway Recommendations

Project Key	Road Name	From Road	To Road	Recommended improvement	Plan Reference	Dist. (Mile)	Prioritization Score
41.1	MST (East sgmt.)	Summerlyn Greenway	NC 42 East	Greenway	MTP 2050	2.79	4
42	North Clayton Community Park Trail	Clayton River Walk on the Neuse	Clayton River Walk on the Neuse	Greenway	MTP 2050	1.42	4
43	East Village Greenway	E. Front St.	Ben Branch Loop	Greenway	MTP 2050	0.94	8
44	Clemmons SF Greenway South	Old US Highway 70	Old Baucom Rd.	Greenway	MTP 2050	2.12	4
45	Little Creek Greenway Western Segment	Clayton Blvd.	Amelia Church Rd.	Greenway	MTP 2050	3.58	10
46	Proposed Greenway	Veterans Pkwy.	Little Creek	Greenway	MTP 2050	2.01	7
47	Little Creek Greenway Southern Segment	S. Lombard St.	Proposed Greenway	Greenway	MTP 2050	1.83	8
48	Proposed Greenway	Ranch Rd.	Proposed Greenway 47	Greenway	MTP 2050	0.61	7
49	Greenway NC 42 Mixed Use Dev.	NC 42 East	East Clayton Community Park Trail	Greenway	MTP 2050	0.17	7
50	Downtown Sam's Branch Greenway Connection	Sam's Branch Greenway	E. Front St.	Greenway	MTP 2050	2.04	7
51	Sam's Branch Greenway Phase 3	City Rd.	Covered Bridge Rd	Greenway	MTP 2050	0.63	6
53	MST	Sams Branch Greenway	NC 42	Greenway	MTP 2050	1.98	7
54	White Oak Creek Greenway	Little Creek Greenway	White Oak-Guy Rd. Connector	Greenway	MTP 2050	3.02	6
59	DSBG Connector 1	Randolph Dr.	Downtown Sam's Branch Greenway Connection	Greenway	CTP	0.07	7
60	DSBG Connector 2	Randolph Dr.	Downtown Sam's Branch Greenway Connection	Greenway	CTP	0.14	7
72	New Greenway	Covered Bridge Rd.	Proposed Greenway 73	Greenway	CTP	0.78	6
73	Proposed Greenway	Sam's Branch Greenway	O'Neil St.	Greenway	CTP	0.72	7
74.1	Mill Creek Greenway	Loop Rd.	NC 42	Greenway	CTP	3.86	4
74.2	Mill Creek Greenway	NC 42	Vinson Rd.	Greenway	CTP	1.82	4
76	Bobbit Rd.	Neuse River Greenway	Bobbit Rd. Terminus	Greenway	CTP	0.83	4
77	Marks Creek Greenway	Neuse River Greenway	Lake Myra Greenway	Greenway	CTP	3.70	5
78	Arms Creek Greenway	Marks Creek Greenway	Archer Lodge Rd.	Greenway	CTP	3.10	4
83	Commercial Connector 2	Kenmore Dr.	Clayton Blvd.	Greenway	CTP	0.41	8
84	Little Creek Greenway Spur	Fernwood Dr.	Amelia Church Rd.	Greenway	CTP	0.73	8
85	Little Creek Greenway Connector	Little Creek Greenway Southern Segment	Little Creek Church Rd.	Greenway	CTP	2.22	8
87	Clemmons SF Greenway Connector	Clemmons SF Greenway South	Ridge Ct.	Greenway	CTP	0.26	4
97	White Oak Creek Greenway	Pecan Ln.	Swift Creek Greenway	Greenway	CTP	3.89	5
103	Proposed Greenway	Country Ln.	Canyon Rd.	Greenway	CTP	0.94	6
104	Country Ln. Greenway	County Rd.	Canyon Rd.	Greenway	CTP	0.50	5
106	Little Creek Greenway	Little Creek Church Rd.	Swift Creek	Greenway	CTP	4.52	6
108	Little Creek Greenway Connector	Little Creek Greenway	Pamlico Dr. Greenway	Greenway	CTP	0.54	7
143	Proposed Greenway	Sleepy Creek Dr.	West Clayton Elementary School	Greenway	Town Input	0.25	7
144	Proposed Greenway	Parkdale Ln.	New Road 26	Greenway	Town Input	0.29	6
145	Neuse River Greenway	Mial Plantation Rd.	NC 42	Greenway	Town Input	7.33	7

See Section 8.1 for Prioritization Methodology.

Crossing Recommendations

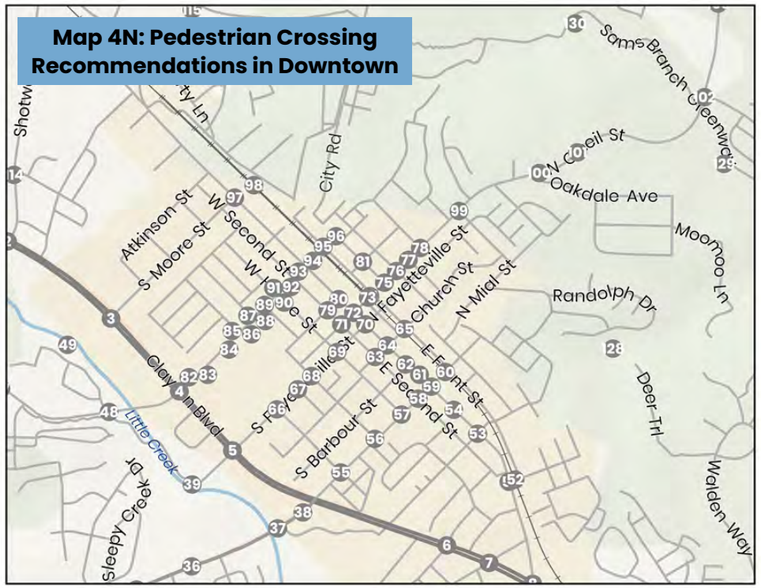
Crossing improvements are designed to allow pedestrians and cyclists to safely cross the roads and intersections. Additionally, they alert drivers to the potential of pedestrians in the area and encourage slower speeds. Roadway crossings also provide better access to destinations by reducing the distance that pedestrians need to travel to destinations. Crossing improvements may include crosswalks, midblock crossings, and pedestrian crossing signals.

Recommendations Development Process:

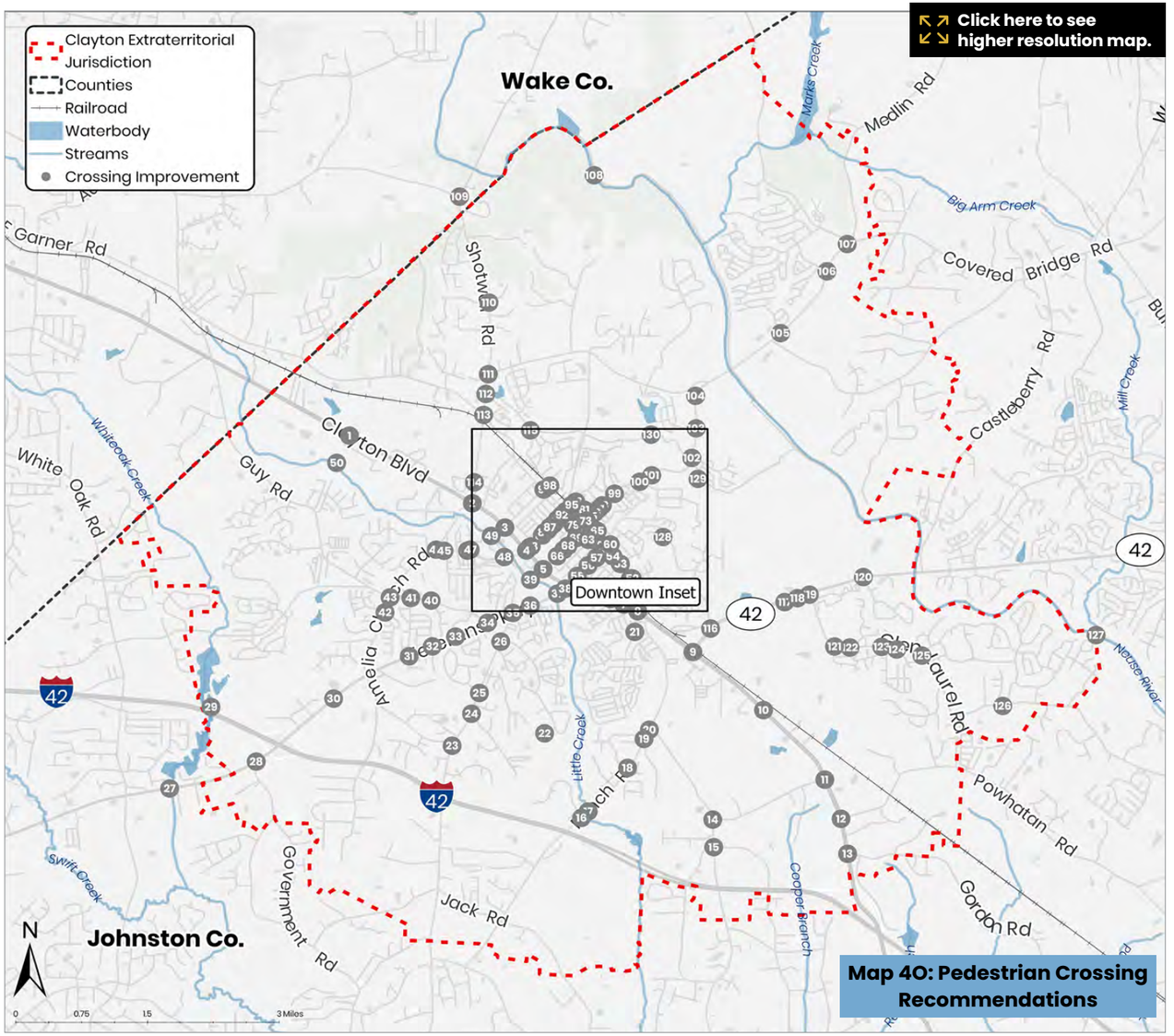
- Identify intersections that lack appropriate pedestrian crossing facilities and thereby form gaps in the non-motorized network.
- Recommend crossing improvements (high visibility crosswalks and crossing signals) at these locations.
- Refine crossing improvement recommendations as bicycle and pedestrian facilities are funded and constructed.
- Explore avenues with NCDOT to reduce speed within Clayton to allow for safer mid-block crossings on a case-by-case basis.

Strategy 8.3.6G: Consider lowering the stop lights to improve visibility for pedestrians and drivers and improve safety.

130 Projects
Crossing Improvements



Map 4N: Pedestrian Crossing Recommendations in Downtown



Click here to see higher resolution map.

Map 4O: Pedestrian Crossing Recommendations

Table 4E: Pedestrian Crossing Recommendations

Project Key	Crossing Location
1	Clayton Blvd. and Town Center Blvd.
2	Clayton Blvd. and Shotwell Rd.
3	Clayton Blvd. and Moore St.
4	Clayton Blvd. and South Robertson St.
5	Clayton Blvd. and South Fayetteville St.
6	Clayton Blvd. and John St.
7	Clayton Blvd. and Durham St.
8	Clayton Blvd. and East Main St.
9	Clayton Blvd. and NC 42 East
10	Clayton Blvd. and New Road
11	Clayton Blvd. and Pony Farm Rd.
12	Clayton Blvd. and Powhatan Rd.
13	Clayton Blvd. and Gordon Rd.
14	Little Creek Church Rd. and Pony Farm Rd.
15	Little Creek Church Rd. and Peele Rd.
16	Ranch Rd. and Canyon Rd.
17	Ranch Rd. (Mid-block)
18	Ranch Rd. and Shady Meadows Ln.
19	Ranch Rd. and Crooked Creek Rd.
20	Ranch Rd. and Proposed Road
21	Everette Ave. and Champion St.
22	Proposed Greenway
23	Barber Mill Rd. and Amelia Church Rd.
24	Barber Mill Rd. and Country Ln.
25	Barber Mill Rd. and Proposed Greenway
26	Dairy Rd. and Proposed Greenway
27	Veterans Pkwy. and White Oak Creek Greenway
28	Veterans Pkwy. and Government Rd.
29	I-42 (Grade Separation)
30	Veterans Pkwy. and Health Park Way
31	Veterans Pkwy. and Trailwood Dr.
32	Veterans Pkwy. and Winding Wood Dr.
33	Veterans Pkwy. and State Ave.
34	Veterans Pkwy. and Guy Rd.
35	Veterans Pkwy. and Barber Mill Rd.
36	Veterans Pkwy. and West Clayton Elementary School Driveway
37	Veterans Pkwy. (Mid-block)
38	Veterans Pkwy. and Clayton Blvd.
39	Proposed Greenway
40	Guy Rd. and Clayton Middle School Driveway
41	Guy Rd. and Pinecroft Dr.
42	Amelia Church Rd. and Wynston Way
43	Amelia Church Rd. and Guy Rd.
44	Amelia Church Rd. and Proposed Greenway
45	Amelia Church Rd. and Garrison Ave.
46	Amelia Church Rd. (Mid-block)
47	Amelia Church Rd. and Verrazano Pl.
48	Amelia Church Rd. and Little Creek Greenway
49	Commercial Connector 2 and Little Creek
50	Commercial Connector 2 and Little Creek Greenway
51	East Main St. and Central St.
52	Central St. and Railroad Line
53	East Main St. and South Smith St.
54	East Main St. (Mid-block)
55	NC 42 and Hamby St.
56	South Lombard St. and East Blanche St.
57	South Lombard St. and East Horne St.
58	South Lombard St. and East 2nd St.
59	North Lombard St. and East Main St.
60	South Lombard St. and Railroad Line
61	East Main St. and East 1st St.
62	East Main St. and Barbour St.
63	East 2nd St. and South Church St.
64	East Main St. and North Church St.
65	North Church St. and Front St.
66	South Fayetteville St. and Hamby St.
67	South Fayetteville St. and Penny St.
68	South Fayetteville St. and East Blanche St.
69	South Fayetteville St. and West Horne St.
70	North Fayetteville St. and West Main St.
71	South O'Neil St. and West 2nd St.
72	North O'Neil St. and West Main St.
73	North O'Neil St. and Railroad Line
74	North O'Neil St. and Front St.
75	North O'Neil St. and West Stallings St.
76	North O'Neil St. and West Whitaker St.
77	North O'Neil St. and West Hinton St.
78	North O'Neil St. and West Barnes St.
79	South Ellington St. and West 2nd St.
80	South Ellington St. and West Main St.
81	North Kildee St. and West Stallings St.
82	South Robertson St. (Mid-block)
83	South Robertson St. and Clayton High School Driveway
84	South Robertson St. and Clayton High School Driveway
85	South Robertson St. and Brook St.
86	South Robertson St. and Clayton High School Driveway
87	South Robertson St. and Willow Dr.
88	South Robertson St. and Johnston County EMS - Clayton Station
89	South Robertson St. and Fire Rescue Dr.
90	West Horne St. and South Robertson St.

Project Key	Crossing Location
91	South Robertson St. and West Horne St.
92	South Robertson St. and West 2nd St.
93	East Second St. and South Robertson St.
94	North Robertson St. and West Main St.
95	North Robertson St. and West Front St.
96	West Stallings St. and North Robertson St.
97	West Main St. and Moore St.
98	West Moore St. and Railroad Line
99	North O'Neil St. and West Wilson St.
100	North O'Neil St. and Oakdale Ave.
101	North O'Neil St. and Shanandoah Ct.
102	North O'Neil St. and Atwood Dr.
103	North O'Neil St. and St.eeplechase Blvd.
104	North O'Neil St. and Covered Bridge Rd.

Project Key	Crossing Location
105	Covered Bridge Rd. and Club Connection Blvd
106	Covered Bridge Rd. and Payton Dr
107	Covered Bridge Rd. and Pritchard Rd.
108	Neuse River Greenway and Bobbit Rd.
109	Mial Plantation Rd. and Old Baucom Rd.
110	Shotwell Rd. and Forest Dr.
111	Covered Bridge Rd. and Shotwell Rd.
112	Shotwell Rd. and Channel Drop Dr.
113	Old US 70 West and Shotwell Rd.
114	Shotwell Rd. and Cameron Way
115	Sam's Branch Greenway Phase 3 and R-42
116	NC 42 East and Old NC 42 East
117	NC 42 East and Caterpillar Inc. Driveway

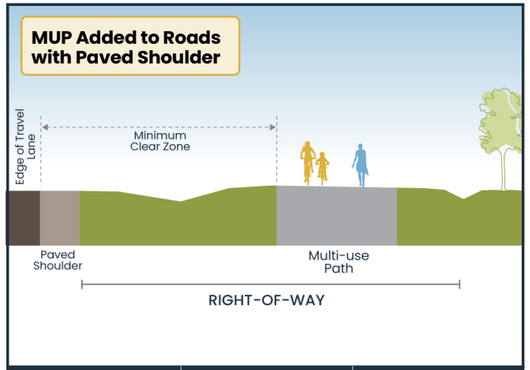
Project Key	Crossing Location
118	NC 42 East and Caterpillar Inc. Driveway
119	NC 42 East and Glen Laurel Rd.
120	NC 42 East and Fox Ridge Rd.
121	Glen Laurel Rd.
122	Glen Laurel Rd. and Oak Alley Trl.
123	Glen Laurel Rd. and Oak Alley Trl.
124	Glen Laurel Rd. (Mid-block)
125	Glen Laurel Rd. and Birkdale Dr.
126	Vinson Rd. and Powhatan Elementary School Driveway
127	Mill Creek Greenway and MST (East Segment)
128	Downtown Sam's Branch Greenway Connection and Connector 1
129	Sam's Branch Greenway and Downtown Sam's Branch Greenway Connection
130	Sam's Branch Greenway and New Greenway

Adding MUP and Sidewalks to Existing Roads

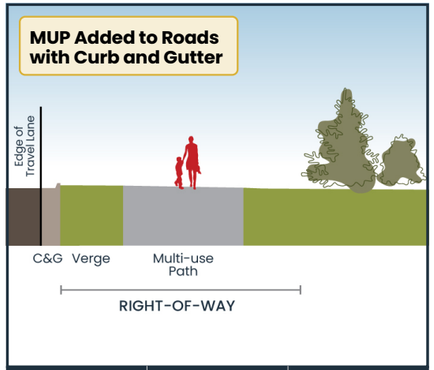
The cross sections below should be used when MUPs and/or sidewalks are added to existing roads, or when the planned improvement alongside a roadway includes only adding sidewalk or MUP without adding lanes to the roadway as may be the case in certain roads in **Tables 4A**, **4B**, **4C** or **4D**. Minimum right-of-way dimensions refer to minimum additional right-of-way needed to add sidewalk or multi-use path to existing roads.

Minimum right-of-way dimensions refer to minimum additional right-of-way needed to add sidewalk or multi-use path to existing roads

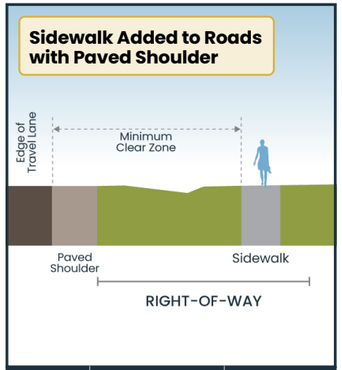
View Full Roadway Cross Section in Chapter 6.



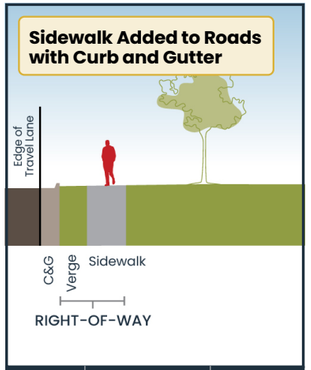
	Recommended Dimensions	Alternate Dimensions
Paved Shoulders	As exists	4' to 10'
Multi-use Path	14'	10' to 14'



	Recommended Dimensions	Alternate Dimensions
Curb and Gutter	2'-6"	2'-6"
Verge	6'	4' to 7'-6"
Multi-use Path	14'	10' to 14'



	Recommended Dimensions	Alternate Dimensions
Paved Shoulders	As exists	4' to 10'
Sidewalk	6'	5' to 6'



	Recommended Dimensions	Alternate Dimensions
Curb and Gutter	2'-6"	2'-6"
Verge	6'	4' to 7'-6"
Sidewalk	6'	5' to 6'

5. Transit

5.1 Existing and Planned Transit Conditions 89

5.2 Transit Emphasis Areas... 93

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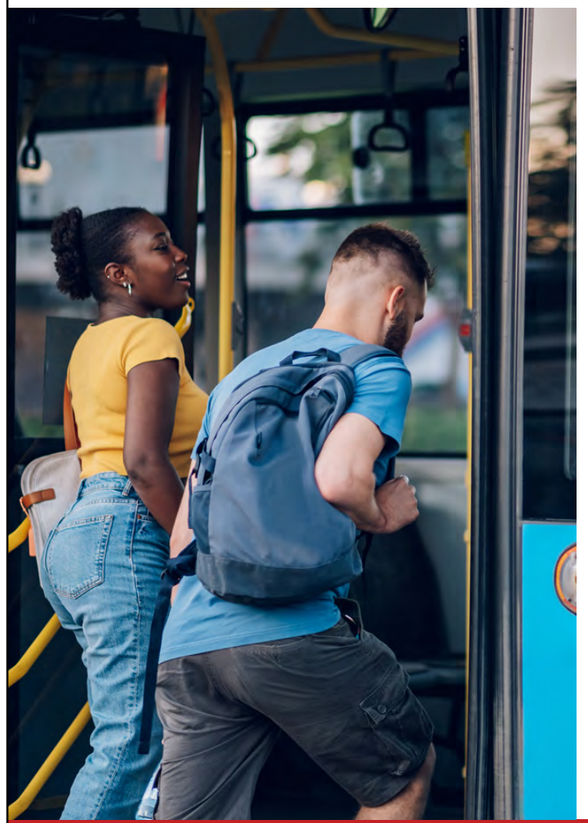


5.1 EXISTING AND PLANNED TRANSIT CONDITIONS

Transit Conditions

Clayton's transportation network is primarily focused on automobiles, but with its growing population will soon require other modes of travel, especially transit. There is significant public support towards transit in Clayton. At the time of preparing this report, there was no specific public transit system serving Clayton. Johnston County Area Transit Systems (JCATS) offers demand-response services for rides originating in the area, but their services are focused on Smithfield and Selma. JCATS is planning to expand these services to Clayton. Regional transit planning efforts contains projects that include Clayton. This chapter will elaborate on those projects, JCATS service, and lay the groundwork for a future transit feasibility study in Clayton.

Regional Transit Projects Impacting Clayton

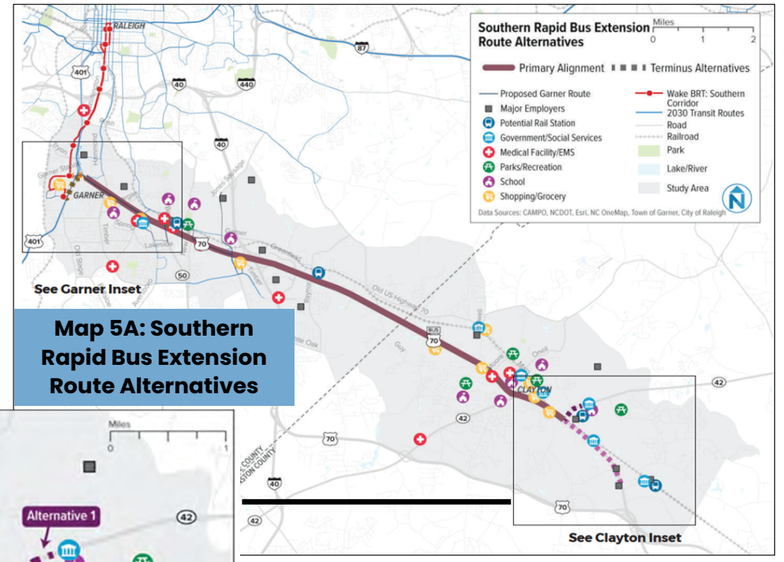






Wake BRT: Rapid Bus Extension

The Capital Area Metropolitan Planning Organization (CAMPO) has identified a preferred route for extending the Southern Corridor of the Wake BRT to Clayton via Clayton Blvd. This alignment supports a one-seat ride from Raleigh, with the terminus located at Powhatan Rd.



Map 5A: Southern Rapid Bus Extension Route Alternatives



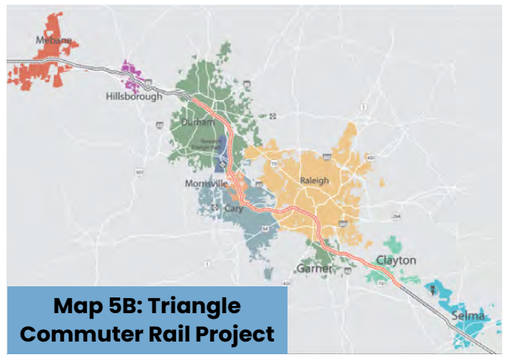
Conceptual solutions for extending rapid bus service between Garner and Clayton will undergo further planning to determine the best method for extending the Southern BRT. The Rapid Bus team will collaborate with CAMPO and regional stakeholders to identify a locally preferred alternative (LPA) alignment and address any critical operating, funding, and constructability issues for further study.

Triangle Commuter Rail

GoTriangle, in collaboration with Durham Chapel Hill Carrboro MPO* and CAMPO, is leading The Triangle Commuter Rail project, which will construct service over three phases along approximately 40 miles of NCRR rail line from West Durham to Clayton by 2030. The proposed stop in Clayton, indicated in **Map 5B**, is at the intersection of Clayton Blvd. and NC 42.

Post funding denial from Federal Transit Administration, the Greater Triangle Commuter Rail Planning Study will continue evaluating the potential for this project with local, regional, state, and federal stakeholders and look for ways to proceed with project implementation. More information can be found on **www.readyforrailnc.com**.

**Recently renamed Triangle West Transportation Planning Organization*



Map 5B: Triangle Commuter Rail Project

Microtransit

Johnston County Area Transit System (JCATS) is testing a microtransit service called QuickRide in the Smithfield and Selma area, funded by the County. Users can schedule rides in advance via an app or phone call, and vehicles are equipped with wheelchair lifts. JCATS operates the service, while CTS provides the technology. Future service continuation will depend on local funding renewal. If successful, JCATS has plans to expand QuickRide to Clayton and acquire additional transit vehicles for the expanded area.

JCATS is anticipating expanding microtransit services into the Clayton Urbanized Area (UZA) with the Federal Transit Administration's Urbanized Area Formula Grants - 5307. Census Bureau defines a UZA as an urban area with a population of at least 50,000 people.

UZA boundaries may differ from the ETJ and municipal boundaries. Currently the medical facilities on Veterans Pkwy. are outside the UZA boundary and additional local funding may be required to cater to trips originating from those facilities.

JCATS is also one of 6 recipients in the state for the Mobility Everyone/ Everywhere NC (MEE NC) grant and has partnered with other agencies to search for a technology provider for a multi-county microtransit service.

JCATS for Everyone!

Johnston QuickRIDE

JCATS, QuickRide

Service Start
March 2023 (Pilot)

Fare
$6.00

Funding Sources
Local Government (Johnston County),

5311 Capital funding for initial investment in replacement vans,

NCDOT-funded 'Rural Operating Grant Funds'

Reason for Microtransit
Wanted to enhance existing service by providing riders with technology-based method of requesting rides in real time.

Annual Ridership
March 2023 (Pilot)

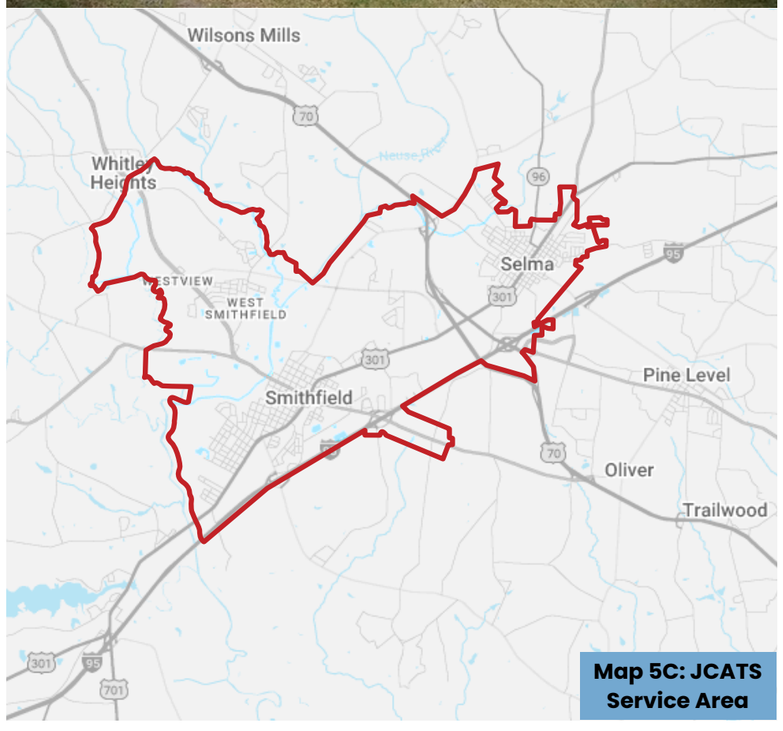
Operating Cost Per Hour
$50

Service Delivery Model
SaaS through existing scheduling software vendor, CTS Software

Operating Hours
Monday – Saturday 6AM-8PM

Annual Operating Expenses
$715,000





Map 5C: JCATS Service Area

The Think Clayton 2045 Comprehensive Growth Plan (Adopted 11/2021) identifies recommendations that meet two goals:

1

Microtransit, golf cart parking, and scooters as a potential recommendation for Goal DT 3

Make access to and movement within Downtown safer and more efficient for all users.

2

Evaluate transit opportunities, including microtransit and emerging technologies as part of Goal M 1

Develop and maintain a multimodal transportation system.

5.2 TRANSIT EMPHASIS AREAS

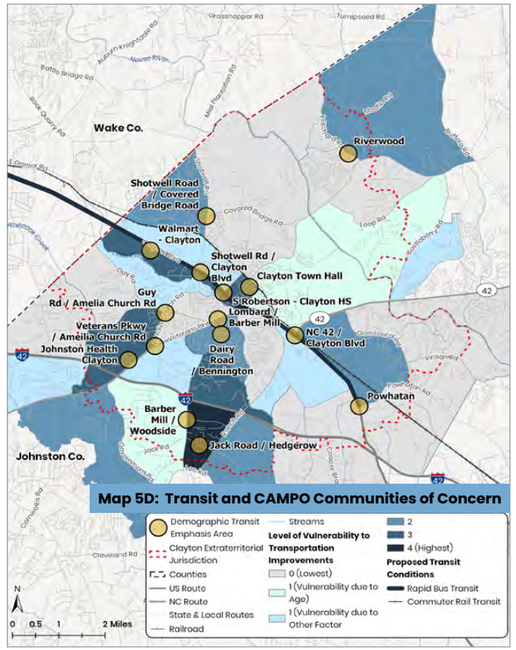
CLAYTON ON THE MOVE

While there is no existing local transit or defined transit stops in Clayton currently, there are strategies to identify where there is a future market and demand for local transit connections. Multiple aspects contribute to the potential market for local public transportation as a service and can be indicators of existing or future transit ridership generators.

The following were reviewed to determine Transit Emphasis Areas in Clayton:

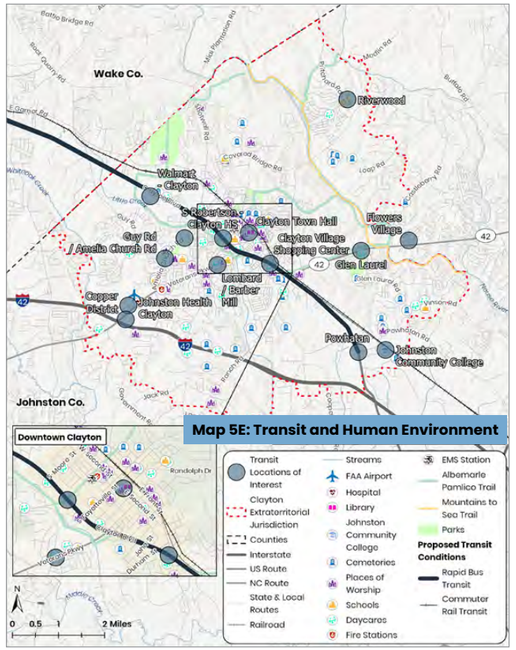
- Demographic Data
- Key Destinations
- Future Land Use and Zoning Maps
- Future Transit System Recommendations

Transit User Concentrations



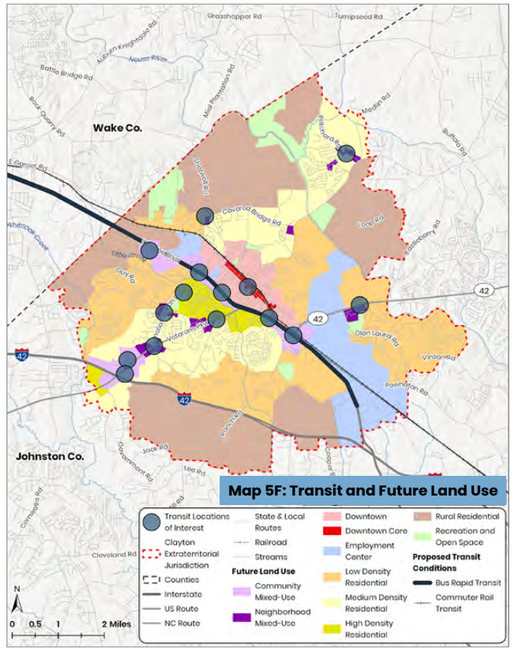
Demographic characteristics like the percentage of populations living in poverty or percent minority can be used as an indicator of which populations may require the use of transit to get to social, medical, academic, and professional destinations. Most of these identified block groups are along Clayton Blvd. or south of Downtown Clayton.

Ridership Generators



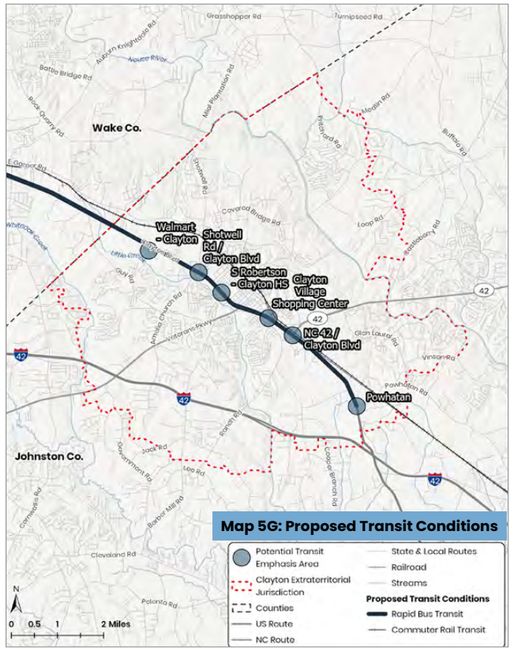
Locations that may be transit ridership generators include the Hocutt-Ellington Library, the Clayton Community Center, Johnston Health Clayton, and other key community destinations. These key community destinations include major civic and community spaces, employers, academic centers, and commercial spaces.

Land Use and Zoning



Most areas in which the land use or zoning categories are particularly conducive to transit such as Downtown Clayton, higher density residential, employment, or Mixed-Use areas have been highlighted as Transit Emphasis Areas.

Regional Transit Connections



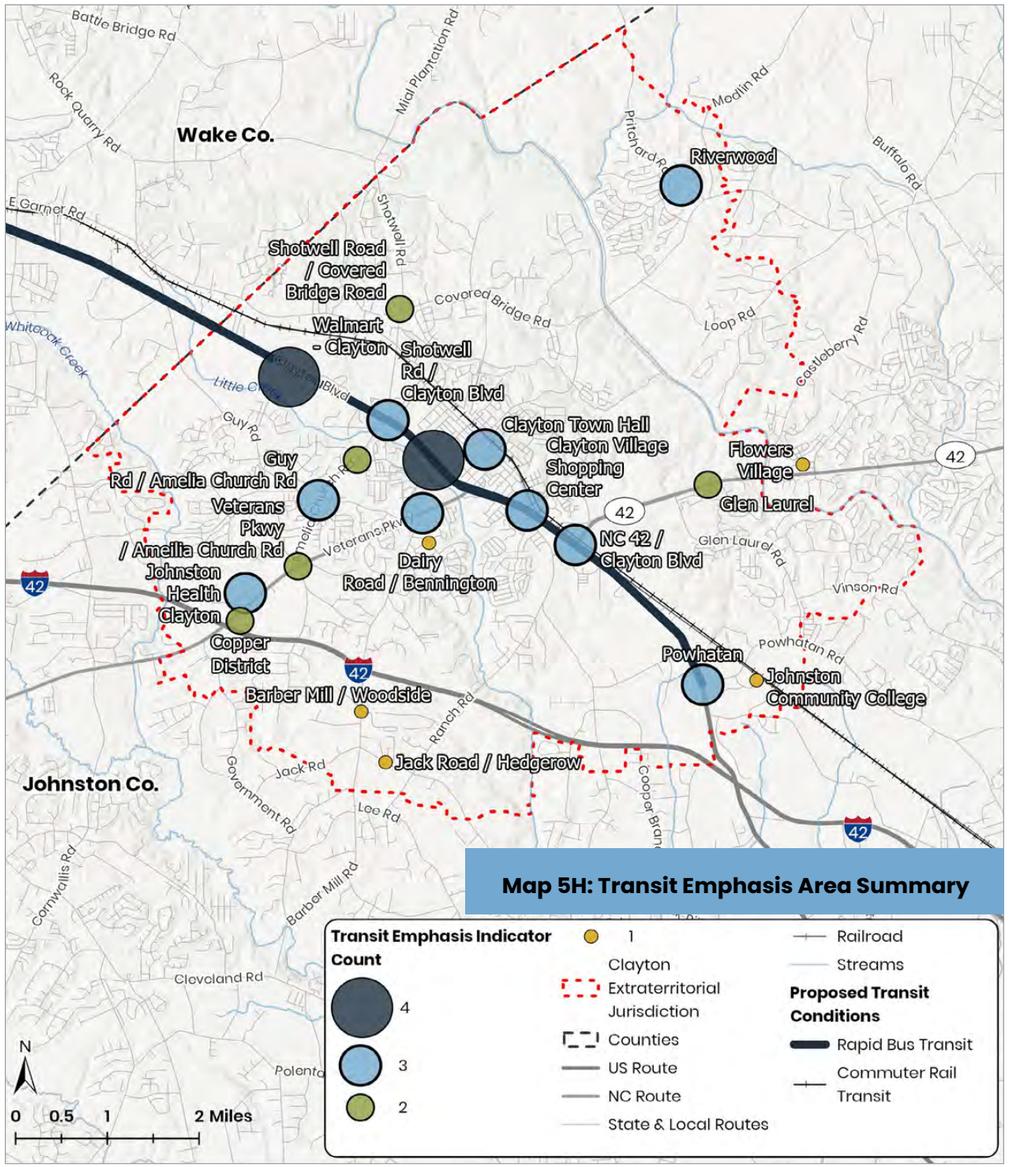
Clayton's Transit Emphasis Areas overlap with proposed regional transit investments so local services can connect to regional hubs. Transit Emphasis Areas were identified based on where potential stops or connection points may be in the regional transit network.

Findings

19 **Transit Emphasis Areas** were identified in the study area based on a review of Demographics, Key Destinations, Future Land Use and Zoning, and the Future Transit System of Clayton. These locations were identified because there was at least one indicator of existing or future transit ridership generators in the area.

Table 5A: Transit Emphasis Areas

Emphasis Area	Cross-Streets	Count	Key Destinations	Demographics/EJ	Land Use and Zoning	Future Transit
Clayton Walmart	Clayton Blvd. / Town Centre Blvd.	4	●	●	●	●
S. Robertson - Clayton HS	Clayton Blvd. / S. Robertson St.	4	●	●	●	●
Shotwell Rd. / Clayton Blvd.	Clayton Blvd. / Shotwell Rd.	3		●	●	●
NC 42 / Clayton Blvd.	Clayton Blvd. / NC 42	3		●	●	●
Clayton Town Hall	E. 2nd St. / S Church St.	3	●	●	●	
Lombard / Barber Mill	S. Lombard St. / Barber Mill Rd.	3	●	●	●	
Guy Rd. / Amelia Church Rd.	Guy Rd. / Amelia Church Rd.	3	●	●	●	
Johnston Health Clayton	Veterans Pkwy. / Hospital Driveway	3	●	●	●	
Riverwood	Pritchard Rd. / Athletic Club Blvd.	3	●	●	●	
Powhatan	Clayton Blvd. / Powhatan Rd.	3	●	●		●
Clayton Village Shopping Center	Clayton Blvd. / Boling St.	3	●		●	●
Veterans Pkwy. / Amelia Church Rd.	Veterans Pkwy. / Amelia Church Rd.	2		●	●	
Shotwell Rd. / Covered Bridge Rd.	Shotwell Rd. / Covered Bridge Rd.	2		●	●	
Copper District	Veterans Pkwy. / I-42	2	●		●	
Glen Laurel	NC 42 / Beech Landing Dr.	2	●		●	
Clayton Community Center	Shotwell Rd. / Amelia Church Rd.	2	●		●	
Barber Mill / Woodside	Barber Mill Rd. / Woodside Dr.	1		●		
Jack Rd. / Hedgerow	Jack Rd. / Hedgerow Ln.	1		●		
Johnston Community College	Best Wood Dr. / Powhatan Rd.	1	●			
Dairy Rd. / Bennington	Dairy Rd. / Bennington Dr.	1		●		



Map 5H: Transit Emphasis Area Summary

5.3 TRANSIT RECOMMENDATIONS

The transit emphasis areas are primarily located near Veterans Pkwy. and Clayton Blvd., two major roadways in Clayton, and around Downtown Clayton. Locations were chosen due to their proximity to future Rapid Bus Extension and Commuter Rail Transit services. Veterans Pkwy. and Clayton Blvd. provide access to various local and regional destinations, including healthcare, education, shopping, and recreation. Areas away from these corridors are zoned as new neighborhood or Community-Mixed Use hubs, potentially offering denser, transit-supportive spaces compared to other suburban areas of Clayton.

Recommended strategies for transit developed as a part of the CTP are preliminary, only to demonstrate that enough demand exists in Clayton to implement fixed route and microtransit service.

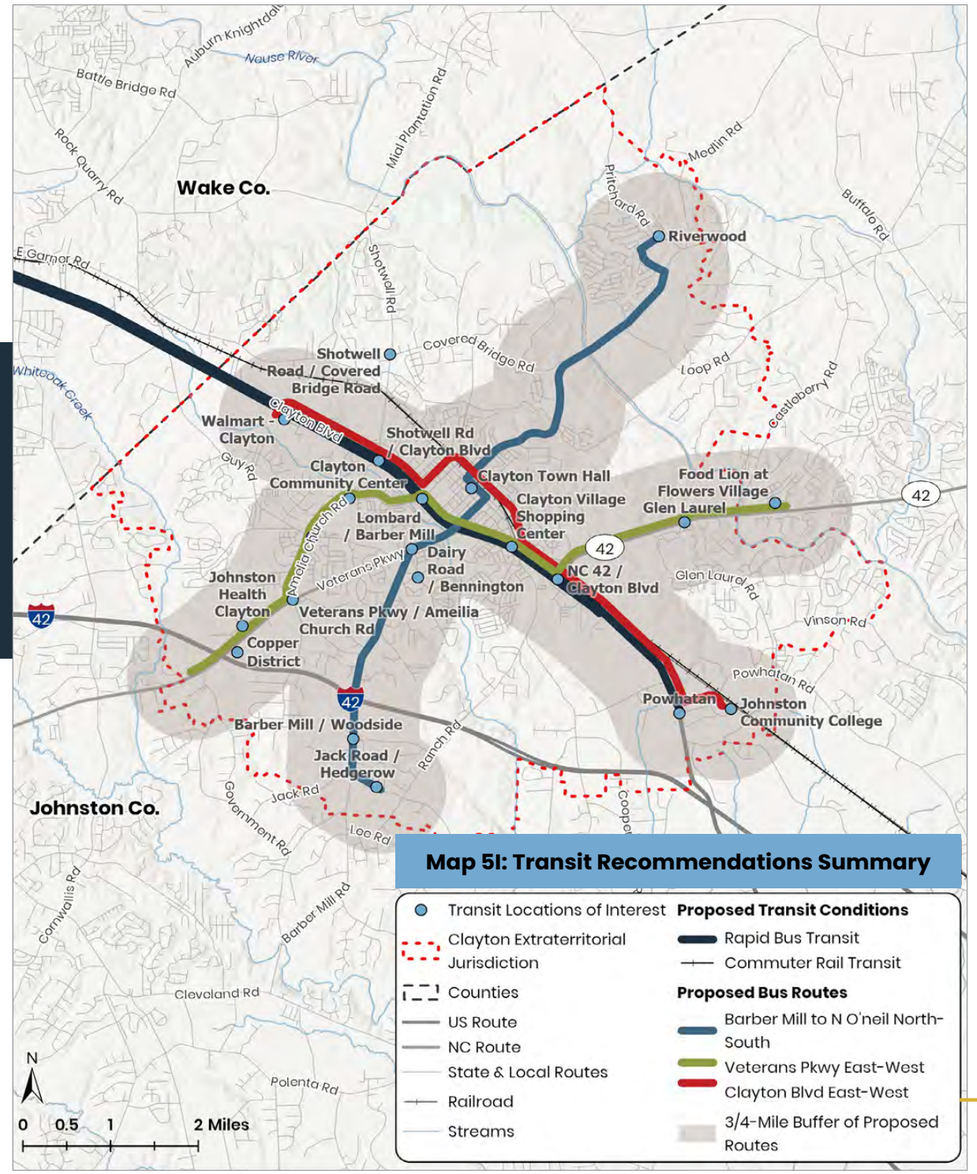
Strategy 8.3.7A: Conduct a **Transit Feasibility Study** in Clayton in conjunction with JCATS and Johnston County.

Strategy 8.3.7B: Identify local funding sources to cater to microtransit trips starting from medical facilities on Veterans Pkwy.

Strategy 8.3.7C: Prepare Clayton Blvd. **for upcoming Rapid Bus service** to ensure its successful implementation. This includes densifying the corridor and improving bicycle and pedestrian access through and across Clayton Blvd.

Strategy 8.3.7D: Continue to work with regional partners to identify the location and **plan for the upcoming commuter rail station.** The plan should include station access, station area characteristics, parking, etc.

Additionally, consider densifying the downtown with mixed-use blocks outside the historic district strategy.



Map 5I: Transit Recommendations Summary

Transit Locations of Interest	**Proposed Transit Conditions**
Clayton Extraterritorial Jurisdiction	Rapid Bus Transit
Counties	Commuter Rail Transit
US Route	**Proposed Bus Routes**
NC Route	Barber Mill to N O'neil North-South
State & Local Routes	Veterans Pkwy East-West
Railroad	Clayton Blvd East-West
Streams	3/4-Mile Buffer of Proposed Routes



1 North – South Route
- Barber Mill Rd.
- S Lombard St.
- N O'Neil St.
- Riverwood

2 NC 42 / Clayton Blvd.
- NC 42 E
- Amelia Church Rd.
- Clayton Blvd.
- Veterans Pkwy.
- Flowers

3 East – West Route
- Walmart
- Shotwell Rd.
- Downtown
- Clayton Blvd.
- JCCC

4 Microtransit
High transit propensity areas marked in gray on the map

6. Roadway Analysis

6.1 Roadway Conditions 101

6.2 Roadway Recommendations 107

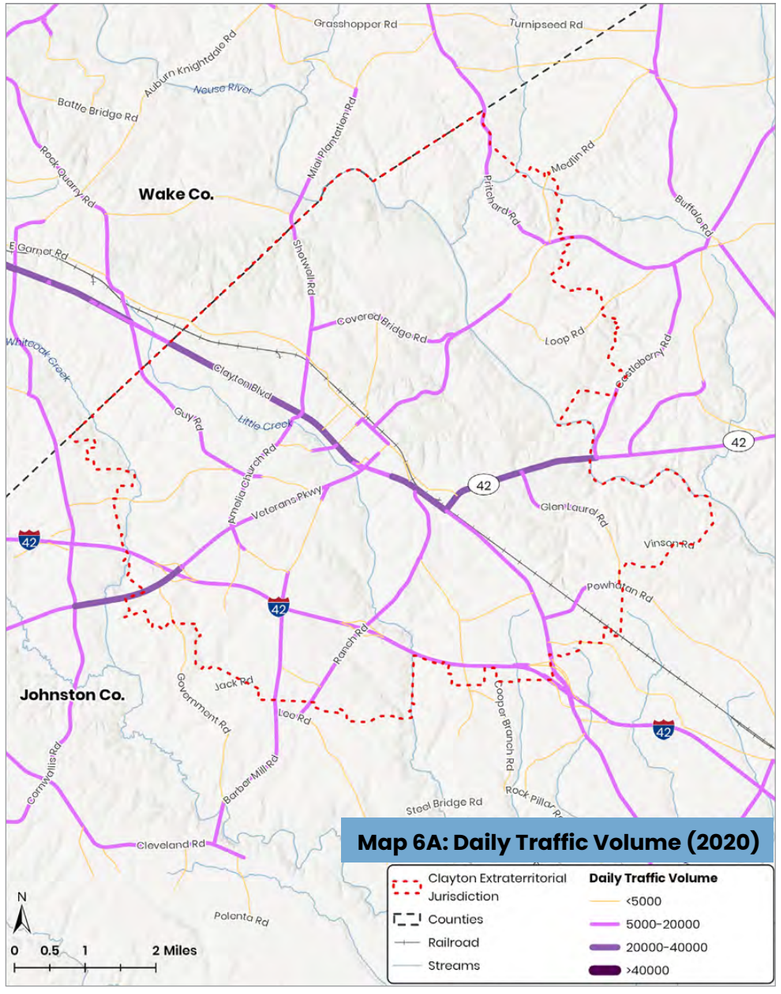
6.3 Cross Sections 127

6.4 Downtown Parking Analysis and Recommendations 131

6.5 Roadway Policy Analysis and Recommendations 133



6.1 ROADWAY CONDITIONS



Map 6A: Daily Traffic Volume (2020)

Existing Traffic

Roadway capacity and travel demand were derived from the Triangle Regional Model (TRM), including the edits made to the socio-economic data for Clayton. **Map 6A** shows the daily traffic volume in the study area in 2020, and **6B** shows Volume over Capacity (VOC) ratios during peak period. VOC greater than 1 indicates that projected traffic demand exceeds roadway capacity. However, in reality, traffic only reaches roadway capacity for brief periods of time, because as traffic gets worse, drivers choose alternative routes, modes of transportation, times, or choose not to make the trip. The base year for the TRM is 2020, and 2050 is the projected or 'horizon' year.

~890K Vehicle Miles Traveled

17,250 Vehicle Miles Traveled

364 Aggregate Daily Delay

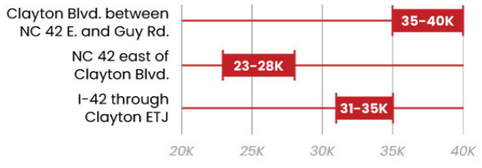
88 mi. Total Roadway Length*

190 Total Lane-Miles*

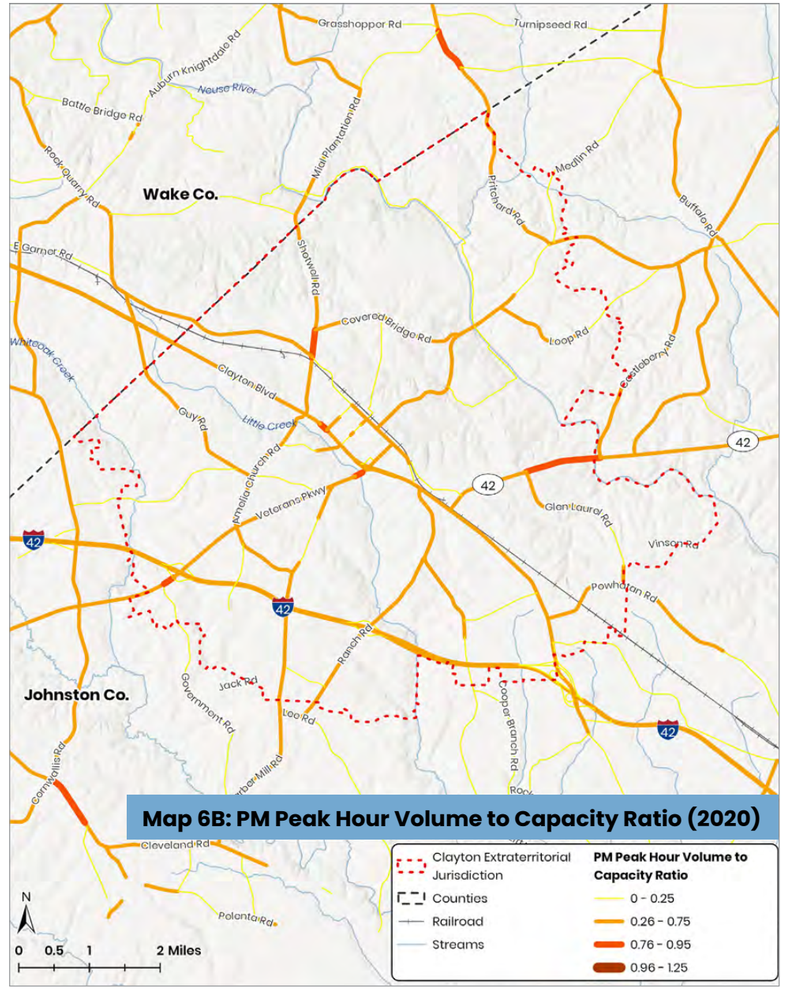
~120K Auto Trips

~12K Walk-Bicycle Trips

Daily Volumes for Key Roadways

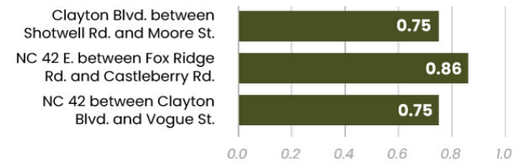


The Volume Over Capacity (VOC) ratio represents the travel demand on the road compared to the number of vehicles a roadway facility can accommodate. A higher ratio indicates a higher percentage of the roadway's capacity being utilized.



Map 6B: PM Peak Hour Volume to Capacity Ratio (2020)

PM Peak Volume to Capacity Ratios for Key Roadways



Future Traffic

The 2050 traffic volumes and VOC ratios shown on **Maps 6C** and **6D** respectively reflect the population and employment growth in the area.

The 2050 TRM model developed for this CTP is based on the official model, with additional roadway links based on the recommendations from previous plans and studies, and revised population and employment projections obtained from the Town staff.

This model result establishes the baseline roadway conditions for the future year, which will be used to evaluate the impacts of recommendations developed as a part of this CTP.

~2.12M Vehicle Miles Traveled

~45K Vehicle Miles Traveled

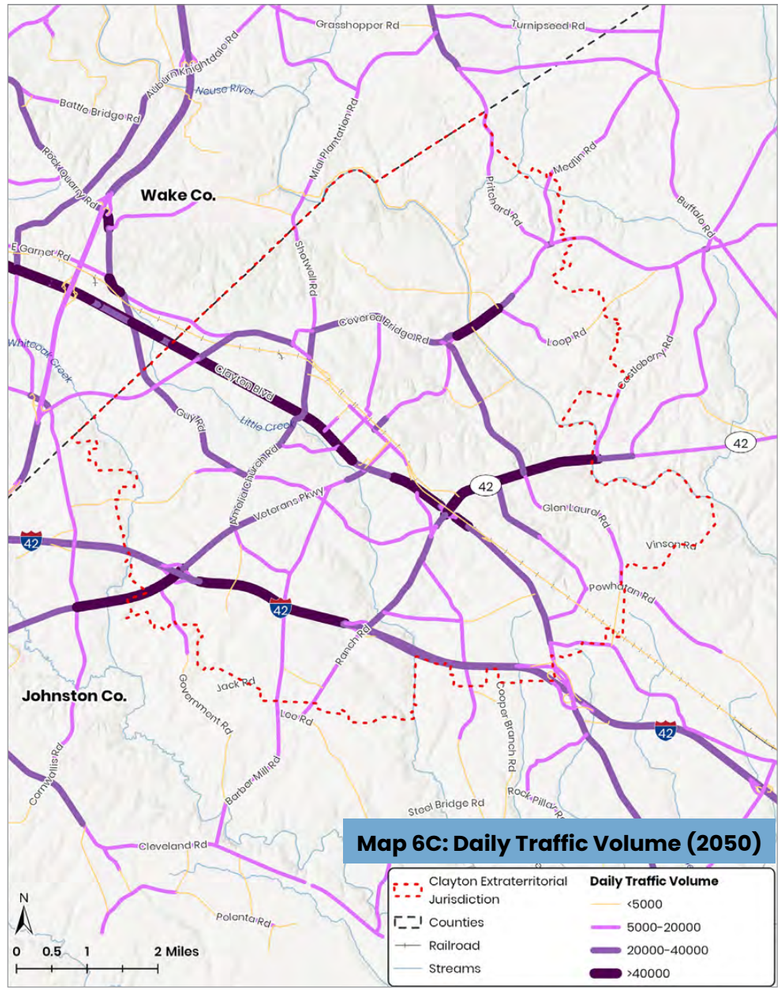
3,250 Aggregate Daily Delay

96 mi. Total Roadway Length*

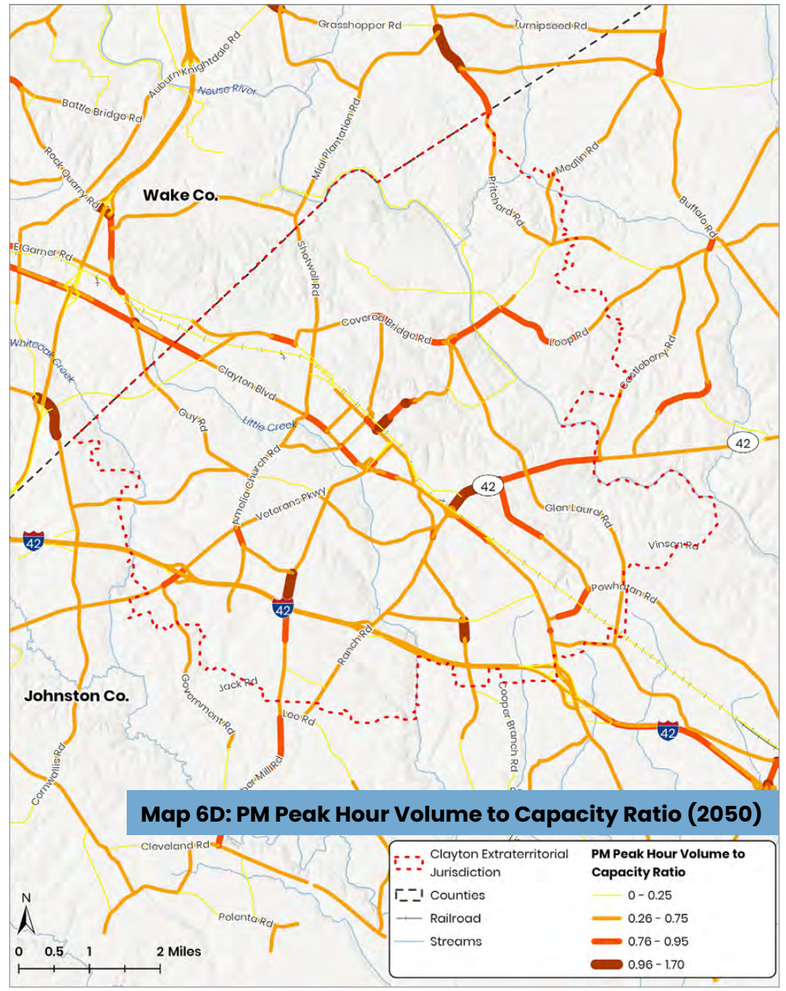
270 Total Lane-Miles*

432K Auto Trips

~44K Walk-Bicycle Trips

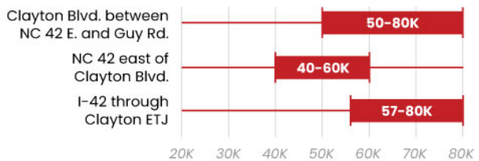


Map 6C: Daily Traffic Volume (2050)



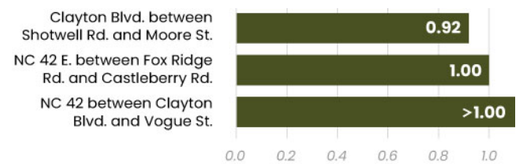
Map 6D: PM Peak Hour Volume to Capacity Ratio (2050)

Daily Volumes for Key Roadways



All roadway and transit projects in the Triangle region anticipated to be completed by 2050 are included in the future traffic analysis.

PM Peak Volume to Capacity Ratios for Key Roadways



Freight Analysis

Truck Volumes

The truck volume data includes semi-trucks, and small and large delivery trucks. They are categorized as Commercial Vehicles (CV), Single Unit Truck (SUT), and Multi-Unit Truck (MUT). For the purpose of this analysis, all of the categories of trucks are combined into one.

Large parts of land in Clayton, especially around Clayton Blvd., have been zoned for industry and logistics centers. This fact, in addition to the increase in population and employment in Clayton, is projected to impact the truck traffic volumes on key roadways. The increase in truck traffic is clearly visible through Maps 6E and 6F with the highest impact on Clayton Blvd.

The total daily truck miles driven within Clayton is projected to increase 2.4 times. This is also reflective of the overall VMT increase.

Daily Truck Trips

126K (2020)

302K (2050)

2.4x growth

Truck Vehicle Miles Traveled (VMT)

For both years, truck VMT will account for approximately 14% of all VMT in Clayton. This suggests that the proportion of truck traffic with respect to the overall traffic is not slated to change significantly.

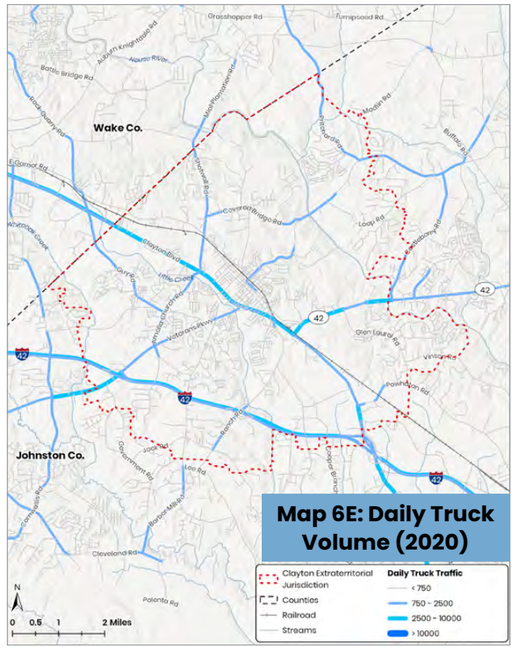
The threefold increase in daily truck trips starting in Clayton between 2020 and 2050 (shown in Map 6G and 6H respectively) is aligned with the population and employment growth in the area. The distribution of the origin of these truck trips suggests higher growth and concentration in the eastern half of the ETJ, and in the other zones with higher commercial zoning.

Truck VMT

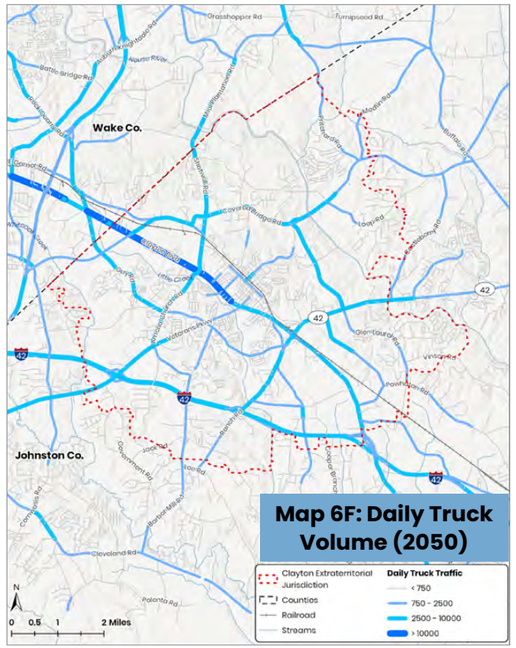
16K (2020)

48K (2050)

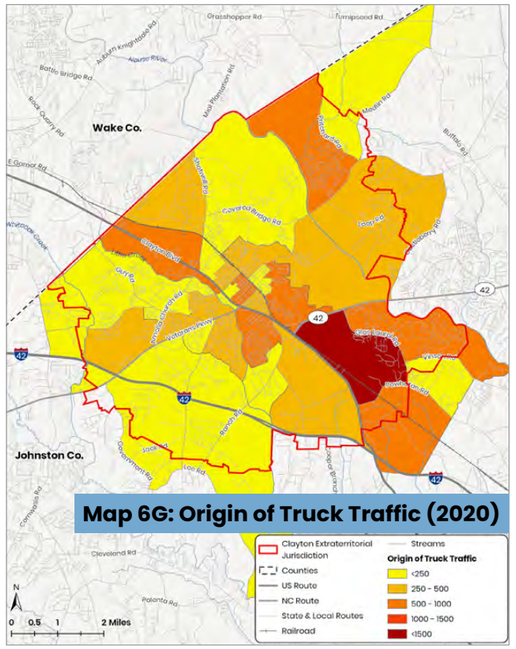
3x growth



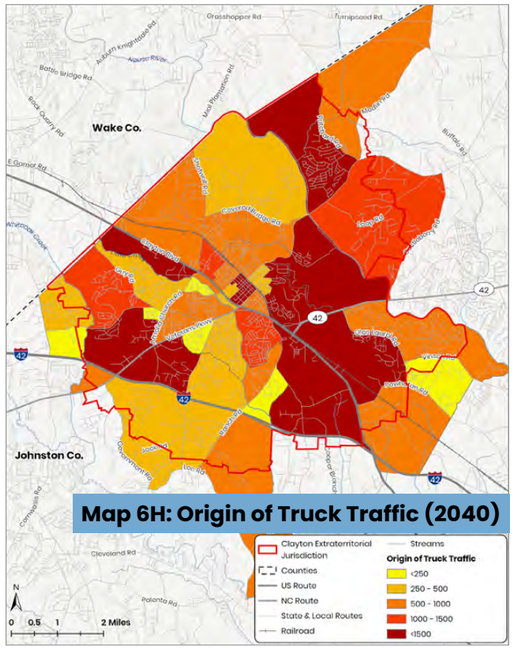
Map 6E: Daily Truck Volume (2020)



Map 6F: Daily Truck Volume (2050)



Map 6G: Origin of Truck Traffic (2020)



Map 6H: Origin of Truck Traffic (2040)

6.2 ROADWAY RECOMMENDATIONS

CLAYTON ON THE MOVE

Roadway Recommendations

35 roadway projects and **6** grade separation projects are recommended as a part of this CTP.

Recommendations Development Process:

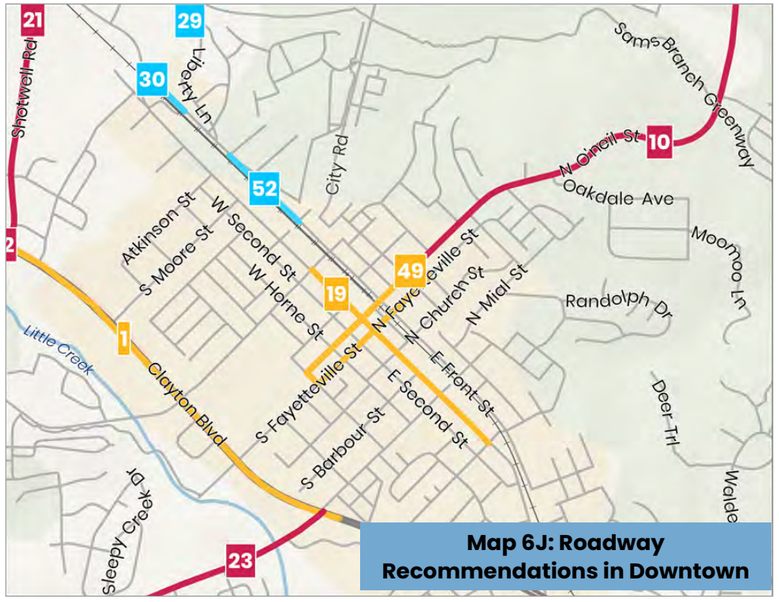
- Identify large drive-blocks and potential new roads to reduce the size of the drive-blocks (Combined with Strategy 6.2.2C).
- Evaluate the combined performance of the recommendations from previous plans and the new roadways identified in Strategy 6.2.1A in the Triangle Regional Model in the horizon year (2050).
- Develop and refine roadway recommendations based on data, feasibility, public and stakeholder engagement, and expert input.
- Identify corridors and segments that require further study.

13 miles of new roadway

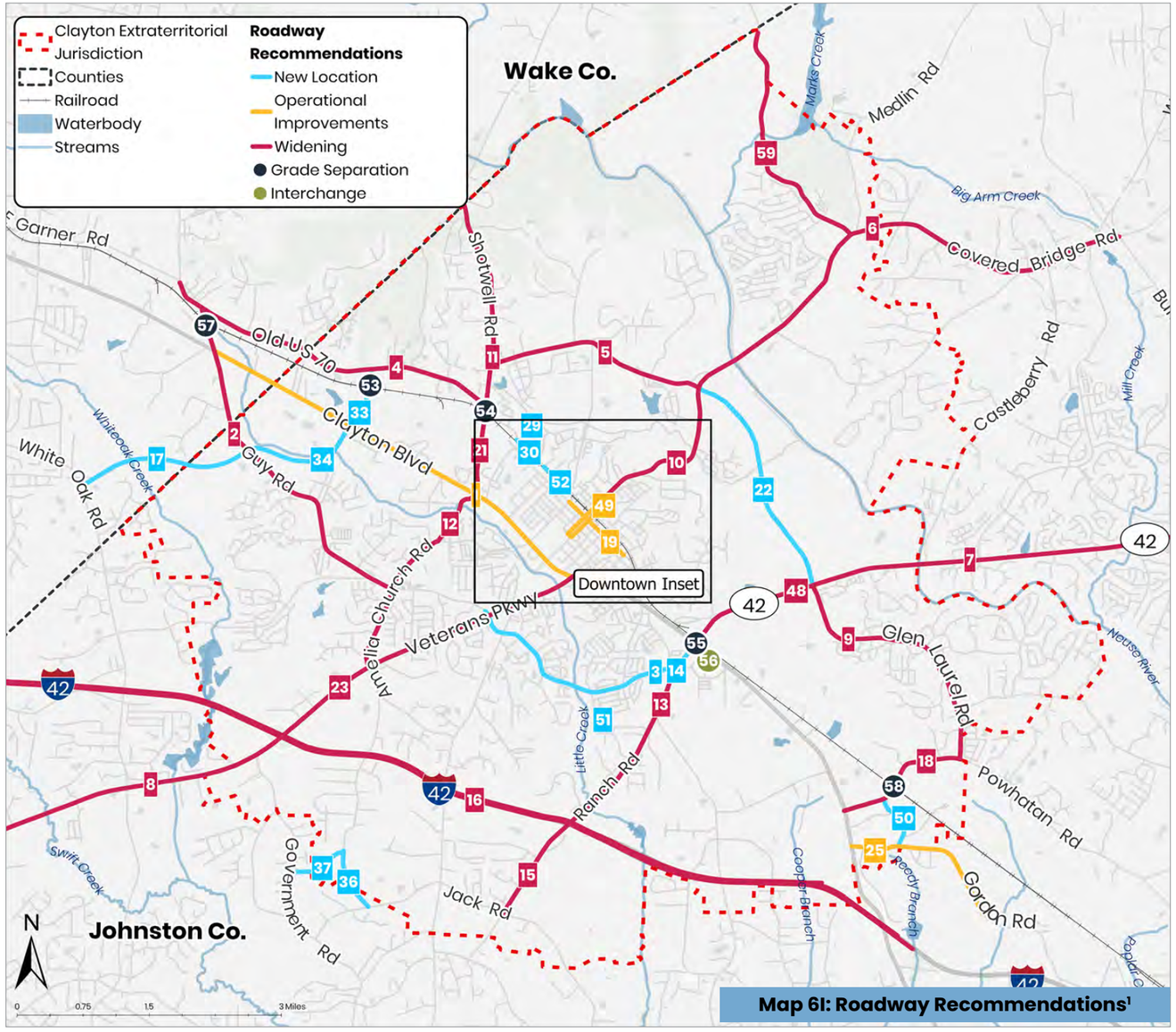
61 miles of road widening

9 miles of operational improvements

144 lane-miles of new pavement



Map 6J: Roadway Recommendations in Downtown



Map 6I: Roadway Recommendations[1]

Table 6A: Roadway Recommendations (excluding Collector Streets)

Project Key	Road Name	From Road	To Road	Improvement	Existing Lanes	Proposed Lanes	Section Code	Section Type	Plan Reference	Project Reference	TIP Number	Dist. (Mile)	Prior. Score
1	Clayton Blvd.	Guy Rd.	NC 42 East	Safety, Speed reduction, Corridor Study	4-5	4-5	4B, 5A	4-5-Lane Road with Multi-Use Paths on both sides	CTP			4.94	11
2	Guy Rd.	Old US 70 (E. Garner Rd.)	Amelia Church Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns7a	R-3618	4.22	8
3	Southern Connector	Little Creek Church Rd.	Veterans Pkwy.	New Location	0	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns3	R-3618	2.70	8
4	Old US 70	Rock Quarry Rd.	Shotwell Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	A202		3.94	4
5	Covered Bridge Rd.	Shotwell Rd.	Northern Connector	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns4b		2.54	8
6	Covered Bridge Rd.	Northern Connector	Buffalo Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns5		5.84	10
7	NC 42 East	Glen Laurel Rd.	Buffalo Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Paths on both sides	MTP 2050	Jhns1b	R-3825B	5.46	8
8	Veterans Pkwy.	I-42	I-40	Widening	3	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns2b	R-3410B	3.97	9
9	Glen Laurel Rd.	NC 42 East	Powhatan Rd.	Widening	2	3	3B	3-Lane Road with Multi-Use Path and Sidewalk	Comp Growth			3.10	8
10	O'Neil St.	W. Hinton St.	Northern Connector	Widening	2	3	3B	3-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns16		1.96	6
11	Shotwell Rd.	Old US 70	Old Baucom Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	A406c		2.61	6
12	Amelia Church Rd.	Clayton Blvd.	Veterans Pkwy.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	A406b		2.46	10
13	NC 42 (Ranch Rd.)	I-42	Little Creek Church Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns13b		1.90	8
14	NC 42 Extension	Clayton Blvd.	Little Creek Church Rd.	New Location	0	2	2C	2-Lane Road with Sidewalks on both sides	MTP 2050	Jhns13a	U-6223	0.57	9
15	Ranch Rd.	I-42	Jack Rd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	SEAS			1.40	5
16	I-42	I-40	Clayton Blvd.	Widening	4	6	6B	6-Lane Expressway	MTP 2050	F14		11.32	4
17	White Oak Rd. Connector	White Oak Rd.	Guy Rd.	New Location	0	2	2A	2-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	A138d		1.95	7
18	Powhatan Rd.	Clayton Blvd.	ETJ Boundary	Widening	2	3	3B	3-Lane Road with Multi-Use Path and Sidewalk	Comp Growth			1.58	7
19	E. Main St.	Robertson Rd.	Smith St.	Stop Light Coordination	2	2		No Change in section	SEAS			0.87	10
21	Shotwell Rd.	Old US 70	Clayton Blvd.	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	A406a		1.04	9
22	Northern Connector[1]	NC 42 East	O'Neil St.	New Location	0	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns4a1		2.75	10

See Section 8.1 for Prioritization Methodology.

Project Key	Road Name	From Road	To Road	Improvement	Existing Lanes	Proposed Lanes	Section Code	Section Type	Plan Reference	Project Reference	TIP Number	Dist. (Mile)	Prior. Score
23	Veterans Pkwy.	Clayton Blvd.	I-42	Widening	2	4	4A	4-Lane Road with Multi-Use Path and Sidewalk	MTP 2050	Jhns2a	R-3410A	3.70	12
25	Gordon Rd.	Clayton Blvd.	Tram Ln.	Add Paved Shoulder	2	2	2A	2-Lane Road with Multi-Use Path and Sidewalk	SEAS			1.93	6
29	Crawford Pkwy Extn.	Crawford Pkwy.	Lavender Ln.	New Location	0	2	2C	2-Lane Road with Sidewalks on both sides	CTP			0.06	7
30	W. Stallings Street Extn.	W. Stallings St.	Old US 70	New Location	0	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	CTP			0.22	7
33	West Gateway North	Old US 70	Clayton Blvd.	New Location	0	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	Comp Growth			0.71	6
34	West Gateway South	Clayton Blvd.	Guy Rd.	New Location	0	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	Comp Growth			1.40	7
36	Corbett Rd. Extn.	Corbett Rd.	Jack Rd.	New Location	0	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	CTP			0.75	5
37	New Road	Corbett Rd.	Government Rd.	New Location	0	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	CTP			0.62	5
48	NC 42	Clayton Blvd.	Glen Laurel Rd.	Widening	4	6	6A	6-Lane Road with Multi-Use Paths on both sides	CTP			1.54	10
49	O'Neil and Fayetteville St.	Blanche St.	Hinton St.	Convert to One-way Pair	2	2	2B	2-Lane Road with Multi-Use Path and Sidewalk	CTP			1.21	10
50	Best Wood Dr.	Best Wood Dr.	Gordon Rd.	New Location	0	3	3A	3-Lane Road with Sidewalk on one side	CTP			0.68	8
51	Tall Pines Ln.	Tall Pines Ln.	Averasboro Dr.	New Location	0	2	2C	2-Lane Road with Sidewalks on both sides	CTP			0.10	8
52	W. Front St.	Warren St.	New Hope Ln.	New Location	0	2	2D	2-Lane Road with Multi-Use Path on one side	CTP			0.34	8
53	West Gateway North	Railroad		Grade Separation				Grade separation over railroad for new roadway	CTP				
54	Shotwell Rd.	Railroad		Grade Separation				Grade separation over railroad	MTP 2050				
55	NC 42	Railroad		Grade Separation				Grade separation over railroad	MTP 2050				
56	NC 42	Clayton Blvd.		Interchange				Interchange	MTP 2050				
57	Guy Rd.	Railroad		Grade Separation				Grade separation over railroad	MTP 2050				
58	Powhatan Rd.	Railroad		Grade Separation				Grade separation over railroad	MTP 2050				
59	Pritchard Rd.	Covered Bridge Rd.	Wake County Line	Widening	2	4	4A	4-Lane Road with Multi-Use Path	MTP 2050	Jhns6		2.93	8

1 - The Northern Connector scored medium based on the prioritization scoring methodology (9 points). The methodology was intended to be a starting point for prioritization discussion, and the Town requested to recategorize this project as 'High'.

See Section 8.1 for Prioritization Methodology.

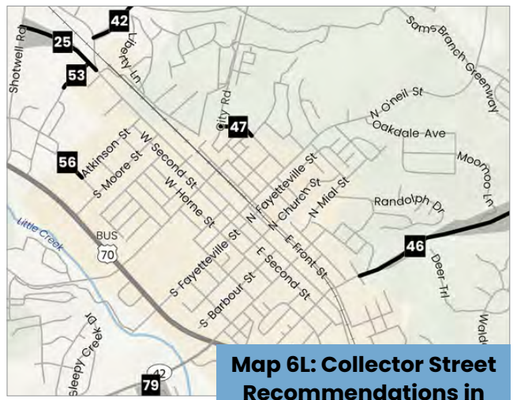
Collector Streets Recommendations

A Collector Street is a low-to-moderate capacity road that serves to move traffic from local streets (within subdivisions) to arterial roads. These roads are constructed by the developers as a part of the subdivision such that the additional travel demand from those subdivisions is addressed through the collector streets. Collector streets ideally have a limited number of driveways or properties directly accessible from them.

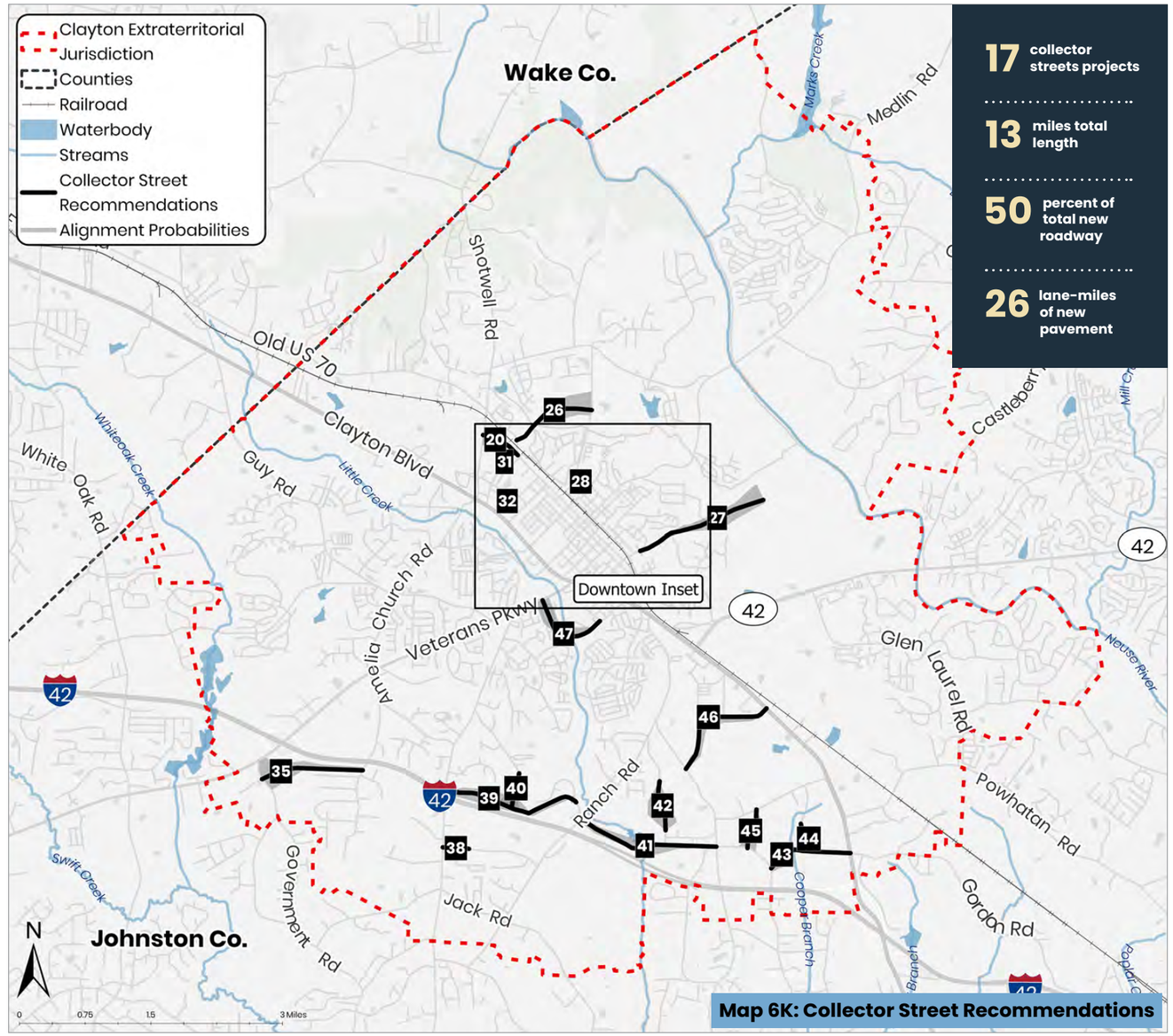
Recommendations Development Process:

- Identify large drive-blocks and potential connections nodes through those blocks.
- Identify large undeveloped parcels through which the collector streets could be routed.
- Evaluate the volumes on these streets in the horizon year of the Triangle Regional Model (Combined with 6.2.1B) and remove the streets with low volumes.
- Develop routing flexibility polygons retaining the start and end points of the collector streets.

17 collector street locations were identified though this CTP based on travel demand and distribution patterns, and availability of large, undeveloped parcels. The alignments shown on the map are preliminary and their key purpose is to denote the end points of the street.



Map 6L: Collector Street Recommendations in Downtown



17 collector streets projects

13 miles total length

50 percent of total new roadway

26 lane-miles of new pavement

Map 6K: Collector Street Recommendations

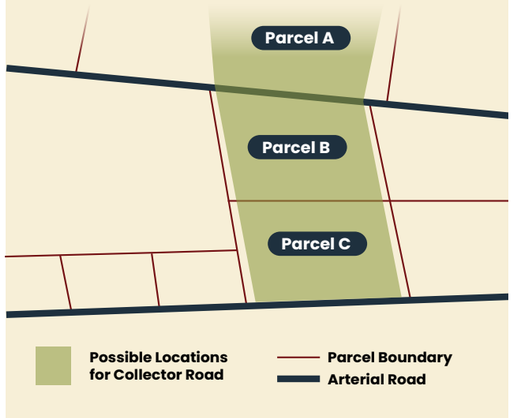
Collector Street Implementation Steps

Step 1

A general area has been identified for where a collector street should be aligned. This is represented by the polygon showing all possible alignment options for a particular collector street. Parcels A, B, and C represent the parcels through which the collector street needs to be aligned.

In this scenario, no part of the collector street has been constructed in parcels A, B, or C. Whichever parcel develops first can construct the collector street on its parcel with significant leeway in alignment selection as long as it falls within the polygon, and it can be extended to the adjacent parcel where the same polygon passes through.

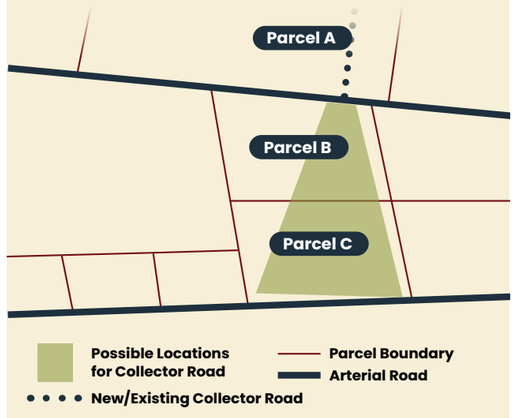
The other parcels will have to tie it into this determined alignment.



Step 2

The developer of Parcel A has decided to align the collector street in a certain way. Parcel A has confirmed with the Parcel B owner and the Planning Department that the extension of this street into Parcel B would NOT impact an environmental feature that could preclude the construction of the collector street in Parcel B.

Parcel B and C now have a reduced number of alignment options to locate the collector street on their respective parcels since the street will eventually have to connect to the alignment in Parcel A. This is determined by design speeds and local buildability conditions. This results in the shrinking of the polygon as one approaches Parcel A.



Step 3

In this scenario, both Parcel A and Parcel C have decided to align the collector street in a certain way within their respective parcels and the collector street polygon. The parcel owners have confirmed that extension of this street into Parcel B would not impact an environmental feature that could preclude the construction of the collector street in Parcel B.

Now Parcel B has two fixed endpoints to honor when aligning the collector street. The developer is still free to determine the internal alignment through Parcel B as long as design standards and road geometries are maintained, and the street eventually connects to the stub-outs in Parcels A and C.

Note: A stub-out is a temporary termination of a street that is intended to be extended through adjacent property in the future. Stub-outs are generally required when it is anticipated that adjacent property will need to extend the street to accommodate future development.

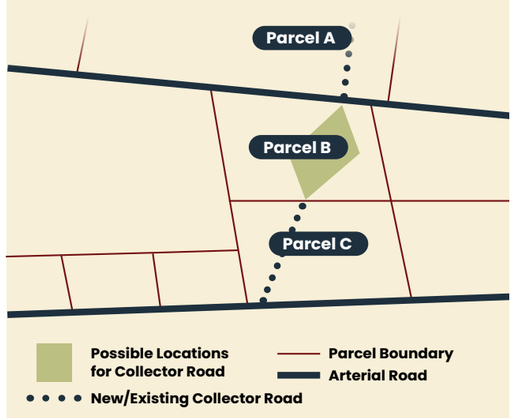


Figure 6A: Collector Street Implementation Steps

Recommendation

During implementation, developers should not be allowed to stub out the collector street in such a way that its extension would be burdensome to the adjacent parcels due to environmental conditions. Additional language strengthening this clause was added to the policy recommendations empowering the Planning Department to ensure overall connectivity can be achieved without disproportionate adverse impacts on any parcel.

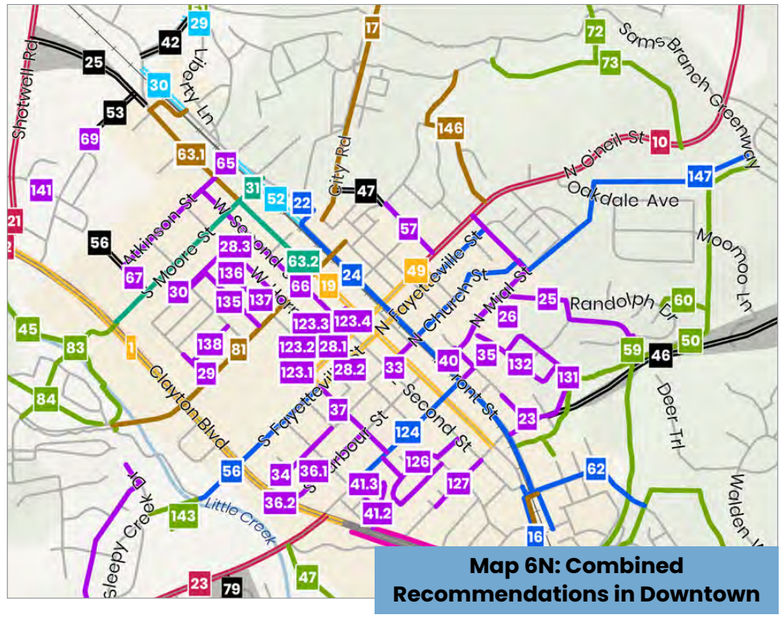
Collector Street Implementation Strategies

- **8.3.2A:** Develop policy language pertaining to collector streets as recommended in Chapter 6 and add it to the UDO.
- **8.3.2B:** Add Collector Street alignment polygons to the online map as a reference to the developers.
- **8.3.2C:** Policy language regarding Stub Streets to be incorporated into the UDO.

Table 6B: Collector Street Recommendations

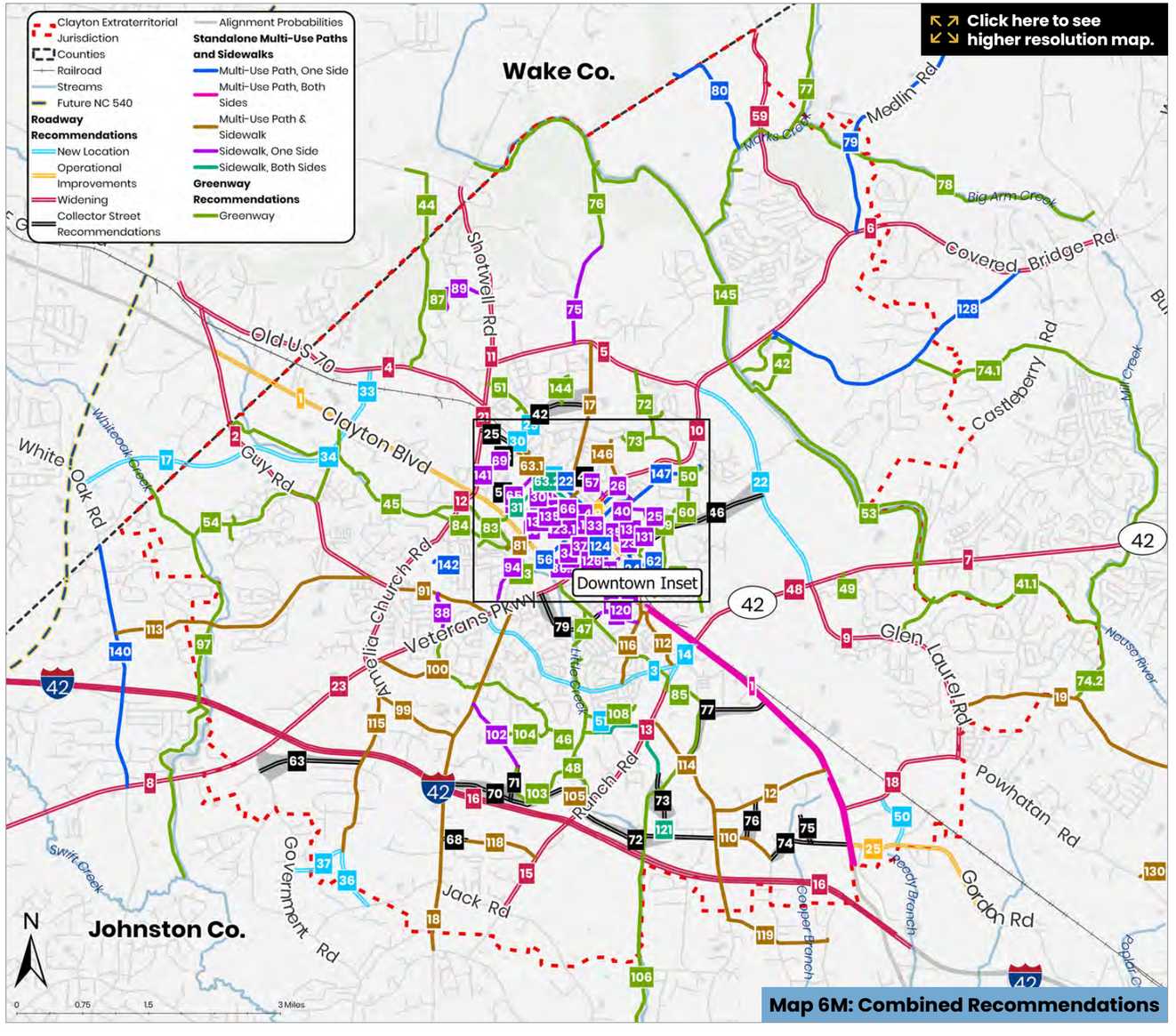
Proj. Key	Road Name	From Road	To Road	Improvement	Existing Lanes	Proposed Lanes	Section Code	Section Type	Plan Reference	Distance
20	Main Street Extn.	Shotwell Rd.	Main St.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	Comp Growth	0.47
26	New Road	Old US 70	City Rd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.00
27	Smith St. Extension	Matthew Circle	Northern Connector	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.53
28	W. Barnes St. Extension	Ridgecrest Dr.	City Rd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.19
31	Summit St.	W. Main St.	N. Enterprise Dr.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.19
32	Blakey Street Extn.	Atkinson St.	Blakey St.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.13
35	New Road	Government Rd.	Corbett Rd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.17
38	Twin Acres Road	Barber Mill Rd.	Twin Acres Rd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.30
39	New Road	Barber Mill Rd.	Canyon Rd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.60
40	Country Ln. Extn.	Country Ln.	CTP39	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.41
41	Peele Road Extn.	Little Creek Church Rd.	Ranch Rd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.64
42	Crooked Creek Road Extn.	Crooked Creek Rd.	N. Emmas Way	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.58
43	Gordon Road Extn.	Peele Rd.	I-42	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.00
44	S. Tech Park Ln. Extn.	S. Tech Park Ln.	CTP43	Collector	0	2	2C	2-Lane Collector Street with Sidewalks on both sides	CTP	0.36
45	New Road	Pony Farm Rd.	Peele Rd.	Collector	0	2	2C	2-Lane Collector Street with Sidewalks on both sides	CTP	0.48
46	New Road	Crooked Creek Rd.	Clayton Blvd.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	1.40
47	New Road	Veterans Pkwy.	Holding St.	Collector	0	2	2B	2-Lane Collector Street with Multi-Use Path and Sidewalk	CTP	0.96

Combined Recommendations



Map 6N: Combined Recommendations in Downtown





Map 6M: Combined Recommendations

Metric Comparisons

	2020 Official Model Understanding current travel metrics	2050 Modified Model Establishing base case for future travel metrics	2050 Clayton CTP Model Understanding the effect of recommendations on travel metrics	
Lane-Miles of Roadway	**190** Total Lane-Miles	**+125** Increase in lane-miles **315 total** lane miles	**+130** Increase in lane-miles **320 total** lane miles	The CTP plans to add 130 lane-miles of roadway in Clayton, which includes 104 miles of non-collector and 26 miles of collector lane-miles. This is similar to the total lane-miles of previously adopted plans, but better distributed to reduce delay.
Total Distance Traveled in Clayton	**~887K** Vehicle miles traveled	**~2.12M** Vehicle miles traveled **2.4X** increase	**~2.06M** Vehicle miles traveled Marginal Change from Modified Model	The CTP projects incur a marginal decrease of more than 20,000 miles in the overall total daily vehicle miles traveled in Clayton.
Total Hours Spent in Travel	**~17K** Hours traveled, with an avg. speed of **51 mph**	**~45K** Hours traveled, with an avg. speed of **47 mph**	**~44K** Hours traveled, with an avg. speed of **47 mph**	There is a slight reduction in the total time people spent on the road between the 2050 baseline and CTP scenarios.
Aggregate Daily Delay	**364** Hours at avg. speed	**3,250** Hours at avg. speed **9X** increase of delay	**2,218** Hours at avg. speed **~30%** reduction	This is the most significant impact of the CTP projects. Approximately 1,000 fewer hours of daily delay than the 2050 baseline scenario.
Auto Trips Generated	**~120K** Auto trips	**~432K** Auto trips **3.6X** increase **~40K** intrazonal auto	**~442K** Auto trips **~2%** increase over Modified Model **~40K** intrazonal auto	The reduction in delay may have resulted in ~10,000 additional daily auto trips in Clayton.

Special Recommendations

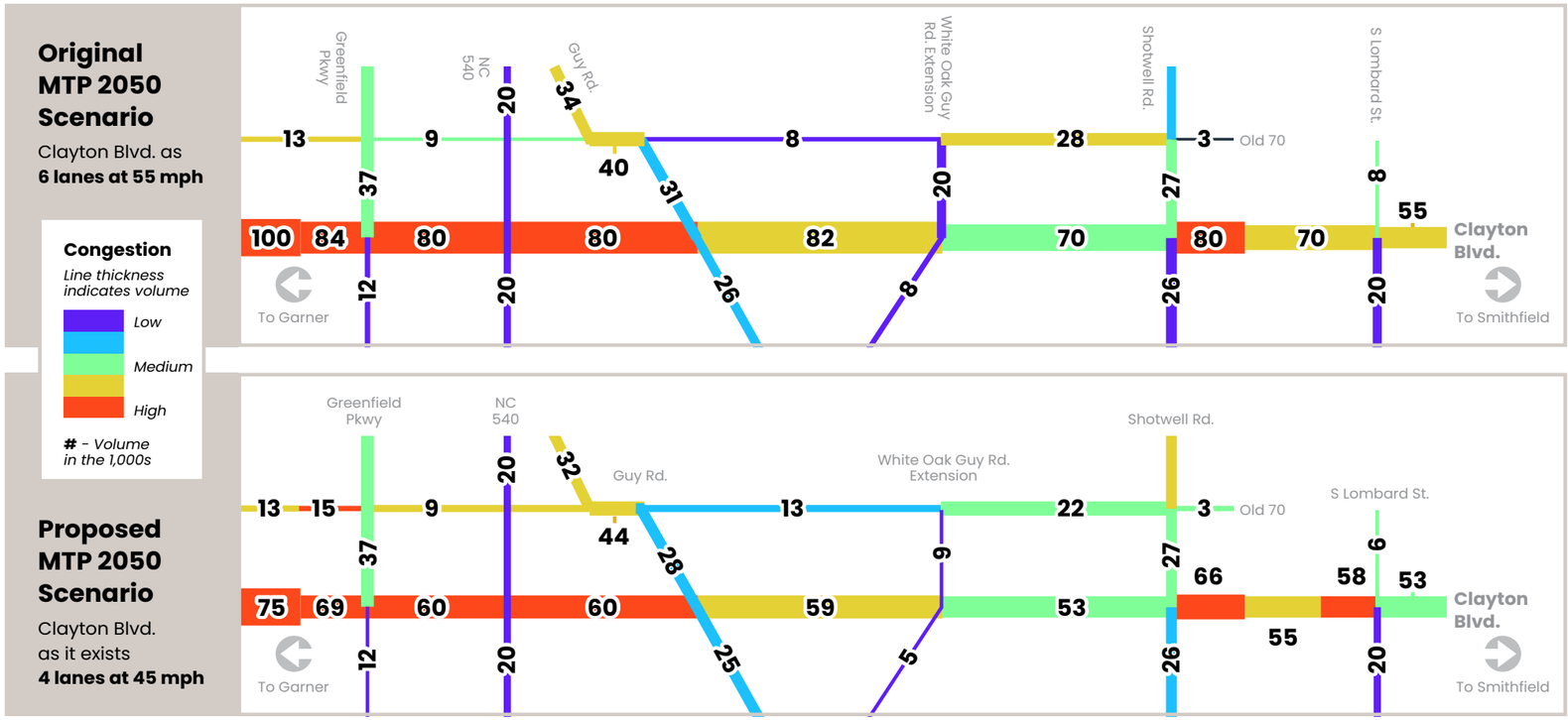
Clayton Boulevard

Background and Rationale

Clayton Blvd. is the key route joining Clayton to the overall region. NCDOT has planned to upgrade this road to 'reduced conflict intersections' (U-6113) in the near term, and a 6-lane road at 55 mph in the long term. This long-term plan for the road is also programmed in the TRM 2050 official network. Neither of these projects are funded in the STIP program.

The Town of Clayton's vision for this road includes increasing commercial and mixed-use development, providing safer crossings, and preparing this corridor for a potential future BRT extension. This will require closely spaced driveways, multi-use paths on both sides, and timed crossings at all intersections. The Town's vision of this roadway is contrary to NCDOT's plan. This CTP explored the impacts of not widening the road on overall congestion.

Figure 6B: Clayton Blvd. Volume and Congestion Comparison



Analysis

The widening of Clayton Blvd. was removed from the 2050 official network and the speed was reduced to 45 mph to understand its impacts on overall congestion. The impacts are diagrammatically represented in **Figure 6B**. The volumes along Clayton Blvd. decrease by 15,000 to 25,000, and some of the traffic redistributes to other roads. Clayton Blvd. between Lombard St. and Guy Rd. experience similar levels of congestion in both the scenarios, meaning widening the roadway may not alleviate congestion on the core segment of Clayton Blvd. through Clayton, as more traffic is funneled through it. However, there is a minor increase in congestion west of Guy Rd. which may benefit from widening.

Recommended Strategies

- **8.3.1A:** Reconsider further advancement of U-6113 project in STIP. Conduct Corridor and Access Management Study for Clayton Blvd. between I-40 and I-42 to address the following concerns
  - Land-use, driveway and access management, impacts of 6-lane versus 4- or 5-lane, intersection improvements and crossings, transit accommodations, and multi-use paths.
  - Signal timings that can prioritize peak direction at peak times
  - Avoid further widening due to the MTP project A301.
- **8.3.6C:** Coordinate with NCDOT to add pedestrian signals across Clayton Blvd. in the short term.

Widening Clayton Blvd. **does not appear to address congestion.** The daily volumes on Clayton Blvd. **reduce from ~80K to ~60K** between the two scenarios. Some of these trips may utilize other roadways, or may change their destinations, or may choose to carpool, walk, bike or take transit instead of driving.

Downtown One-Way Pair

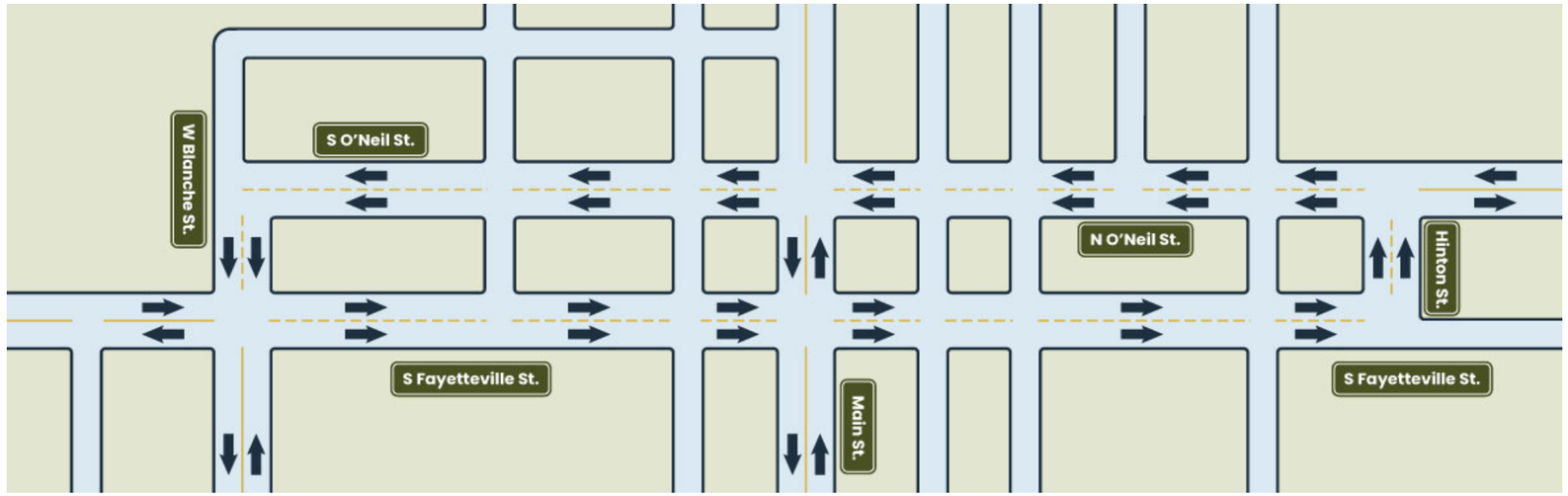
Background and Rationale

N. O'Neil St. was planned to be widened to 3-lanes (2 lanes with center two-way left turn lane) from Front St. to future Northern Connector. This was recommended to alleviate the traffic generated based on left-turn movements. This was initially planned in CAMPO South East Area Study, and became an MTP 2050 project.

The portion of N. O'Neil St. south of Hinton St. is located in Downtown Clayton Historic District which will not only create a significant challenge to its widening, but also impact the character of Downtown which is against one of the key goals of the CTP. Also, two-way left turn lanes won't impact the high traffic volumes that are projected on O'Neil St.

These concerns can be addressed by converting a one-way pair for O'Neil and Fayetteville Streets so that lanes can be restriped for turns without adding more ROW. This intervention can eventually lead to other design interventions as mentioned in the DOT conducted study.[1]





1 - NCDOT and the National Science Foundation have conducted a project to identify ways to catalyze walkable, sustainable, and equitable development in the downtowns of NC using existing ROW. This research can be found here.

Figure 6C: Downtown One-Way Pair Recommendation

Recommended Strategies

- **8.3.1C:** Conduct a study to understand the impacts of converting Fayetteville St. one-way northbound, and O'Neil St. one-way southbound between Hinton and Blanche Streets.
  - W. Hinton St. and W. Blanche St. are the two extreme ends to consider this one-way pair. This recommendation can be truncated to any intermediate streets.
  - Implementation can include smaller steps, such as specific weekday or weekend tests and traffic cones and signage based tactical urbanism in order to assess traffic and public acceptance.
  - Future changes may include additional streetscape, more parking, or wider sidewalks based on traffic on individual segments.

6.3 CROSS SECTIONS

The following pages display the recommended roadway cross-sections that have been developed for the "Clayton on the Move" Plan.

Using the Cross-Sections

- **STEP 1:** Note the **Project Key** of the road on the Map 6I or Map 6K.
- **STEP 2:** Find the row with the same Project Key on Table 6A or Table 6B and note the 'Section Code'
- **STEP 3:** Find the cross section matching the **"Section Code"** here.
- **STEP 4:** Follow the recommended dimensions for determining the right-of-way (ROW) dedications for developments for that road.

Lower than **recommended dimensions** are permitted only under extraneous circumstances by sole discretion of the Town staff only. The Town staff should prioritize consistent ROW for the entire stretch of the road, including it's sub-elements. Existing roadways not listed should at a minimum follow the 2C section. New roadways not identified in the recommendations as part of the new development shall be jointly determined by Town staff and the developer.

Right of Way (ROW)

The Town reserves the right to increase or decrease the minimum right-of-way required at the time of development from the listed right-of-way based on existing conditions or to accommodate alternate dimensions–the suggested right-of-way does not account for any alternate cross-section elements.

Bicycle and Pedestrian Infrastructure

Most roadway improvement projects recommended as a part of this plan include bicycle and pedestrian infrastructure as a part of the standard cross sections in the form of sidewalk and/or MUP. When the planned improvement alongside a roadway includes only adding sidewalk or MUP without adding lanes to the roadway as may be the case in certain roads in Tables 4A, 4B, 4C or 4D, please refer to 'Bicycle and Pedestrian Cross Sections' in subchapter 4.3. **Town Staff reserves the right to require additional bike and pedestrian improvements on roadways not identified in subchapter 4.3.**

Curb and Gutter

Curb and gutter is standard for any new roadway and when improving existing roadways. Existing roadways in historically sensitive areas may be evaluated at the time of development to determine if curb and gutter is appropriate.

Verge and Clear Zone

For roadways with curb and gutter, the space between the closest edges of sidewalk (or MUP) and the curb is called the verge. For roadways without curb and gutter, the space between the closest edges of the sidewalk (or MUP) and the travel lane is called the 'Clear Zone'. This is needed to design appropriate stormwater drainage along the roadway.

NCDOT Approval

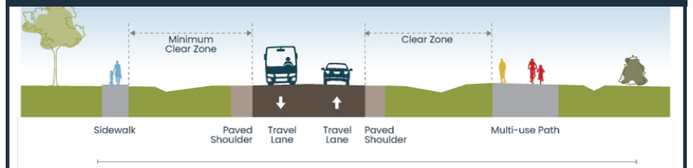
Roads located along state-maintained roadways are subject to approval of NCDOT. NCDOT may require additional cross-section elements or right-of-way beyond the Town's minimum standards.

Roadway Cross Section Design Philosophy

- **Multimodality** was a central objective of this plan, leading to cross sections with a sidewalk on one side and a multi-use path (MUP) on the other. This typology isn't in NCDOT's typical cross sections, so proposed ROW widths are slightly greater to accommodate MUPs.
- **Utilities** are not typically designed during planning; however, additional ROW is reserved beyond sidewalks and MUPs for future utility installations. This approach aligns with NCDOT guidelines and helps minimize conflicts and delays during construction, supporting both the Town and NCDOT.
- In **feasibility studies** by NCDOT, existing ROW availability is seen as a cost-saving advantage for roadway projects. Limited ROW necessitates additional acquisition, increasing project costs and potentially delaying construction, thus extending the overall project timeline.
- **Consistency** in roadway design is crucial for a safe, predictable transportation network. Town staff should maintain uniform dimensions for each roadway element along a corridor's full length, except where impractical due to physical, environmental, or contextual constraints.

2A — Two Lane Undivided with Paved Shoulders, Multi-use Path, and Sidewalk

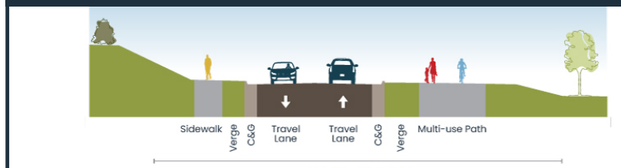
Posted speed: **55 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	115'	100' to 135'
Travel Lane	12'	12'
Paved Shoulder	5'	2' to 6'
Multi-use Path	14'	8' to 14'
Sidewalk	6'	5' to 6'

2B — Two Lane Undivided with Curb and Gutter, Multi-use Path, and Sidewalk.

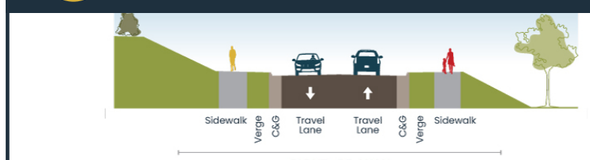
Posted speed: **25-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	80'	65' to 85'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'
Multi-use Path	14'	8' to 14'

2C — Two Lane Undivided with Curb and Gutter and Sidewalks.

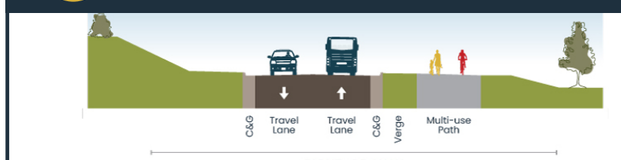
Posted speed: **25-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	70'	60' to 75'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'

2D — Two Lane Undivided with Curb and Gutter and Multi-use Path

Posted speed: **25-45 MPH**



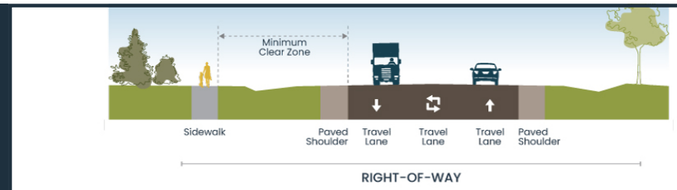
	Recommended Dimensions	Alternate Dimensions
ROW	70'	60' to 75'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'

Cross Sections (continued)

3A

Three Lane Undivided with Paved Shoulders and Sidewalk on one side.

Posted speed: **25-45 MPH**

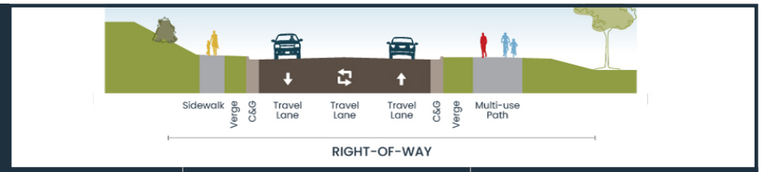


	Recommended Dimensions	Alternate Dimensions
ROW	100'	95' to 115'
Travel Lane	11'	11' to 12'
Paved Shoulder	5'	2' to 6'
Sidewalk	6'	5' to 6'

3B

Three Lane Undivided with Curb and Gutter, Multi-use Path, and Sidewalk.

Posted speed: **25-45 MPH**

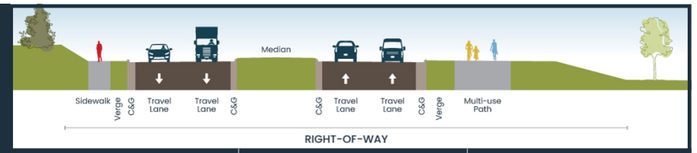


	Recommended Dimensions	Alternate Dimensions
ROW	95'	80' to 100'
Travel Lane	11'	11' to 12'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'
Multi-use Path	14'	8' to 14'

4A

Four Lane Divided with Curb and Gutter, Multi-use Path, and Sidewalk.

Posted speed: **35-45 MPH**

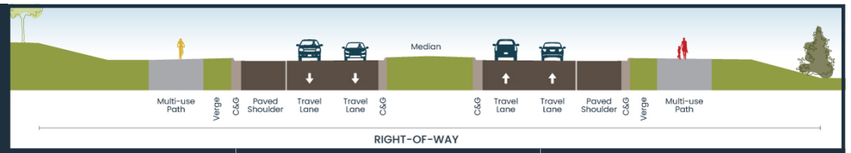


	Recommended Dimensions	Alternate Dimensions
ROW	120'	105' to 135'
Travel Lane	11'	11' to 12'
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Sidewalk	6'	5' to 6'
Multi-use Path	14'	8' to 14'

4B

Four Lane Divided with Curb and Gutter and Multi-use Paths.

Posted speed: **45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	160'	140' to 170'
Travel Lane	11'	11' to 12'
Paved Shoulder	12"	12"
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Multi-use Path	14'	8' to 14'

5A

Five Lane Undivided with Curb and Gutter, and Multi-use Paths.

Posted speed: **35-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	155'	135' to 170'
Travel Lane	11'	11' to 12'
Paved Shoulder	12"	12"
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Multi-use Path	14'	8' to 14'

6A

Six Lane Divided with Curb and Gutter, and Multi-use Path

Posted speed: **35-45 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	175	140' to 175'
Travel Lane	12'	12'
Median	17'-6"	17'-6" to 23'
Curb and Gutter	2'-6"	2'-6"
Verge	6'	2' to 7'-6"
Multi-use Path	14'	8' to 14'

6B

Six Lane Divided with median and paved shoulders.

Posted speed: **55-70 MPH**



	Recommended Dimensions	Alternate Dimensions
ROW	200	145' to 200'
Travel Lane	12'	12'
Paved Shoulder	12'	10' to 12'
Median	27'	27'

6.4 DOWNTOWN PARKING ANALYSIS AND RECOMMENDATIONS

CLAYTON ON THE MOVE

Parking Availability

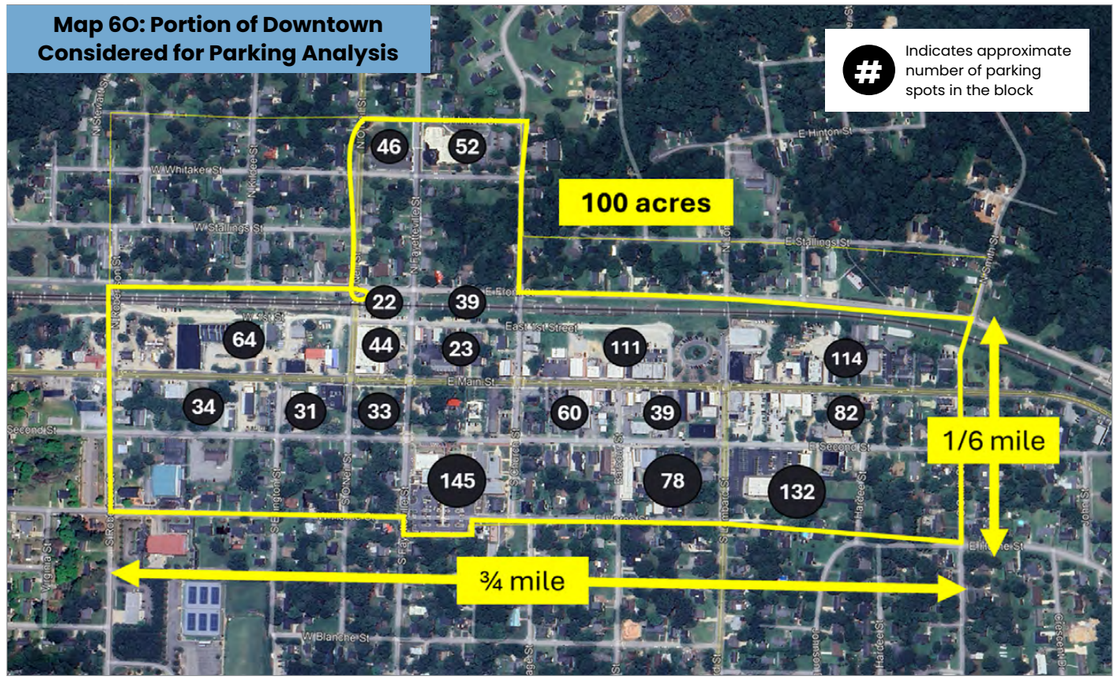
Parking spaces in Downtown Clayton are perceived to be in limited supply. This perception can continue as Clayton's increasing population and employment opportunities increase the number of trips to Downtown.

Within 100 acres of Downtown Clayton as shown in **Map 6O**, there are approximately 1,470 potential public and customer parking spaces. This includes 200 spots on Main St., 120 spots on E. Second St., and approximately 1,150 off-street parking spots – some designated as public and some as customer only. This means that there are approximately 14-15 parking spaces per acre in Downtown Clayton, which is more than sufficient for its current needs.

Future Parking Demand

Assuming a linear relationship between parking and employment, parking demand is projected to double between 2020 and 2050. This does not necessarily mean that the number of spaces will need to increase, but parking management may need to change to allow for higher turnover of parking.

Map 6O: Portion of Downtown Considered for Parking Analysis



1,470 Available parking spaces

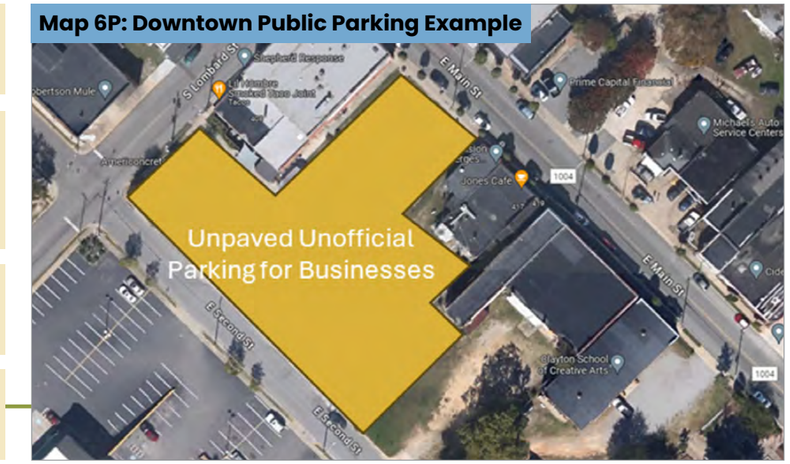
~12 Percent of Downtown area dedicated to parking

~15 Spaces per acre

2X Parking demand growth



Map 6P: Downtown Public Parking Example



Recommended Strategies

- **8.3.4A:** Draw parking lane stripes on Second St. where parking is already allowed
- **8.3.4 B:** Conduct a Downtown Parking Study to determine demand, supply, and future need for parking. This study can further determine feasibility of the following
  - Time restricted parking on E. Main St. to increase turnover
  - Potential to partnering with businesses to create additional public parking spots as shown in Map 6P which demarcates customer parking behind certain downtown businesses
  - Finding a location for a parking garage convenient for Downtown traffic, greenway access, and park and ride in the future for Rapid Bus or Commuter Rail.
- **8.3.4 C:** Provide additional paved surfaces for parking in Downtown areas behind buildings or within the NCRR corridor.

  Other considerations impacting parking:
  - Construct complete sidewalk network within downtown with marked crosswalks to facilitate walking
  - Implement transit that serves downtown
  - Reduce parking requirements for new construction in Downtown by combining the residential and business parking needs during different times

6.5 ROADWAY POLICY ANALYSIS AND RECOMMENDATIONS

One of the key goals of this study is to "Enhance Accessibility and Connectivity." Connectivity begins at the local street level, and though it is not technically feasible to plan every local street, comprehensive policy guidelines should be established to ensure new developments are conducive to greater connectivity.

Current policy guidelines in Clayton's Unified Development Ordinance (UDO) are quite thorough for connectivity within the development but is limited in scope between developments. This creates islands of connectivity with short block lengths within subdivisions, which in turn are disconnected from the neighboring subdivisions. Cross-development connectivity may not be feasible in certain cases because of environmental concerns, but for a large majority of developments, it is a deliberate design choice. This cross-subdivision disconnection can be addressed by expanding the scope of the UDO policy language to include more requirements for inter-connectivity between subdivisions.

Relevant Excerpts from the Unified Development Ordinance (UDO) and their corresponding maps and images:

UDO Section 6.5.12.3e: Cul-de-sac and dead-end street design

1) No cul-de-sac or dead-end street serving residential lots of 20,000 square feet or greater in area shall exceed 1,000 feet in length. .... serving residential lots less than 20,000 square feet in area shall exceed 750 feet in length ... serving commercial or mixed-use development shall exceed 400 feet in length.
2) In cases where one cul-de-sac is accessed from another cul-de-sac, the maximum length for all culs-de-sac accessed from another cul-de-sac street shall be 400 linear feet.

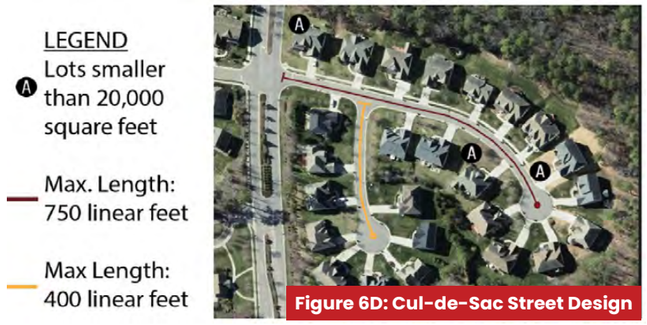


Figure 6D: Cul-de-Sac Street Design

6.5A: Cul-de-Sac Recommendations

Culs-de-sac counter connectivity. Consider UDO change that stipulates or limits on the usage of culs-de-sac in subdivision site design.

Sample Guidelines:

1) 1 cul-de-sac cannot be used as an access point for more than 1 other cul-de-sac.
2) For developments larger than 50 lots, no more than 10% of the total lots can have their driveway access from a cul-de-sac.

Relevant Excerpts from the Unified Development Ordinance (UDO) and their corresponding maps and images:

UDO Section 6.5.12.6: Street Connectivity

a) All development subject to this Ordinance shall achieve an internal street connectivity score in accordance with the following table.

Table 6C: Minimum Street Connectivity Index Score

Zoning District Where Located	Minimum Required Index Score
RUR, RLL, RLD	1.20
LID, HID, CZI	1.25
RMD, RHD, CZR	1.30
NCM, PUB, CZC	1.40
DTN, MXD, CZM, CZD	1.50

b) The connectivity index for a development is calculated by dividing its links by its nodes.

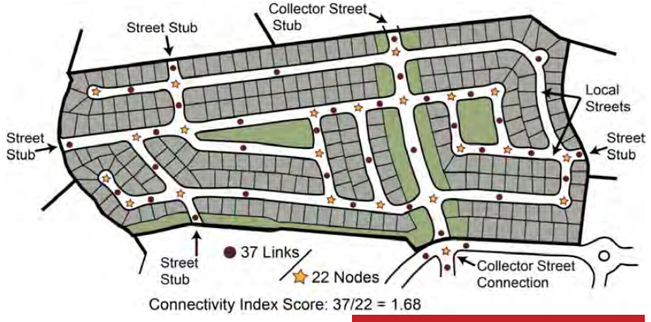


Figure 6E: Street Connectivity

6.5B - Street Connectivity Recommendations

1) Consider increasing Minimum Street connectivity index.
2) Redefine links and nodes to disincentivize culs-de-sac and incentivize street stubs:
   - Links should be defined as segments of streets between intersections with other streets or ending at the boundary as a stub.
   - Culs-de-sac should not be considered as links but should be considered as nodes.
   - A street turning at a cul-de-sac cannot be considered as two links, but the turn should be considered as a node.
   - Based on this definition, the revised connectivity score index 30/22 = 1.36.
   - Potentially consider increasing the link weight of street stub to 2 to incentivize stubs to adjoining parcels.

UDO Section 6.5.12.4: Block Length and Width

a) ...intersecting streets shall be laid out at such intervals that block lengths do not exceed 1,500 linear feet.

b) iii) In cases where the block length exceeds 900 linear feet, a mid-block pedestrian connection through the entire depth of the block shall be provided for all forms of development except when located in a RUR, RLL, LID, or HID district.

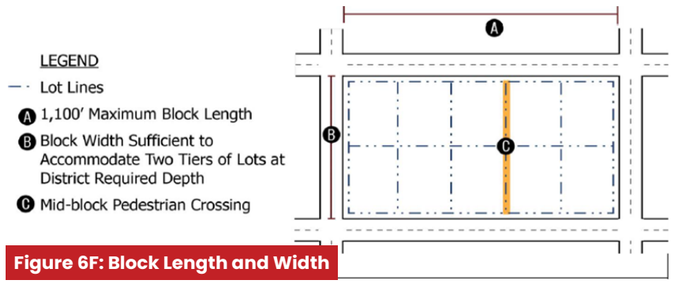


Figure 6F: Block Length and Width

6.5C: Block Dimension Recommendations

- 1) Consider **extending** block length and width **requirements to adjacent parcels** such that when the adjacent parcels are developed, they collectively function as a contiguous part of the urban fabric, and that different subdivisions don't remain disconnected.
- 2) Consider extending the **pedestrian crossing requirement** to adjacent parcels.

This recommendation is more suitable for development closer to Downtown Clayton where street grid can be extended using these guidelines.

UDO Section 6.5.12.7: Development Entry Points

All new subdivisions and developments shall provide streets from the development to the street system outside the development in accordance with the following table:

Table 6D: Minimum Number of Development Entry Points

Type of Proposed Development	Development Size	Minimum Number of Vehicular Access Points
Single-Family Detached Residential, Duplex, Triplex, and Quadplex	50 or fewer lots or units	1
	51 to 100 lots or units	2
	101 or more lots or units	3 + 1 for every additional 100 units
Single-Family Attached Development, Multi-Family, and Mixed-Use Development	Less than 100 units	2
	101 to 500 units	3
	501 or more units	4
Non-Residential Development [3]	Less than 10 Acres	1
	10 to 50 acres	2
	More than 50 acres	3

These requirements do not take overall site dimensions into account, nor do they stipulate the distribution of these access points by direction. Theoretically, all of the access points can be provided from one side of the site, which, while addressing the requirement, does not add to the connectivity of the development to its adjacent parcels.

6.5D: Development Access Points Recommendations

- 1) Use **perimeter length as additional parameter** to determine the number of external connections.

  Number of connections = Perimeter length / connectivity coefficient. **Connectivity coefficient:**

  - a. 600 feet in DTN, MXD, CZM and CZD
  - b. 1,200 feet in NCM, PUB, CZC,
  - c. 1,800 feet in LID, HID, CZI, RMD, RHD and CZR
  - d. 2,400 feet in RUR, RLL, RLD
- 2) **Distribute** these access points to all sides of the development so as to not have all access to the development through one or two sides.

Internal Street Design (Not in UDO)

The UDO includes several street design guidelines in terms of street sections, and intersection angles. However, there are currently no guidelines that stipulate the overall roadway geometry of the site that can enhance cross-connectivity. For example, if the site has two access points on the opposite ends, there are currently no requirements as to how the connectivity between two access points should be designed.

In **Figure 6G,** the example on the left shows a site that is accessed at opposite ends, but the roadway layout deliberately discourages through movements. Such design should be disincentivized, and it should be required that the connection between opposite access points must be with as few turns as possible.

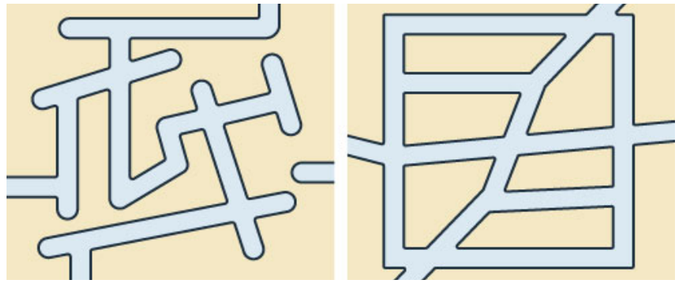


Figure 6G: Internal Street Design

6.5E: Internal Street Design Recommendations

- 1) Site design should **encourage through traffic,** so that each subdivision is effectively a part of the overall roadway network and do not remain disconnected from each other.
- 2) For access points on the opposite directions of a site, the **trip circuity** should not be greater than 1.2.

  Trip circuity = Driving Distance / Distance as Crow Flies
- 3) For access points to perpendicular sides, there should be **no more than 1 turn** when driving from one access point to the other.
- 4) Planning **staff can consider exemptions** from these requirements when environmental conditions on the site are not conducive.

Pedestrian Connectivity

Currently, there are no additional requirements for pedestrian connectivity in the UDO beyond providing sidewalks on local streets. Shorter walking distances may alleviate some of the short distance driving that occurs currently because of lack of other options. Here are a few examples of how it is addressed in peer communities.

Highlights the location of example subdivisions where additional pedestrian connections are provided.

Figure 6H shows an example of a subdivision on Olive Chapel Road in Apex, NC. Pedestrian paths are constructed to reduce the walking distance from the cul-de-sac closest to Olive Chapel Road. The subdivision design, though not ideal for overall connectivity, provides a local example of how pedestrian paths can be used to reduce walking distances at locations where providing a full-fledged roadway connection may not be feasible or may be more expensive.

A similar example can be seen at the townhome complex on the east side of the map where a pedestrian connection is provided as an outlet from a cul-de-sac.

Figure 6I shows an example of a subdivision in the Queenswood Heights neighborhood of Ottawa in Canada. The local guidelines stipulate pedestrian connections between subdivision lots to provide shorter pedestrian access to main streets without depending on the circuitous roadway layout. The subdivisions follow a loose grid to enhance density and use the pedestrian connections to strengthen that grid.

At the street level, these connections are not as obtrusive as a roadway connection could be, as seen in Figure 6J. Landscape elements can be used to further separate these paths from adjacent properties.

These connections also function as utility easements and emergency access points.



Figure 6H: Reduced Walking Distances



Figure 6I: Pedestrian Connections Between Subdivision Lots



Figure 6J: Landscape Elements on Pedestrian Paths

6.5F: Pedestrian Connectivity Recommendations

1) Incentivize pedestrian path connection between culs-de-sac and closest public roadway when there is only one subdivision lot between the cul-de-sac and an adjacent roadway. Use this ROW for potential utility easement. Example shown in Figure 6K.

2) Incentivize pedestrian path connection between opposite culs-de-sac between the same or adjacent subdivisions wherever possible. Use this ROW for potential utility easement. Example shown in **Figure 6L**.

3) Mandate a pedestrian connectivity coefficient which can result in smaller pedestrian blocks and more inter-subdivision connectivity. **Pedestrian Connectivity Coefficient:**

- a. 600 feet in DTN, MXD, CZM and CZD
- b. 1,200 feet in all other zones

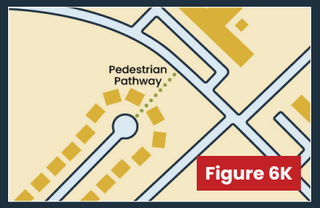


Figure 6K



Figure 6L

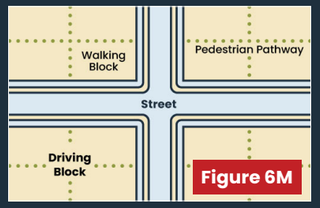


Figure 6M

Policy Implementation Strategies

- **8.3.3A:** Develop UDO code language based on the recommendations provided in sections 6.5A through 6.5E to improve roadway connectivity.
- **8.3.3B:** Constitute an empowered committee to discuss the implications of the recommended UDO code language.
- **8.3.3C:** Develop incentives and allowances based on adherence to higher than required connectivity standards.
- **8.3.3D:** City of Raleigh is developing Traffic Impact Assessment requirements that include Vehicle Miles Traveled factor. Discuss their experiences and potentially emulate the requirements in Clayton.
- **8.3.5A:** Develop UDO code language to increase bicycle and pedestrian connectivity based on the policy recommendations provided in section 6.5F.
- **8.3.5B:** Seek third party evaluation and ratings for bicycle and pedestrian connectivity.

7. Safety

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7.1 ROADWAY SAFETY ANALYSIS

CLAYTON ON THE MOVE

Crash Analysis

One of this plan's guiding goals is to provide efficient and reliable access for its citizens and businesses, while maximizing their safety. The **Map 7A** shows crash data in Clayton from 2019 to 2023. This map helps identify intersection hot spots for safety interventions and improvements.

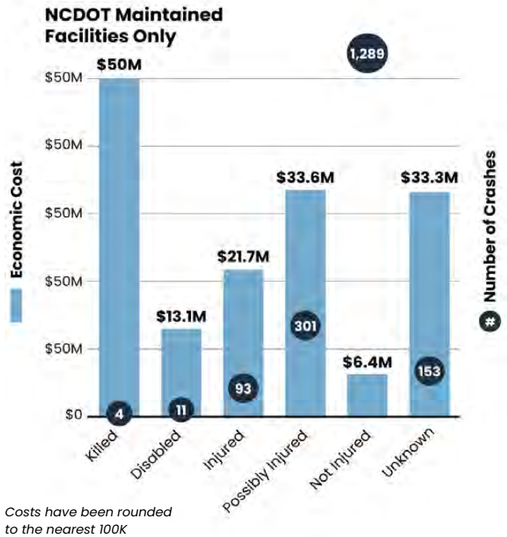
1,851 crashes between 2019 and 2023.

1698 DOT
153 non-DOT

$125M monetized loss in 2022 dollars

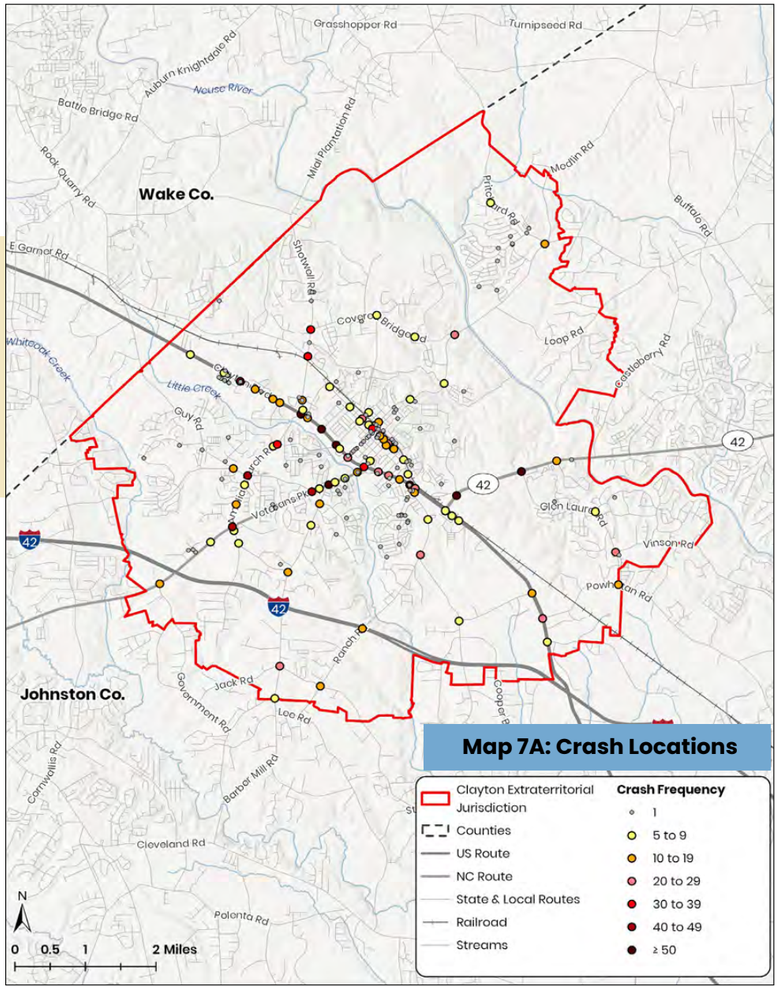
Source: USDOT's monetary loss values assigned to KABCO crash scores in their RAISE Grant Application Guidance.

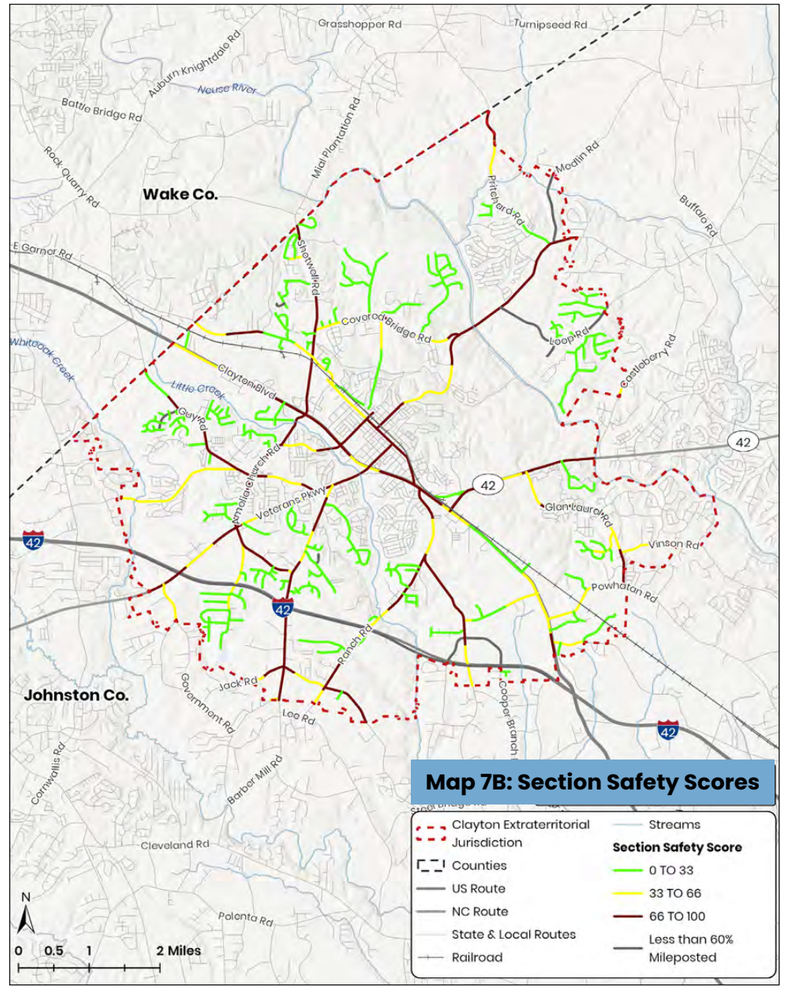
Figure 7A: Crash by Type and Economic Cost



Costs have been rounded to the nearest 100K

Source: Calculations are based on USDOT's RAISE Grant Application Guidance 2024 which includes monetary values assigned to each crash type.





NCDOT Section Safety Scores (SSS)

Map 7B shows planning level crash data for state-maintained roadway segments. Points for highway section projects are scored based on three components:

Crash Density Ratio
The crash density of the study area versus the average crash density of similar facilities

Severity Index
NCDOT version of the KABCO scale

Critical Crash Rate Ratio
The actual crash rate versus the critical crash rate.

7.2 BICYCLE AND PEDESTRIAN SAFETY ANALYSIS

Crash Analysis

A key goal of this plan is to make Clayton a safe place to move around. Understanding the locations where this safety is compromised is the first step towards achieving this goal.

Bicycle and pedestrian crash data from NCDOT and Clayton Police were used to analyze the safety conditions for bicyclists and pedestrians. A total of 56 crashes were recorded from 2018-2023. Of these crashes, 32 were recorded by NCDOT, and the remaining 24 were pulled from the Clayton Police data. Crash details, including injuries and crash type, were only available for the NCDOT data.

Map 7C shows bicycle and pedestrian crash data in Clayton from 2018-2023. Downtown Clayton, Clayton Blvd., and Veterans Pkwy. show the highest concentration of crashes. Downtown Clayton has the highest proportion of crossing paths / crossing roadway crashes.

Crash Type	# Crashes
Backing Vehicle	1
Bicyclist Failed to Yield - Midblock	1
Crossing Paths / Crossing Roadway	9
Dash / Dart-Out	8
Motorist Overtaking Bicyclist	1
Other / Unusual Circumstances	4
Walking Along Roadway	7
Working in Roadway	1

19 crashes from 2018 to 2023

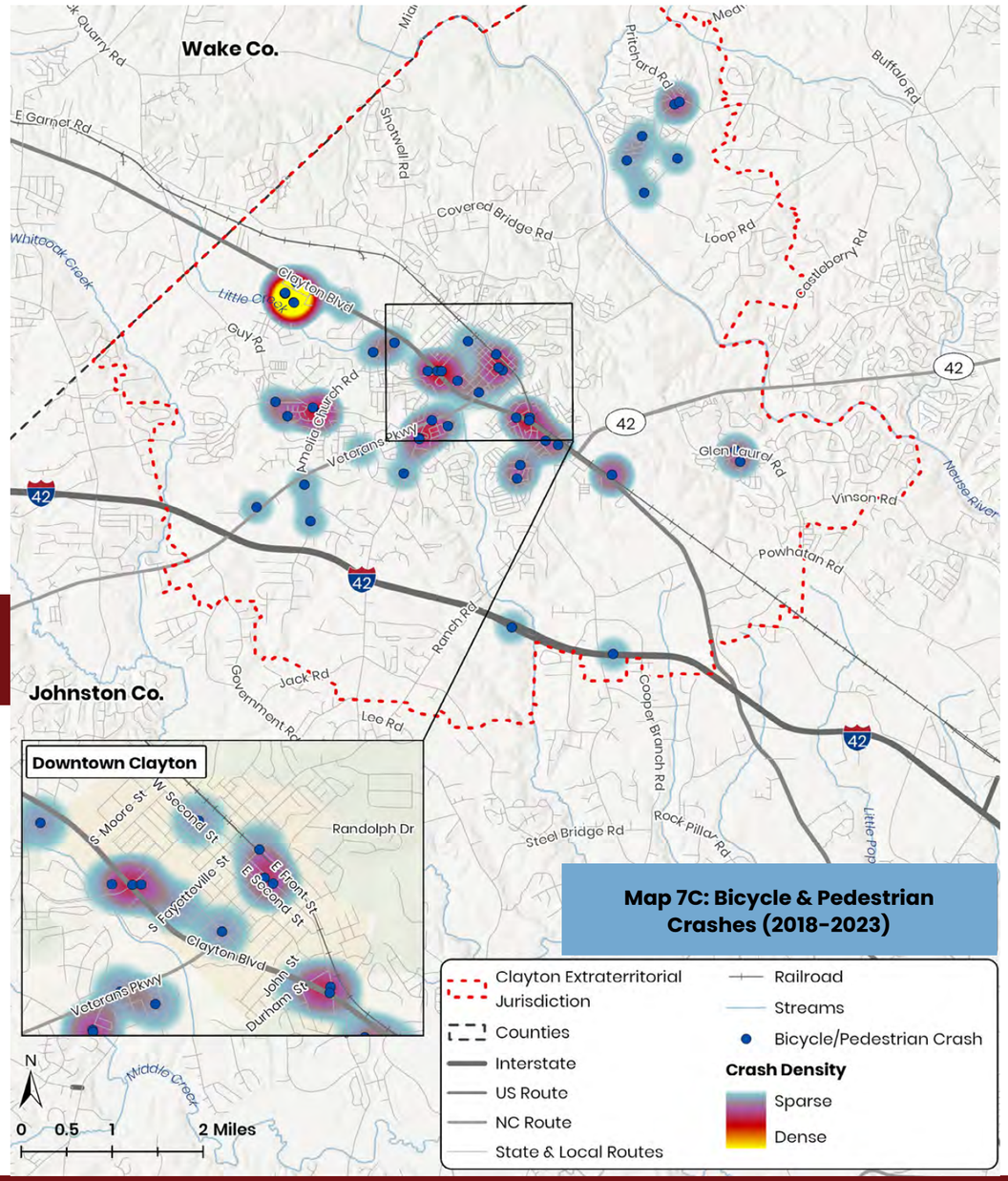
5 pedestrian fatalities

3 serious injuries to pedestrians

Solutions for Crash Types

Crossing Improvements	Add Sidewalks	Add Bicycle Facilities
Bicyclist Failed to Yield -Midblock	Walking Along Roadway	Motorist Overtaking Bicyclist
Crossing Paths / Crossing Roadway		
Dash / Dart-Out		

By identifying the type and density of crashes, solutions can be tailored to address how to improve car-driver behavior to ensure bicyclist and pedestrian safety.



Map 7C: Bicycle & Pedestrian Crashes (2018-2023)

7.3 INTERSECTION SAFETY ANALYSIS

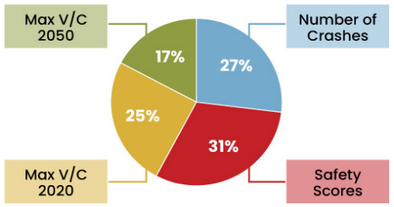
Hotspot Intersections Analysis

Goal

Four intersections with significant traffic and safety concerns were selected to understand their problems and recommend improvements. This page shows the selection process of the intersections.

Scoring

The safety and congestion data were collected for all key intersections in Clayton. The CTT was then asked to vote on the weightages of four parameters. The result is shown in the chart below.

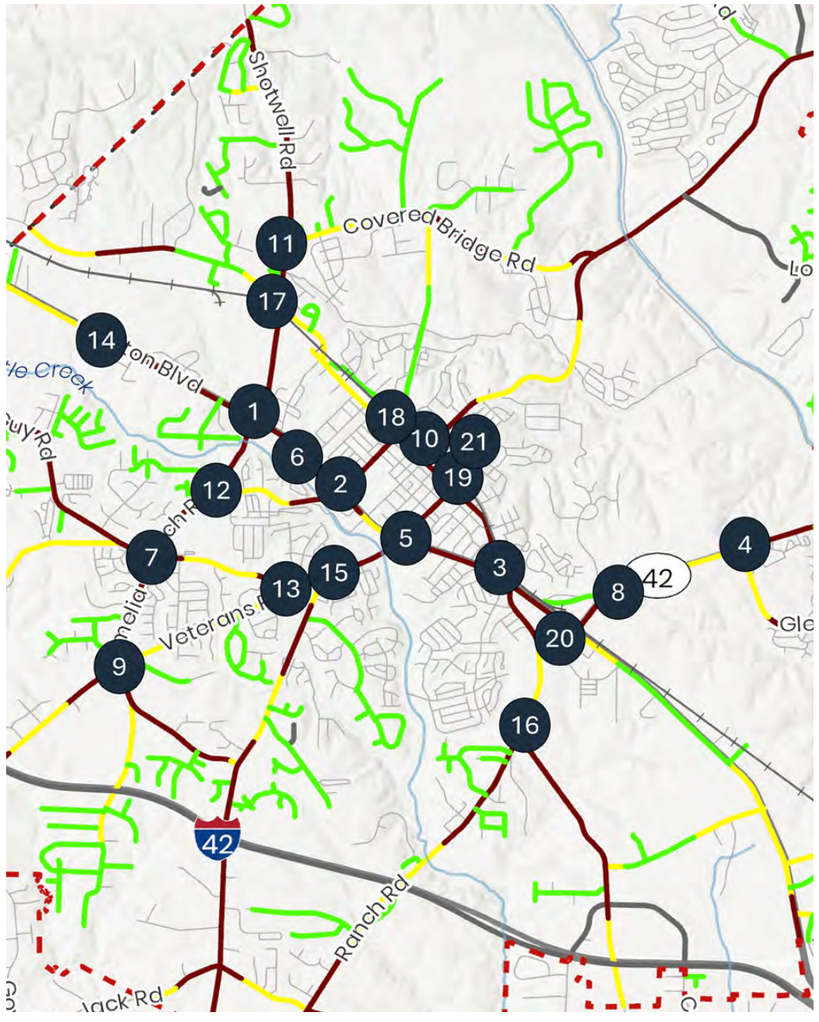


Results and Removals

Eighteen intersections scored high through this process. A large number of hotspot intersections were too closely spaced on Clayton Blvd. and Veterans Pkwy. to isolate their issues. Intersections on Clayton Blvd. are proposed to be studied separately as a part of the Clayton Blvd. Corridor Study recommended in this CTP.

There are ongoing efforts for widening Veterans Pkwy., and new hotspot intersection recommendations at this stage will not be useful.

Intersections #7, #9, and #11 were removed, because there were plans either already underway to address those intersections, or they are a part of a significant roadway recommendation through this CTP.



Map 7D: Hotspot Intersection Qualifiers

Table 7A: Intersections and Their Combined Scores

Rank	Intersection	Combined Score
1	Clayton Blvd. @ Shotwell Rd.	87.59
2	Clayton Blvd. @ Amelia Church Rd.	81.28
3	Clayton Blvd. @ E. Main St.	78.00
4	NC 42 E. @ Glen Laurel Rd.	71.65
5	Clayton Blvd. @ S. Lombard St.	65.14
6	Clayton Blvd. @ S. Moore St.	64.94
7	Guy Rd. @ Amelia Church Rd.	62.64
8	NC 42 E @ E. Front St.	59.93
9	Veterans Pkwy. @ Amelia Church Rd.	59.36
10	W. Main St. @ O'Neil St.	58.71
11	Shotwell Rd. @ Covered Bridge Rd.	56.01
12	Amelia Church Rd. @ Shotwell Rd.	55.23
13	Veterans Pkwy. @ Guy Rd.	54.99
14	Clayton Blvd. @ Town Centre Blvd.	53.95
15	Veterans Pkwy. @ Barber Mill Rd.	53.72
16	Ranch Rd. @ Little Creek Church Rd.	52.47
17	Shotwell Rd. @ Old US 70	50.25
18	W Main St. @ S Robertson St.	49.25
19	Front St. @ Church St.	–
20	Champion St. @ Boling St.	–
21	Fayetteville St. @ Front St.	–

3 intersections and 1 roadway segment were selected to understand traffic patterns and provide short- and long-term recommendations.

- **Amelia Church Rd. and Shotwell Rd.**
- **Front St. and Church St.**
- **Champion St. and Boling / Amos St.**
- **Fayetteville St. from Clayton Blvd. to Main St.**

Intersection Recommendations

As a pedestrian or bicyclist, getting across a busy street safely can be a daunting task. Many of the intersections in Clayton lack high-visibility crosswalks and pedestrian refuge treatments that can provide the quality of safety that pedestrians need. Crossing improvements are a critical step in creating a safe and convenient pedestrian and bicycle network. Safe crossings are necessary to provide access across major roads and bridges, as well as through key intersections that could otherwise be major barriers to walking and biking. Lack of pedestrian crossing facilities on Clayton Blvd. creates major gaps in the current system.

Primarily, crossing improvements involve adjusting traffic signal timing to allow adequate time to cross, pedestrian countdown signals, high-visibility crosswalks, pedestrian level lighting and in some cases, shade trees. At some intersections, signage might be provided to alert motorists of the potential presence of pedestrians and cyclists, and in some cases, medians might be installed to offer refuge to pedestrians and cyclists on large roads with wide crossing distances.

The following hotspot intersections were chosen to provide recommendations to improve traffic operations and safety:

Implementation Strategies

- **8.3.1B** - Conduct railroad crossing and consolidation study for at-grade crossings in Downtown Clayton
- **8.3.1D** - Program the hotspot intersection recommendations located on Town-managed roads in the CIP
- **8.3.1G** - Develop strategies to progressively lower the speed limits on Town-managed roads to a maximum of 45mph. Engage with NCDOT to lower speed limits to all DOT-managed roads in Clayton's ETJ



Amelia Church Rd. and Shotwell Rd.

- NCDOT maintained
- Line of sight issues
- No crosswalks
- High turn volumes
- Community Center



Front St. and Church St.

- Town maintained
- Railroad vicinity
- Closely spaced intersections
- Low volumes
- No crosswalks



Champion St. and Amos St.

- Town maintained
- Close spacing
- No crosswalks
- High conflicts



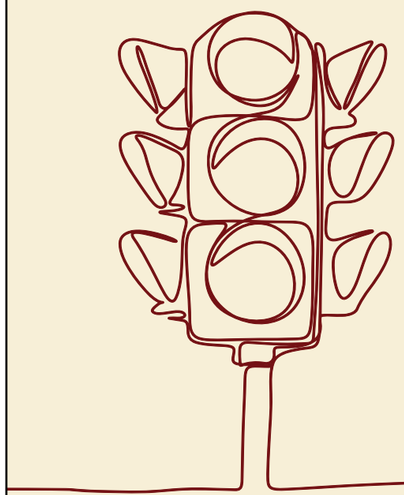
Fayetteville St. between Clayton Blvd. and Front St.

- Town Maintained
- Historic district
- Town Hall
- Safety concerns
- School

Amelia Church Rd. & Shotwell Rd. / Clayton Community Center

Short Term Improvements

- Restripe the existing southbound approach lanes to provide - one shared left-thru and an exclusive right turn lane.
- Modify the signal phasing for the north-south approaches from “permissive” to “split” phasing. Additionally, provide overlap phase for the southbound right turn traffic to go with the eastbound left turn phase.
- Provide crosswalks on all four legs of the intersection.
- Provide pedestrian signals with pushbutton activation for the proposed crosswalks.





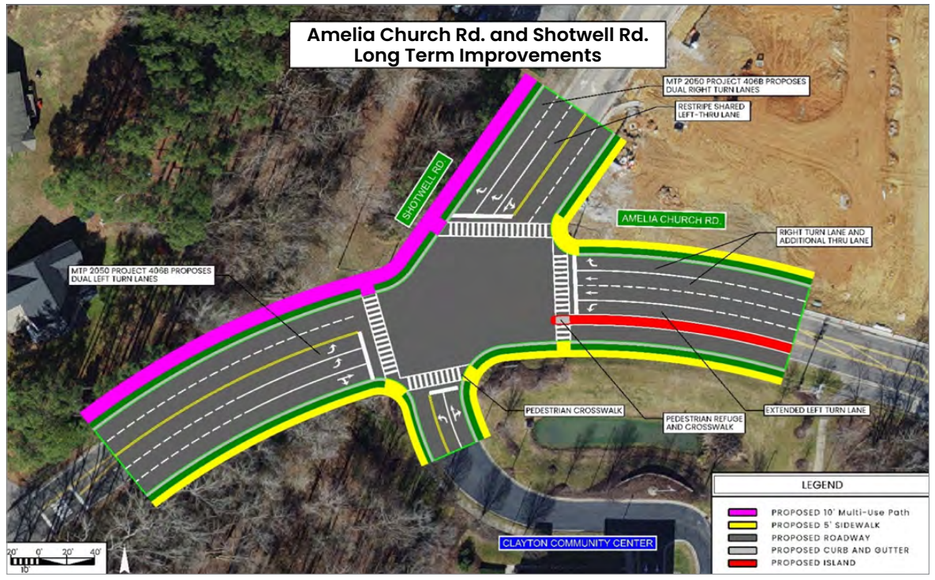


Figure 7B: Amelia Church Rd. and Shotwell Rd. Improvements

Long Term Improvements

- 2050 MTP Project (A406b)
  - This project widens Amelia Church Road (west of Shotwell Road) and Shotwell Road to four lanes to provide dual southbound right turn lanes and dual eastbound left turn lanes.
- Provide a 10’ multi-use path along the east side of the southbound side of Shotwell Road and along the north side of the westbound side of Amelia Church Road.
- Southbound/Northbound
  - Restripe the southbound approach lanes to provide – one shared left-thru lane with at least 325 feet of storage and dual right turn lanes.
- Eastbound/Westbound
  - Extend the eastbound left-turn lane to provide a storage length of at least 475’.
  - Widen the westbound approach at the intersection to provide – one additional thru lane with at least 350 feet of storage and one exclusive right turn lane with at least 350 feet of storage.
  - Provide protected-only phase for the eastbound dual left turn lanes.
  - Provide overlap phase for the westbound right-turn lane.
  - Provide a concrete median and pedestrian refuge area in the eastern leg of Amelia Church Road.
  - Provide 5’ sidewalk along south side of Amelia Church Road.
- Provide crosswalks on the east leg and south leg.
- Provide pedestrian signals with pushbutton activation for the proposed crosswalks.

Church St. & Front St.

Short Term Improvements

- Provide additional signage to warn vehicles on all approaches of the proximity of the railroad tracks across the south leg of the intersection, following Manual on Uniform Traffic Control Devices (MUTCD) guidelines. These include:
  - Install DO NOT STOP ON TRACKS Sign (R8-8) on both sides of the railroad tracks.
  - Install LOOK (R15-8) sign next to sidewalk for pedestrians on both sides of the railroad tracks.
  - Install Grade Crossing Advance Warning (W10-1) sign on southbound approach 155 feet from the at-grade railroad crossing.
  - Install Grade Crossing Advance Warning (W10-2) sign on eastbound and southbound approaches 250-feet from the intersection.
  - Install Grade Crossing Pavement Markings in compliance with MUTCD Figures 8C-1 and 8C-2 on northbound and southbound approaches.
- Install painted stop bars on the eastbound and westbound approaches to reinforce the messaging of the stop signs.

Long Term Improvements

- None.

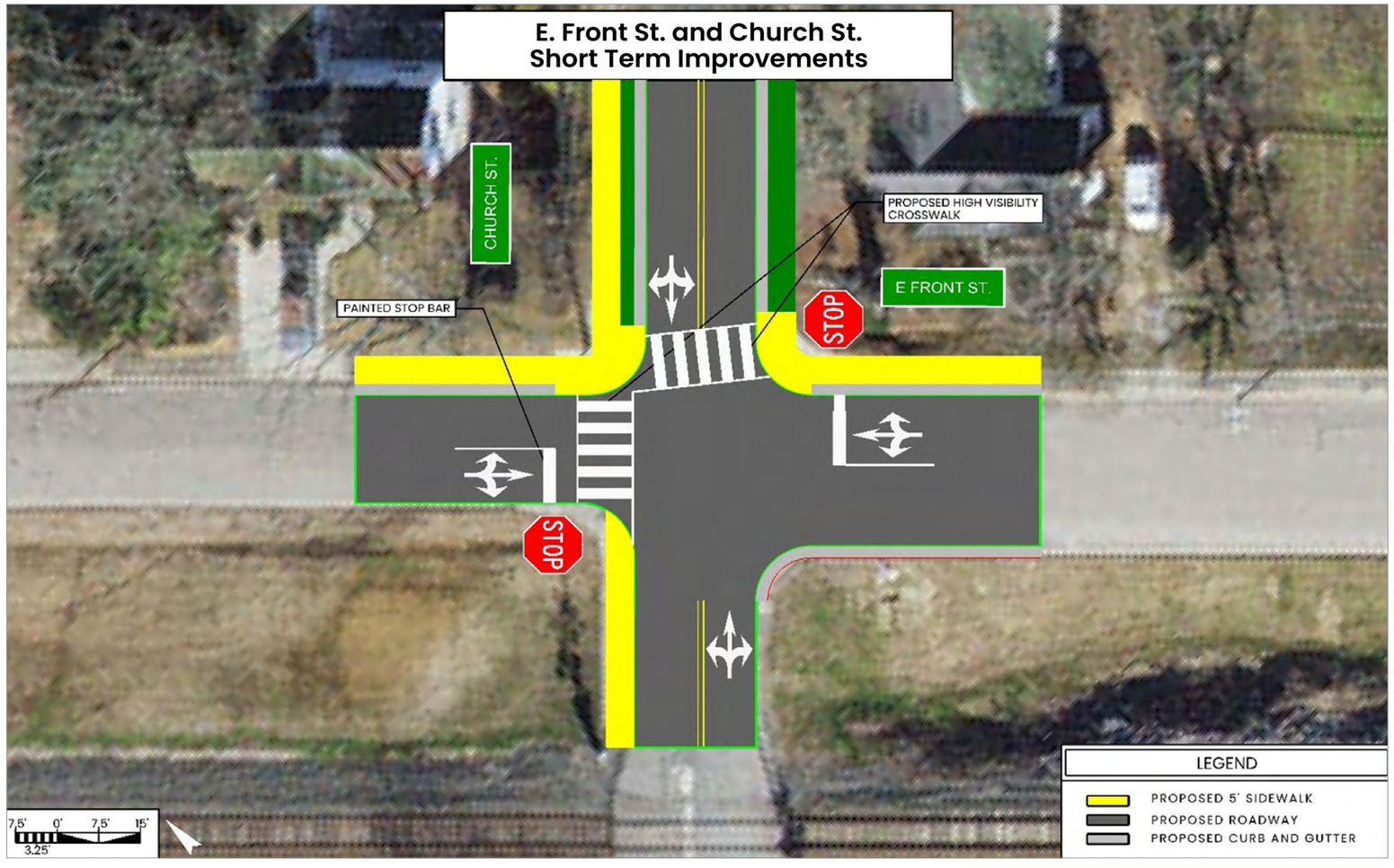


Figure 7C: Church St. & E. Front St. Improvements

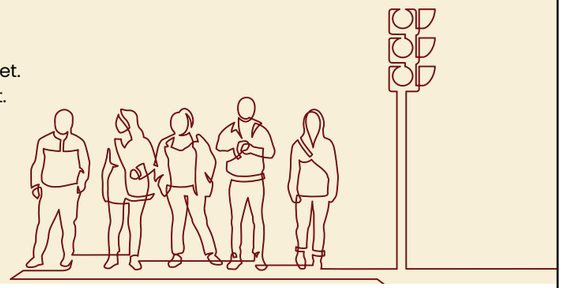
Champion St. & Amos St.

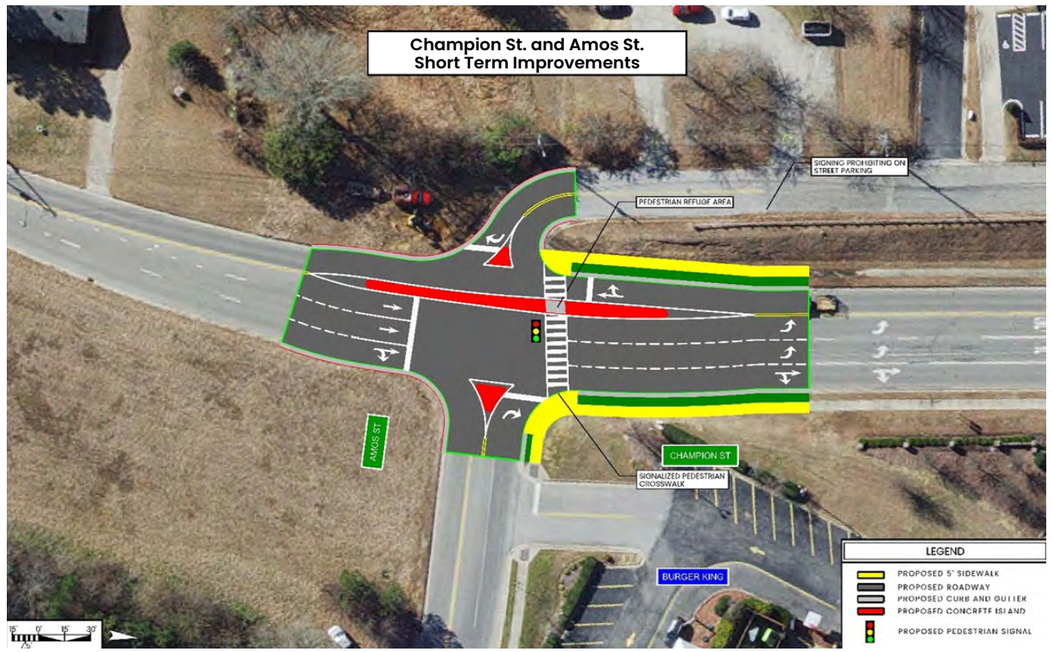
Short Term Improvements

- Monitor queuing at the signalized intersection of Clayton Blvd. and Champion Street and retime to ensure the northbound queues do not back up through the study intersection.
- Prohibit street parking on the driveway connecting Curren Drive.
- Consider installing a north-south median to convert the eastbound and westbound approaches to right-in, right-out, to prevent vehicles crossing traffic. This improves intersection safety if the signal to the north cannot be retimed to avoid queuing extending to this intersection.

Long Term Improvements

- Add 10' multi-use path along east side of Champion Street.
- Continue 5' sidewalk along west side of Champion Street.
- Add crosswalks over Amos Street at Champion Street intersection.





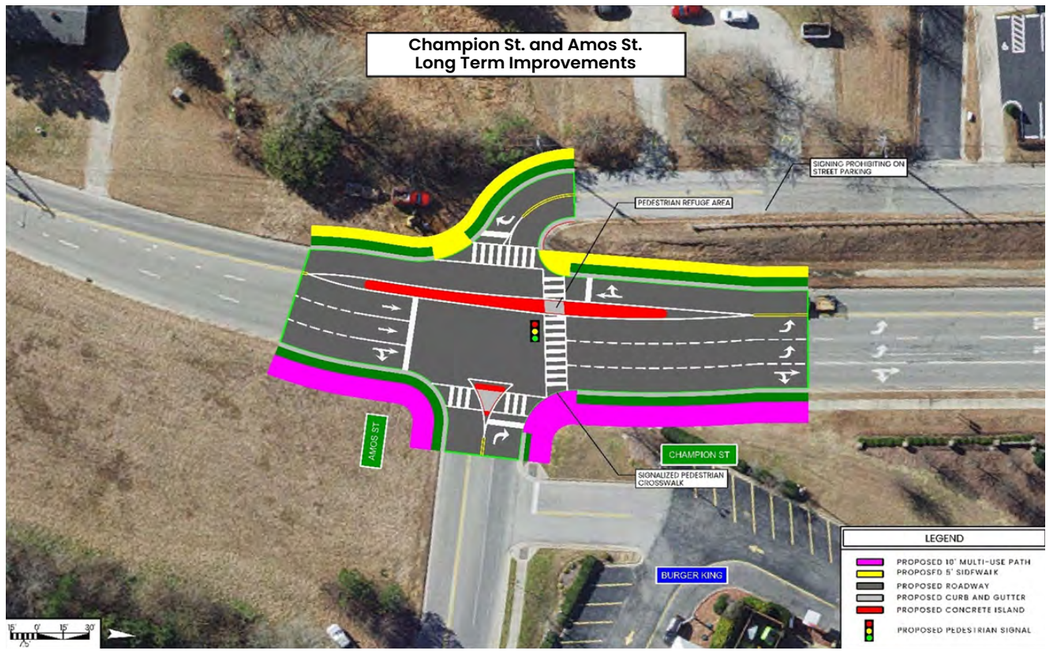


Figure 7D: Champion St. & Amos St. Improvements

Fayetteville St. Multimodal Upgrade

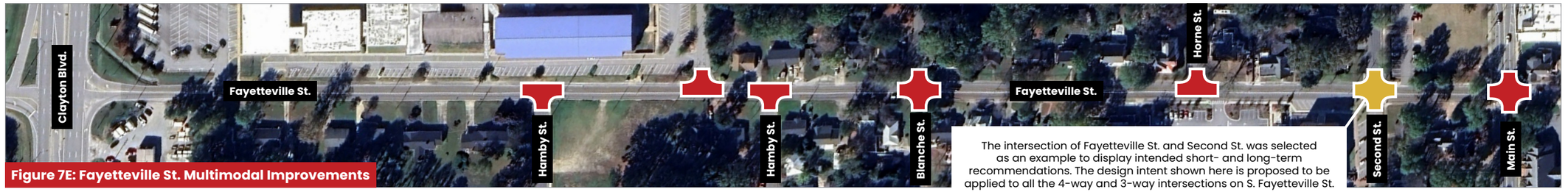


Figure 7E: Fayetteville St. Multimodal Improvements

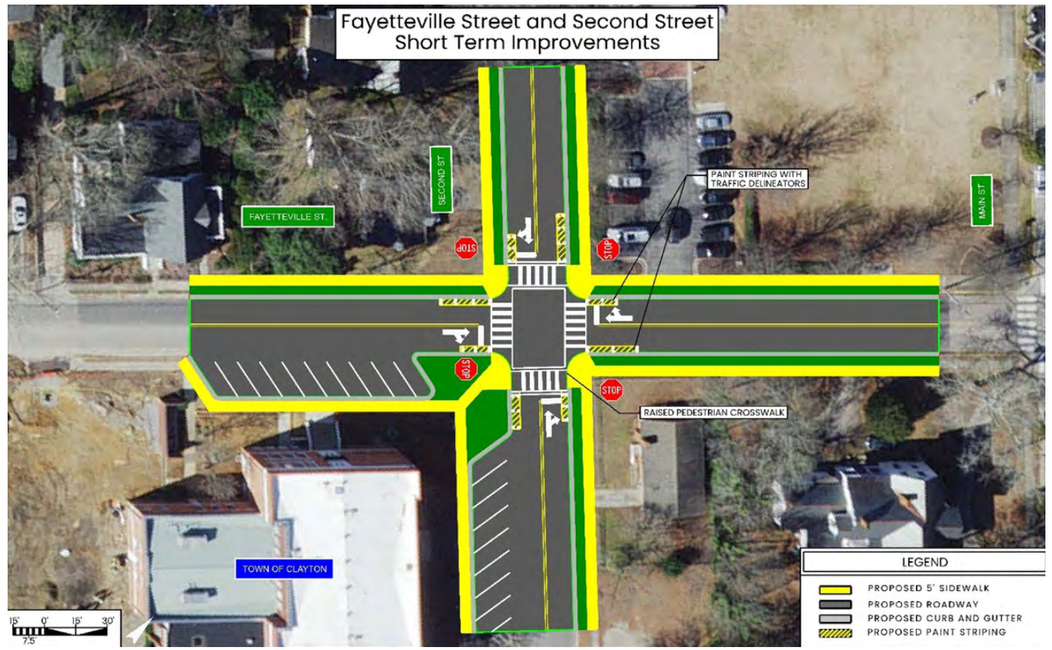
The intersection of Fayetteville St. and Second St. was selected as an example to display intended short- and long-term recommendations. The design intent shown here is proposed to be applied to all the 4-way and 3-way intersections on S. Fayetteville St.

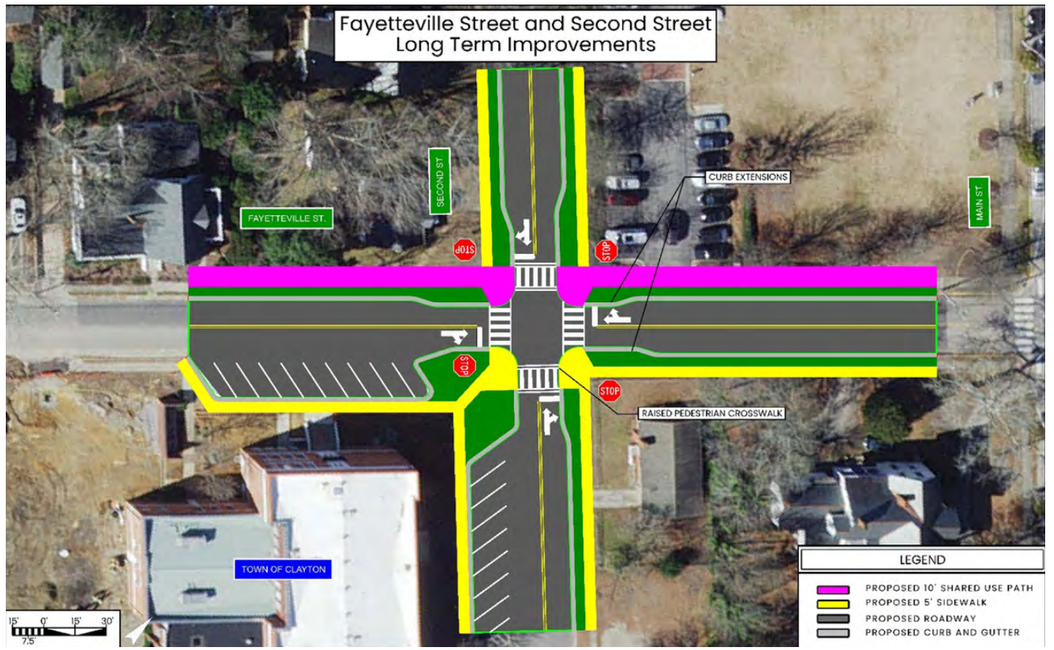
Short Term Improvements

- Add paint striping with delineators to prevent on-street parking close to intersections.
- Add raised pedestrian crosswalks over side streets.

Long Term Improvements

- Add 10' multi-use path along northwest side of Fayetteville Street.
- Install curb extensions on all intersection legs.





7.4 POLICY AND DESIGN RECOMMENDATIONS

Data indicates that almost all of the crashes involve a car. It should be noted that in a conflict between car drivers and pedestrians or cyclists, it is always the latter that suffer harm. In order to have car drivers drive more carefully, roadway design interventions to make the drivers more alert are necessary.

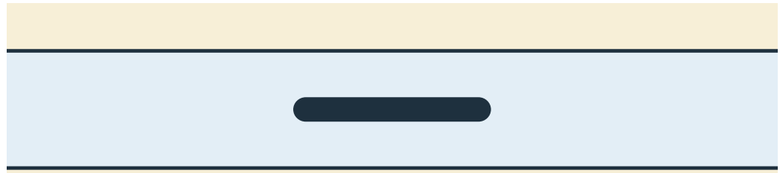
There is a direct correlation between driving speeds and level of injury, especially for those who are outside the car. For this reason, traffic calming and slowing measures should be encouraged in Clayton. Several speed reduction mechanisms can be used to achieve this goal. A few examples are shown here.

In addition to these measures, the Town of Clayton should develop a Vision Zero Plan which would highlight specific interventions to reduce crashes in Clayton over time.

Implementation Strategies

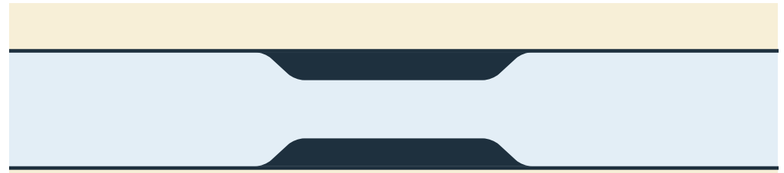
8.3.3E - Develop a Vision Zero Plan for the Town to reduce crashes over time

8.3.3F - Incorporate traffic calming measures as shown in this section to reduce speeding on Town-managed roads.



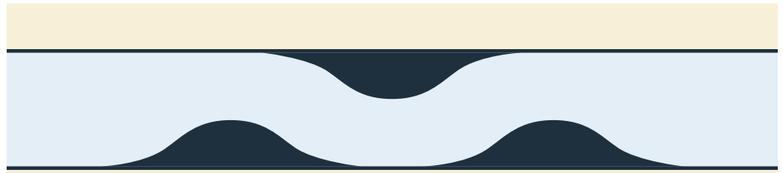
Median

Medians create a pinchpoint for traffic in the center of the roadway and can reduce pedestrian crossing distances.



Pinchpoint

Pinchpoints restrict motorists from operating at high speeds on local streets and significantly expand the sidewalk realm for pedestrians.



Chicane

Chicanes slow drivers by alternating parking or curb extensions along the corridor.



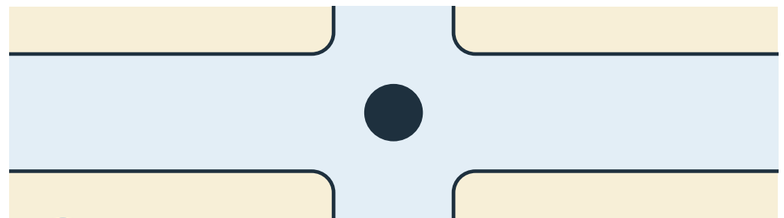
Lane Shift

A lane shift horizontally deflects a vehicle and may be designed with striping, curb extensions, or parking.



Speed Hump

Speed humps vertically deflect vehicles and may be combined with a midblock crosswalk.



Roundabout

Roundabouts reduce traffic speeds at intersections by requiring motorists to move with caution through conflict points.

8. Prioritization

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8.1 PROJECT PRIORITIZATION METHODOLOGY

This Comprehensive Transportation Plan for the Town of Clayton has several policy and project based recommendations. Since a CTP is a wish list of projects, it is necessary to understand the priority for each project recommendation, and to determine which projects would address short, medium and long term challenges.

This chapter provides details on the method and the results of the prioritization process. Policy recommendations were prioritized separately and are mentioned in the 'action items' subchapter. Their prioritization was not based on the data-centric analysis that was used for project recommendations.

NCDOT uses a 3-tier scoring system Statewide-Regional-Local and their process is very detailed, and labor and resource intensive which incorporates local, regional and state's priorities. The method developed for Clayton on the Move was based on local goals and objectives developed specifically for this study, and they don't exactly match the data and labor intensive methodology of NCDOT

Type[1] indicates the type of calculation done for each performance measure.
- ***Standard*** *stands for no map data were used to make this determination.*
- ***Cursory*** *stands for cases where determination was done using visual cues.*
- ***Calculation*** *stands for cases where GIS data analysis was done for determination.*

Table 8A: Prioritization Methodology

Starting Point Using the goals and objectives determined at the beginning of the study.		**Performance Measures** Converting the goals and objectives to related performance measures that can be calculated for the project recommendations.	**Data Determination** Determining and collecting the necessary data to calculate scores.		**Calculation** Asking a question that can be answered in yes / no or be binned into three categories based on which the scores are determined.	**Scores** The higest possible score is 12.
Goals	**Objectives**	**Performance Measures**	**Data Needed**	**Type[1]**	**Qualifier**	**Score**
Enhance Accessibility and Connectivity	Improve access to key destinations	Improve connectivity to non-residential zones and Downtown Clayton	Future Land use Map	Cursory	More than half of a project is in non-residential zone or in downtown?	Yes = 1 No = 0
	Provide connections to unconnected areas	Reduce the block perimeter for roadway and bike-ped modes	Road-block perimeter map	Standard	Is the project on a new alignment?	
Preserve Local Character	Maintain Clayton's small-town feel	Require no additional ROW in the Historic District of Clayton	Historic District Map	Cursory	Does the project require ROW in HD?	No = 1 Yes = 0
		Avoid impact on structures in Downtown Clayton	Downtown Clayton Map		Does the project impact structures in DT?	
Accomodating future growth	Plan transportation infrastructure to address future growth in Clayton	Implement projects in areas with high future population density	2050 population density	Calculation	Is the project located in higher than median 2050 population density by TAZ?	Yes = 1 No = 0
		Implement projects in areas with high future employment density	2050 employment density		Is the project located in higher than median 2050 employment density by TAZ?	
Efficiency and Congestion Reduction	Reduce congestion and enhance traffic flow	Maintain or improve level of service on the roadways	2020 and 2050 V/C ratio comparison	Calculation	Does the project reduce PM V/C ratio between 2020 and 2050?	Yes = 1 No = 0
		Provide alternative routes for better traffic distribution	New roadways	Standard	Is the project a new roadway?	
Expand Active Transportation Options	Invest in pedestrian and cyclist friendly infrastructure	Provide pedestrian infrastructure in areas with higher future non-motorized and intrazonal travel demand density	2050 nonmotorized and intrazonal travel demand	Calculation	Is the project located in higher than median 2050 non-motorized and intrazonal (motorized) trip origin density?	Yes = 1 No = 0
	Encourage active transportation methods	Increase total miles of bicycle and pedestrian infrastructure	Multi-Use Path or sidewalk inclusion	Standard	Does the project include sidewalks and/or multi-use paths and/or bicycle features?	
Develop Public Transit Accessibility	Develop reliable and accessible public transit network	Increase the percentage of population within ¼ mile radius of public transport	None	Standard	Does the project have transit accommodations?	Transit=2 Transit Infra=1 Other=0
Enhance Safety	Implement measures to enhance transportation safety	Address safety concerns on roads with high HFCLs and high Section Safety Scores	High Frequency Crash Location (HFCL)	Cursory	Is the project located on roads with a high number of HFCLs?	Yes=1 No=0
			Section Safety Score (SSS)	Calculation	Is the project located on roads with average SSS greater than 50?	
Optimize Collector Street Network	Efficiently distribute traffic within the community	Require developers to build Collector Streets as planned in the CTP	Applicable to all collector streets	Standard	Is the project a collector street?	Yes=1 No=0
Community Engagement in Planning	Foster active community engagement in planning process	Implement projects in areas with high PE comments, addressing the concerns raised in the comments	Community map markers	Calculation	How many map markers from PE round 1 does the project touch?	>66pth = 2 >33 & <66pth = 1 <33pth = 0
Continuous Evaluation and Adaptation	Respond to changing community needs and emerging transportation trends	Not applicable for project recommendations	N/A	N/A	N/A	N/A

8.2 PRIORITIZED PROJECT RECOMMENDATIONS

CLAYTON ON THE MOVE

Roadway Projects

High Priority Projects
(Score 10 or higher)

- Clayton Blvd. Operational Improvements and Corridor Study.
- One-Way Pair Study and Operational Improvements on Main St.
- Widening on NC 42 East and Veterans Pkwy., Amelia Church Rd. and Covered Bridge Rd.
- Northern Connector (#22) was redesignated as High Priority at the request of the Town.

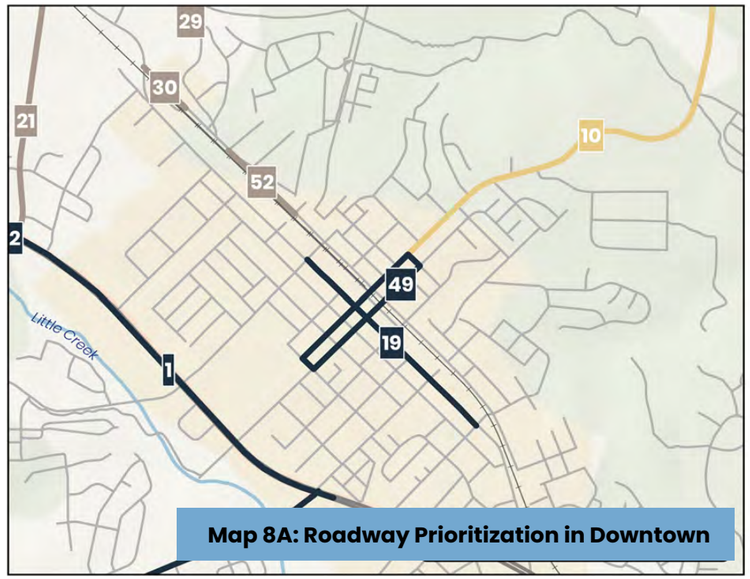
Medium Priority Projects
(Score 7 to 9)

Widening Guy Rd., Ranch Rd., Glen Laurel Rd., Powhatan Rd., Shotwell Rd., etc.

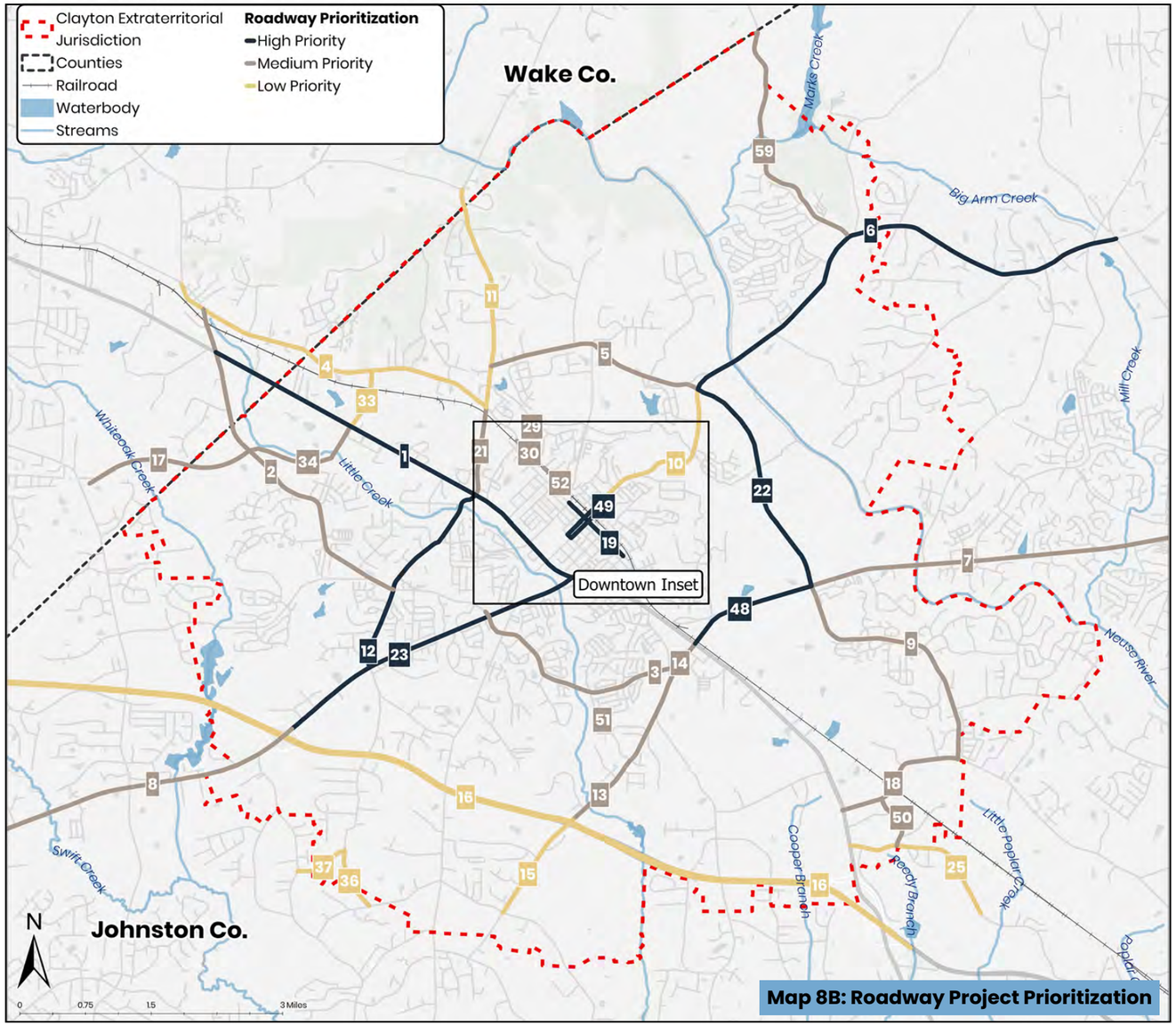
- New Location Roads – Southern Connector, White Oak – Guy Rd. – Clayton Blvd. Connector and few short connectors in downtown.

Low Priority Projects
(Score 6 or lower)

- All other projects, notably widening I-42 which ranks low based on local priorities.



Map 8A: Roadway Prioritization in Downtown



Map 8B: Roadway Project Prioritization

Bicycle Facilities

High Priority Projects
(Score 9 or higher)

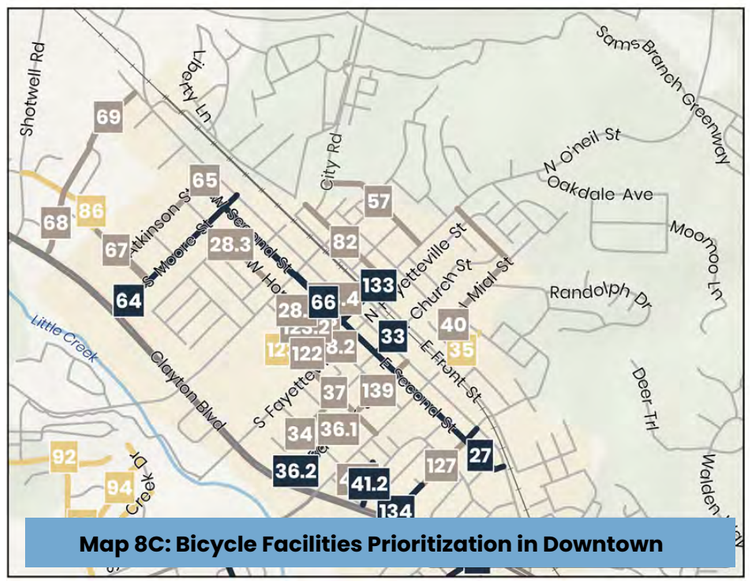
- Shared bike route projects on Second St., S. Moore St., and O'Neil St.

Medium Priority Projects
(Score 8)

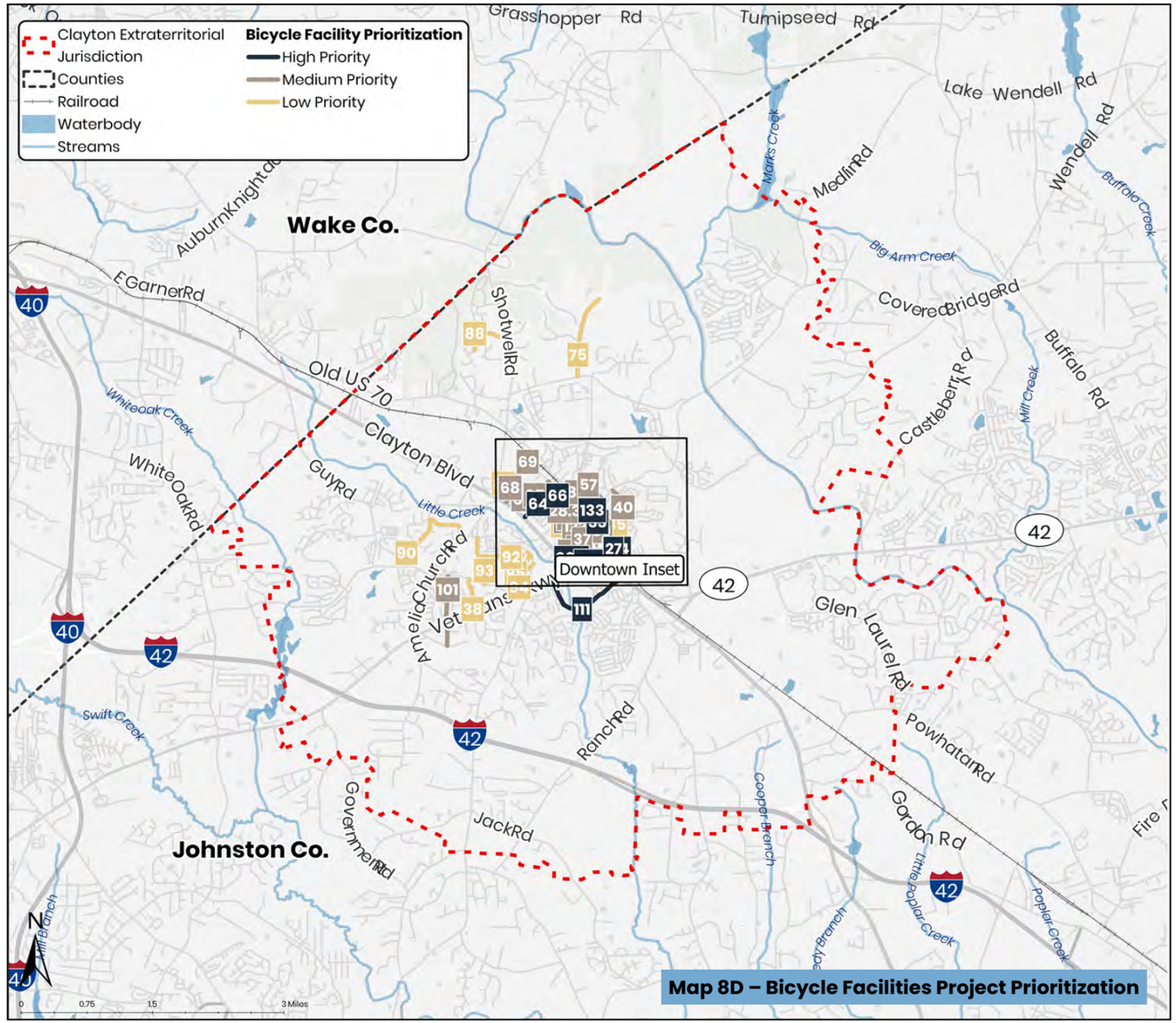
- Most shared bike route projects in downtown and around Veterans Pkwy.

Low Priority Projects
(Score 7 or lower)

- All other projects.



Map 8C: Bicycle Facilities Prioritization in Downtown



Map 8D – Bicycle Facilities Project Prioritization

Sidewalks

High Priority Projects
(Score 10 or higher)

- Sidewalks on W. Main St., Robertson St., Moore St., and Shotwell Rd. in downtown.
- NC 42 East, Veterans Pkwy., Amelia Church Rd., Champion St., and Guy Rd. (Project # 91) outside of downtown.

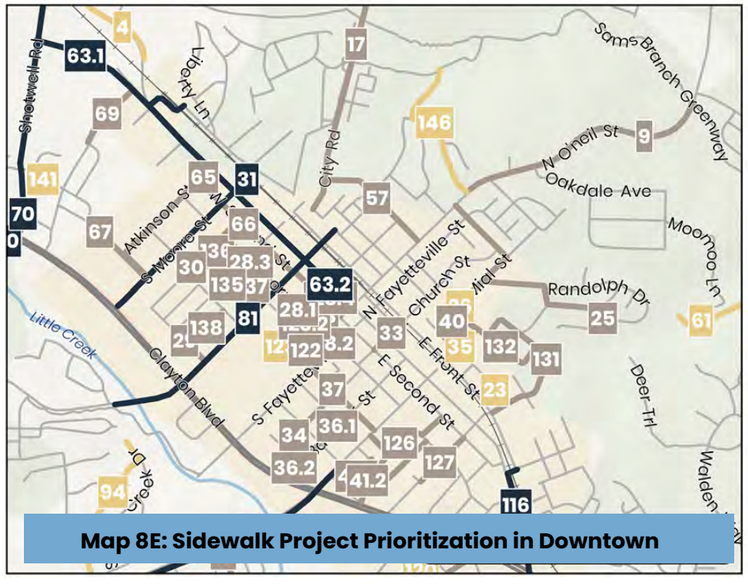
Most of these recommendations will be in combination with the multi-use path (MUP) recommendations since most recommendations contain both MUP and Sidewalk on opposite sides.

Medium Priority Projects
(Score 8 or 9)

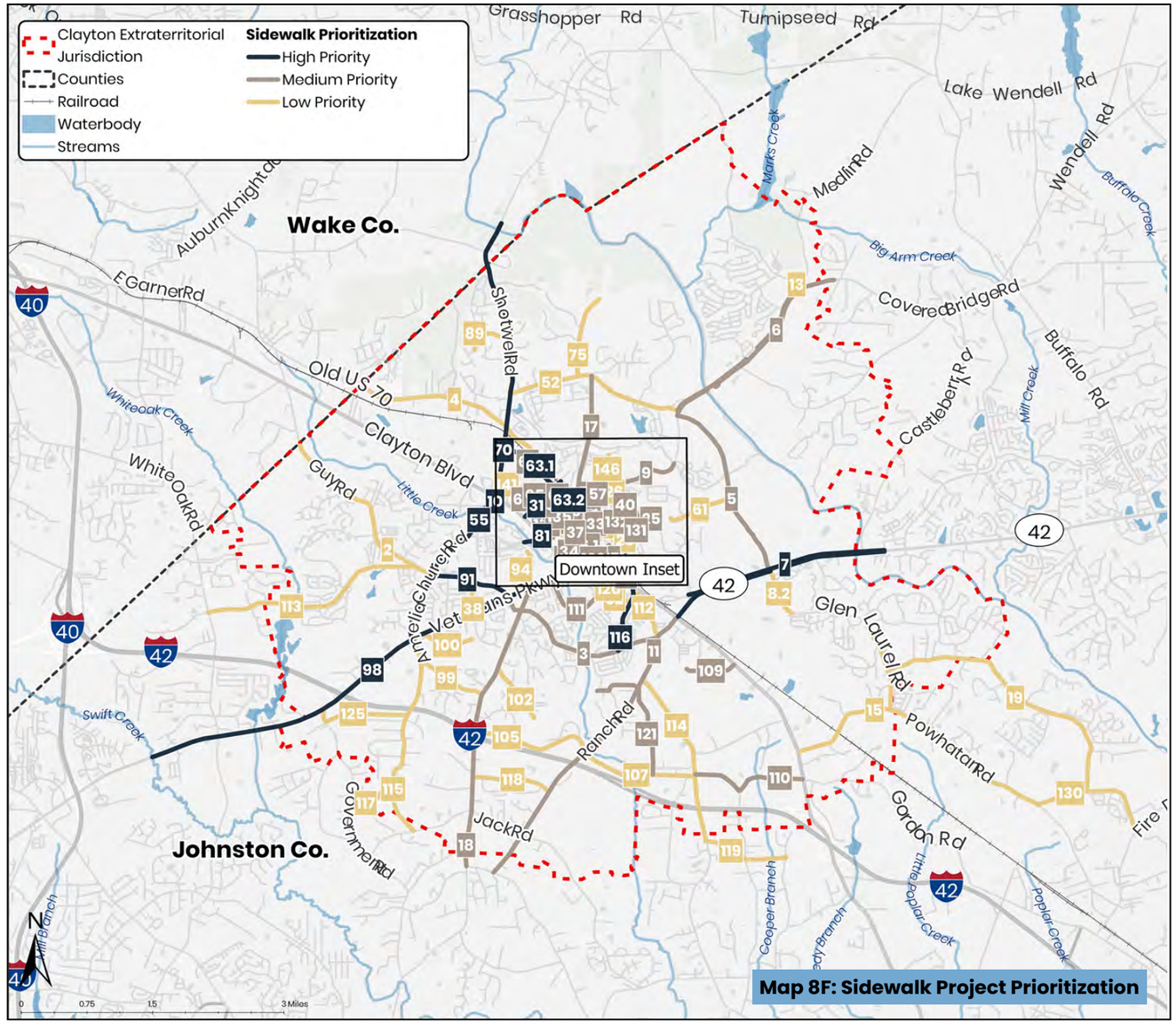
- All remaining sidewalk projects in downtown.
- Most other radial roads such as Barber Mill Rd., Ranch Rd., Winston Rd., Powhatan Rd., Little Creek Church Rd., O'Neil St. and Covered Bridge Rd.
- Guy Rd and Southern connector, and other roads shown on the map in medium blue.

Low Priority Projects
(Score 7 or lower)

- All other projects.



Map 8E: Sidewalk Project Prioritization in Downtown



Map 8F: Sidewalk Project Prioritization

Multi-Use Paths

High Priority Projects
(Score 9 or higher)

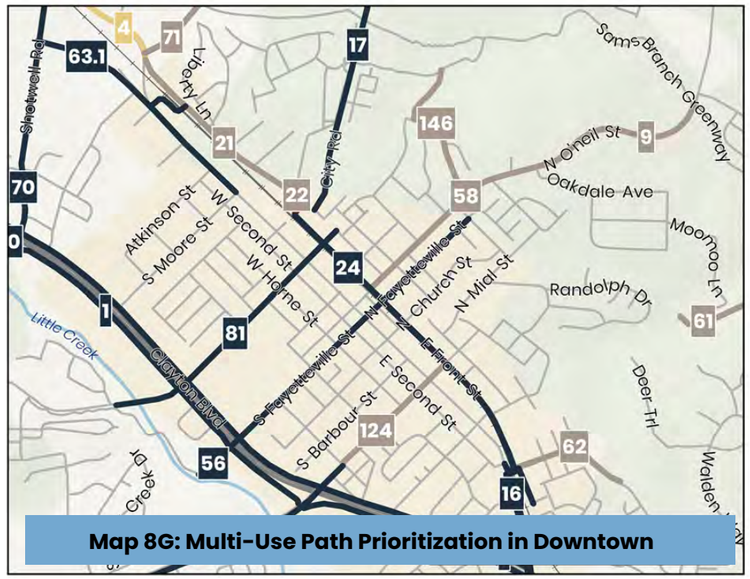
- MUPs on both sides of Clayton Blvd.
- MUP on one side (with sidewalk on the other) on Shotwell Rd., Main St. Extension, Fayetteville St. and Robertson St. in downtown.
- MUP on one side (with sidewalk on the other) on NC 42 East, Veterans Pkwy., Amelia Church Rd., Guy Rd. (Project # 91) and Champion Ct. outside downtown.

Medium Priority Projects
(Score 7 or 8)

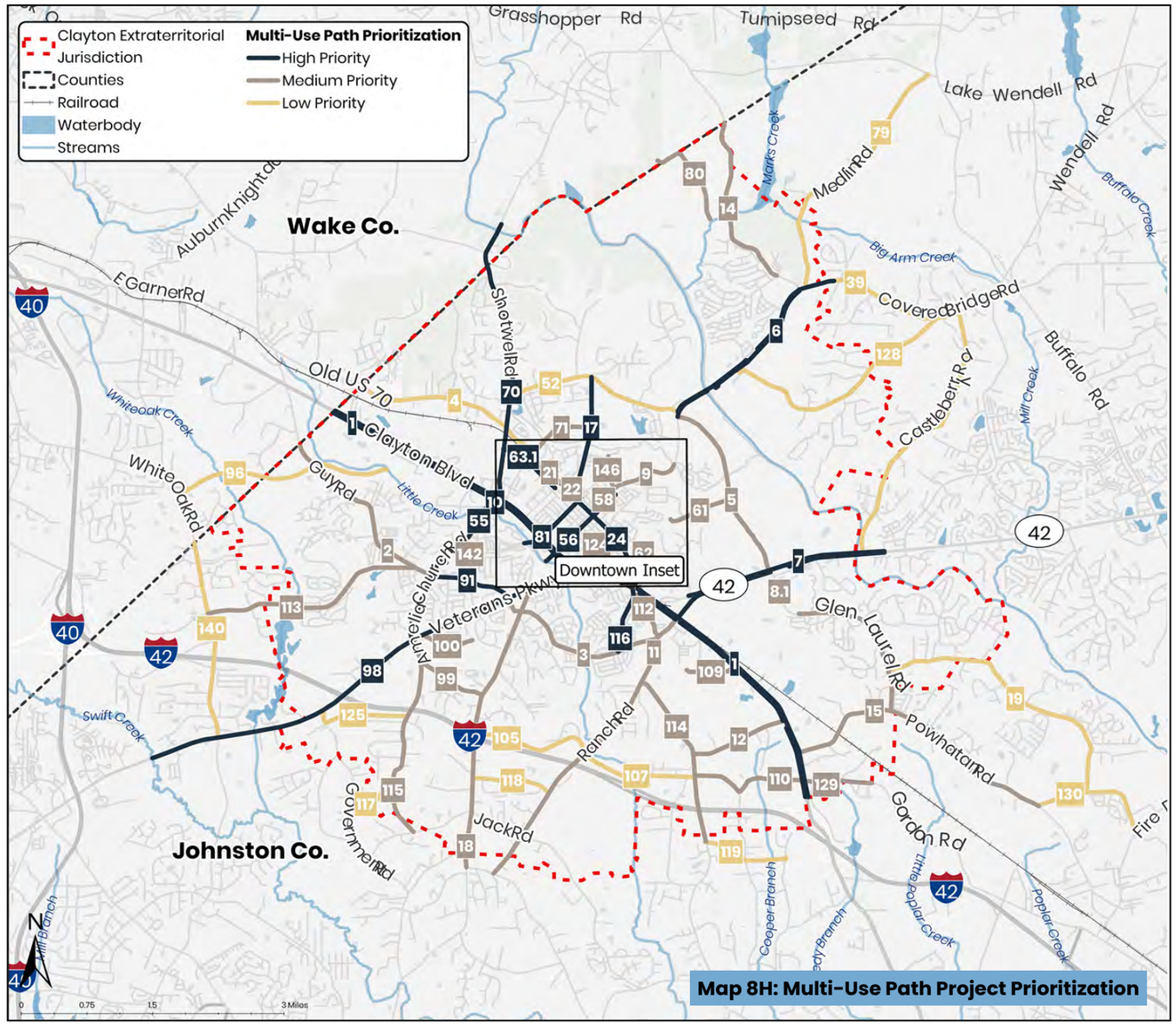
- All remaining MUP projects in downtown.
- Most other radial roads such as Barber Mill Rd., Ranch Rd., Winston Rd., Powhatan Rd., Little Creek Church Rd., O'Neil St. and Covered Bridge Rd.
- Guy Rd. and Southern Connector, and other roads shown on the map in medium blue.

Low Priority Projects
(Score 6 or lower)

- All other projects.



Map 8G: Multi-Use Path Prioritization in Downtown



Map 8H: Multi-Use Path Project Prioritization

Greenways

High Priority Projects
(Score 8 or higher)

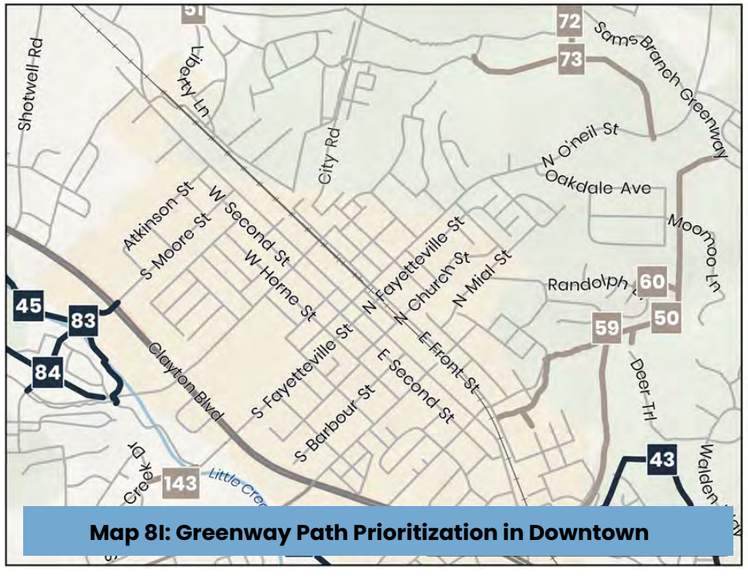
- Little Creek Greenway eastward extension received the highest score in our prioritization method.

Medium Priority Projects
(Score 6 or 7)

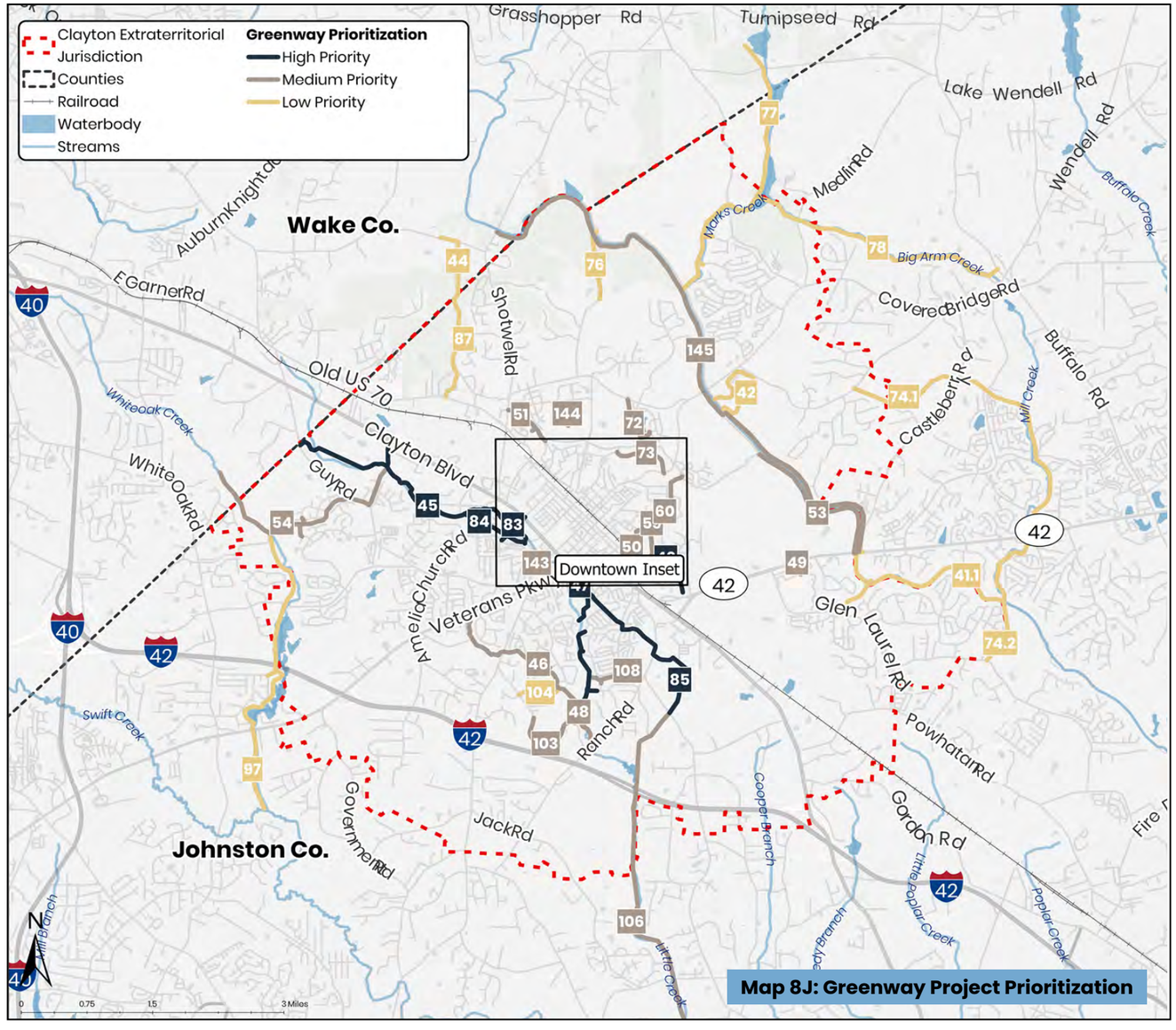
- Little Creek Greenway westward extension.
- Adding more branches of this greenway to improve access to the southern part of Clayton.
- Second Neuse River Greenway in conjunction with Wake County.
- Adding distribution branches to existing Sams Branch Greenway in downtown.

Low Priority Projects
(Score 5 or lower)

- All other projects.



Map 8I: Greenway Path Prioritization in Downtown



Map 8J: Greenway Project Prioritization

8.3 POLICY IMPLEMENTATION STRATEGIES

CLAYTON ON THE MOVE

Strategy 8.3.1: Roadway Projects and Studies

- **8.3.1A:** **Reconsider** further advancement of U-6113 project in STIP. **Conduct Corridor and Access Management Study for Clayton Blvd.** between I-40 and I-42 to improve safety, multimodal, and land use aspects of the corridor. *PAGE 124*
- **8.3.1B:** **Conduct Railroad Crossing and Consolidation Study** for at-grade crossings in Downtown Clayton. *PAGE 147*
- **8.3.1C:** Conduct a **Feasibility Study** to convert O'Neil St. and Fayetteville St. **to one-way pairs.** Combine this with other recommended multimodal enhancements on Fayetteville St. *PAGE 126*
- **8.3.1D:** Program the **hotspot intersection recommendations** located on Town-managed roads in the CIP. *PAGE 147*
- **8.3.1E:** **Incorporate all** roadway recommendations from this CTP to **Johnston County CTP**, which will be further rolled into CAMPO MTP.
- **8.3.1F:** **Fee in Lieu** collections and usage should be kept up to date based on State Law and the **UDO.**
- **8.3.1G :** Develop strategies to progressively **lower the speed limits** in the Town to a maximum of 45 mph on roads managed by the Town. **Engage with NCDOT** to extend lower speed limits to all the DOT managed roads in the Town's ETJ. *PAGE 147*

Strategy 8.3.2: Collector Street Policy

- **8.3.2A:** **Develop policy language p**ertaining to collector streets as recommended in Chapter 6 and add it to the UDO. *PAGE 116*
- **8.3.2B:** Add **Collector Street alignment polygons** to the online map as a reference to the developer. *PAGE 116*
- **8.3.2C:** **Policy language regarding Stub Streets t**o be incorporated into the UDO. *PAGE 116*

Strategy 8.3.3: Roadway Policy

- **8.3.3A:** **Develop UDO code language** based on the policy recommendations provided in Chapter 6 to improve roadway connectivity. *PAGE 138*
- **8.3.3B:** **Constitute an empowered committee** to discuss the implications of the recommended UDO code language. *PAGE 138*
- **8.3.3C:** **Develop incentives and allowances** based on adherence to higher than required connectivity standards. *PAGE 138*
- **8.3.3D:** City of Raleigh is developing **Traffic Impact Assessment** requirements that include Vehicle Miles Traveled factor. Discuss their experiences and potentially emulate the requirement in Clayton. *PAGE 138*
- **8.3.3E:** Develop a **Vision Zero Plan** for the Town to reduce crashes over time. *PAGE 157*
- **8.3.3F:** Incorporate t**raffic calming measures** as shown in this section to reduce speeding on Town-managed roads. *PAGE 157*

Strategy 8.3.4: Parking

- **8.3.4A:** **Draw parking lane stripes** on Second St. where parking is already allowed. *PAGE 132*
- **8.3.4B:** Conduct a **Downtown Parking Study** to determine the demand, supply and future need for parking. *PAGE 132*
- **8.3.4C:** Provide **additional paved surfaces for parking** in Downtown areas behind buildings or within the NCRR corridor. *PAGE 132*

Strategy 8.3.5: Bicycle and Pedestrian Policy

- **8.3.5A:** **Develop UDO code language** to increase bicycle and pedestrian connectivity based on the policy recommendations provided in Chapter 6. *PAGE 138*
- **8.3.5B:** **Seek third party evaluation** and ratings for bicycle and pedestrian connectivity. *PAGE 138*

Strategy 8.3.6: Bicycle and Pedestrian Projects and Studies

- **8.3.6A:** Program the **high-priority recommendations** on Town-managed roads in the CIP.
- **8.3.6B:** Coordinate with Wake County to determine feasibility study of a **second Neuse River Greenway.**
- **8.3.6C:** Coordinate with NCDOT to **add pedestrian signals** across Clayton Blvd. in the short term. *PAGE 124*
- **8.3.6D:** Develop and expand on the **sidewalk GIS shapefile** with attributes such as width, condition, etc. to help make more informed decisions on sidewalk network expansion in the future.
- **8.3.6E:** Consider **additional non-motorized crossings** across the North Carolina Railroad (NCRR) corridor.
- **8.3.6F:** Continue **support for sidewalks** on both sides of the streets within Downtown area.
- **8.3.6G:** Consider **lowering the stop lights** to improve visibility for pedestrians and drivers and improve safety.

Strategy 8.3.7: Transit Projects and Studies

- **8.3.7A:** Conduct a **Transit Feasibility Study** in Clayton ETJ and surroundings. *PAGE 98*
- **8.3.7B:** Coordinate with JCATS to provide microtransit in Clayton. Identify **local funding sources** to cater to microtransit trips starting from medical facilities on Veterans Pkwy. *PAGE 98*
- **8.3.7C:** Incorporate **Rapid Bus Extension** accommodations to any plans on Clayton Blvd. *PAGE 98*
- **8.3.7D:** Continue to work with regional partners to identify the location and plan for the upcoming **commuter rail station.** The plan should include station access, station area characteristics, parking, etc. *PAGE 98*

8.4 POLICY IMPLEMENTATION MATRIX

The Strategies of Clayton on The Move are the action items that will help the plan's Vision materialize, "Clayton on the Move envisions a multimodal transportation network that ensures an equitable and value-driven transportation future for all of Clayton." These strategies represent a culmination of the plan's overall consideration of stakeholder engagement, technical expertise, and best practices in the planning profession. The strategies have been organized by their responsible agency, their relative timeline for completion, alignment with the plan's goals, and a level of estimated funding. This Implementation Matrix is intentional in setting the foundation from which further action can be taken to realize the plan's vision.

	Policy Implementation Strategies	Responsible Party	On-Going	Year 1-5	Year 6-10	Year 11+	Program / Study	Goal Alignment	Level of Estimated Funding
8.3.1A	Reconsider further advancement of U-6113 project in STIP. Conduct Corridor and Access Management Study for Clayton Blvd. between I-40 and I-42 to improve safety, multimodal, and land use aspects of the corridor.	ToC / NCDOT		●			●		$
8.3.1B	Conduct Railroad Crossing and Consolidation Study for at-grade crossings in Downtown Clayton.	ToC / NCDOT		●			●		$$
8.3.1C	Conduct a Feasibility Study to convert O'Neil St. and Fayetteville St. to one-way pairs. Combine this with other recommended multimodal enhancements on Fayetteville St.	ToC		●			●		$
8.3.1D	Program the hotspot intersection recommendations located on Town-managed roads in the CIP.	ToC		●					$$$
8.3.1E	Incorporate all roadway recommendations from this CTP to Johnston County CTP, which will be further rolled into CAMPO MTP.	ToC / Johnston County		●					-
8.3.1F	Fee in Lieu collections and usage should be kept up to date based on State Law and the UDO.	ToC	●						-
8.3.1G	Develop strategies to progressively lower the speed limits in the Town to a maximum of 45 mph on roads managed by the Town. Engage with NCDOT to extend lower speed limits to all the DOT managed roads in the Town's ETJ.	ToC / NCDOT		●					$
8.3.2A	Develop policy language pertaining to collector streets as recommended in Chapter 6 and add it to the UDO.	ToC		●					$
8.3.2B	Add Collector Street alignment polygons to the online map as a reference to the developers.	ToC		●					$
8.3.2C	Policy language regarding Stub Streets to be incorporated into the UDO.	ToC		●					-
8.3.3A	Develop UDO code language based on the policy recommendations provided in Chapter 6 to improve roadway connectivity.	ToC	●				●		-
8.3.3B	Constitute an empowered committee to discuss the implications of the recommended UDO code language.	ToC		●			●		-
8.3.3C	Develop incentives and allowances based on adherence to higher than required connectivity standards.	ToC		●			●		-
8.3.3D	City of Raleigh is developing Traffic Impact Assessment requirements that include Vehicle Miles Traveled factor. Discuss their experiences and potentially emulate the requirement in Clayton.	ToC		●					$
8.3.3E	Develop a Vision Zero Plan for the Town to reduce crashes over time.	ToC		●			●		$
8.3.3F	Incorporate traffic calming measures as shown in section 7.4 to reduce speeding on Town-managed roads	ToC		●					$$

Enhance Accessibility & Connectivity

Develop Public Transit Accessibility

Preserve Local Character

Enhance Safety

Accommodate Future Growth

Community Engagement in Planning

Efficiency & Congestion Reduction

Optimize Collector Street Network

Expand Active Transportation Options

Continuous Evaluation & Adaptation

ToC = Town of CLayton
NCDOT = North Carolina Department of Transportation
JCATS = Johnston County Area Transit System
CAMPO = Capital Area Metropolitan Planning Organization
NCRR = North Carolina Railroad



Enhance Accessibility & Connectivity

Develop Public Transit Accessibility

Preserve Local Character

Enhance Safety

Accommodate Future Growth

Community Engagement in Planning

Efficiency & Congestion Reduction

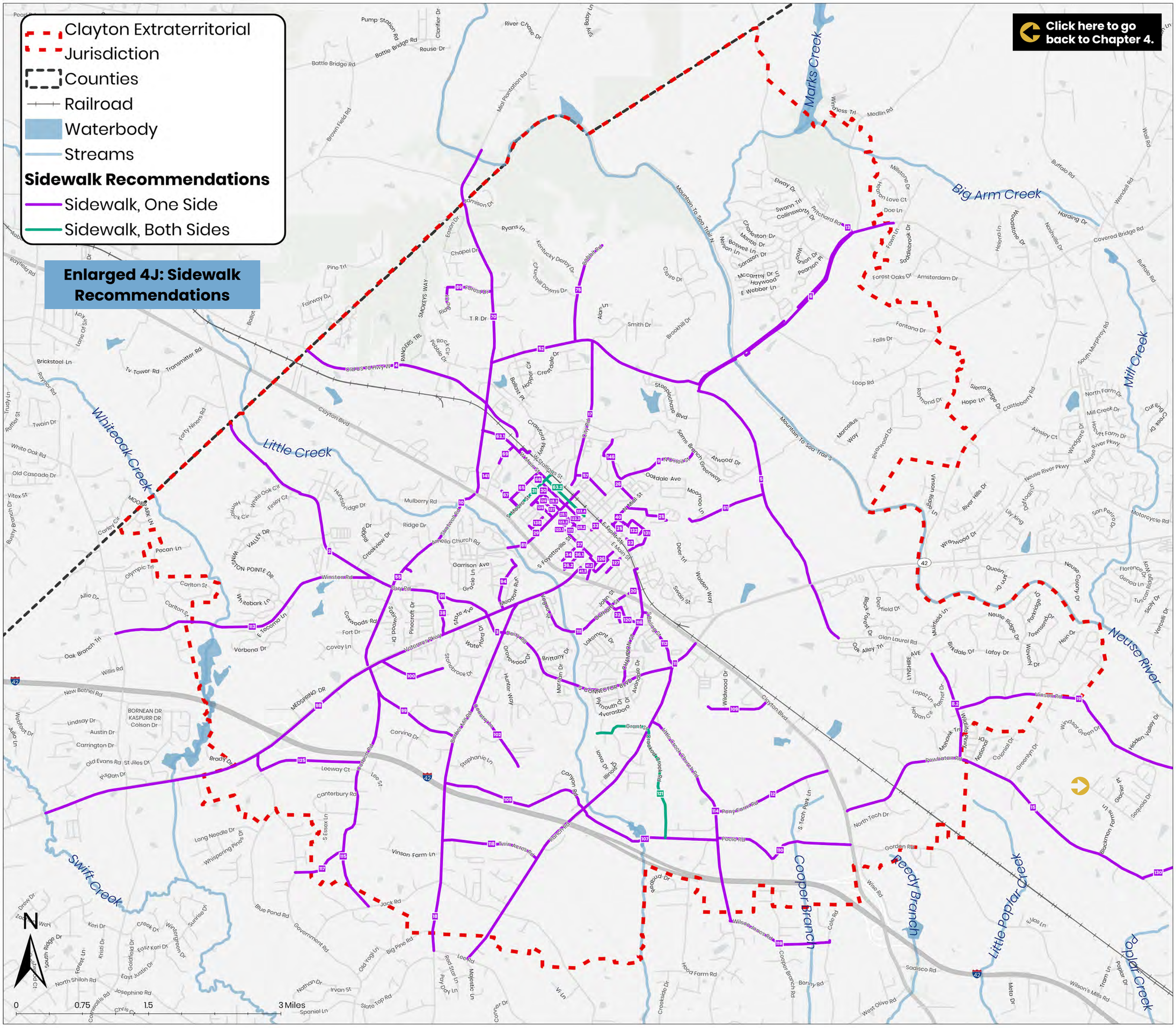
Optimize Collector Street Network

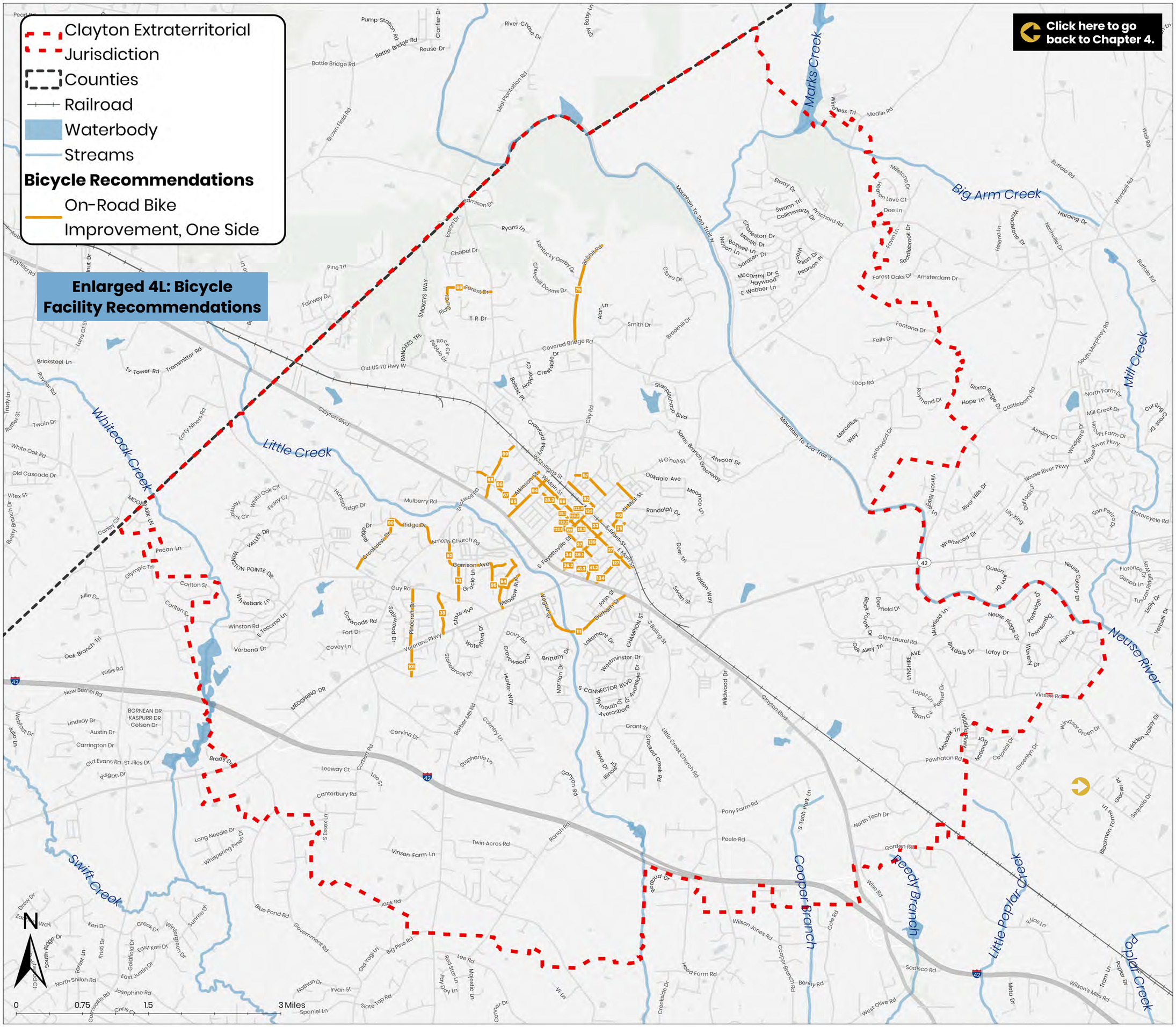
Expand Active Transportation Options

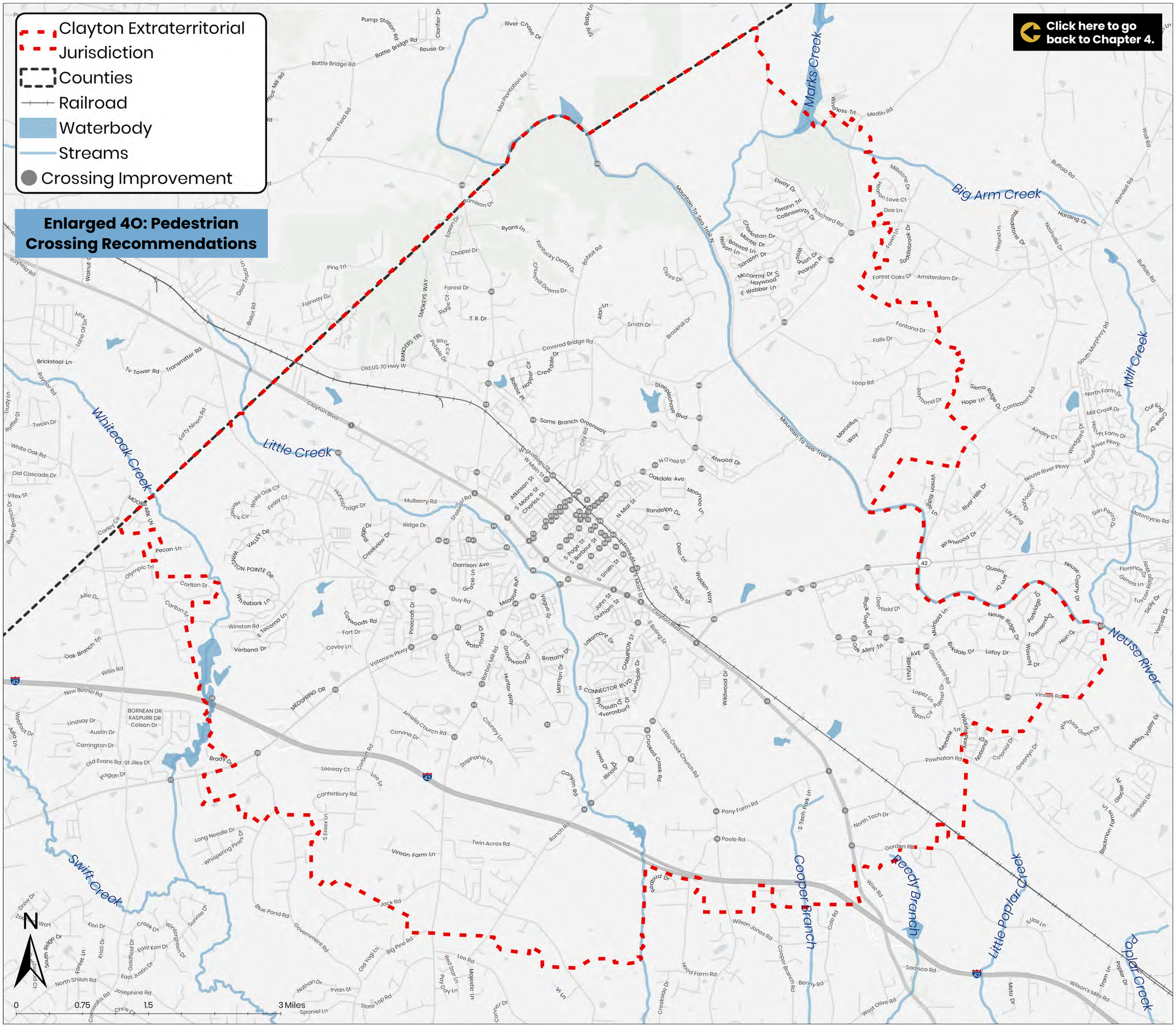
Continuous Evaluation & Adaptation

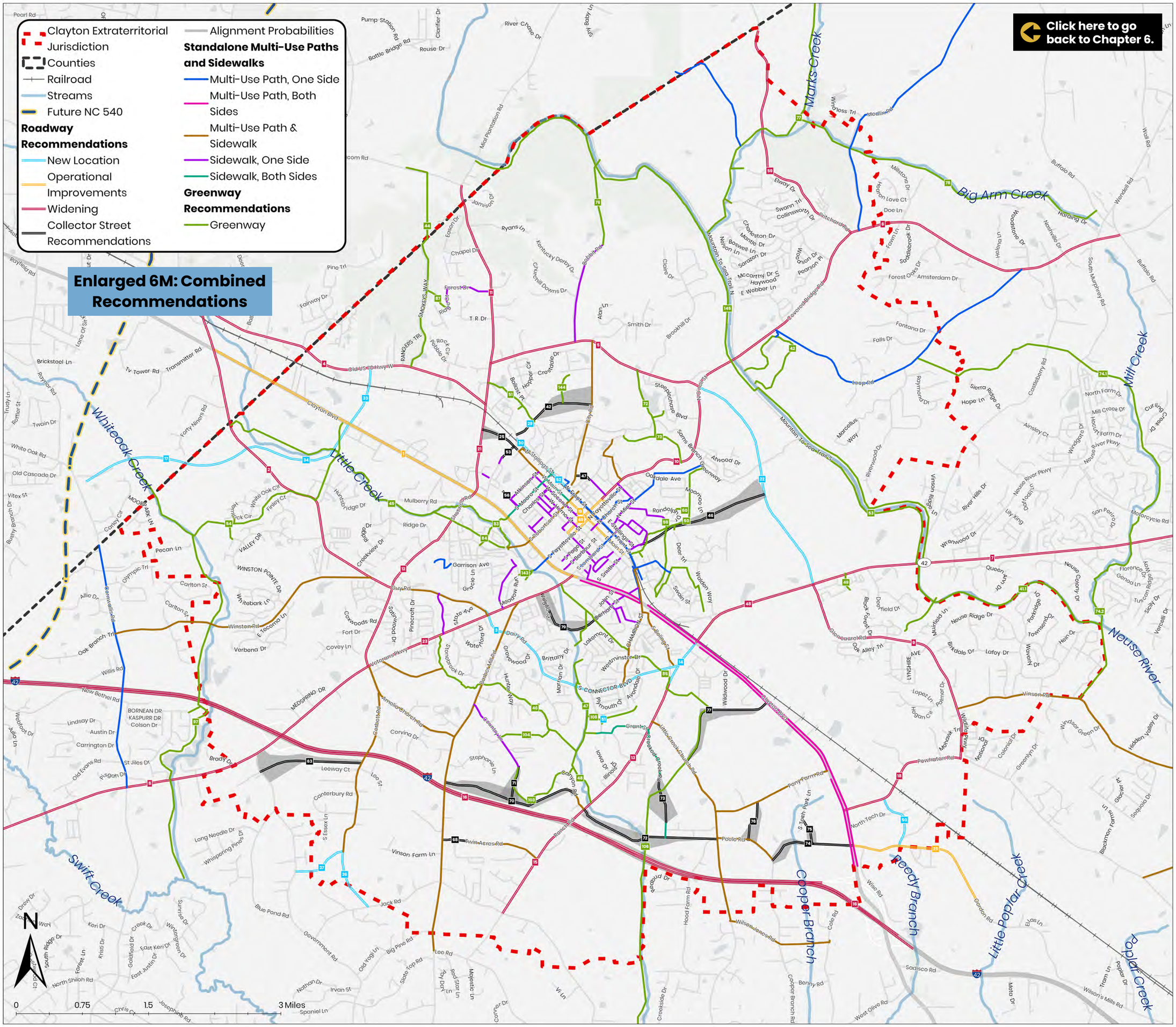
ToC = Town of CLayton
NCDOT = North Carolina Department of Transportation
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CAMPO = Capital Area Metropolitan Planning Organization
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	Policy Implementation Strategies	Responsible Party	On-Going	Year 1-5	Year 6-10	Year 11+	Program / Study	Goal Alignment	Level of Estimated Funding
8.3.4A	Draw parking lane stripes on Second St. where parking is already allowed.	ToC		●					$
8.3.4B	Conduct a Downtown Parking Study to determine the demand, supply and future need for parking.	ToC			●		●		$
8.3.4C	Provide additional paved surfaces for parking in Downtown areas behind buildings or within the NCRR corridor.	ToC		●					$
8.3.5A	Develop UDO code language to increase bicycle and pedestrian connectivity based on the policy recommendations provided in Chapter 6.	ToC	●				●		–
8.3.5B	Seek third party evaluation and ratings for bicycle and pedestrian connectivity.	ToC			●				$
8.3.6A	Program the high-priority recommendations on Town-managed roads in the CIP.	ToC		●					$$$$
8.3.6B	Coordinate with Wake County to determine feasibility study of a second Neuse River Greenway.	ToC / Wake County				●	●		$$$
8.3.6C	Coordinate with NCDOT to add pedestrian signals across Clayton Blvd. in the short term.	ToC / NCDOT		●					$$
8.3.6D	Develop and expand on the sidewalk GIS shapefile with attributes such as width, condition, etc. to help make more informed decisions on sidewalk network expansion in the future.	ToC	●				●		$
8.3.6E	Consider additional non-motorized crossings across the North Carolina Railroad (NCRR) corridor.	ToC / NCRR			●				$$
8.3.6F	Continue support for sidewalks on both sides of the streets within Downtown area.	ToC		●					$$$
8.3.6G	Consider lowering the stop lights to improve visibility for pedestrians and drivers and improve safety.	TOC / NCDOT		●			●		$$
8.3.7A	Conduct a Transit Feasibility Study in Clayton ETJ and surroundings.	ToC / Johnston County		●			●		$
8.3.7B	Coordinate with JCATS to provide microtransit in Clayton. Identify local funding sources to cater to microtransit trips starting from medical facilities on Veterans Pkwy.	ToC / JCATS		●					$$
8.3.7C	Incorporate Rapid Bus Extension accommodations to any plans on Clayton Blvd.	ToC / CAMPO			●				$
8.3.7D	Continue to work with regional partners to identify the location and plan for the upcoming commuter rail station. The plan should include station access, station area characteristics, parking, etc.	ToC / NCRR / Wake Transit				●			$$$$


Clayton Extraterritorial
Jurisdiction
Counties
Railroad
Waterbody
Streams
Sidewalk Recommendations
Sidewalk, One Side
Sidewalk, Both Sides
Enlarged 4J: Sidewalk Recommendations
Click here to go back to Chapter 4.
Marks Creek
Big Arm Creek
Mill Creek
Neuse River
Whiteoak Creek
Little Creek
Swift Creek
Cooper Branch
Reedy Branch
Little Poplar Creek
Poplar Creek
Mountain To Sea Trail N
Mountain To Sea Trail S
Clayton Blvd
S CONNECTOR Blvd
Pump Station Rd
Battle Bridge Rd
Reuse Dr
Clarifier Dr
River Chase Dr
Baby Ln
Mial Plantation Rd
Brown Field Rd
Medlin Rd
Millstone Dr
Elway Dr
Swann Trl
Collinsworth Dr
Pritchard Rd
Doe Ln
Harding Dr
Buffalo Rd
Wendell Rd
Weil Rd
Woodstone Dr
Nashville Dr
Helena Ln
Covered Bridge Rd
Saddlebrook Dr
Forest Oaks Dr
Amsterdam Dr
Fontana Dr
Falls Dr
Loop Rd
Raymond Dr
Hope Ln
Sierra Ridge Dr
Castleberry Rd
South Murphrey Rd
North Farm Dr
Mill Creek Dr
Curlings Creek Dr
Ainsley Ct
Windgate Dr
Hackett Farm Dr
Neuse River Pkwy
Marcellus Way
Riverwood Dr
Vinson Ridge Ln
River Hills Dr
Motorcycle Rd
Wrenwood Dr
Queen Anne Dr
Florence Dr
Genoa Ln
Tuscon Rd
Selby Dr
Vercelli Dr
Neuse Colony Dr
Neuse Ridge Dr
Townsend Dr
Partridge Dr
Hein Dr
Marvin Dr
Lafay Dr
Birkdale Dr
Deer Field Dr
Black Forest Dr
Oak Alley Trl
Glen Laurel Rd
Mulfield Ln
Lopez Ln
Palmer Dr
Hogan Cir
Monarch Trl
Wildfire Pkwy
National Dr
Colonial Dr
Greenlyn Dr
Windsor Green Dr
Hidden Valley Dr
Vinson Rd
Rowhaven Rd
Glacier Dr
Sequoia Dr
Blackmon Farm Ln
North Tech Dr
S Tech Park Ln
Gordon Rd
Wise Rd
Cole Rd
Sadisco Rd
Wilson's Mills Rd
Tram Ln
Poplar Dr
Meta Dr
West Olive Rd
Cooper Branch Rd
Benny Rd
Hood Farm Rd
Creekside Dr
Vi Ln
Deer Trl
Walden Way
Swan St
Garrison Ave
Grace Ln
Nobles Ln
Meadow Run
Kegler St
John St
Bernice Ave
Lakemont Dr
Brittany Dr
Marlboro Dr
Avondale Dr
Wildwood Dr
Plymouth Dr
Averasboro Dr
Granted
Iowa Dr
Illinois Dr
Canyon Rd
Penny Farm Rd
Paula Rd
Wilsonville Rd
Twin Acres Rd
Jack Rd
Big Pine Rd
Old Yogi Ln
Red Star Ln
Lee Rd
Majestic Ln
Nathan Dr
Irvan St
Slate Top Rd
Spaniel Ln
Government Rd
Blue Pond Rd
Sunrise Dr
Keri Dr
Kristi Dr
Creek Dr
Wintergreen Dr
East Keri Dr
Goldfield Dr
East Justin Dr
South Ridge Dr
Forest Ln
North Shiloh Rd
Josephine Rd
Cornwallis Rd
Chris Ct
Drew Dr
Zachary Wen Ct
Steeplechase Blvd
Sams Branch Greenway
Atwood Dr
Ookdale Ave
Moonlight Ln
Crawford Pkwy
Bellcast Pt
Crestdale Dr
Hopper Cir
Rock Cir
Pebble Dr
RANGERS TRL
SMOKEYS WAY
Ridgecrest
Churchill Downs Dr
Kentucky Derby Dr
Edson Dr
Jamison Dr
Ryans Ln
Chapel Dr
Pine Trl
Fairway Dr
Claire Dr
Alan Ln
Smith Dr
Brookhill Dr
T R Dr
Forestdale
Rayford Rd
Bricksteel Ln
Tv Tower Rd
Transmitter Rd
Raynor Rd
Twain Dr
Forty Niners Rd
White Oak Rd
Old Cascade Dr
Vitex St
Bushy Branch Dr
Trudy Ln
Roffler St
Lane Of Ky
Ky
Ballot
Carley Cir
MOORE PARK LN
Pecan Ln
Olympic Trl
Carlton St
Allie Dr
Whitebark Ln
E Second Ln
Oak Branch Trl
Willis Rd
New Bethel Rd
Webford Dr
Julie Ln
Lindsay Dr
Austin Dr
Carrington Dr
Old Evans Rd
St Jiles Dr
Pisgah Dr
BORNEAN DR
KASPURR DR
Colson Dr
Brady Dr
Verbena Dr
Covey Ln
Fort Dr
Corwoods Rd
Satinwood Dr
Pinecroft Dr
Winston Rd
Swift Rd
Ridge Dr
Creekview Dr
Hunterbridge Dr
Mulberry Rd
Finley Ct
White Oak Cir
Hornbeam Cir
Carlton St
WINSTON POINTE DR
VALLEY DR
Ridge Dr
Nahalia Church Rd
Garrison Ave
Grace Ln
Meadow Run
Kegler St
State Ave
Water Ford Dr
Belmeade Dr
Growewood Dr
Hunter Way
Stonebrook Dr
Victoria Park Pkwy
MEDSPRING DR
Corvina Dr
Stephanie Ln
Leeway Ct
Lee St
Canterbury Rd
Long Needle Dr
Whispering Pines Dr
S Essex Ln
Vinson Farm Ln
Swift Creek
Cooper Branch
Reedy Branch
Little Poplar Creek
Poplar Creek
Neuse River
Little Creek Greenway
Crestdale Greenway
Rolling Hills Greenway
Belmeade Greenway
Sawmill Greenway
Rolling Hills Greenway
Twin Acres Greenway
Penny Farm Greenway
Wilsonville Greenway
Rowhaven Greenway
Vinson Farm Greenway
Little Creek Greenway
Crestdale Greenway
Rolling Hills Greenway
Sawmill Greenway
Belmeade Greenway
Granted
Penny Farm Rd
Paula Rd
Wilsonville Rd
Twin Acres Rd
Rowhaven Rd
Vinson Rd
Forestdale
Rolling Hills
Sawmill
Ookdale Ave
Nobles Ln
Steeplechase Blvd
Crawford Pkwy
Bellcast Pt
Crestdale Dr
Hopper Cir
Rock Cir
Pebble Dr
RANGERS TRL
SMOKEYS WAY
Ridgecrest
Churchill Downs Dr
Kentucky Derby Dr
Edson Dr
Jamison Dr
Ryans Ln
Chapel Dr
Pine Trl
Fairway Dr
Claire Dr
Alan Ln
Smith Dr
Brookhill Dr
T R Dr
Forestdale
Rayford Rd
Bricksteel Ln
Tv Tower Rd
Transmitter Rd
Raynor Rd
Twain Dr
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MOORE PARK LN
Pecan Ln
Olympic Trl
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Oak Branch Trl
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New Bethel Rd
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Julie Ln
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Carrington Dr
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BORNEAN DR
KASPURR DR
Colson Dr
Brady Dr
Verbena Dr
Covey Ln
Fort Dr
Corwoods Rd
Satinwood Dr
Pinecroft Dr
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Ridge Dr
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Little Creek Greenway
Crestdale Greenway
Rolling Hills Greenway
Belmeade Greenway
Sawmill


Clayton Extraterritorial Jurisdiction
Counties
Railroad
Waterbody
Streams
Bicycle Recommendations
On-Road Bike Improvement, One Side
Enlarged 4L: Bicycle Facility Recommendations
Click here to go back to Chapter 4.
Marks Creek
Big Arm Creek
Mill Creek
Little Creek
Whiteoak Creek
Swift Creek
Neuse River
Reedy Branch
Cooper Branch
Little Poplar Creek
Poplar Creek
Mountain To Sea Trail N
Mountain To Sea Trail S
Clayton Blvd
Covered Bridge Rd
Old US 70 Hwy W
Transmitter Rd
Clayton Blvd
Amelia Church Rd
Garrison Ave
Veterans Pkwy
S CONNECTOR BLVD
Vinson Farm Ln
Twin Acres Rd
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Curving Creek Dr
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Brixdale Dr
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Deer Field Dr
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Westminster Dr
Avondale Dr
Plymouth Dr
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Hawthorne Dr
White Oak Cir
Finley Ct
Forty Niners Rd
Transmitter Rd
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3 Miles


Clayton Extraterritorial Jurisdiction
Counties
Railroad
Waterbody
Streams
Crossing Improvement
Enlarged 4O: Pedestrian Crossing Recommendations
Click here to go back to Chapter 4.
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Cleveland Rd
Cleveland School Rd
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Clayton Extraterritorial Jurisdiction
Counties
Railroad
Streams
Future NC 540
Roadway Recommendations
New Location
Operational Improvements
Widening
Collector Street Recommendations
Alignment Probabilities
Standalone Multi-Use Paths and Sidewalks
Multi-Use Path, One Side
Multi-Use Path, Both Sides
Multi-Use Path & Sidewalk
Sidewalk, One Side
Sidewalk, Both Sides
Greenway Recommendations
Greenway
Enlarged 6M: Combined Recommendations
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Marks Creek
Big Arm Creek
Mill Creek
Neuse River
Whiteoak Creek
Little Creek
Swift Creek
Reedy Branch
Cooper Branch
Little Poplar Creek
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Chapel Dr
Ryans Ln
Mid Plantation Rd

Planning Board
Agenda Cover Sheet

Meeting Date	Agenda Location
May 27, 2025	PUBLIC MEETINGS

Item Title

Unified Development Ordinance Text Amendments (UDOTA 1-25)

Presenter(s)

Conrad Olmedo, Planning Director

Suggested Action

Adoption of Ordinance - Recommendation to Town Council

Strategic Priorities Alignment

Vibrant Downtown	Desirable Amenities and Spaces	Sustainable Infrastructure	Mobility, Transportation, and Transit	Diversified Economic Development	Community Outreach and Engagement	Public Safety
☒	☒	☐	☒	☒	☐	☐

Public Hearing: No - Legislative

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Special Mailing
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey
- ☒ None Required

Summary

A presentation to the Planning Board of the Town of Clayton's Unified Development Ordinance Text Amendments (UDOTA 1-25).

Background/History

On November 20, 2023, the Town Council adopted the Town of Clayton Unified Development Ordinance (UDO). The UDO became effective on January 2, 2024 and has been the Town's land use regulatory document since that date. As part of the adoption of the UDO, it was communicated that the UDO would be updated on a reoccurring basis to reflect feedback from its implementation.

Recommendation

Staff is recommending that the UDO Text Amendments (UDOTA 1-25) be recommended for approval by the Planning Board.

Funding Source

N/A

Corresponding Documentation

01_Staff Report - UDOTA 1-25_PB 5.27.25 (4)

02_UDOTA 1-25 PB Consideration 5-27-25

03_Clayton UDOTA 1-25 Summary Table 5-16-25

04_Clayton UDOTA 1-25 6-16-25 - Redline

05_UDO Procedures Manual - Draft - Formatted - 5.16.25_PB 5.27.25

06_Consistency Statements Sheet - UDOTA 1-25_PB 5.27.25

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Conrad Olmedo, Planning Director	Approved - May 16 2025
Courtney Tanner, Deputy Town Manager	Approved - May 16 2025

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: May 27, 2025

STAFF REPORT

Project Name: Unified Development Ordinance Text Amendments (UDOTA 1-25)

Consultant: Chad Meadows – CodeWright Planners

Applicant: Conrad Olmedo, Planning Director – Town of Clayton Planning Department

Request: Consideration of the following items related to Unified Development Ordinance Text Amendments (UDOTA 1-25):

- Act on Plan Consistency Statement
- Make a Recommendation on UDO Text Amendment

PROJECT OVERVIEW

On November 20, 2023, the Town Council adopted the Town of Clayton Unified Development Ordinance (UDO). The UDO became effective on January 2, 2024 and has been the Town's land use regulatory document since that date. As part of the adoption of the UDO, it was communicated that the UDO would be updated on a reoccurring basis to reflect feedback from its implementation. This is the fourth round of UDO Text Amendments and consists of over 100-line items that comprise of technical clarifications, feedback from the public, and staff observations from implementation.

The UDO is a living document that is reflective of lessons learned through daily implementation, community input, and state law compliance. Upon the adoption of the UDO it was understood that text amendments would be an integral part of keeping the UDO relevant.

In this UDOTA 1-25, there are sections of the UDO that have been removed and relocated into a newly created UDO Procedures Manual. No action is required by the Planning Board nor by Town Council on the UDO Procedures Manual. It is solely included in this report as a reference item. Subsequent changes to the UDO

Procedures Manual will occur at the Town staff administrative level.

REVIEW CRITERIA

Per UDO Section 2.3.26.H., "the advisability of amending the text of this Ordinance is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Town Council may, but is not required to, consider whether and the extent to which the proposed text amendment:

1. Enhances the public's health, safety, and welfare;
2. Is consistent with the Town's Adopted Policy Guidance;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Addresses an unforeseen matter not present when the Ordinance was adopted;
6. Addresses other factors determined to be relevant by the Town Council; and
7. Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment."

PLANNING BOARD CONSIDERATIONS

Per Unified Development Ordinance, 2.3.26, Text Amendments, the adoption and effect of text amendments requires the legislative decision by Town Council with the recommendation of the Planning Board. Should the Planning Board fail to make a recommendation, the Town Council may process the request without a recommendation.

STAFF RECOMMENDATION

UDOTA 1-25 is generally consistent with relevant policies in the Comprehensive Plan, and a recommendation of approval of the text amendment request is reasonable and in the public interest. See Motion 1 in the Consistency Statements Sheet Attachment.

ATTACHMENTS:

1. Staff Report
2. Presentation
3. UDOTA 1-25 Tracking Form
4. UDOTA 1-25 Redline Changes

5. UDO Procedures Manual – Reference Only, No Action Required
6. Consistency Statements Sheet

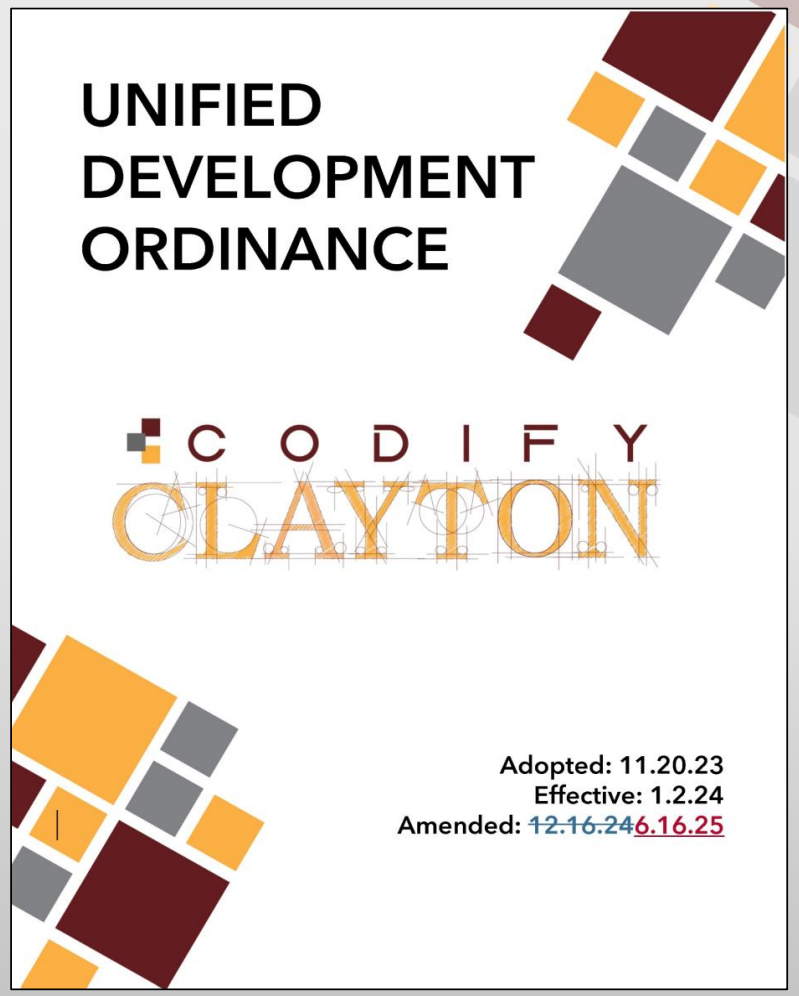
CODIFY DAYTON

UDOTA1-25

Planning Board Consideration
5.27.25

OVERVIEW

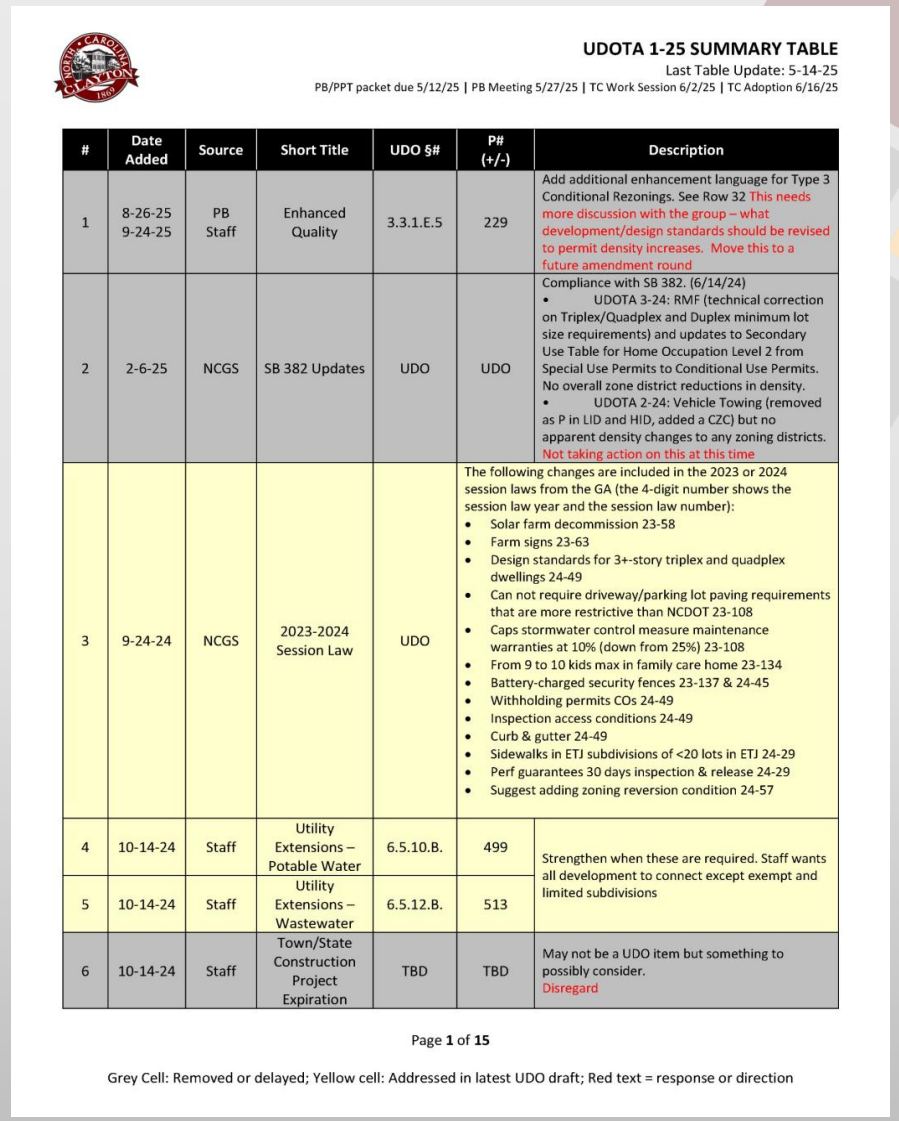
- 4th Round of UDO Amendments
- 107 +/- Changes Organized into Six Groups



OVERVIEW

UDOTA1-25:
Six Groups of Proposed Changes

1. Procedures Manual / Clean Up
2. Procedural Changes
3. Density Changes
4. Dimensional Standards Changes
5. Use Type Changes (principal, secondary, temporary)
6. Development Standards Changes



UDOTA 1-25 SUMMARY TABLE

Last Table Update: 5-14-25

PB/PPT packet due 5/12/25 | PB Meeting 5/27/25 | TC Work Session 6/2/25 | TC Adoption 6/16/25

#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
1	8-26-25 9-24-25	PB Staff	Enhanced Quality	3.3.1.E.5	229	Add additional enhancement language for Type 3 Conditional Rezonings. See Row 32 This needs more discussion with the group – what development/design standards should be revised to permit density increases. Move this to a future amendment round
2	2-6-25	NCGS	SB 382 Updates	UDO	UDO	Compliance with SB 382. (6/14/24) • UDOTA 3-24: RMF (technical correction on Triplex/Quadplex and Duplex minimum lot size requirements) and updates to Secondary Use Table for Home Occupation Level 2 from Special Use Permits to Conditional Use Permits. No overall zone district reductions in density. • UDOTA 2-24: Vehicle Towing (removed as P in LID and HID, added a CZC) but no apparent density changes to any zoning districts. Not taking action on this at this time
3	9-24-24	NCGS	2023-2024 Session Law	UDO	The following changes are included in the 2023 or 2024 session laws from the GA (the 4-digit number shows the session law year and the session law number): • Solar farm decommission 23-58 • Farm signs 23-63 • Design standards for 3+-story triplex and quadplex dwellings 24-49 • Can not require driveway/parking lot paving requirements that are more restrictive than NCDOT 23-108 • Caps stormwater control measure maintenance warranties at 10% (down from 25%) 23-108 • From 9 to 10 kids max in family care home 23-134 • Battery-charged security fences 23-137 & 24-45 • Withholding permits COs 24-49 • Inspection access conditions 24-49 • Curb & gutter 24-49 • Sidewalks in ETJ subdivisions of <20 lots in ETJ 24-29 • Perf guarantees 30 days inspection & release 24-29 • Suggest adding zoning reversion condition 24-57	
4	10-14-24	Staff	Utility Extensions – Potable Water	6.5.10.B.	499	Strengthen when these are required. Staff wants all development to connect except exempt and limited subdivisions
5	10-14-24	Staff	Utility Extensions – Wastewater	6.5.12.B.	513	
6	10-14-24	Staff	Town/State Construction Project Expiration	TBD	TBD	May not be a UDO item but something to possibly consider. Disregard

Page **1** of **15**

Grey Cell: Removed or delayed; Yellow cell: Addressed in latest UDO draft; Red text = response or direction

1. Procedures Manual / Clean Up

A. Acknowledgments (pg. 1)
Updated Planning Board roster; removed staff listing

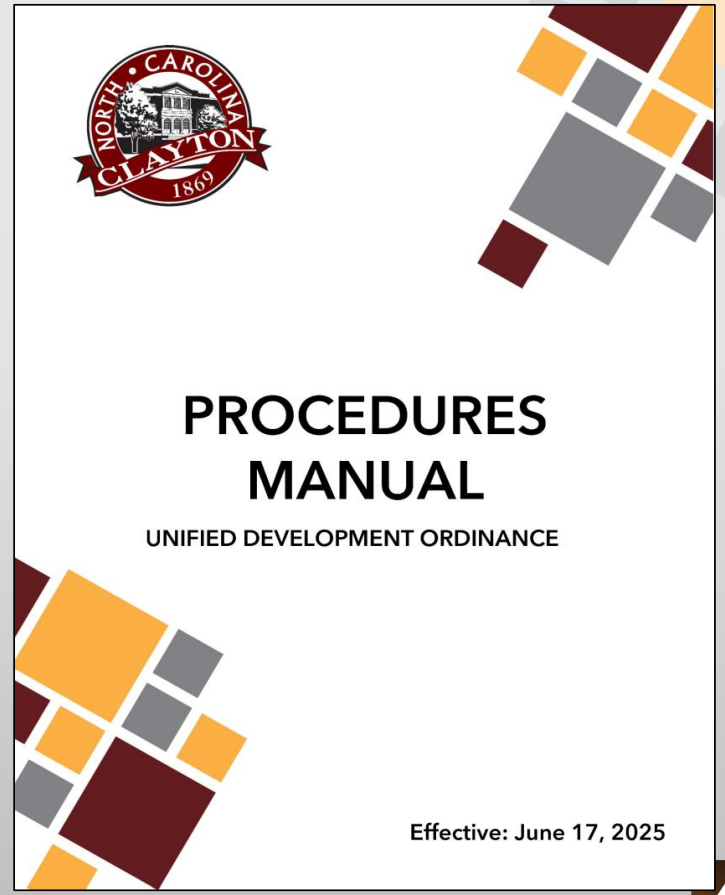
B. About this UDO (pg. 2)
Identifies the Procedures Manual

C. FAQ (pg. 3)
Relocated to the Procedures Manual

D. New Definitions (pg. 756. 780, 793, 794, 795, 839)
Chronic Violator, Government Maintenance Facility, Mass Grading, Membrane Structure, Modular Home, Temporary Sign, Urban Archery

E. Removed Definitions (pg. 749, 816, 831)
Barber Shop/Beauty Salon, Large Format Retail, Minor Subdivision

F. New Procedures Manual
FAQ, Certifications, Plan/Plat Checklist, Submittal Requirements, Plant List, Application fees, Use Category Descriptions, etc.



2. Procedural Changes

A. §2.3.2 Alternative Plans (Pg. 57, 554, 608, 651)

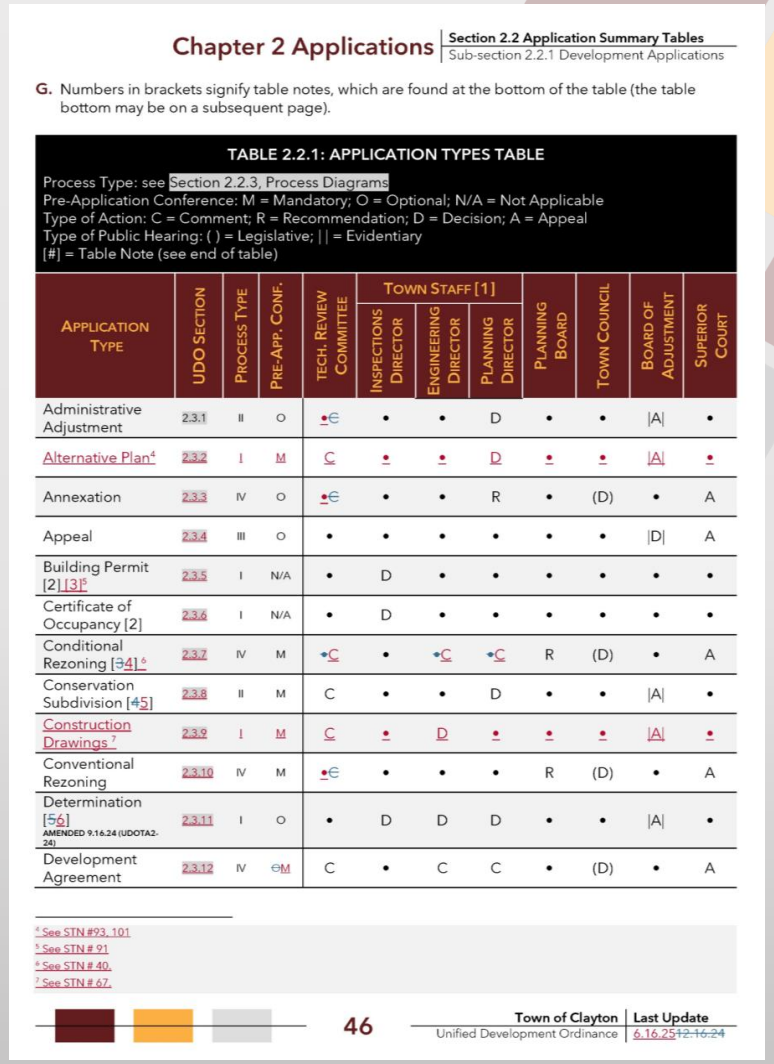
- Creates a uniform procedure for alternative plans (parking, landscaping, signage)
- Minor adjustments to the landscaping, parking, and signage standard portions of Ch. 6 for cross-referencing
- Decided by Planning Director (not Town Council), based on criteria

B. §2.3.5 Building Permit (pg. 66)

Adds at "at-risk" option that requires a pre-application conference SL2023-142

C. §2.3.7 Conditional Rezoning (pg. 73-75)

- Changes concept plan from site-specific vesting plan to condition of approval that runs with the land
- Clarified that any site configuration features not identified as running with the land as a condition will be subject to the UDO standards in place at the time of permit application
- Adds a reversion clause that allows Town to revert to the prior district designation if no development occurs within 3 years
- Relocated concept plan content provisions to Procedures Manual
- Clarified that use-specific standards may not be waived or reduced via a conditional rezoning



Chapter 2 Applications | Section 2.2 Application Summary Tables
Sub-section 2.2.1 Development Applications

G. Numbers in brackets signify table notes, which are found at the bottom of the table (the table bottom may be on a subsequent page).

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Town Staff [1]				Planning Board	Town Council	Board of Adjustment	Superior Court
				Tech. Review Committee	Inspections Director	Engineering Director	Planning Director				
Administrative Adjustment	2.3.1	II	O	•∈	•	•	D	•	•	|A|	•
Alternative Plan[4]	2.3.2	I	M	C	•	•	D	•	•	|A|	•
Annexation	2.3.3	IV	O	•∈	•	•	R	•	(D)	•	A
Appeal	2.3.4	III	O	•	•	•	•	•	•	|D|	A
Building Permit [2] [3][5]	2.3.5	I	N/A	•	D	•	•	•	•	•	•
Certificate of Occupancy [2]	2.3.6	I	N/A	•	D	•	•	•	•	•	•
Conditional Rezoning [34][6]	2.3.7	IV	M	•C	•	•C	•C	R	(D)	•	A
Conservation Subdivision [45]	2.3.8	II	M	C	•	•	D	•	•	|A|	•
Construction Drawings[7]	2.3.9	I	M	C	•	D	•	•	•	|A|	•
Conventional Rezoning	2.3.10	IV	M	•∈	•	•	•	R	(D)	•	A
Determination [56] AMENDED 9.16.24 (UDOTA2-24)	2.3.11	I	O	•	D	D	D	•	•	|A|	•
Development Agreement	2.3.12	IV	~~O~~M	C	•	C	C	•	(D)	•	A

[4] See STN #93, 101
[5] See STN # 91
[6] See STN # 40.
[7] See STN # 67.

46

Town of Clayton | Last Update
Unified Development Ordinance | 6.16.25~~12.16.24~~

2. Procedural Changes (con't)

D. §2.3.9 Construction Drawings (Pg. 81, 113, 136)

- Now a stand-alone procedure (removed from Site Plan & Subdivision procedures)
- Creates an alternative sequence that allows an applicant to record a Final Plat prior to installation of public infrastructure, subject to a performance guarantee, functional fire protection, and landowner affidavit

E. §2.3.19 Subdivisions (Pg. 113, 116)

- Removes Minor Subdivisions (lowers threshold for Major Subdivision)
- Separates Construction Drawings as its own procedure

F. §2.3.20 Performance Guarantee (Pg. 124-129)

- All decided by staff (removed TC decision)
- Reduces range of ineligible features to fire protection, sedimentation control, and traffic control devices
- Inspections must be conducted within 30 days of request SL2024-49
- Performance Guarantees must be refunded within 30 days of completion SL2024-49
- SCM maintenance warranties reduced to 10% and may not be held by the Town SL2024-49

2. Procedural Changes (con't)

G. §2.3.21 Sign Permit (Pg. 130, 152)

Temporary signs subject to a Sign Permit, no longer a temporary permit

H. §2.3.22 Site Plan (Pg. 137-138)

- Construction Drawings now its own procedure (removed from subdivision & site plan)
- Expiration increased from one year to two years

I. §2.3.25/26 Street Renaming/Closure (Pg. 148-151)

- Split into 2 separate procedures

J. §2.3.28 Text Amendment (Pg. 154)

Initiation limited to staff, appointed bord, or TC

2. Procedural Changes (con't)

K. §2.3.29 Transportation Impact Analysis (Pg. 158)

- Clarified TIA is "accepted" not "approved"
- Clarified 2-year expiration term

L. §2.3.33 Zoning Compliance Permit (Pg. 173)

- Clarified ZCP required for fences/walls of 36" above grade (up from 24")
- Clarified required for establishment of a secondary use or structure

M. §2.4.5 Application Fees (Pg. 179-180)

Application fees refunded if withdrawn prior to completeness review; fees not refunded if application is abandoned

N. §2.4.10 Conditions of Approval (Pg. 188)

May not condition an approval on access for inspections of non-public areas SL2024-49

2. Procedural Changes (con't)

O. §2.4.12 Concurrent Processing (Pg. 189)

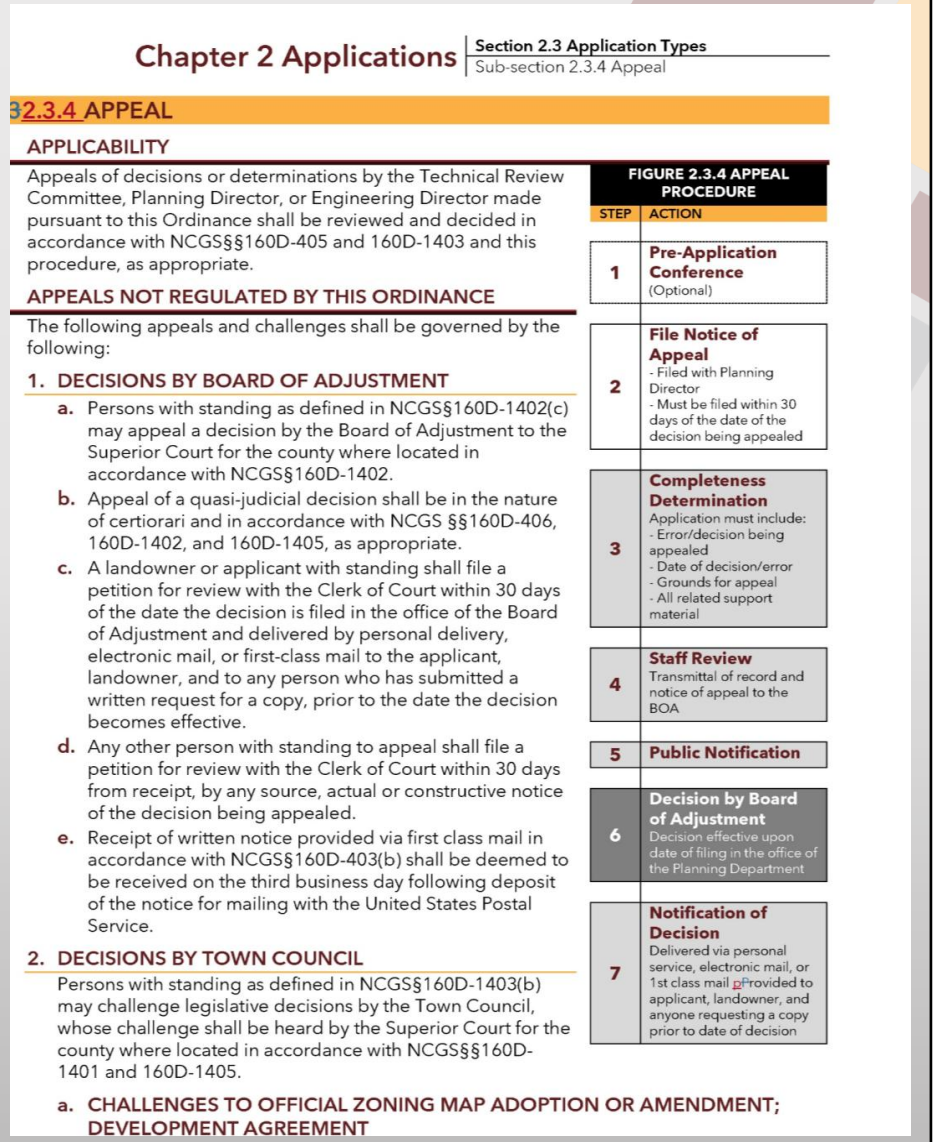
Clarifies concurrent processing rules for building permits and sign permit

P. §2.2.3 Procedural Flowcharts (Pg. ~)

Each application has its own new procedural flowchart

Q. §7.6.2 / 7.6.4 Violations (Pg. 722)

The Town may not withhold a permit on one site for a violation on a different site SL2024-49



Chapter 2 Applications | Section 2.3 Application Types
Sub-section 2.3.4 Appeal

2.3.4 APPEAL

APPLICABILITY

Appeals of decisions or determinations by the Technical Review Committee, Planning Director, or Engineering Director made pursuant to this Ordinance shall be reviewed and decided in accordance with NCGS§§160D-405 and 160D-1403 and this procedure, as appropriate.

APPEALS NOT REGULATED BY THIS ORDINANCE

The following appeals and challenges shall be governed by the following:

1. DECISIONS BY BOARD OF ADJUSTMENT
   - a. Persons with standing as defined in NCGS§160D-1402(c) may appeal a decision by the Board of Adjustment to the Superior Court for the county where located in accordance with NCGS§160D-1402.
   - b. Appeal of a quasi-judicial decision shall be in the nature of certiorari and in accordance with NCGS §§160D-406, 160D-1402, and 160D-1405, as appropriate.
   - c. A landowner or applicant with standing shall file a petition for review with the Clerk of Court within 30 days of the date the decision is filed in the office of the Board of Adjustment and delivered by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective.
   - d. Any other person with standing to appeal shall file a petition for review with the Clerk of Court within 30 days from receipt, by any source, actual or constructive notice of the decision being appealed.
   - e. Receipt of written notice provided via first class mail in accordance with NCGS§160D-403(b) shall be deemed to be received on the third business day following deposit of the notice for mailing with the United States Postal Service.
2. DECISIONS BY TOWN COUNCIL

Persons with standing as defined in NCGS§160D-1403(b) may challenge legislative decisions by the Town Council, whose challenge shall be heard by the Superior Court for the county where located in accordance with NCGS§§160D-1401 and 160D-1405.

a. CHALLENGES TO OFFICIAL ZONING MAP ADOPTION OR AMENDMENT; DEVELOPMENT AGREEMENT

FIGURE 2.3.4 APPEAL PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Notice of Appeal** - Filed with Planning Director - Must be filed within 30 days of the date of the decision being appealed
3	**Completeness Determination** Application must include: - Error/decision being appealed - Date of decision/error - Grounds for appeal - All related support material
4	**Staff Review** Transmittal of record and notice of appeal to the BOA
5	**Public Notification**
6	**Decision by Board of Adjustment** Decision effective upon date of filing in the office of the Planning Department
7	**Notification of Decision** Delivered via personal service, electronic mail, or 1st class mail Provided to applicant, landowner, and anyone requesting a copy prior to date of decision

3. Density Changes

Density Limitation Removed				Moderate Density Increase				
3.2.1	CRM Corridor Commercial	(was 6.0)	Pg. 201	3.2.9	NCM Neighborhood Commercial	(was 6.0)	now 7.2	Pg. 223
3.2.3	DTNC Downtown Core	(was 30.0)	Pg. 205	3.2.10	OFI Office & Institutional	(was 5.0)	now 7.2	Pg. 226
3.2.8	MXD Mixed-Use	(was 12.0)	Pg. 220					
3.3.2	CZC Conditional Commercial	(was 6.0)	Pg. 254					
3.3.3	CZD Conditional Downtown	(was 30.0)	Pg. 255					
3.3.5	CZM Conditional Mixed Use	(was 12.0)	Pg. 257					

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
S = Permitted, subject to a Special Use Permit & applicable use standards
C =Permitted within a conditional zoning district, subject to applicable use standards
"•" = Prohibited
[#] = Table note (see end of table)

USE TYPE	CONVENTIONAL RESIDENTIAL DISTRICTS						CONVENTIONAL NON-RESIDENTIAL DISTRICTS								SPECIAL DISTRICTS			CONDITIONAL DISTRICTS					USE STANDARDS
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Manufactured Home (Class B Singlewide)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•	•	4.3.79
Manufactured Home Park	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•	•	4.3.80
Mobile Home	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	-
Mobile Home Park	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	-
Multi-Family Dwelling[55]	•	•	•	•	•	P	•	•	•	•	•	•	•	•	•	P	•	C	C	~~C~~	C	•	4.3.86
Pocket Neighborhood [1]	•	•	•	P	P	P	•	•	•	•	P	•	•	•	•	P	•	C	C	•	C	•	4.3.101
Single-Family Attached Dwelling [1]	•	•	•	•	P	P	•	•	•	•	•	•	•	•	•	P	•	C	C	C	C	•	4.3.118
Single-Family Detached Dwelling	P	P	P	P	P	P	•	•	P	P	P	•	•	•	•	P	•	C	•	•	C	•	4.3.119
Triplex or Quadplex [1] AMENDED 4.15.24 (UDOTA1-24)	•	•	•	•	•	P	•	•	•	•	•	•	•	•	•	P	•	C	C	~~C~~	C	•	4.3.131
Upper-Story Dwelling	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	P	•	C	C	C	C	•	4.3.132

NOTES:
[1] Not permitted on lots within the downtown boundary as designated in the 2045 Comprehensive Growth Plan Future Land Use Map unless permitted by and located within the CZD zoning district.

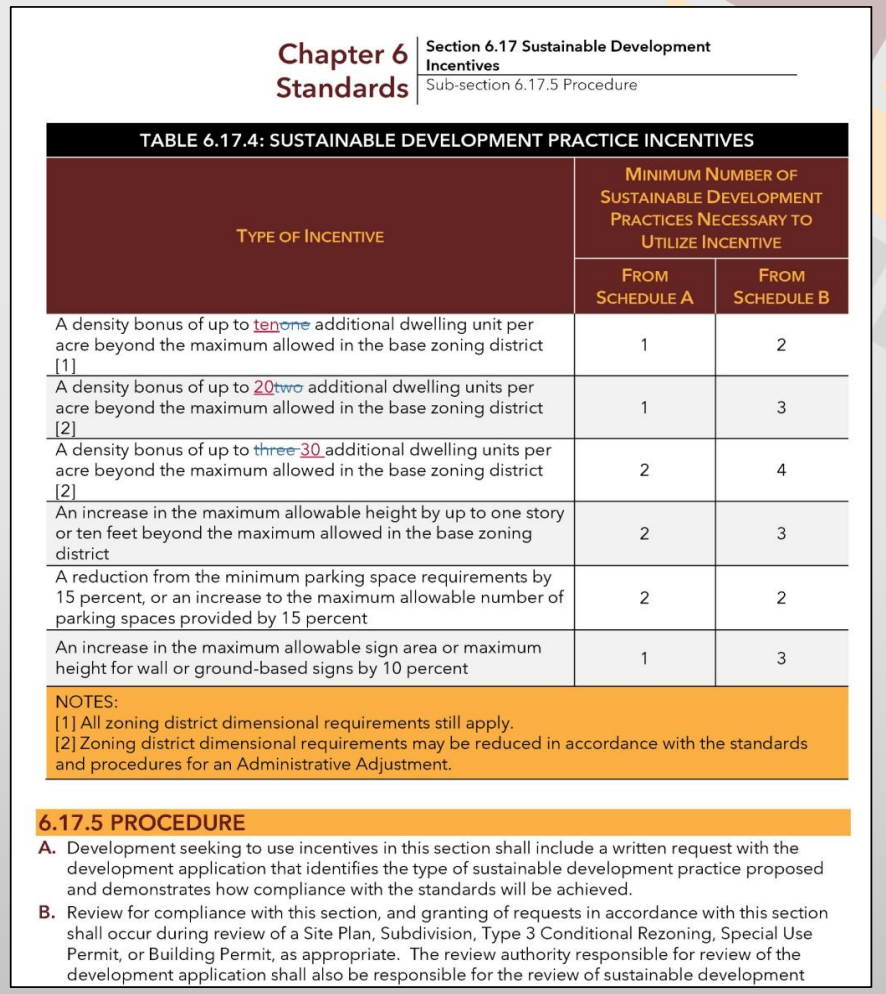
3. Density Changes (con't)

- **§3.2.12 – 3.2.17 Residential Districts (Pg. 230-248)**

  Replaces current density bonus (1 DU/AC) with sustainable development incentives

- **§6.17.4 Sustainable Development Incentives (Pg. 708)**

  Increases density bonuses from 1, 2, 3 units per acre for provision of sustainable development features upwards to 10, 20, or 30 units per acre



Chapter 6 Standards | Section 6.17 Sustainable Development Incentives
Sub-section 6.17.5 Procedure

TABLE 6.17.4: SUSTAINABLE DEVELOPMENT PRACTICE INCENTIVES

Type of Incentive	Minimum Number of Sustainable Development Practices Necessary to Utilize Incentive	
	From Schedule A	From Schedule B
A density bonus of up to ten~~one~~ additional dwelling unit per acre beyond the maximum allowed in the base zoning district [1]	1	2
A density bonus of up to 20~~two~~ additional dwelling units per acre beyond the maximum allowed in the base zoning district [2]	1	3
A density bonus of up to ~~three~~ 30 additional dwelling units per acre beyond the maximum allowed in the base zoning district [2]	2	4
An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district	2	3
A reduction from the minimum parking space requirements by 15 percent, or an increase to the maximum allowable number of parking spaces provided by 15 percent	2	2
An increase in the maximum allowable sign area or maximum height for wall or ground-based signs by 10 percent	1	3

NOTES:
[1] All zoning district dimensional requirements still apply.
[2] Zoning district dimensional requirements may be reduced in accordance with the standards and procedures for an Administrative Adjustment.

6.17.5 PROCEDURE

A. Development seeking to use incentives in this section shall include a written request with the development application that identifies the type of sustainable development practice proposed and demonstrates how compliance with the standards will be achieved.

B. Review for compliance with this section, and granting of requests in accordance with this section shall occur during review of a Site Plan, Subdivision, Type 3 Conditional Rezoning, Special Use Permit, or Building Permit, as appropriate. The review authority responsible for review of the development application shall also be responsible for the review of sustainable development

4. Dimensional Standards Changes

A. §3.2.11 PUB District (Pg. 228)

- Removes lot area, open space, building height, spacing between buildings, and perimeter setbacks
- Reduces all setbacks to 5 feet

B. §3.4.3.C Flag Lots (Pg. 261)

Bars creation of new flag lots

C. §3.4.7 & § 6.9.4.G Unified Developments (Pg. 263, 388, 612)

- Removes requirements for unified development to be operated as a single use
- Establishes new parking standards for non-residential uses of 1/250SF
- Exempts drive through canopies from setbacks

5A. Use Type Changes (Principal)

A. §4.2.5 Principal Use Table (Pg. 310-316)

- PUB District – adds several 20+ use types
  (horticulture; offices; parking structure; storage; theatres; vehicle painting, repair, towing, washing; warehouse; wind energy; day care; community center; fraternal lodge; religious institution; schools)
- CZM District – adds 3 use types
  (convenience store; outdoor commercial recreation, parking structure)
- CZC District –
  (adds multi-family dwellings; removes triplex/quadplex)

B. Simplifies Some Use-Specific Standards

- §4.3.23 Pg. 324 - Business Incubator
- §4.3.30 Pg. 325 – Coffee Shop
- §4.3.37 Pg. 327 – Convenience Store
- §4.3.55 Pg. 332 – Gasoline Sales
- §4.3.86 Pg. 341 – Multi-Family Dwelling

(removes off-street parking location, reduces the number of units with balconies, adds more allowance for longer buildings)

5A. Use Type Changes (Principal, con't)

C. §4.2.5 Adds Governmental Maintenance or Storage Facility Use (Pg. 315)

D. §4.3.45 Family Care Home (Pg. 330)

Increases max. number of children from 9 to 10 SL2023-108

E. §4.3.113 Large Format Retail (Pg. 352, 494, 616)

- Removes large format retail as a use type (treats as a commercial use instead)
- Relocates fenestration flexibility for 70,000+ sf single tenant buildings
- Removes specific parking location & entry feature design standards for these buildings

F. §4.3.121 Solar Energy Conversion (Pg. 355)

Adds requirements for compliance with new State decommissioning rules SL2023-58

G. §4.3.131 Triplex/Quadplex (Pg. 373, 499)

Buildings over 2 stories are subject to design standards SL2024-49

5B. Use Type Changes (Secondary)

H. §4.5.5.S Adds Membrane Structure Use Type (Pg. 385)

I. §4.5.5.HH Adds Urban Archery Use Type (Pg. 403)

J. §4.5.5.N Flagpole (Pg. 391)

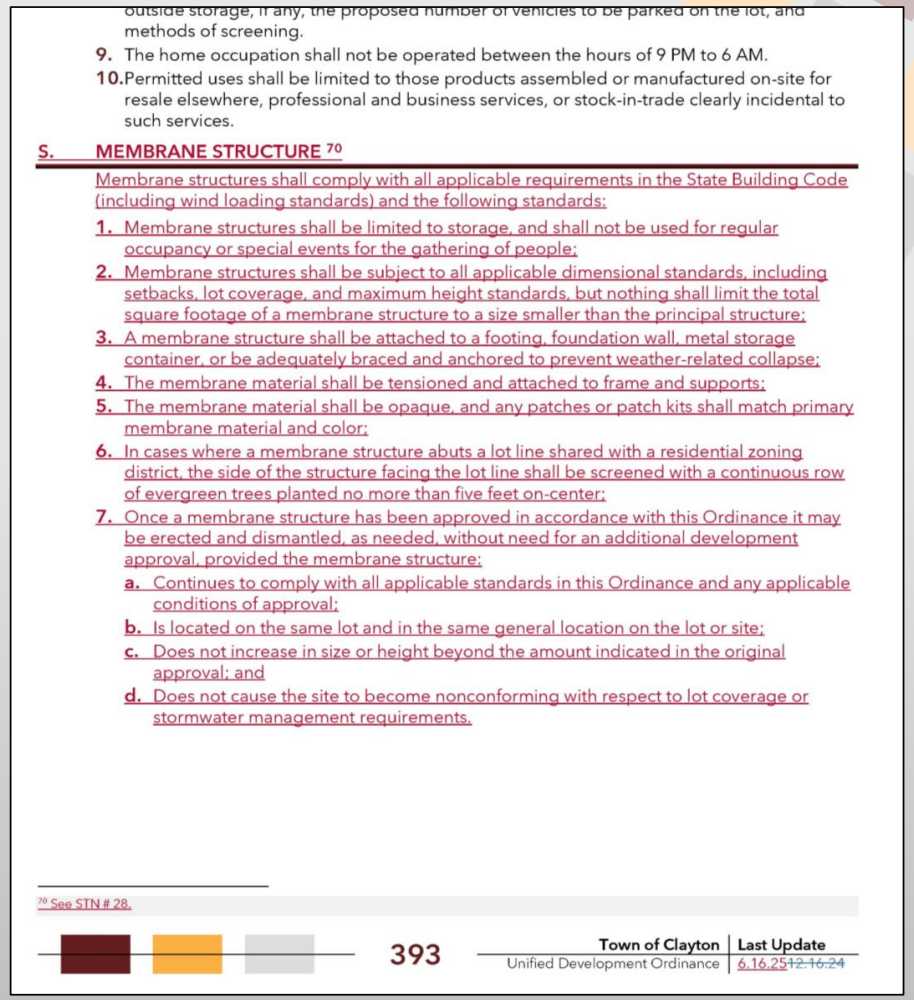
Increases flagpole height to 40 feet (up from 25)

K. §4.5.5.Q Home Occupation Level 1 (Pg. 392)

Limits the sale of vehicles or trailers as a home occupation

L. §4.5.5.T Outdoor Dining and Seating (Pg. 396)

Allows up to 12 seats with a Zoning Compliance Permit; more than 12 requires Site Plan approval



outside storage, if any, the proposed number of vehicles to be parked on the lot, and methods of screening.

9. The home occupation shall not be operated between the hours of 9 PM to 6 AM.
10. Permitted uses shall be limited to those products assembled or manufactured on-site for resale elsewhere, professional and business services, or stock-in-trade clearly incidental to such services.

S. MEMBRANE STRUCTURE [70]

Membrane structures shall comply with all applicable requirements in the State Building Code (including wind loading standards) and the following standards:

1. Membrane structures shall be limited to storage, and shall not be used for regular occupancy or special events for the gathering of people;
2. Membrane structures shall be subject to all applicable dimensional standards, including setbacks, lot coverage, and maximum height standards, but nothing shall limit the total square footage of a membrane structure to a size smaller than the principal structure;
3. A membrane structure shall be attached to a footing, foundation wall, metal storage container, or be adequately braced and anchored to prevent weather-related collapse;
4. The membrane material shall be tensioned and attached to frame and supports;
5. The membrane material shall be opaque, and any patches or patch kits shall match primary membrane material and color;
6. In cases where a membrane structure abuts a lot line shared with a residential zoning district, the side of the structure facing the lot line shall be screened with a continuous row of evergreen trees planted no more than five feet on-center;
7. Once a membrane structure has been approved in accordance with this Ordinance it may be erected and dismantled, as needed, without need for an additional development approval, provided the membrane structure:
   a. Continues to comply with all applicable standards in this Ordinance and any applicable conditions of approval;
   b. Is located on the same lot and in the same general location on the lot or site;
   c. Does not increase in size or height beyond the amount indicated in the original approval; and
   d. Does not cause the site to become nonconforming with respect to lot coverage or stormwater management requirements.

[70] See STN # 28.

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Town of Clayton | Last Update
Unified Development Ordinance | 6.16.25~~12.16.24~~

5C. Use Type Changes (Temporary)

M. §4.6.4 Temporary Uses (Pg. 407-408)

- New summary table of maximum duration & frequency per year
- Adds standards for garage/yard sales, temporary signs, model sales homes, and construction offices

N. §4.7.2 Use Category Descriptions (Tables) (Pg. 416-427)

Relocated to Procedures Manual

2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;
3. Prohibition of the storage or use of hazardous materials;
4. Regulation of placement, height, size, and location of equipment;
5. Provision of sanitary and medical facilities;
6. Provision of solid waste collection and disposal;
7. Provision of security and safety measures;
8. Use of an alternate location or date;
9. Modification or elimination of certain proposed activities;
10. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
11. Submission of a performance guarantee (see Section 2.3.20, Performance Guarantee) to ensure that any temporary use will be removed from the lot.

4.6.4 DURATION OF COMMON TEMPORARY USES

This section includes a summary table of common temporary uses and their maximum duration. [1]

TABLE 4.6.4: TABLE OF COMMON TEMPORARY USES AND DURATION

Type of Temporary Use or Structure		Maximum Number of Occurrences per year on the same lot	Maximum Duration Number of Days per Occurrence [1]	Maximum ~~Frequency per Calendar Year~~ Number of Days per Year per Lot
Itinerant Merchant Sale		3	~~No more than 45 continuous days per lot per calendar year~~ no max.	~~Three, subject to maximum duration per year~~ 45 days
Outdoor Seasonal Sales		3	~~No more than 45 continuous days per lot per calendar year~~ no max.	~~Three, subject to maximum duration per year~~ 45 days
Portable Storage Containers [2]		1	~~90~~ 120 days ~~per lot per calendar year~~	~~Once, subject to maximum duration per year~~ 120 days
Other Special Event	Circus, Carnival or Fair	1	~~Up to~~ 14 consecutive days ~~per calendar year~~	~~Once~~ 14 days
	Garage or Yard Sale	2	2 consecutive days	4 days
	Grand Opening Sale	1	~~Up to~~ 7 consecutive days ~~per calendar year~~	~~Once~~ 7 days

TABLE 4.6.4: TABLE OF COMMON TEMPORARY USES AND DURATION

Type of Temporary Use or Structure		Maximum Number of Occurrences per year on the same lot	Maximum Duration Number of Days per Occurrence [1]	Maximum ~~Frequency per Calendar Year~~ Number of Days per Year per Lot
	Non-profit Event	4 [3]	Up to 7 consecutive days per calendar year	~~Once every three months~~ 28 days
	Outdoor Vehicle Sale	2	~~Up to~~ 3 consecutive days ~~per calendar year~~	~~Twice~~ 6 days
	Religious Event	4	~~Up to~~ 5 consecutive days ~~per calendar year~~	~~Up to four per development per calendar year~~ 20 days
	Tent Sale	2	~~Up to~~ 7 consecutive days ~~per calendar year~~	~~Twice per lot per calendar year~~ 14 days
Temporary Disaster Dwelling		No max.	~~No more than 12 months~~ N/A	~~N/A~~ 365 days
Temporary Dwelling		No max.	~~No more than 6 months~~ N/A	~~N/A~~ 180 days
Temporary Fencing		1	~~Up to~~ 90 days ~~per calendar year~~	~~Once~~ 20 days
Temporary Office AMENDED 12.16.24 (UDOTA3-24)		No max.	Must be removed within ~~30~~ 45 days after all units are sold or leased, or within 45 days of ~~following~~ issuance of a final Certificate of Occupancy, if the temporary office is associated with construction [4]	
Temporary Signs		See Section 6.13.10, Temporary Sign Standards		
Temporary Wireless Communications Facility AMENDED 12.16.24 (UDOTA3-24)		No max.	No more than two years unless placed for emergency purposes	
			No more than 30 days when placed to serve emergency purposes	

NOTES:
[1] No temporary use shall remain in place more than 90 days if located on a lot within a Flood Protection Overlay District.
[2] Portable storage containers on lots within the PUB district may be in place for up to one year, with the potential for two additional one-year terms at the Planning Director's discretion. [5]
[3] In no instance shall there be less than 90 days between non-profit events on the same lot during any 365-day period.

6. Development Standards Changes

A. §6.1.4 & § 6.9.7 Driveway/Parking Lot Surfacing (Pg. 450, 451, 627)

Removes the ability of the Town to apply more stringent driveway drive aisle or parking lot surfacing standards than NCDOT SL2024-49

B. §6.1.4.E Driveway Depth (Non-residential) (Pg. 456)

Reduces minimum depth requirements

C. §6.1.5 Pedestrian Circulation (Pg. 458)

Expands requirements for pedestrian connections to lot lines abutting vacant lots

D. §6.3.2.B & §6.3.3 Fences & Walls (Pg. 506-507)

- Exempts battery-charged security fences from the UDO (subject to State law) SL2024-45
- Requires maintenance easements that cross lot lines

6. Development Standards Changes (con't)

E. Infrastructure

- §6.5.9 Clarifies the Town must utilize the most-recently adopted uniform **Fire Code** SL2024-49 (Pg. 531)

- §6.5.10.B & §6.5.12.B Removes **minimum distance** rules for potable water and sanitary sewer extension in favor of all new development (except individual SFD) connecting to potable water and sanitary sewer (Pg. 532-533 & 548-550)
-
- §6.5.10.G Private **water lines** may not cross lot line boundaries (only public lines may cross lot boundaries) (Pg. 534)

- §6.5.11.H Clarifies that the Town must accept **curb and gutter** designs consistent with NCDOT standards SL2024-49 (Pg. 546)

- §6.6.16 **Sidewalks** within a NCDOT ROW serving 20 or fewer lots in the ETJ must be maintained by the Town SL2024-49 (Pg. 587)

6. Development Standards Changes (con't)

F. Landscaping

- §6.6.7 & §6.6.12.D Defines **mass grading**, and requires doubled perimeter buffers (width and plant count) and slope limitations within 100 feet of lot lines when mass grading is proposed (Pg. 556, 573-576)

- §6.6.11Clarifies **credits** towards landscaping are 2:1 and applied as aggregate caliper inches required (Pg. 564)

- §6.6.16 Removes **street tree** requirements (in favor of streetscape landscaping) in the NCM, CZM, and CZR districts; establishes more clarity regarding street tree spacing standards (Pg. 587)

6. Development Standards Changes (con't)

G. §6.3.2 Signage Applicability (Pg. 644)

Organizes sign type standards into permanent and temporary

H. §6.3.3 Signage Exemptions (Pg. 645)

- Added exemptions for farm signs SL2023-63
- Clarifies government signage not exempt from UDO (currently exempt)

I. §6.3.7.C Signs in Public Street Rights-of-Way (Pg. 647)

Clarifies which types of signage may be located within a right-of-way

J. §6.13.9.C Flags (Pg. 660)

- Distinguishes flags from banners
- Increases flag pole heights from 30 to 40 feet
- Increases flag size up to 60 sf
- Decreases clearance to 8' above sidewalk

6. Development Standards Changes (con't)

K. §6.13.9.D Ground Signs (Pg. 661)
Requires increased setbacks (up to 10 feet from 5 for ground signs over 75 sf in face area)

L. §6.13.9.I Walls Signs (Pg. 669)
Allows wall signs on tertiary building walls

M. §6.13.10.A Banners (Pg. 673)
- Makes banner signs temporary
- Adds new building wall and pole-mounted banner types (including poles in the public ROW)

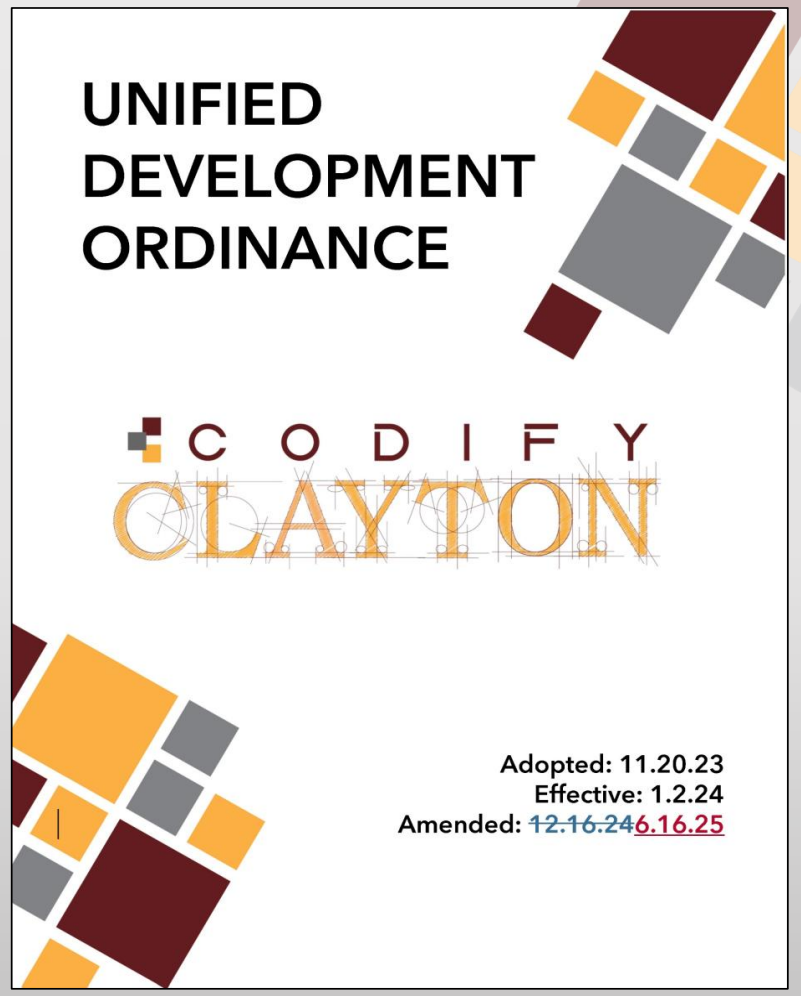
N. §6.13.10.C Short-term Signs (Pg. 676)
Changes "temporary" signs to "short-term" signs

O. §6.13.10.D Sock Signs (Pg. 678)
Adds a new "sock" sign type

P. §6.13.10.E Walkway Decal Signs (Pg. 679)
Adds a new walkway decal sign type

Next Steps

- Planning Board Recommendation
- Town Council Work session 6/2/25
- Town Council Hearing 6/16/25
- Revise UDO
- Post Updated UDO



UDOTA 1-25 SUMMARY TABLE

Last Table Update: 5-14-25

PB/PPT packet due 5/12/25 | PB Meeting 5/27/25 | TC Work Session 6/2/25 | TC Adoption 6/16/25

UDOTA1-25

#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
1	8-26-25 9-24-25	PB Staff	Enhanced Quality	3.3.1.E.5	229	Add additional enhancement language for Type 3 Conditional Rezonings. See Row 32 This needs more discussion with the group – what development/design standards should be revised to permit density increases. Move this to a future amendment round
2	2-6-25	NCGS	SB 382 Updates	UDO	UDO	Compliance with SB 382. (6/14/24) • UDOTA 3-24: RMF (technical correction on Triplex/Quadplex and Duplex minimum lot size requirements) and updates to Secondary Use Table for Home Occupation Level 2 from Special Use Permits to Conditional Use Permits. No overall zone district reductions in density. • UDOTA 2-24: Vehicle Towing (removed as P in LID and HID, added a CZC) but no apparent density changes to any zoning districts. Not taking action on this at this time
3	9-24-24	NCGS	2023-2024 Session Law	UDO	The following changes are included in the 2023 or 2024 session laws from the GA (the 4-digit number shows the session law year and the session law number): • Solar farm decommission 23-58 • Farm signs 23-63 • Design standards for 3+-story triplex and quadplex dwellings 24-49 • Can not require driveway/parking lot paving requirements that are more restrictive than NCDOT 23-108 • Caps stormwater control measure maintenance warranties at 10% (down from 25%) 23-108 • From 9 to 10 kids max in family care home 23-134 • Battery-charged security fences 23-137 & 24-45 • Withholding permits COs 24-49 • Inspection access conditions 24-49 • Curb & gutter 24-49 • Sidewalks in ETJ subdivisions of <20 lots in ETJ 24-29 • Perf guarantees 30 days inspection & release 24-29 • Suggest adding zoning reversion condition 24-57	
4	10-14-24	Staff	Utility Extensions – Potable Water	6.5.10.B.	499	Strengthen when these are required. Staff wants all development to connect except exempt and limited subdivisions
5	10-14-24	Staff	Utility Extensions – Wastewater	6.5.12.B.	513	
6	10-14-24	Staff	Town/State Construction Project Expiration	TBD	TBD	May not be a UDO item but something to possibly consider. Disregard

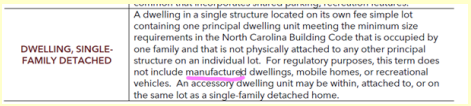
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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
7	1-14-25	Staff	Text Amendments – Citizen Initiated	2.3.26.C.2	136	Remove the ability of "All Others" to submit a request for a Text Amendment. Limit the ability to submit a text amendment solely to Town staff, the Town Council
8	10-24-24	Staff	Change of Species	6.6.10.B. and 6.6.10.C.3	528 – 529	Clarification that change of plant species is allowed as a minor revision (addendum to an approved landscape plan). OK, provided the species sought is not invasive
9	10-24-24	Staff	MSSD Manual	6.5	489	Have UDO contain language in which the MSSD can be enforced/applied. Clayton Manual of Specifications | Clayton, NC Add that public infrastructure needs to comply with the Manual of Specifications, Standards, and Design
10	10-24-24	Staff	Alternative Sign Plan	2.3.20.K.5	118	Language is QJ in current Findings, copy from CZ Review Criteria: "The advisability of approving an Alternative Sign Plan is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Alternative Sign Plan, the Town Council may weigh the relevance of and consider the following:" Add above to prefatory sentence in 2.3.20.K.5
11	10-24-24	Staff	Vested Rights	2.3.30	152	Concerning prior approved master plans, items not articulated in approvals, have 7 years of vested under the codes in effect at the time? The Town wishes to permit concept plans associated with a conditional rezoning or special use permit run with the land. Further, there is a desire to clarify that any aspect of the approval not specifically addressed in the concept plan or conditions of approval shall be subject to the UDO standards in affect at the time of the subsequent subdivision or site plan.
12	10-29-24	Staff	PD Conversion to CZ	1.10.3.C & Table 3.1.3	39 & 178-9	Reiterate this conversion and amend Table 3.1.3. to reflect the change; confirm that rezoning does not need property owner notification. Correct, no text change needed
13	10-29-24	Staff	Checklist in UDO	Table 9.2.3	810	Consideration of removal of checklists in the UDO and place in as a Procedures Manual. Confirm reasoning as to why this was put as was? OK
14	2-6-25	Staff	FAQ in UDO	NA	3	FAQ in UDO is not current and modification will require TC action. Remove from the UDO and place in as a Procedures Manual. OK
15	10-29-24	Staff	Certificates	Chapter 9	799	*Suggestion to remove and place in a Procedures Manual* OK

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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
16	10-29-24	Staff	Native Vegetation Plan List	NA	NA	For UDO Procedures Manual, to include the list from City of Burlington. Can staff handle this as we do not have the Manual? Staff to provide in the updated UDO Procedures Manual.
17	10-29-24	Staff	Process Types for Minor/Major Modifications	2.3.22.J, 2.3.6.O., 2.4.16.H, etc.	70, 126, 100	To include the Process Type per Figure 2.2.3 for minor/major modification requests. Clarify if Type 1 or Type 4 Not needed as we are replacing the procedure types with individual process flowcharts
18	10-30-24	Staff	Minor Subdivision	2.3.18	108	Remove, unless required by NCGS, in order to have the following three subdivision types: Exempt, Limited, and Major. Ok. Minors become majors
19	10-30-24	Staff	HOC Level 2	4.5.5.R.8	368	Language is when HOC required an SUP, which now requires a Concept Plan. Also, need to confirm to revert this back to SUP per UDO pre 12.14.24 for SB 382. Disregard for now
20	11-1-24	Staff	NCGS Updates			1. Wastewater Allocation Scoring: New statutory language that prohibits scoring based on the size of a residential dwelling and architectural features. Looking at Clayton's scoring policy, this may lead to issues with the scoring done based on size of townhome units, as well as the use of multi-car garages and use of masonry materials (as it pertains to residential dwellings...scoring sheet currently doesn't specify is masonry is limited to be scored based on commercial vs. residential uses). Apparently, this went into effect in July....This should be addressed in Town Policy, but the UDO does not include anything in need of revision here. 2. Landscaping & COs: No longer can withhold a CO due to lack of landscaping on a single-family lot or lack of landscaping completion in common areas. The only issue I can see this for is HVAC unit screening and street trees (in instances where street trees are on the individual lots vs. in the ROW). This relates to SL2024-49 which turns on the issue of withholding building permits or COs on one property for failure to complete landscaping on a different property. The new Session Law does not go as far as indicated in the description by staff above, and this issue has been addressed in the Violations chapter. 3. Bond Releases: There is now a 30-day shot clock for bond release inspections to be performed. This should be easy enough to do, but I think from talking with Michael right now these are being submitted to DSCs and then put into bluebeam. I suppose the key here will just be to make sure that whatever review schedule they are on in bluebeam is within 30-days. I'm not sure if inspections are done and commented on in bluebeam and then sent out to applicants by DSCs, or if the engineering/planning departments just review in bluebeam and then coordinate directly with the applicants. Regardless, I think it's worth just verifying this process to make sure it's all occurring within that 30-days. This is mostly an engineering thing, but Planning is involved too for specific items to inspect. Add ref to 30-day clock for inspection upon request. This has been added to performance guarantee sections – must also release within 30 days of completion

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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
21	11-1-24	Staff	Crossing Service Lines	NA	NA	UDO Flag: can we confirm that private service lines (water & sewer) cannot cross private property in a private easement. Must be public extension. This language already exists for wastewater service and has been added to potable water lines
22	11-1-24	Staff	Process Types Images	Multiple	Multiple	Include an image/figure of the Process type with each application type for visual clarity. Use the existing images on Page 52 & 53.
23	11-7-24	Staff	Flags	6.13.9.D & 4.5.5.N.	621 & 367	Flag height in table says 40' but figure shows 30'. In "N", has max height of 25'. Need to make consistent in these three areas for flags.
24	11-7-24	Staff	SFD Definition	Table 8.3	722	Consider clarifying that it is Type A and Type B Manufactured Homes in the SFD definition, to clarify the common use of "manufactured" and "modular":  DWELLING, SINGLE-FAMILY DETACHED A dwelling in a single structure located on its own fee simple lot containing one principal dwelling unit meeting the minimum size requirements in the North Carolina Building Code that is occupied by one family and that is not physically attached to any other principal structure on an individual lot. For regulatory purposes, this term does not include manufactured dwellings, mobile homes, or recreational vehicles. An accessory dwelling unit may be within, attached to, or on the same lot as a single-family detached home.

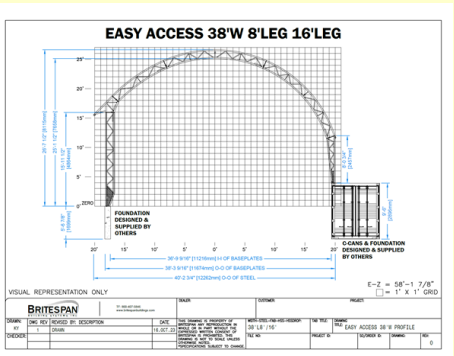
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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
25	11-7-24	Staff	Concept Plan	Table 8.3, Table 9.2, 3.3.1.E, 2.3.22.C.1	759, 808, 228, 124	Distinguish further that a Concept Plan is not a site plan, definition perhaps. Requirements to include in a Concept Plan differ for CZ and SUP. More Context: • The requirements for a Concept Plan seem unclear. The CZ and SUP sections specifically speak to what is needed on a Concept Plan in their respective parts of the code. CZ does this for Type 3 in Sub-section 3.3.1 with a whole list of requirements on the plan to be shown. However, when looking in the Appendices, the requirements for a Concept Plan have a lot more detailed information noted in the table as required. For example, the SUP section of the UDO just states that a Concept plan must show the proposed uses and overall site configuration, and any changes or extensions proposed to public infrastructure. This section also says that a TIA is required as deemed necessary. But, when looking int he appendices, the table checks a TIA as required for a Concept Plan (doesn't give any allowance for it not to be) and also requires even more details on the plan such as architectural elevations of buildings, landscaping details, etc.. • I think this may confuse some applicants. If an engineer/applicant looks at the CZ or SUP section that discusses Concept Plan requirements and doesn't know to look in the Appendices then they may submit an incomplete application. Additionally, newer staff may review based on the CZ/SUP sections but not know to look at the checklist in the Appendices. As you know I'm not a huge fan of having that level of plan checklists codified, but if the Town plans to keep the Concept Plan checklist in the Appendices as part of the UDO it may be best to just reference the Appendices in the CZ/SUP sections regarding what is required on a Concept Plan to avoid confusion. This way everyone is looking at the same list of minimum requirements when designing and reviewing. Tables removed. References to outside Procedures Manual included.
26	11.20.24	Staff	Site Plan Expiration	2.3.21.L.1, 2, 3, 4	123	Update so that Site Plans expire 2 years after their approval. Allow for an extension of up to 2 years as well. This will align with SUP, Major Subdivision
27	8.26.24	PB & Staff	TIA Expiration	2.3.27.K	140	Update so that the TIA expires after 2 years of its approval (note, Engineering Director approves).Acceptance be sure “accept” not “approve”

UDOTA 1-25 SUMMARY TABLE

Last Table Update: 5-14-25

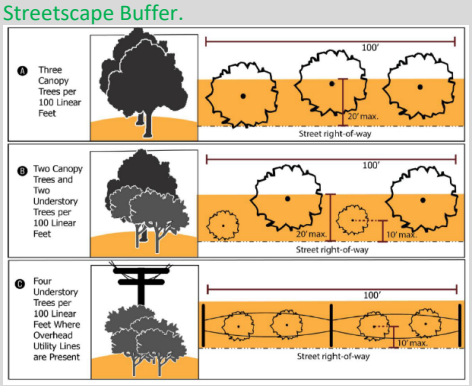
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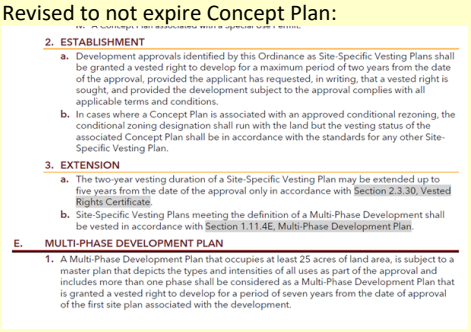
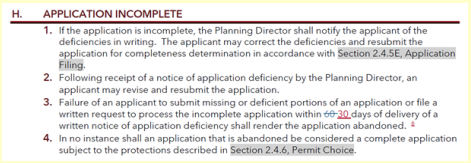
#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
28	11.22.24	Staff	Comex Storage Containers	4.6.5.D.2	382	Request from PW to allow comex continers are part of a design that includes covers. Permanent use though (although referenced in UDO as a Temporary Use). Add a comex structure as a secondary use type. Allow in PUB only. Requires ZCP. The term "comex" is not common. Britespan refers to these as "fabric" buildings. Suggest the term "membrane structure" instead. 
29	12.3.24	Staff	Removal of Density Caps for Type 3 Conditional Rezonings	3.3.2.C, 3.3.3.C, 3.3.4.C, 3.3.5.C, and 3.3.6.C	231, 232, 233, 234, and 235	Removal of density caps. Disregard this change for now.
30	12.11.24	PB	Temp Construction Office	4.6.5.H.2.c	384	Removal of Temporary Construction Office Trailer forty-five (45) days after final Certificate of Occupancy.
31	12.11.24	PB	RCA for Open Space	6.11.2.D	602	Further clarification to consider with regards to RCA counting towards Open Space Set-Aside (may not be an issue as written).
32	12.11.24	PB	Refuse Containers	4.5.5.BB.3	375	Further clarification to consider with regards to location at the rear of the building that abutting a public ROW (buildings whose rear abuts ROW).
33	12.11.24	PB	Bona Fide Farms	1.1.13.B	23	NCGS 160D-903 lists municipal and county zoning, may need simple check with compliance with NCGS. Done, current language is in accordance with NCGS.
34	12.11.24	Staff	Conditional Deviations	3.3.2.E, 3.3.3.E, 3.3.4.E, 3.3.5.E and 3.3.6.E	231, 232, 233, 234 and 235	Remove language indicating that use-specific standards may be modified; conflicts with 3.3.1.E.9.d.

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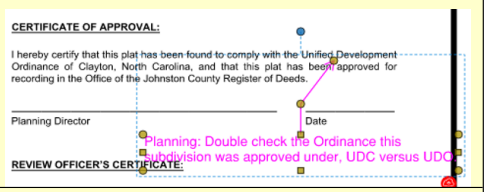
#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
35	12.1.24	Public Comment	Urban Archery	4.5	357	New Secondary Use, Urban Archery to mirror Town Code Chapter 91.09, and to allow in Clayton ETJ and reduce minimum lot size requirement: Pull 91.09 out of City Code and relocate it to the UDO https://codelibrary.amlegal.com/codes/claytonnc/latest/clayton_nc/0-0-0-17927. List as a temporary use and x-ref Town Code (do not pull text out) and add FN about need to update Town Code
36	12.16.24	Staff	Other Updates			UDO updates next year: signs (need to evaluate if we are allowing/prohibiting signs as necessary - see WF's signs --- banners are being placed on baseball field fencing), See subsequent comments on signs implement Downtown Plan (want outline for this prior to drafting), Hold this for a subsequent amendment Construction plans (needs to be an application type -- not always tied to site plan or subdivision) move this to its own procedure, OK Flow charts with each application type done use current Type images , annexation (only one legal notice required) OK
37	12.16.24	Staff	Expiration Dates for Site Plans and Preliminary Plats			Also, change site plan and preliminary plat approval to two years. One year is just not possible And strike the extension. Basically, they need to have substantial work in the field. The Preliminary Plat already has a two-year expiration. Note that this comment is in direct conflict with Note 26 in this table.

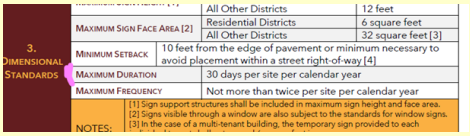
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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
38	12.16.24	Staff	Street Trees	6.6.15		Need to have a "Required Plant Material", Need a figure for Figrue 6.6.15., like the Streetscape Buffer: There is already a figure and a table of species. Please explain comment. This is added and NCM, CZR, and CZM moved from zoning districts from Street Trees to Streetscape Buffer. 
39	12.17.24	Staff	Performance Guarantee	Table 2.2.1		Table 2.2.1., TC and BOA are Decisions makers? 51 *Flag, double check Yes, Council approves guarantee applications filed after work has already started
40	12.17.24	Staff	TRC			Conditional Rezonings, needs TRC Comment Engineering Director Comment Planning Director Recommendation
41	12.17.24	Public Comment	Mass Grading			Revisit this requirement where a more dense width and planting is required adjacent to a lower density zoning district. Provide a definition to include in 4 acres or more to be the qualifier for mass grading. See new standards
42	12.20.24	Public Comment	Laboratory			Consider having permitted in LID:
43	12.23.24	Staff	Street Closure			Street closing and renaming need to be separate applications since the public hearing process is different. Road closures have clear parameters in NCGS whereas renaming have implied authority with no specific legal requirement.

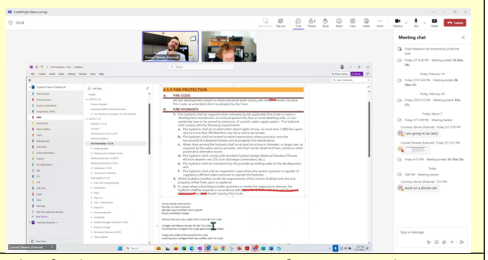
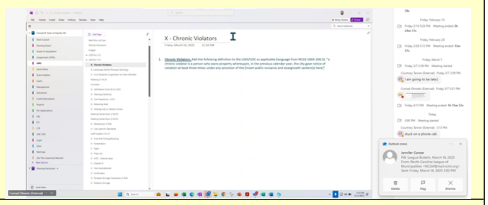
#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
44	12.30.24	Staff	Concept Plan Expiration			Revised to not expire Concept Plan:  2. ESTABLISHMENT a. Development approvals identified by this Ordinance as Site-Specific Vesting Plans shall be granted a vested right to develop for a maximum period of two years from the date of the approval, provided the applicant has requested, in writing, that a vested right is sought, and provided the development subject to the approval complies with all applicable terms and conditions. b. In cases where a Concept Plan is associated with an approved conditional rezoning, the conditional zoning designation shall run with the land but the vesting status of the associated Concept Plan shall be in accordance with the standards for any other Site-Specific Vesting Plan. 3. EXTENSION a. The two-year vesting duration of a Site-Specific Vesting Plan may be extended up to five years from the date of the approval only in accordance with Section 2.3.30, Vested Rights Certificate. b. Site-Specific Vesting Plans meeting the definition of a Multi-Phase Development shall be vested in accordance with Section 1.11.4E, Multi-Phase Development Plan. E. MULTI-PHASE DEVELOPMENT PLAN 1. A Multi-Phase Development Plan that occupies at least 25 acres of land area, is subject to a master plan that depicts the types and intensities of all uses as part of the approval and includes more than one phase shall be considered as a Multi-Phase Development Plan that is granted a vested right to develop for a period of seven years from the date of approval of the first site plan associated with the development. See earlier discussion on concept plan
45	1.2.25	Staff	Refunding Incomplete Applications			 H. APPLICATION INCOMPLETE 1. If the application is incomplete, the Planning Director shall notify the applicant of the deficiencies in writing. The applicant may correct the deficiencies and resubmit the application for completeness determination in accordance with Section 2.4.5E, Application Filing. 2. Following receipt of a notice of application deficiency by the Planning Director, an applicant may revise and resubmit the application. 3. Failure of an applicant to submit missing or deficient portions of an application or file a written request to process the incomplete application within ~~60~~ 30 days of delivery of a written notice of application deficiency shall render the application abandoned. [4] 4. In no instance shall an application that is abandoned be considered a complete application subject to the protections described in Section 2.4.6, Permit Choice. For this, we need to talk about fee. Do we refund. Do we partial refund. Etc. Not refunding application fee for abandoned applications
46	1.3.25	Staff	Table Updates			Performance Guarantees; fix the BOA and TC Vested Rights, go to TC, fix the table says it goes to BOA Scribe Technical Error, page 49 of .doc (text is proper, the table is wrong).
47	1.3.25	Staff	Secondary Structure for PUB			Allow secondary structures to exceed the size of the principal structure in the PUB Zoning District To allow shelters to store machines and equipment under the roof; bulky items require more square footage. Standards as exist are meant for home. This is addressed by the new membrane structure provisions.
48	1.3.25	Staff	Outdoor Storage			Is this a typo in 4.2.5 ?  Should it just be Storage, Outdoor? This is how it is in .124 and in the definitions.

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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
49	1.3.25	Staff	Portable Storage Containers in PUB			Exemption: Portable Storage Containers may be placed and used and configured in a manner that allows for coverings on a property in the PUB zoning district for a period of 6 months with a renewal for no more than 3 years with a Temporary Use Permit. Page 385: At the Planning Director's discretion, a Temporary Use Permit may be granted for placement of mobile or modular structures **and portable containers** in the PUB district for up to one year, subject to the following standards: This is confusing as it lists two different durations…also what is "allows for coverings"? Resolve to allow up to 3 years for storage containers as a temporary use and allow storage containers part of a membrane structure to be permitted as secondary use.
50	1.3.25	Staff	Certificates			Remove from UDO, make these a policy. Remove UDO in cert. 
51	1.16.25	Staff	Chapter 9			Checklist, take this out of UDO, page 814.
52	1.23.25	Staff	HOC - Vehicle Sales			Clarification that vehicle sales are prohibited as a HOC Lvl 1
53	1.28.25	Staff	Flag Lots			Remove from UDO to not have this. Can not establish a new flag lot as part of a limited or major subdivision.

#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
54	2.3.25	Staff	Signs			Review of Sign Ordinance to compare to Signage per Wake Forest. Focus on Temporary Signs and others as may be considered. Split current sign standards by sign type into permanent and temporary subsections. Added new standards for banners, ideological signs, sock signs, walkway decals, and revised the current temporary sign standards to apply standards based upon number of supports. Temporary Signs, add duration to Table 4.6.4., Included cross reference to new temporary sign standards section Add cumulative for Table K.3., "cumulative of up to 30 days…" 30 total or cumulative. You can have the sign on the site for 30 days. There are up to 2 instances. And combined total of days is 30 OK  3. Dimensional Standards All Other Districts — 12 feet Maximum Sign Face Area [2] — Residential Districts — 6 square feet All Other Districts — 32 square feet [3] Minimum Setback — 10 feet from the edge of pavement or minimum necessary to avoid placement within a street right-of-way [4] Maximum Duration — 30 days per site per calendar year Maximum Frequency — Not more than twice per site per calendar year NOTES: [1] Sign support structures shall be included in maximum sign height and face area. [2] Signs visible through a window are also subject to the standards for window signs. [3] In the case of a multi-tenant building, the temporary sign provided to each Moved permitting of temporary signage to the Sign Permit procedure rather than the Temporary Permit procedure.
55	2.6.25	Staff	Fenestration	ii		Primary Building Wall, allow for alternative fenestration or not? Hold for now
56	2.7.25	Staff	Final Plat Timing/Bonding			Include language requiring performance guarantees for public infrastructure prior construction plan approval. You can not require performance guarantees. They are voluntary on the part of the applicant at the discretion of the Town. The timing of the plat also needs to change. For new homes, we need to require functional fire. That, however, is not necessarily required for non-residential. These changes are needed since current practice does not align with industry standards and some financial arms will not release funding to build public infrastructure if there is not a recorded plat. Added to Final Plat review criteria, as well as requirements for the base and initial courses of street paving
57	3/14/25	Staff	CZC typo	3.3.2	248	Fix typo in CZC to reflect CRM not CZM.

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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
58	3/14/25	Staff	PUB District	Table 4.2.5	306	Allow warehouses in PUB
59	3/14/25	Staff	Parking for temp offices	4.6.5.H	402, 403	Allow temporary real estate office/model home and construction office to have 100% temporary parking located off-site
60	3/14/25	Staff	Wall Easements	6.3.3	495	Only require retaining wall maintenance easements when it crosses lot lines
61	3/14/25	Staff	Permits for fences and walls	2.3.32	169	ZCP permit applicability revise to require a ZCP for retaining walls when 36" or more between grade and top of wall. Go from 24" to 36" before we trigger ZCP
62	3/14/25	Staff	Fire Code Adoption Dates	6.5.9.A & B	519	Remove year from Fire provisions 
63	3/14/25	Staff	Planting credit	6.6.11.A	549	Clarify that is ACI, not just # of trees + reduce to 1.5 times
64	3/14/25	Staff	Features allowed in landscaping areas	6.6.10.H.1.a	549	Remove (a) principal buildings from allowable encroachments
65	3/14/25	Staff	Chronic Violators definition	Table 8.3	734	Chronic violator definition 
66	3/14/25	Staff	On-site pedestrian circulation and connections	6.1.5	446	Want to require more than one connection, that it could be a sidewalk or multi-use path, greenway, or other internal on-site ped connections on adjacent lots must make at logical connections may be more than one at PD discretion
67	2/18/25	staff	Construction Drawings	2.3.18; 2.3.21	111; 129	Make construction drawings its own procedure and remove from major subdivision and site plan. Ok
68	2/18/25	Staff	Performance guarantees	2.3.19	120-121	Remove ineligible features from the list except for functional fire protection and the base and initial courses of street paving for development that include residential occupancy
69	2/18/25	Staff	CZC District	Table 4.2.5	306, 307	Remove triplex/quadplex and townhouse Add multifamily

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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
70	2/18/25	Staff	CZM District	Table 4.2.5	301, 302	Add parking structure, convenience store with gas sales, and outdoor commercial recreation
71	2/18/25	Staff	Nonresidential Districts	3.2.1, 3.2.3, 3.2.8, 3.2.9, 3.2.10 Table 4.2.5	195, 199, 213, 215, 217, 308, 309	Remove density from CRM, DTNC, MXD Change density to 7.2 DU/AC in NCM and OFI Revise allowable residential uses in NCM to just upper story and live/work units – remove bungalow courts, family care homes, detached dwellings, and pocket neighborhoods Disregard these changes Revise allowable residential uses in OFI to remove live/work and upper story residential Disregard these changes
72	3/25/25	Staff	Acknowledgements	Cover Page	1	Planning Board and Town Staff members will be updated by staff to reflect current folks. Removed staff listing as this changes frequently
73	3/25/25	Staff	Process Types	Table 2.2.1	46	The Process Type column in the table will be kept and cross-references to the applications types will also be kept.Done
74	4/2/25	Staff	Chronic Violator	Table 8.3	806	Change word usage from “previous calendar year” to “...previous 12 months”. Also, to include the start of those 12 months to start from when the first violation was issued.
75	4/4/25	Staff	Garage/Yard Sale	4.7		There is a definition for this but no standards, staff is moving to have this be a special/temporary event, 1 day per 180 days.
76	4/10/25	Staff	Uses in PUB Districts	4.2.5		Allow a broader array of use types (like schools) to occur in PUB Zoning DistrictDone, see also STN# 98
77	4/10/25	Staff	PUB District Dimensional Standards	3.2.11	205	Remove max height restriction for PUB district See STN# 97
78	4/8/25	Staff	Zoning Compliance Permit	2.3.32.B	178	Does not include that all changes in use types that need ZCP, only says it is needed for change in principle use in non-residential, multi-family, or mixed-use structures or when utility account is changing. Does not include home occupations or other secondary uses Added
79	4/8/25	Staff	Standards for Temporary Uses	4.6.5.2.d	461	Change "real estate office/model home" to "construction office"
80	4/8/25	Staff	Nonconforming Site Features	5.4.1.B.1	483	Change "nonconforming off-street parking;" to "nonconforming off-street parking and driveways;" as driveways can be distinct from parking areas, even on single family detached dwelling lots

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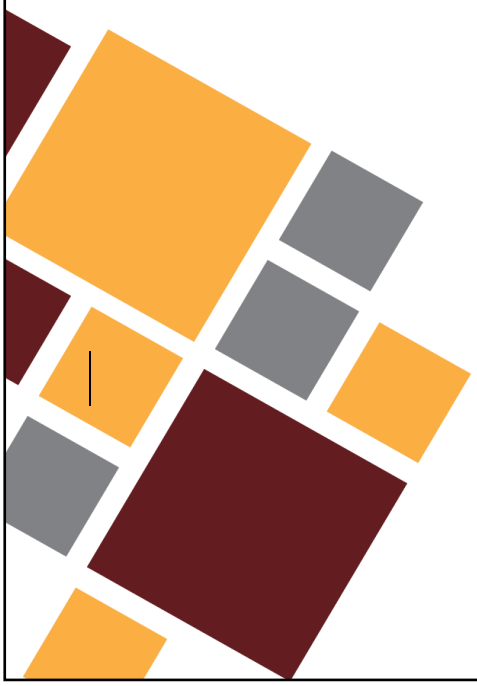
#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
81	4/8/25	Staff	Fences and Walls	6.3.2.A.3	552	Change "retaining walls, fences, or privacy walls" to "retaining walls, fences or privacy walls" because the added comma doesn't make sense and indicates retaining walls are permitted like fences or privacy walls
82	3/28/35	Staff	About the UDO		2	States, "may be found on the Planning Department's tab of the Town's website (https://www.townofclaytonnc.org). Done
83	3/28/35	Staff	Application Types Table	TABLE 2.2.1	46	Correct UDO section for the building permit. Done
84	3/28/35	Staff	Application Types Table	TABLE 2.2.1	46	Correct UDO section for conventional zoning Done
85	3/28/35	Staff	Application Types Table	TABLE 2.2.1	46	Building permit pre-app, for at-risk building permits, state law requires a pre-app. Need to clarify that. Done
86	3/28/35	Staff	Application Types Table	TABLE 2.2.1	46	Change development agreement pre-app to mandatory Done
87	3/28/35	Staff	Application Types Table	TABLE 2.2.1	46 -47	Change TRC from C to • for Administration, Annexation, Conventional Rezoning, Fee-in-Lieu, Performance Guarantee, Text Amendment, Temporary Permit, Tree Clearing Certificate Done
88	3/28/35	Staff	Application Types Table	TABLE 2.2.1	47-48	Change TRC from • to C for Special Use Permit, Transportation Impact Analysis Done
89	3/28/35	Staff	Application Types Table	TABLE 2.2.1	47	Correct UDO section for temporary permit Done
90	3/28/35	Staff	Application Types Table	TABLE 2.2.1	47	Remove Planning Board from Street Renaming and Street Closure Done
91	3/28/35	Staff	Application Types Table	TABLE 2.2.1	47	Pre-App: Building Permit – require by state law for at-risk. Add an appropriate note. Exempt Sub, street closure, – change to Optional Text Amendment – change to N/A Done
92	3/28/35	Staff	Application Types Table	TABLE 2.2.1	47	Note 7: All performance guarantees will be approved at the staff level. Done
93	3/28/35	Staff	Application Types Table	TABLE 2.2.1	47	Alternative Sign Plan is a completely different application type form a Sign permit. Add to table and create associated UDO section. Strike note 8. Done, except broadened to address all current forms of alternative plan (landscaping, paking, and signage)
94	3/28/35	Staff	Annexation workflow	Figure 2.3.2	57	Remove vested rights declaration in annexation workflow. Done
95	3/28/35	Staff	Appeal workflow	Figure 2.3.3	60	In workflow step 7, unbold "1st class mail…." and use a lowercase p in provided. Done
96	3/28/35	Staff	Appeal	2.3.3	62	Sequence subsection is missing Added
97	4/10/25	Staff	PUB Dimensional Standards	3.2.11.C		Change A, B, Min. Open Space, and Max Building Height to N/A. Change E, F, and G to five feet. Strike H, I, and J. Done

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#	Date Added	Source	Short Title	UDO §#	P# (+/-)	Description
98	4/10/25	Staff	Listing of Common Principal	TABLE 4.2.5		Add all potential public uses (e.g., schools, contractor services office/yard, etc.) Add": Vehicle Painting/Bodywork, Vehicle Repair and Service, Vehicle Towing or Storage, Vehicle Washing or Detailing. Also, Theatre, Indoors, Theatre, Outdoors Done
99	4/17/25	Staff	Plan Review Sequencing	2.4.12	196	articulate that: "The building permit however cannot be approved until site plan, subdivision, and/or construction drawings plan is approved." – add to sub A Done
100	4/17/25	Staff	FIL for Parkland Dedication	2.3.14.B.1. b.	95	FIL may be paid in lieu of parkland dedication and sequencing is in H., page 9 Done
101	5/1/25	Staff	Alterantive Plans	2.3.2		Establish a unified procedure for alternative plans (signage, parking, landscaping) and ensure the particular development standard provisions align with this change. Clarify that changes to already-approved plans or permits are amendments to a previous approval. Done
102	5/13/25	Staff	Large format retail	6.6		Review and append the rules to remove large retail as a use type. Address as a unified development. Remove/relocate large retail design standards and establish a uniform parking standard for unified developments Done
103	5/13/25	Staff	Use-Specific Standards	4.3	~	Soften use-specific standards in accordance with staff direction. Done
104	5/1/25	Staff	Govt. Maintenance Facility	4.3		Add a new government maintenance facility use type and use standards. Done
105	5/13/25	Staff	Multi-family standards	4.3		Soften the max distance and outdoor patio requirements. Done
106	5/13/25	Staff	Urban Archery	4.5		Relocate the urban archery standards from the Town Code and apply to entire ETJ. Reduce min. lot size from 5 acres to 2 acres. Done.
107	5/13/25	Staff	Temporary Uses	4.6.4		Update the temporary use duration table for clarity. Done

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UNIFIED DEVELOPMENT ORDINANCE



Adopted: 11.20.23
Effective: 1.2.24
Amended: ~~12.16.24~~6.16.25

ACKNOWLEDGEMENTS

Town Council

Jody McLeod, Mayor
Michael Sims, Mayor Pro Tem
Ruth Anderson, Councilmember
Andria Archer, Councilmember
Porter Casey, Councilmember
Gretchen Williams, Councilmember

Planning Board

Jodie Dupree~~James Moore~~, Chair
Derrick Applewhite
~~Jodie Dupree~~, Vice-Chair
~~Derrick Applewhite~~
Anita Bland
~~Jodie Dupree~~
Daniel Gleason
~~Kevin Lee~~
~~James Lipscomb~~
~~Jeffrey Spence~~
Mike Surasky
Ronald Williams
Jason Carter
Deborah Hooker
Mark Hall
Tom McKearney

~~Town Staff~~

~~Rich Cappola, Town Manager~~
~~Lee Barbee, Deputy Town Manager~~
~~Dolores Gill, Deputy Town Manager~~
~~Courtney Tanner, Deputy Town Manager~~
~~David Ranes, Fire Chief~~
~~Anthony Atkinson, Deputy Fire Chief/Fire Marshal~~
~~Barry Alston, Interim Building Inspections Director~~
~~Joshua Baird, Engineering Director~~
~~Byron Poelman, Water Resources Director~~
~~Allen Turnage, Electric Director~~
~~Ethan Poppe, Energy Services Technician~~
~~Conrad Olmedo, Planning Director~~

Consultant

CodeWright Planners, LLC

ABOUT THIS UDO

This document is the Town of Clayton's Unified Development Ordinance (or "UDO"). It contains the rules that govern:

- How land can be used in the Town and the Town's extraterritorial jurisdiction;
- What kinds of land uses may be located in particular locations (based on the zoning map); and
- How new development must be configured.

The following paragraphs explain some of the attributes of this document.

Clayton's zoning map is the graphical depiction of the location of the zoning districts and is adopted by reference into this UDO.

This UDO includes a text formatting system comprised of numbered section and sub-section headings that are designed to help code users understand how the text is organized. Section headings include different color backgrounds and sub-section headings use underlining to help them be more visible.

This UDO has ~~9~~ 8 chapters, which are ordered alphabetically~~, including an appendix~~. Most sections within each chapter are also ordered alphabetically. Some chapters also include an introductory section that explains how the regulations in the chapter are structured and how to use them effectively.

The top of almost every page in the UDO includes the chapter's number and name, as well as the number and name of the section addressed on that page. This is done so users may use the tops of pages to quickly navigate the document (since articles and main sections are ordered alphabetically). Page numbers are included at the bottom of each page.

To ensure that a user is reviewing the most recent version of the document, the bottom of the page also includes the date the UDO was last updated. The most recent version of the document is maintained on the Town's webpage and is also available in the Town's Planning Department office. The table of amendments at the very end of the document summarizes the amendments made to the text since its original effective date.

Highlighted text in this UDO is a dynamic cross reference that, when selected with a mouse, will automatically advance to the location of the cross-referenced text in this UDO. Individual table of contents entries and index entries are also dynamic cross references that when selected, will automatically advance to the selected location.

There is an index of key terms and concepts at the end of the document. Code users may use this index to quickly locate a particular section or set of regulations.

Plan and plat submittal requirements, plat certification and declaration statements, and plat content requirements, and related material for applicants may be found in the Town's UDO Procedures Manual. The digital version of this UDO and the UDO Procedures Manual may be found on the Planning Department's tab of the Town's website (https://www.townofclaytonnc.org).

~~Questions about this UDO, or any part of the Codify Clayton project may be posted on the project website (www.codifyclayton.com), or applicants~~ Anyone with questions about the UDO or the Town's development requirements may contact the Planning Department at 919-553-5002. [1]

[1] See STN # 13.

FREQUENTLY ASKED QUESTIONS

The following is a list of frequently asked questions about the UDO and the development review process. UDO users who are not sure what they are looking for should consult these questions and answers before reviewing the UDO or contacting Town staff. In the event of conflict between an answer listed in this frequently asked questions section and the adopted UDO text, the UDO text will control.

FREQUENTLY ASKED QUESTIONS AND ANSWERS	
QUESTION	**ANSWER**
WHAT IS THE UNIFIED DEVELOPMENT ORDINANCE	The Unified Development Ordinance (or "UDO") is the set of laws used by the Town to ensure land is subdivided and used in ways that promote the health, safety, and welfare of all Town residents, visitors, and landowners. It sets rules for how land can be used in the Town and how to change the application of these rules to allow different uses. The UDO also includes development rules for things like parking, landscaping, signage, fencing, and building architecture. The text of the UDO is available in the offices of the Town of Clayton Planning Department at 111 E Second Street. It is also available online from the Town's website at https://www.townofclaytonnc.org/217/Planning
WHAT IS THE OFFICIAL ZONING MAP?	The Official Zoning Map shows the zoning districts for each property as adopted by the Town of Clayton. Zoning districts control how land is used, as well as the size, width, and required setbacks for each lot. A property's zoning district designation may be changed by following the steps required in the UDO. Copies of the Official Zoning Map are available in the offices of the Town of Clayton Planning Department at 111 E Second Street. It is also available online from the Town's website at https://www.townofclaytonnc.org/217/Planning
WHAT IS THE COMPREHENSIVE PLAN?	The Think Clayton: 2045 Comprehensive Growth Plan is the Town's plan for future growth. The Plan expresses a vision for how the Town can accommodate opportunities for new residents and businesses while retaining what the community loves about Clayton. Within the plan are recommendations for economic development, land use, parks, public services, infrastructure, and arts and culture, among others. This plan was adopted by the Town Council and is the guiding direction that informs the regulations within the UDO. For more details on what is included in the Comprehensive Plan, please visit www.townofclaytonnc.org/234/2045-Comprehensive-Growth-Plan
WHAT CAN I DO OR PLACE ON MY LAND?	Land may be developed in the Town of Clayton based on the zoning district designation for the land. Zoning districts include allowable uses as specified in Chapter 4 of the UDO. Bona fide farm and forestry uses are allowed everywhere in the Town. Anyone with questions about what is allowed on their land should contact the Town of Clayton Planning Department at (919) 553-5002 for more information.

D. SITE-SPECIFIC VESTING PLAN

1. DEFINED

a. For the purposes of this section, a site-specific vesting plan is defined as a plan submitted to the Town in which the applicant requests vesting, describing with reasonable certainty on the plan, the type and intensity of use for a specific parcel or parcels of property.

b. A site-specific vesting plan must provide, with reasonable certainty, all of the following:

i. The boundaries of the development;
ii. Topographic and natural features affecting the site;
iii. The approximate location of proposed buildings, structures, and other improvements;
iv. The approximate dimensions, including height, of proposed buildings and other structures;
v. The approximate location of all existing and proposed infrastructure on the site, including water, sewer, streets, and pedestrian ways;
vi. The type or types of proposed land uses; and
vii. The density or intensity of development.

c. ~~A Sketch Plan, Concept Plan, or a~~Any ~~other~~ document that fails to describe with reasonable certainty the type and intensity of use for a specific lot or lots of property shall not constitute a Site-Specific Vesting Plan.

~~c.~~

d. The following development approvals constitute a Site-Specific Vesting Plan: [2]

~~i. A Concept Plan associated with a Conditional Rezoning application;~~
~~ii.~~**i.** A Preliminary Plat for a Major Subdivision;
~~iii.~~**ii.** A Site Plan~~s~~; and
iii. A ~~Concept Plan associated with a~~ Special Use Permit.

~~iv.~~**e.** A Concept Plan associated with a Type 3 Conditional Rezoning approval is considered a condition of approval that runs with the land not a site-specific vesting plan. Type 3 Conditional Rezoning Concept Plans are subject to the limitations in Section 2.3.7K, Conditions.

2. ESTABLISHMENT [3]

~~a.~~ Development approvals identified by this Ordinance as Site-Specific Vesting Plans shall be granted a vested right to develop for a maximum period of two years from the date of the approval, provided the applicant has requested, in writing, that a vested right is sought, and provided the development subject to the approval complies with all applicable terms and conditions.

~~b. In cases where a Concept Plan is associated with an approved conditional rezoning, the conditional zoning designation shall run with the land but the vesting status of the associated Concept Plan shall be in accordance with the standards for any other Site-Specific Vesting Plan.~~

3. EXTENSION

a. The two-year vesting duration of a Site-Specific Vesting Plan may be extended up to five years from the date of the approval only in accordance with Section 2.3.32, Vested Rights Certificate.

b. Site-Specific Vesting Plans meeting the definition of a Multi-Phase Development shall be vested in accordance with Section 1.11.4E, Multi-Phase Development Plan.

[2] See STN # 11 & 44.
[3] See STN # 11 & 44.

G. Numbers in brackets signify table notes, which are found at the bottom of the table (the table bottom may be on a subsequent page).

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					Inspections Director	Engineering Director	Planning Director				
Administrative Adjustment	2.3.1	II	O	•~~C~~	•	•	D	•	•	|A|	•
Alternative Plan[4]	2.3.2	I	M	C	•	•	D	•	•	|A|	•
Annexation	2.3.3	IV	O	•~~C~~	•	•	R	•	(D)	•	A
Appeal	2.3.4	III	O	•	•	•	•	•	•	|D|	A
Building Permit [2] [3][5]	2.3.5	I	N/A	•	D	•	•	•	•	•	•
Certificate of Occupancy [2]	2.3.6	I	N/A	•	D	•	•	•	•	•	•
Conditional Rezoning [~~3~~4] [6]	2.3.7	IV	M	•C	•	•C	•C	R	(D)	•	A
Conservation Subdivision [~~4~~5]	2.3.8	II	M	C	•	•	D	•	•	|A|	•
Construction Drawings [7]	2.3.9	I	M	C	•	D	•	•	•	|A|	•
Conventional Rezoning	2.3.10	IV	M	•~~C~~	•	•	•	R	(D)	•	A
Determination [~~5~~6] AMENDED 9.16.24 (UDOTA2-24)	2.3.11	I	O	•	D	D	D	•	•	|A|	•
Development Agreement	2.3.12	IV	~~O~~M	C	•	C	C	•	(D)	•	A

[4] See STN #93, 101
[5] See STN # 91
[6] See STN # 40.
[7] See STN # 67.

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					Inspections Director	Engineering Director	Planning Director				
Driveway Permit	2.3.13	I	O	•	•	D	•	•	•	|A|	•
Exempt Subdivision	2.3.14	I	~~N/A~~O	•	•	•	D	•	•	|A|	•
Fee-in-Lieu [~~6~~7]	2.3.15	II	O	•~~C~~	•	D	D	•	•	A	•
Floodplain Permit	2.3.16	I	O	•	•	D	•	•	•	|A|	•
Land Disturbance Permit AMENDED 9.16.24 (UDOTA2-24)	2.3.17	I	O	•	•	D	•	•	•	|A|	•
Limited Subdivision	2.3.18	I	O	•	•	•	D	•	•	|A|	•
Major Subdivision	2.3.19	II	M	C	•	•	D	•	•	|A|	•
~~Minor Subdivision~~	~~2.3.18~~	~~II~~	~~O~~	~~C~~	~~•~~	~~•~~	~~D~~	~~•~~	~~•~~	~~|A|~~	~~•~~
Performance Guarantee [~~7~~8]	2.3.20	II	O	•~~C~~	•	D	D	•	•~~D~~	|A|	•~~A~~
Sign Permit [~~8~~]	2.3.21	I	O	•	•	•	D	•	•	|A|	•
Site Plan [9]	2.3.22	II	M	C	•	•	D	•	•	|A|	•
Special Use Permit [10]	2.3.23	III	M	•C	•	•	•	•	•	|D|	A
Stormwater Permit	2.3.24	I	O	•	•	D	•	•	•	|A|	•
Street ~~Renaming/~~ Closure	2.3.25	IV	~~M~~O	C	•	•	•	•R	(D)	•	A
Street Renaming	2.3.26	IV	O	•	•	•	•	•	(D)	•	A
Temporary Permit	2.3.27	II	O	•~~C~~	•	C	D	•	•	|A|	•

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					Inspections Director	Engineering Director	Planning Director				
Text Amendment	2.3.28	IV	N/A~~O~~	•~~C~~	•	•	C	R	(D)	•	A
Transportation Impact Analysis	2.3.29	I	M	•C	•	D	•~~C~~	•	•	|A|	•
Tree Clearing Certificate	2.3.30	II	O	•~~C~~	•	•	D	•	•	|A|	•
Variance [11]	2.3.31	III	M	•	•	•	•	•	•	|D|	A
Vested Rights Certificate	2.3.32	III	O	•	•	•	R	•	(D)	•	A
Zoning Compliance Permit	2.3.33	I	O	•	•	•	D	•	•	|A|	•

TABLE 2.2.1: APPLICATION TYPES TABLE

Process Type: see Section 2.2.3, Process Diagrams
Pre-Application Conference: M = Mandatory; O = Optional; N/A = Not Applicable
Type of Action: C = Comment; R = Recommendation; D = Decision; A = Appeal
Type of Public Hearing: ( ) = Legislative; | | = Evidentiary
[#] = Table Note (see end of table)

Application Type	UDO Section	Process Type	Pre-App. Conf.	Tech. Review Committee	Town Staff [1]			Planning Board	Town Council	Board of Adjustment	Superior Court
					Inspections Director	Engineering Director	Planning Director				

NOTES:
[1] Decision-making authority may be delegated in accordance with Section 8.2.8, Delegation of Authority.
[2] Appeals are filed with the North Carolina Commissioner of Insurance.
[3] Building Permit applications filed "at risk" by an applicant require a pre-application conference.
[4] In cases where a Conditional Rezoning application includes a Concept Plan, the TRC shall review the plan prior to consideration by the Planning Board.
[5~~4~~] Approval of a Conservation Subdivision also requires approval of a Major ~~Preliminary Plat~~Subdivision.
[6~~5~~] The Engineering Director shall make determinations on matters pertaining to stormwater, erosion control, and infrastructure requirements.
[7~~6~~] The review authority responsible for making the decision on the associated development application shall also be responsible for making the decision on a Town-mandated Fee-In-Lieu request.
[8~~7~~] Decisions on Performance Guarantee applications shall be made by the Planning Director or the Engineering Director, as appropriate~~The review authority responsible for making the decision on the associated development application shall also be responsible for making the decision on a Performance Guarantee request. Requests for Performance Guarantees filed after an associated application approval shall be decided by the Planning Director.~~.
[9~~8~~] ~~Alternative Sign Plan requests shall be reviewed and decided by the Town Council. AMENDED 9.16.24 (UDOTA2-24)~~
[9~~]~~ Site Plans that include ~~changes to or extension of~~new or extended public infrastructure shall ~~include construction drawings, which shall be decided by the Engineering Director~~also be subject to a requirement for approved Construction Drawings.
[10] The TRC shall review the Concept Plan prior to consideration by the Board of Adjustment.
[11] The Environmental Management Commission shall decide Major Water Supply Watershed and Riparian Buffer Variance applications.

2.2.2 SUBDIVISION TYPES

The Subdivision Types Table below identifies the range of subdivision types addressed by this Ordinance, including details on the maximum number of lots that may be created, minimum tract size before division, whether or not the subdivision involves the extension of public infrastructure, and whether or not the lots in the subdivision must comply with the zoning district dimensional standards. Each subdivision process is described in more detail in Section 2.3, Application Types.

AMENDED 4.15.24 (UDOTA1-24)

TABLE 2.2.2: SUBDIVISION TYPES TABLE

Common Subdivision or Development Type	Number of Lots Involved (#)	Initial Tract Size (Acres)	Involves Extension of Public Infra. (Yes/No)	Compliance With District Dimensional Standards	Application Type [1]	UDO Sec.
Conservation Subdivision	6 or more	N/A	Yes	No	Major Subdivision	2.3.8
Combination/ Recombination [2]	N/A	N/A	No	No	Exempt Subdivision	2.3.14
Court-ordered Subdivision [3]	N/A	N/A	No	No	Exempt Subdivision	2.3.14
10+-Acre Estate Lot Subdivision	[4]	N/A	No	Yes	Exempt Subdivision	2.3.14
Family Subdivision [5] ~~[6]~~	Up to 2	N/A	No	Yes	~~Minor~~ Limited Subdivision	2.3.18~~1.1.1~~
Governmental Acquisition	N/A	N/A	No	No	N/A	5.2.5
Limited Subdivision	Max. of 3	5 or more	No	Yes	Limited Subdivision	2.3.18
Major Subdivision~~ [7]~~	~~2~~ 1 or more	N/A	Yes	Yes	Major Subdivision	2.3.19
~~Minor Subdivision [8]~~	~~Up to 5~~	~~N/A~~	~~No~~	~~Yes~~	~~Minor Subdivision~~	~~2.3.18~~
Special Purpose Lot / Easement Plat [~~9~~6]	N/A	N/A	No	No	N/A	3.4.5
Two Acres into Three Lots	Max. of 3	2 or less	No	Yes	Exempt Subdivision	2.3.14

NOTES:
[1] Regardless of the subdivision process type noted in this table, subdivisions that include the extension of public infrastructure shall be reviewed as a Major Subdivision.
[2] Combinations / recombinations that result in lots that do not meet the minimum dimensional standards for the zoning district where located shall be reviewed as a ~~Minor~~ Major Subdivision.
[3] Lots within a Court-ordered ~~S~~subdivision are not required to comply with the dimensional requirements for the zoning district where located.
[4] All lots created shall be at least 10 acres in area or larger, otherwise the subdivision shall be reviewed as a ~~Minor~~ Limited or Major Subdivision, based on the number of lots created.
[5] Family subdivisions are Exempt Subdivisions or Limited ~~s~~Subdivisions created for conveyance between husbands, wives, mothers, fathers, brothers, sisters, children (biological, adopted, or step), grandmothers, grandfathers, grandchildren (biological, adopted, or step), aunts, uncles, nieces, and nephews. Family Subdivisions that exceed the limitations of a Limited Subdivision ~~and~~ shall be reviewed as a ~~an exempt subdivision, a limited subdivision, or a minor~~ Major S~~s~~ubdivision~~, as appropriate~~.
[6] ~~May be reviewed as an Exempt Subdivision or a Limited Subdivision, based on the number of lots created.~~
~~[7] Minor subdivisions of 6 or more shall be reviewed as a Major Subdivision even if the subdivision does not include the extension of public infrastructure.~~
~~[8] Lots must comply with district dimensional standards except for combinations or recombinations of existing lots.~~
~~[9]~~ May be accomplished as part of a subdivision establishing new development or as its own Exempt Subdivision. [8]

[8] See STN # 18.

2.2.3 PROCESS DIAGRAMS AND PROCEDURAL FLOWCHARTS [9]

A. Development applications in this Ordinance shall be reviewed and decided in accordance with the "~~p~~Process ~~t~~Type" column indicated in Table 2.2.1, Application Types Table, Section 2.4, Review Procedures, and this sub-section.

B. The process types used in this Ordinance are illustrated in process ~~flowcharts below (see~~ diagrams in Figure 2.2.3, Process Diagrams). The process ~~flowcharts~~ diagrams depict the general procedural steps for each application type. In cases where the actual application review process differs from the corresponding ~~flowchart~~process diagram, details on differences are identified in Section 2.3, Application Types.

C. Each specific application in Section 2.3, Application Types, includes a procedural flowchart figure that depicts the specific steps in the application review process. The procedural flowcharts use a symbol for each step in the process with text inside the symbol describing the step in greater detail. Some boxes may include cross references to other parts of the Ordinance. ~~The procedural flowcharts use a text box to denote each step in the process.~~ Details on each individual step are ~~located~~ described in greater detail in Section 2.4, Review Procedures.

D. ~~The~~ Each procedural flowchart is color coded to depict differing responsibilities. White boxes indicate actions or responsibilities of the applicant. Boxes with dashed lines show optional steps an applicant may choose to undertake. Light grey boxes indicate actions of Town staff. Dark grey boxes show the stage of the process where a recommendation or a decision is made (as appropriate).

~~D.~~**E.** Applicants seeking greater detail on the steps in the application review process should consult Section 2.4, Review Procedures, the Town's UDO Procedures Manual, or Town staff.

[9] See STN # 22 & 36.

2.3 APPLICATION TYPES

2.3.1 ADMINISTRATIVE ADJUSTMENT

A. APPLICABILITY

1. Except where otherwise prohibited, an Administrative Adjustment may be requested for a modification or deviation to any of the following:
   a. A zoning district dimensional standard in Chapter 3, Districts.
   b. A numeric use-specific standard in Chapter 4, Land Uses.
   c. A numeric requirement in Chapter 5, Standards.
2. In no instance shall an Administrative Adjustment application seek to reduce any of the following:
   a. The required minimum lot area in a zoning district;
   b. Increases in the maximum allowable residential density on a lot;
   c. Reduce the minimum required separation distance between two use types;
   d. The requirements specified in a transportation impact analysis;
   e. Reductions to the standards pertaining to flood damage prevention, water supply watershed protection,; or **AMENDED 9.16.24 (UDOTA2-24)**
   f. Reductions to required infrastructure standards, including streets, potable water, or wastewater system requirements.
3. Development subject to a Variance shall not also be subject to an Administrative Adjustment.

B. AMOUNT OF ADJUSTMENT

An Administrative Adjustment may allow a deviation from a numeric standard in this Ordinance in accordance with the amount specified in Table 2.3.1, Maximum Adjustment Amount.

TABLE 2.3.1: MAXIMUM ADJUSTMENT AMOUNT

Location or Type of Development	Maximum Permitted Amount of Adjustment
Establishment of a new principal building on a non-conforming lot of record	50% (setbacks only)
New development or redevelopment within the Downtown zoning district	15%
Redevelopment within all zoning districts except Downtown	10%
New development within all zoning districts except Downtown	5%

C. PROCESS TYPE

Type II (see Section 2.2.3, Process Diagrams), including comment by the Technical Review Committee.

D. REVIEW CRITERIA

An application for an Administrative Adjustment shall be approved by the Planning Director in accordance with Figure 2.3.1 and Section 2.4.7, Staff Review and Action, only upon a finding that the applicant has demonstrated that all of the following criteria are met:

1. The Administrative Adjustment is consistent with the type and maximum thresholds for an Administrative Adjustment established in this section; and
2. The Administrative Adjustment:
   a. Is required to compensate for some unusual aspect of the site or the proposed development that is not shared by landowners in general, including size or shape of the lot; or
   b. Is necessary to allow for proper functioning of public or private infrastructure; or
   c. Saves healthy existing trees; or
   d. Helps limit the need for site grading or revision to existing drainage patterns; and
3. Approval of the Administrative Adjustment is not expected to pose a danger to the public health or safety; and
4. The Administrative Adjustment will not negatively impact the function or performance of on-site wastewater or stormwater management devices; and
5. Adverse impacts resulting from the Administrative Adjustment will be fully mitigated; and
6. The development requirement being adjusted is not the subject of a previously approved Administrative Adjustment, condition of approval, or Variance on the same site.

FIGURE 2.3.1 ADMINISTRATIVE ADJUSTMENT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**Neighborhood Meeting** (Optional)
3	**File Application** - Filed with Planning Director - May be filed as a stand-alone application or as part of another application (like a Site Plan) for the same site
4	**Completeness Determination**
5	**Staff Review** ~~Includes comment by TRC~~
6	**Decision by Planning Director** If submitted as part of another application, a decision on an Administrative Adjustment is rendered first
7	**Notification of Decision**
8	**Proceed with Other Applications** (If applicable)

E. SEQUENCE

1. An Administrative Adjustment may be requested either as a stand-alone application, or in combination with another application for development review.
2. In cases when submitted with another application, the Administrative Adjustment application shall be decided prior to the other associated applications.
3. Applications for Conditional and Conventional Rezonings or Variances shall not include requests for Administrative Adjustments.

F. AMENDMENT

Amendment of an Administrative Adjustment approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

G. EXPIRATION

1. If an Administrative Adjustment is submitted with another development application, the expiration of the Administrative Adjustment shall be the same as the associated development application.
2. See Section 2.4.17, Expiration, in cases where an Administrative Adjustment is submitted as a stand-alone application.

2.3.2 ALTERNATIVE PLAN[10]

~~J.~~A. PURPOSE AND INTENT

1. The alternative plan procedure is included to allow for creativity of site design and configuration in ways that do not otherwise comply with the applicable standards of this Ordinance, but that are found to be in closer alignment with the Town's Adopted Policy Guidance or the provisions in Section 1.7, Purpose and Intent of Ordinance, than would result from the strict application of the signage provisions of this Ordinance.
2. The procedure is also included to help address difficult or challenging sites or instances when strict compliance with the applicable ordinance requirements is impractical or impossible.

FIGURE 2.3.2 ALTERNATIVE PLAN PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**File Application** Submitted to Planning Director
3	**Completeness Determination**
4	**Staff Review** Including comment by the TRC
5	**Planning Director Decision**
6	**Notification of Decision**
7	**Consideration of Site Plan or Other Associated Permits**

B. APPLICABILITY

1. Any application for development that that deviates from the allowable requirements in the following sections:
   a. Section 6.6, Landscaping and Screening;
   b. Section 6.9, Parking and Loading; and
   c. Section 6.13, Signage.
2. Applications for deviations from landscaping, parking, and signage portions of an approved Site Plan, subdivision, Sign Permit, or other approval shall be reviewed in accordance with Section 2.4.16, Amendment of Approved Application.

C. APPLICATION

Requests for an Alternative Plan shall be filed prior to an application for a Site Plan, subdivision, Sign Permit, and shall include all of the following.

D. PROCEDURE

Type II (see Section 2.2.3, Process Diagrams), including comment by the Technical Review Committee. The process for consideration of alternative plan shall be in accordance with Figure 2.3.2.

E. REVIEW CRITERIA

An application for an Alternative Plan shall be approved by the Planning Director in accordance with Figure 2.3.2, Section 2.4.7, Staff Review and Action, the relevant standards in Chapter 6, Standards, and the following criteria:

1. The Alternative Plan request is permitted by this Ordinance, and does not seek to modify an already-approved Site Plan, subdivision, or permit;
2. The Alternative Plan is proposed in response to an allowable site condition or challenge;
3. The type of modification or deviation is among those permitted by this Ordinance;
4. The application provides sufficient detail to evaluate the request in light of applicable standards;

[10] See STN # 101.

5. The development anticipated by the Alternative Plan is in closer alignment with the Town's Adopted Policy Guidance or the standards in Section 1.7, Purpose and Intent of Ordinance, than a strict application of the applicable standards; and
6. In the case of an alternative sign plan:
   a. The proposed design, size, color, illumination, and placement of signage is compatible in style and character with the site, any surrounding structures, and/or the district character or architectural character of the area in which it is located;
   b. The Alternative Plan proposes innovative, but appropriate, use of materials and design techniques in response to unique characteristics of the specific site, if applicable; and
   c. The anticipated signage will be consistent with approved neighborhood plans, studies, or area plans.

F. SEQUENCE

1. Applications for an Alternative Plan may be filed concurrently with a Site Plan, subdivision, or other application but the Alternative Plan shall be reviewed and decided prior to consideration of a Site Plan, subdivision, or other application.
2. In no instance shall a Sign Permit application be submitted on a lot or site proposed for development requiring Site Plan or subdivision approval until the Site Plan or subdivision approval has been made.

G. EFFECT

Approval of an Alternative Plan permits review of the associated Site Plan, subdivision, Sign Permit, or other approval type.

H. AMENDMENT

Amendment of an Alternative Plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

I. EXPIRATION

An Alternative Plan approval shall not expire unless subject to a conditional of approval specifying the timing by which the approved development feature must be established, and the applicant fails to meet the required timing condition. In the event an Alterative Plan expires, it shall be null and void.

J. VESTING

Not Applicable.

K. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.4, Appeal.

~~2.3.2~~2.3.3 ANNEXATION

A. APPLICABILITY

1. The Town may review and decide voluntary Annexation petitions from:
   a. The owners of land that is contiguous with the Town's primary corporate limits; and
   b. The owners of land that is not contiguous to the primary corporate limits when the proposed satellite annexation complies with the following standards:
      i. The area must be so situated that the Town will be able to provide the same services as it provides within its primary corporate limits; and
      ii. The nearest point on the proposed satellite annexation is not more than three miles from the primary corporate limits of the Town; and
      iii. No portion of the land proposed for annexation is closer to the contiguous corporate limits of another municipality unless the land is subject to an approved annexation agreement; and
      iv. If the land proposed for annexation is part of a recorded subdivision as defined in NCGS§160D-802, all lots in the recorded subdivision are part of the annexation petition; and
      v. The area within the proposed satellite annexation, when added to the area within all other satellite annexations by the Town of Clayton, may not exceed ten percent of the area within the primary corporate limits of the Town.
2. The Town may accept voluntary Annexation petitions from landowners that do not meet the criteria in sub-section (1) above, but may not decide them until the application is consistent with sub-section (1) above.

FIGURE 2.3.3 ANNEXATION PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Voluntary Annexation Petition** ~~Including signed vested rights declaration~~
3	**Completeness Determination**
4	**Staff Review** Recommendation by Planning Director
5	**Certification of Sufficiency by Town Council**
6	**Public Notification of Public Hearing**
7	**Decision by Town Council** Including effective date of annexation
8	**Notification of Decision**
9	**Recordation**

B. APPLICATION

1. The Annexation petition shall be signed by all the owners of land proposed for annexation.
2. An Annexation petition shall include a signed statement declaring whether or not any vested right with respect to the land subject to the petition has been established under NCGS§160D-108.
3. The application shall identify the volunteer fire district where the land subject to the petition is located.
4. An annexation petition shall not require a neighborhood meeting to be conducted prior to submittal of the petition. **AMENDED 9.16.24 (UDOTA2-24)**

C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams), except for the following:

1. Following receipt of an Annexation petition the Town Council shall direct the Town Clerk to investigate the sufficiency of the petition.
2. The Town Clerk shall investigate and certify whether the petition is legally sufficient. Only legally sufficient petitions shall be considered by the Town.

~~2.3.3~~2.3.4 APPEAL

A. APPLICABILITY

Appeals of decisions or determinations by the Technical Review Committee, Planning Director, or Engineering Director made pursuant to this Ordinance shall be reviewed and decided in accordance with NCGS§§160D-405 and 160D-1403 and this procedure, as appropriate.

FIGURE 2.3.4 APPEAL PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Notice of Appeal** - Filed with Planning Director - Must be filed within 30 days of the date of the decision being appealed
3	**Completeness Determination** Application must include: - Error/decision being appealed - Date of decision/error - Grounds for appeal - All related support material
4	**Staff Review** Transmittal of record and notice of appeal to the BOA
5	**Public Notification**
6	**Decision by Board of Adjustment** Decision effective upon date of filing in the office of the Planning Department
7	**Notification of Decision** Delivered via personal service, electronic mail, or 1st class mail ~~p~~Provided to applicant, landowner, and anyone requesting a copy prior to date of decision

B. APPEALS NOT REGULATED BY THIS ORDINANCE

The following appeals and challenges shall be governed by the following:

1. DECISIONS BY BOARD OF ADJUSTMENT

a. Persons with standing as defined in NCGS§160D-1402(c) may appeal a decision by the Board of Adjustment to the Superior Court for the county where located in accordance with NCGS§160D-1402.

b. Appeal of a quasi-judicial decision shall be in the nature of certiorari and in accordance with NCGS §§160D-406, 160D-1402, and 160D-1405, as appropriate.

c. A landowner or applicant with standing shall file a petition for review with the Clerk of Court within 30 days of the date the decision is filed in the office of the Board of Adjustment and delivered by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective.

d. Any other person with standing to appeal shall file a petition for review with the Clerk of Court within 30 days from receipt, by any source, actual or constructive notice of the decision being appealed.

e. Receipt of written notice provided via first class mail in accordance with NCGS§160D-403(b) shall be deemed to be received on the third business day following deposit of the notice for mailing with the United States Postal Service.

2. DECISIONS BY TOWN COUNCIL

Persons with standing as defined in NCGS§160D-1403(b) may challenge legislative decisions by the Town Council, whose challenge shall be heard by the Superior Court for the county where located in accordance with NCGS§§160D-1401 and 160D-1405.

a. CHALLENGES TO OFFICIAL ZONING MAP ADOPTION OR AMENDMENT; DEVELOPMENT AGREEMENT

i. Legislative decisions made by the Town Council pursuant to the adoption of the Official Zoning Map, amendment to the Official Zoning Map, or with respect to a Development Agreement shall be subject to review at the request of any aggrieved party by the Superior Court for the county where located as detailed in NCGS§§160D-1401 and 160D-1405.

D. INITIATION

1. An applicant, property owner, or other person with standing shall initiate an Appeal by filing a notice of appeal with the Planning Director within 30 days of the date they receive the written notice of decision being appealed.
2. Receipt of written notice of decision provided via first class mail in accordance with NCGS§160D-403(b) shall be deemed to be received on the third business day following deposit of the notice for mailing with the United States Postal Service.

E. APPLICATION

1. Petitions for Appeal shall specify the grounds for the Appeal.
2. The Planning Director shall transmit to the Board of Adjustment all the papers constituting the record upon which the action being appealed was taken.

F. PROCESS TYPE

Type III (see Section 2.2.3, Process Diagrams).

G. DECISION

1. The decision shall be based on the competent, material, and substantial evidence in the record of the Appeal, as supplemented by arguments presented at the evidentiary hearing, Figure 2.3.4, and the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
   a. Affirmation of the decision or determination (in whole or in part);
   b. Modification of the decision or determination (in whole or in part); or
   c. Reversal of the decision or determination (in whole or in part).
3. Voting shall be in accordance with Section 2.4.9C.5, Voting.
4. If a motion to reverse or modify is not made, or a motion fails to receive a majority vote from Board of Adjustment members eligible to vote, then the Appeal shall be denied.
5. Each decision shall be made in writing and reflect the Board of Adjustment's determination of contested facts and their application to the standards in this Ordinance.
6. The written decision shall be signed by the Chair or other duly authorized member of the Board of Adjustment.
7. The decision of the Board of Adjustment shall be effective upon the filing of the written decision in the offices of the Planning Department.

H. REVIEW CRITERIA

1. The Board of Adjustment is limited to the following decisions in considering the appeal:
   a. Whether the review authority erred in the determination of this Ordinance; or
   b. Whether the review authority erred in determining whether a standard of this Ordinance was met.
2. The Board of Adjustment shall not hear any evidence or make any decision based on hardships or special conditions, except as part of an application for a Variance.

I. SEQUENCE

Not applicable.

~~I.~~J. EFFECT

1. The filling of an appeal shall stay all of the following:

~~2.3.4~~2.3.5 BUILDING PERMIT[11]

A. APPLICABILITY

Unless exempted in accordance with the North Carolina General Statutes or the State Building Code(s), no construction, reconstruction, addition, alteration, repair, movement to another site, removal, demolition of any building or structure, or changes in use of an existing development triggering the need for application of a different set of building code requirements shall occur until a Building Permit is approved in accordance with the procedures and standards of this section and Chapter 150 of the Clayton Town Code of Ordinances.

FIGURE 2.3.5 BUILDING PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** - (Optional) - Mandatory if filing for "at-risk" Building Permit
2	**File Application** Submitted to Inspections Director
3	**Completeness Determination**
4	**Inspections Director Review and Decision**
5	**Notification of Decision**
6	**Obtain Other Approvals and Schedule Required Inspections**

B. EXEMPTIONS

The following forms of development are exempted from the requirement to obtain a Building Permit, but shall be subject to the standards in Section 2.3.33, Zoning Compliance Permit:

1. Storage and secondary buildings that serve a residential principal use, of 12 linear feet or less in length on any dimension, and do not include electrical service or running water;
2. Patios and at-grade walkways;
3. Playground equipment and play structures provided as secondary uses to an individual residential dwelling;
4. Ornamental or other pools with depths of less than 24 inches (any pools with water depths exceeding 24 inches are required to obtain a Building Permit);
5. Fences or privacy walls of six feet in height or less, except that all retaining walls shall require a Building Permit; or
6. Other development exempted from building permit requirements by the Town or by State law.

C. PROCESS TYPE

1. Type I (see Section 2.2.3, Process Diagrams).
2. In cases where an applicant is filing for an "at risk" Building Permit, a pre-application conference shall be mandatory.

D. REVIEW CRITERIA

An application for a Building Permit shall be decided by the Inspections Director (or a designee) in accordance with Figure 2.3.5, Section 2.4.7, Staff Review and Action, and all of the following: **AMENDED 9.16.24 (UDOTA2-24)**

1. The applicable sections of the State Building Code(s);
2. The standards in NCGS§160D-1110;
3. Any applicable requirements of the Johnston County Health Department;
4. The Site Plan, if applicable;
5. The Zoning Compliance Permit;

[11] See STN # 85.

~~2.3.5~~2.3.6 CERTIFICATE OF OCCUPANCY

A. APPLICABILITY

Except where exempted by Section 2.3.5B, Exemptions, no land, newly erected building or structure, or existing building or structure that has been moved or enlarged or changed in use shall be occupied or used until a Certificate of Occupancy certifying that the land, building, or structure, and its use complies with this Ordinance and the applicable standards of the State Building Code(s) is issued in accordance with this section and Chapter 150 of the Clayton Town Code of Ordinances.

FIGURE 2.3.6 CERTIFICATE OF OCCUPANCY PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Request** - Submitted to Inspections Director - May take the form of a temporary or permanent certificate - Performance Guarantees must be approved first, if requested
3	**Completeness Determination**
4	**Inspections Director Review and Decision**
5	**Notification of Decision**

B. EXEMPTIONS

Development exempted from a Building Permit in accordance with Section 2.3.5B, Exemptions, shall also be exempted from this section.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Certificate of Occupancy shall be decided by the Inspections Director in accordance with Figure 2.3.6, Section 2.4.7, Staff Review and Action, and the degree to which the land, building, structure, or proposed use complies with:
AMENDED 9.16.24 (UDOTA2-24)

1. All relevant standards of this Ordinance;
2. Any other applicable Town requirements;
3. All applicable conditions of approval;
4. The Building Permit;
5. The applicable State Building Code(s) requirements; and
6. All applicable State and federal requirements.

E. TEMPORARY CERTIFICATE OF OCCUPANCY

1. A Temporary Certificate of Occupancy may be issued permitting occupancy for a stated period of time of either the entire building or property or of specified portions of the building if the Inspections Director finds that the building or property may safely be occupied prior to the completion of development activity.
2. A temporary Certificate of Occupancy may be issued in cases where the Town has mandated, or the applicant has requested and the Town has approved, payment of a fee-in-lieu. In no instance shall a final Certificate of Occupancy be issued by the Town in cases where payment of fee-in-lieu is required, but has not taken place.
3. The Planning Director may require the applicant to submit a Performance Guarantee (see Section 2.3.20, Performance Guarantee), in an amount necessary to ensure that any work not completed as specified in the development approval will be completed within the specified timeframe for a Certificate of Occupancy. A Performance Guarantee, submitted in accordance with Section 2.3.20, Performance Guarantee, shall be required for any incomplete infrastructure or other required site features.

~~2.3.6~~2.3.7 CONDITIONAL REZONING

A. PURPOSE AND INTENT

The purpose of this section is to provide a uniform means for amending the Official Zoning Map to establish a conditional zoning district in cases where the standards of a conventional zoning district are inadequate to appropriately address the anticipated impacts generated by development. The conditional zoning district, if approved, establishes a unique zoning district that is tailored to the specific proposal and subject to unique conditions of approval. It is the intent of these standards to provide a process where an applicant may voluntarily place additional limitations on the development potential of their land. It is also intended to allow an applicant to request greater flexibility in the application of some development requirements in pursuit of a higher quality of development.

B. APPLICABILITY

1. This procedure is solely for the establishment of a conditional zoning district designation on land within the Town's planning jurisdiction.
2. In no instance shall a Conventional Rezoning application be converted to a Conditional Rezoning application, nor shall a Conditional Rezoning application be converted to a Conventional Rezoning application.
3. In no instance shall any lot or tract that is the subject of a Conditional Rezoning application also be the subject of any other rezoning application at the same time.
4. Special use zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.
5. Planned development zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.

C. CONDITIONAL REZONING DISTRICTS DISTINGUISHED

All Conditional Rezoning applications shall seek to establish one of the following three forms of conditional zoning district:

1. A Type I Conditional Rezoning application to establish a "limited use" conditional zoning district, which include an applicant-sponsored reduction in the range of allowable use types but no other deviations from required standards; or

FIGURE 2.3.7 CONDITIONAL REZONING PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting** Required when increasing density, intensity, or annexing land outside the ETJ
3	**File Application** - Must be signed by all landowners - Must include details from neighborhood meeting, if conducted - Type 3 applications require concept plans - Must include proposed conditions of approval, if any
4	**Completeness Determination**
5	**Staff Review** Includes concept plan review by TRC and comments by Town staff
6	**Review & Recommendation by Planning Board**
7	**Public Notification**
8	**Decision by Town Council** Must include written statement of reasonableness and consistency with adopted policy guidance
9	**Notification of Decision**
10	**Amend Official Zoning Map** If approved
11	**Proceed with Subdivision or Site Plan Application(s)**

2. A Type 2 Conditional Rezoning application to establish a "limited standard" conditional zoning district, which include applicant-sponsored modifications that exceed minimum requirements applied to other forms of development (e.g., deeper setbacks, larger lot areas, more restrictive use-standards, or limits on the range of allowable use types); or
3. A Type 3 Conditional Rezoning application to establish an "unlimited" conditional zoning district, which is subject to a Concept Plan and applicant-sponsored conditions that may be more or less restrictive that other applicable Ordinance standards, subject to Section 3.3.1E.9, Limitations on Reductions, and Section 2.4.10, Conditions of Approval. Unlimited applications may include deviations or reductions from otherwise applicable standards.

D. APPLICATION

1. All Conditional Rezoning applications shall:
   a. Be initiated and signed by all the landowner(s) of the land subject to the application;
   b. Include all applicant-proposed conditions of approval;
   c. Include a detailed written description of the range of potential principal and secondary use types, which shall be treated as a condition;
   d. Not include a Concept Plan in cases where the application is a Type 1 or Type 2 Conditional Rezoning application (see Section 2.3.7C, Conditional Rezoning Districts Distinguished);
   e. Include a Concept Plan prepared in accordance with Section 3.3.1E, Concept Plans Associated with a Type 3 Conditional Rezoning, if a Type 3 Conditional Rezoning application, seeking to enhance, reduce, or otherwise deviate from an applicable dimensional, or development ~~, or use-specific~~ standard in this Ordinance;
   f. Include a Transportation Impact Analysis or Traffic Assessment, as appropriate, when required by Section 2.3.29, Transportation Impact Analysis;
   g. Include a wastewater allocation request prepared in accordance with all Town requirements if proposing a Type 3 Conditional Rezoning that seeks to utilize public sewer;
   h. Identify requests for reductions from applicable standards in this Ordinance when requested and why such requests are necessary; and
   i. Provide evidence indicating the ways in which a Conditional Rezoning seeking a reduction from standards in this Ordinance will result in development that is in closer alignment with Section 1.7, Purpose and Intent of Ordinance, and the Town's adopted policy guidance.
2. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.15, Fee-in-Lieu.
3. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

E. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams), except that the Technical Review Committee shall review and comment on all Concept Plans filed with a Conditional Rezoning application prior to consideration of the application by the Planning Board.

F. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application based on its consistency with Section 2.4, Review Procedures

6. Any other factors the Town Council may determine to be relevant.

K. CONDITIONS

1. Only conditions mutually agreed to by the applicant and the Town Council may be approved as part of a Conditional Rezoning.
2. Conditions shall be limited to those that address conformance of development and use on the site with Town regulations and adopted policy guidance and that address the impacts reasonably expected to be generated by the development or use of the site.
3. All conditions shall comply with Section 2.4.10, Conditions of Approval.
4. Conditions shall be in writing and may be supplemented with text, plans, or maps as permitted by this Ordinance.
5. The Concept Plan approved as part of a Type 3 Conditional Rezoning shall be considered a condition that runs with the land in perpetuity instead of as a site-specific vesting plan or multi-phase development plan. In cases where a Type 3 Conditional Rezoning application approval is reverted to an alternative zoning districts in accordance with Section 2.3.7L, Reversion, the conditions of approval, including the Concept Plan, shall be null and void.
6. Any aspect of the proposed development not specifically addressed by the approved Concept Plan or stated in the approved conditions of approval shall be subject to the UDO standards in place at the time of submittal of a Subdivision, Site Plan, or Zoning Compliance Permit, as appropriate. It shall be insufficient for an applicant to propose a condition that that simply references UDO sections in place at the time of the Concept Plan approval. Instead, applications must be accompanied by a narrative description and or annotated illustrations of the site features the applicant seeks to make conditions of approval that run with the land. Failure to identify a specific development configuration aspect as a condition of approval that runs with the land shall subject the proposed development to requirements for compliance with the development standards in place at the time of the Subdivision, Site Plan, or Zoning Compliance Permit.[12]
7. In the case of disagreement between an applicant and the Town as to whether or not a Concept Plan or narrative includes the necessary degree of specificity or the clear intent that a depicted development configuration feature warrants treatment as a condition of approval, the Planning Director shall decide the issue in accordance with Section 2.3.11, Determination.

~~4.~~

L. REVERSION

In cases where the Town has proposed, and the applicant has accepted, a condition of approval permitting the Town to initiate a zoning map amendment to revert the land to its prior conventional zoning district classification (or the closest corresponding conventional zoning district) unless an application for a building permit (or other similar permit for uses which do not involve the construction of a structure) for any part of the associated concept plan is submitted within three years of the initial approval, the Town may initiate such amendment without obtaining landowner consent. [13]

~~5.~~M. DESIGNATION

~~6.~~1. The Planning Director shall cause changes to be made to the Official Zoning Map promptly after approval of a Conditional Rezoning application by the Town Council.

[12] See STN # 11 & 44.
[13] See STN # 3.

~~7.~~2. In cases when a Conditional Rezoning application is deemed inconsistent with adopted policy guidance, but is approved by the Town Council, the future land map shall be amended with a note referencing the application approval.

~~L.~~N. SEQUENCE

1. Applications for Subdivisions, Site Plans, and Zoning Compliance Permits may be submitted with a Conditional Rezoning application, but the Conditional Rezoning application establishing the conditional zoning district shall be decided first.
2. A Concept Plan shall not substitute for a required Site Plan or Subdivision Plat, and all applications for required Site Plans or Subdivision Plats shall be reviewed separately from the Conditional Rezoning application.

~~M.~~O. EFFECT

1. In cases where the Town Council approves a Conditional Rezoning application deemed to be inconsistent with the Town's adopted policy guidance, the Conditional Rezoning approval shall also have the effect of amending any applicable future land use map included in the Town's adopted policy guidance, and no additional request or application for a comprehensive plan amendment shall be required.
2. Lands subject to an approved Conditional Rezoning shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map. ~~In cases where a Concept Plan is approved as part of a Conditional Rezoning application, the vesting term of the Concept Plan shall be in accordance with the applicable standards in Section 1.11, Vested Rights.~~
3. Development located outside the Clayton corporate limits shall comply with Town policies and standards related to annexation and the extension of utilities.
4. Regardless of the type of Conditional Rezoning application, the development shall be subject to subsequent review and approval of a Site Plan or Subdivision Plat, as required under this Ordinance.

~~N.~~P. AMENDMENT

Concept Plans shall only be amended in accordance with the standards in this section. Amendments to a Concept Plan approval shall be considered as minor modifications or major modifications, and must be considered in accordance with the following:

1. MINOR MODIFICATIONS

a. Subsequent plans and permits for development may include minor modifications provided the development continues to meet the minimum requirements of this section. Minor modifications are limited to changes that have no material effect on the character of the development or changes that address technical considerations that could not reasonably be anticipated at the time of the application approval.

b. Minor modifications shall be reviewed and decided by the Planning Director, in consultation with other appropriate Town staff.

c. Minor modifications shall be limited to the following:

i. Changes in phase boundaries provided the perimeter location of the development is unaffected;

ii. Revisions to phase boundaries provided each phase is adequately served by necessary infrastructure, stormwater control measures, and open space;

iii. Realignment of internal transportation infrastructure provided the overall connectivity index score of the development, or the phase is not reduced;

iv. Changes to the location of entrances or driveways by 100 feet or less;

v. Changes to the configuration of parking areas, but not the number of parking spaces and provided the parking area continues to meet Ordinance requirements for access and circulation;
vi. Changes to the configuration of landscape yards, including types of landscaping or screening materials, provided minimum width and planting requirements continue to be met;
vii. Changes to the proposed building elevation or facade, including materials, provided that the change retains the same general architectural character, remains consistent with the design parameters established in the original approval, and provided the overall height of the building is not increased; and
viii. Changes to the arrangement or location of buildings provided there is no increase in the number of buildings, size, or amount of impervious surface.

d. In no instance shall a minor modification include any changes to:
i. The range of permitted uses;
ii. The overall density of the development; or
iii. Site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.

2. MAJOR MODIFICATIONS

a. Changes that materially affect the basic configuration of the development, a condition of approval, or that exceed the scope of a minor change modification are considered major modifications.
b. Major modifications include, but are not limited to:
i. Increases in building height;
ii. Changes in uses;
iii. Changes in density or intensity;
iv. Decreases in open space;
v. Substantial changes in the location of streets (particularly if streets are to be deleted or access points to the development moved so traffic flows both inside and outside the development are affected);
vi. Changes to the location of entrances or driveways by more than 100 feet;
vii. Change in the location of any public easement; and
viii. Changes to site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.
c. Major modifications must be reviewed and considered only in accordance with the procedures and standards established for the original application approval.

~~O.~~Q. EXPIRATION

1. Not applicable.
2. In the event the development contemplated in a Conditional Rezoning application is not substantially commenced within three years from the date of the approval, the Town Council may initiate a rezoning application to return the land to its prior or to some other appropriate zoning district designation in accordance with Section 2.3.7L, Reversion.

~~P.~~R. VESTING

~~1. The establishment of a conditional zoning district, shall run with the land[14], but a Concept Plan approval associated with a Type 3 Conditional Rezoning application shall not run with the land, and shall be subject to Section 1.11.4D, Site-Specific Vesting Plan. AMENDED 9.16.24 (UDOTA2-24)~~

~~[14] See STN # 44.~~

~~2.~~ ~~Applicants seeking a longer vesting term may file an application in accordance with Section 2.3.30, Vested Rights Certificate.~~ Not Applicable. Conditional rezoning classifications and associated Concept Plans shall run with the land in accordance with Section 2.3.7K, Conditions.

~~O.~~S. APPEAL

In accordance with Section 2.3.4B.2, Decisions by Town Council.

~~2.3.7~~2.3.8 CONSERVATION SUBDIVISION

A. PURPOSE AND INTENT

The purpose and intent of this section is to provide landowners in certain portions of the Town's planning jurisdiction a development option that provides additional development flexibility to build on smaller lots when additional open space set-asides are provided, and the development is designed and located in a way that protects surrounding community character, agricultural activities, or sensitive environmental features on the site. This is done in order to:

1. Conserve open land, including those areas containing prime agricultural soils, areas of steep slopes, unique and sensitive natural features such as floodplains, wetlands, river and stream corridors, areas with mature hardwood trees, and watersheds;
2. Promote established community character particularly in areas visible from major roadways in the Town;
3. Retain and protect existing wildlife habitat and environmental, natural, and cultural resources;
4. Create a linked network of open lands; and
5. Provide reasonable economic use of the land.

FIGURE 2.3.8 CONSERVATION SUBDIVISION PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting** (optional)
3	**File Site Analysis Map** Submitted to the TRC
4	**Conduct Site Inspection** Conducted with TRC Representative
5	**Prepare Conservation and Development Plan**
6	**Completeness Determination**
7	**Staff Review**
8	**Review & Decision by Planning Director**
9	**Notification of Decision**
10	**File Major Subdivision Application**

B. APPLICABILITY

1. TYPE OF DEVELOPMENT

This Conservation Subdivision option shall be limited to development of single-family detached residential dwellings (including manufactured homes) on individual lots in subdivisions of more than five lots. The Conservation Subdivision option shall not be available for any other form of development or use type.

2. WHERE PERMITTED

Single-family detached residential subdivisions of more than five lots on and served by a public wastewater system may be developed as a Conservation Subdivision, in accordance with the standards in this section and Section 4.2.5, Listing of Common Principal Uses.

3. RELATIONSHIP TO WATERSHED PROTECTION OVERLAY DISTRICT

a. Land located within a Watershed Protection Overlay District may be configured in accordance with the cluster development option in Section 3.7.5Q, Cluster Development, but a cluster development may not be configured as a conservation subdivision.

b. In the event a Cconservation Ssubdivision is proposed on land within a Watershed Protection Overlay District, the density shall not exceed that permitted under the cluster development option in Section 3.7.5Q, Cluster Development.

2.3.9 CONSTRUCTION DRAWINGS [15]

~~L~~A. PURPOSE AND INTENT

The purpose and intent of this section is to establish a process for the review and approval of technical plans pertaining to the installation of new or extension of existing public infrastructure such as streets, sanitary sewer, public potable water, street drainage, or public sidewalks, as well as aspects such as stormwater and erosion control.~~Construction Drawings are the middle stage of a proposed Major Subdivision and include the installation of public infrastructure as indicated in the associated Preliminary Plat. Major Subdivisions that do not include any public infrastructure remain subject to these Construction Drawing requirements as part of Land Disturbance Permit and Stormwater Permit approvals. Construction Drawings shall be reviewed and configured in accordance with the following:~~

FIGURE 2.3.9 CONSTRUCTION DRAWING PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**File Application** Submitted to Engineering Director
3	**Completeness Determination**
4	**Staff Review** Including Comment by TRC
5	**Inspections Director Review and Decision**
6	**Notification of Decision**
7	**File Application for Land Disturbance Permit**

B. APPLICABILITY

Construction Drawings, reviewed and approved in accordance with these standards, are required as part of:

1. Any Major Subdivision or Site Plan application that includes the installation of new or the extension of existing public infrastructure as part of the development;
2. The construction or extension of public infrastructure without an associated subdivision or Site Plan;
3. Any development that includes erosion control and sedimentation features; and
4. Any development that includes on-site or community-level stormwater control measures.

C. APPLICATION

~~Following approval of a Preliminary Plat for a division of land that include changes to or extension of public infrastructure, an application for approval of Construction Drawings shall be submitted in accordance with the following:~~

Construction Drawings shall ~~be prepared for changes to or extensions of public infrastructure, configuration of erosion control and sedimentation features, stormwater control measures~~be configured in accordance with the following:~~:~~

1. Construction Drawings shall be prepared by, signed, and stamped by a licensed professional engineer;
2. Construction Drawings shall show both the horizontal or "plan" view of infrastructure as well as the vertical or "profile" view of infrastructure; ~~and~~
3. When a ~~s~~Subdivision or a Site Plan is to be developed in phases, Construction Drawings shall indicate the number of phases in the plat or Site Plan, and public infrastructure shall be provided so that each lot is adequately served by public infrastructure at the time of conveyance regardless of the phase of development;~~:~~

[15] See STN# 67.

4. Phasing shown in Construction Drawings must match the phasing approved as part of the Preliminary Plat (if applicable). In no instance shall only a portion of a development's phase be submitted for Construction Drawing review; and
5. If included as part of a phased development, each phase shall be configured to be inclusive of all land area located within the particular phase(s) under review.

D. PROCESS TYPE

1. Type I (see Section 2.2.3, Process Diagrams).
2. Figure 2.3.9 sets out the steps in the Construction Drawings application review procedure.

E. REVIEW CRITERIA

Applications for approval of Construction Drawings shall be decided by the Engineering Director in accordance with Section 2.4.7, Staff Review and Action, and the following:

1. Construction Drawings shall be prepared by a professional engineer licensed by the State of North Carolina;
2. The location and configuration of public infrastructure shall be substantially consistent with the Site Plan or the Preliminary Plat, including the number of any boundaries of phases;
3. If included as part of a phased development, be configured to be inclusive of all land area located within the particular phase(s) under review;
4. Public infrastructure elements depicted in the Construction Drawings are configured in accordance with all applicable Town and State requirements;
5. The Construction Drawings include all design sheets necessary to determine compliance; and
6. Copies of all required third-party agreements, permits, and approvals necessary to begin construction are included.

F. SEQUENCE

1. GENERALLY

a. In cases where Construction Drawings are required as part of a Major Subdivision, applications for Construction Drawings may be filed concurrently with an application for a Preliminary Plat, and must be filed prior to the filing of an application for a Final Plat. Unless subject to Section 2.3.9F.2, Alternative Sequence, Construction Drawings shall be approved prior to the application for a Final Plat.

b. In cases where Construction Drawing are required as part of a Site Plan, applications for Construction Drawings may be filed concurrently with an application for a Site Plan, but in no instance shall Construction Drawings be approved prior to approval of the Site Plan.

c. In cases where Construction Drawings are not associated with a Site Plan or subdivision, applications for Construction Drawings may be filed concurrently with an application for a Building Permit, but in no instance shall a Building Permit be approved prior to approval of Construction Drawings.

d. A Building Permit shall not be issued until after a Site Plan, Construction Drawings, or a Final Plat, is approved.

2. ALTERNATIVE SEQUENCE

The Engineering Director may allow an applicant to file an application for a Final Plat concurrently with or prior to application for Construction Drawings. The Town may approve a Final Plat for recording prior to approval of associated Construction Drawings provided:

a. The applicant has provided documentation, to the satisfaction of the Town, that financing for the installation of public infrastructure is unavailable prior to recordation of a Final Plat; and
b. Functional fire protection has been installed to ensure any residential development in the particular phase(s) is safe from fire; and
c. The applicant has furnished a performance guarantee in accordance with Section 2.3.19, Performance Guarantee; and
d. The applicant has filed an affidavit of acknowledgement that the Town shall not issue a Certificate of Occupancy for any structures in the development unless and until the public infrastructure is complete, inspected, and accepted.

G. EFFECT

Approval of Construction Drawings permits a subdivider to commence construction of public infrastructure following issuance of a Land Disturbance Permit and conducting a pre-construction meeting on-site with Town staff.

~~A subdivider may file an application for a Final Plat before work associated with Construction Drawings is completed, but in no instance shall a Final Plat be approved or Certificate of Occupancy be issued until all public infrastructure associated with approved Construction Drawings is complete, inspected, and accepted, or subject to a Performance Guarantee (see Section 2.3.19, Performance Guarantee).~~

H. AMENDMENT

Amendment of Construction Drawings may only be reviewed and considered in accordance with the procedures and standards established for their original approval.

I. INSPECTION

A passing inspection by Town staff or certification from a third-party utility service provider shall be obtained prior to issuance of a Final Plat or Certificate of Occupancy.

J. AS-BUILT PLANS

As-built plans shall be required prior to issuance of a Final Plat or Certificate of Occupancy in accordance with Section 2.3.19J, As-built Plans Required.

K. EXPIRATION

1. Approval of an application for Construction Drawings shall expire and become null and void if substantial commencement is not undertaken within two years of the date of approval.
2. Approval of an application for Construction Drawings shall expire and become null and void after substantial commencement if work is voluntarily stopped by the developer and the development fails to maintain substantial progress for a period of one year or longer.

~~See Section 2.4.17, Expiration.~~

L. VESTING

See Section 1.11.4C, Statutory Vested Rights.

M. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.2, Appeal.

CONSTRUCTION DRAWINGS ASSOCIATED WITH A SITE PLAN

DRAWING REQUIREMENTS

Site Plan applications that include changes to or extensions of public infrastructure shall include construction drawings configured in accordance with the following:

- Construction drawings shall be prepared by, signed, and stamped by a licensed professional engineer;
- Construction drawings shall show both the horizontal or "plan" view of infrastructure as well as the vertical or "profile" view of infrastructure; and
- When a Site Plan is to be developed in phases, construction drawings shall be submitted for each individual phase and public infrastructure shall be provided so that each lot is adequately served by public infrastructure at the time of conveyance regardless of the phase of development.

CONSTRUCTION DRAWING REVIEW CRITERIA

The portion of a Site Plan application including construction drawings shall be decided by the Engineering Director in accordance with Section 2.4.7, Staff Review and Action, and the following:

- Construction Drawings shall be prepared by a professional engineer licensed by the State of North Carolina;
- The location and configuration of public infrastructure shall be substantially consistent with the Site Plan;
- Public infrastructure elements depicted in the construction drawings are configured in accordance with all applicable Town and State requirements;
- The construction drawings include all design sheets necessary to determine compliance; and
- Copies of all required third-party agreements, permits, and approvals necessary to begin construction are included.

CONSTRUCTION DRAWINGS

- Construction drawings for all public infrastructure included with the Site Plan application shall be approved prior to street and utility construction in accordance with the applicable Town standards.
- In the case of a multi-phase Site Plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.
- In no instance shall a portion of a phase be submitted for Construction Drawing review.
- If included as part of a phased development, each phase shall be configured to be inclusive of all land area located within the particular phase(s) under review.

AS-BUILT PLANS

As-built plans for all public infrastructure shall be submitted in accordance with Section 2.3.19J, As-built Plans Required, prior to issuance of a Certificate of Occupancy or other final approval.

~~2.3.8~~2.3.10 CONVENTIONAL REZONING

A. PURPOSE AND INTENT

This section provides a uniform means for reviewing and deciding proposed amendments to the Official Zoning Map to establish or revise a conventional zoning district or overlay zoning district boundary whenever the public necessity, general welfare, the Town's adopted policy guidance, or appropriate land use practices justify or require doing so.

B. APPLICABILITY

This procedure is solely for the establishment of a conventional zoning district or overlay zoning district designation on land within the Town's planning jurisdiction.

C. APPLICATION

1. Applications may be initiated by the Town Council, the Planning Board, the Planning Director, a landowner(s), or a contract purchaser(s) of the land in the proposed application. Conventional Rezoning applications shall only be processed in accordance with the Town's conventional rezoning application processing schedule, on file in the office of the Planning Department. **AMENDED 4.15.24 (UDOTA1-24)**
2. In no instance shall the Town accept third-party rezoning applications submitted by persons who are not owners or agents authorized to act on behalf of landowners.
3. Applications for a Conventional Rezoning shall not include a Concept Plan or any applicant-sponsored conditions. **AMENDED 12.16.24 (UDOTA3-24)**
4. In cases where a Conventional Rezoning application seeks to rezone only a portion of a lot or tract, the remainder of the lot or tract shall be of a size and location that make it possible to subdivide or develop that portion of the property in accordance with the requirements in this Ordinance.
5. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

D. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams).

E. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application based on its consistency with Section 2.4, Review Procedures.

FIGURE 2.3.10 CONVENTIONAL REZONING PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting** Required when increasing density, intensity, or annexing land outside the ETJ
3	**File Application** ~~- Must be signed by all landowners~~ ~~-~~Must include details from neighborhood meeting, if conducted ~~- Type 3 applications require concept plans~~ ~~- Must include proposed conditions of approval, if any~~
4	**Completeness Determination**
5	**Staff Review**
6	**Review & Recommendation by Planning Board**
7	**Public Notification**
8	**Decision by Town Council** Must include written statement of reasonableness and consistency with adopted policy guidance
9	**Notification of Decision**
10	**Amend Official Zoning Map** If approved

~~2.3.9~~2.3.11 DETERMINATION

A. APPLICABILITY

1. ENGINEERING DIRECTOR

The Engineer Director shall provide determinations on the portions of this Ordinance pertaining to infrastructure (water lines, sewer lines, etc.); construction-related aspects associated with streets, sidewalks, and driveways; land disturbance; special flood hazard area standards; stormwater requirements; watershed-related provisions; and the Town's Engineering Specifications and Design Manual. **AMENDED 9.16.24 (UDOTA2-24)**

2. INSPECTIONS DIRECTOR

The Inspections Director shall provide determinations on aspects related to the State Building Code or the Residential ~~Building~~ Code. **AMENDED 9.16.24 (UDOTA2-24)**

3. PLANNING DIRECTOR

The Planning Director shall determine all other aspects of this Ordinance, including boundaries on the Official Zoning Map, undefined terms, unlisted use types, prior conditions of approval, the vesting status of development.

FIGURE 2.3.11 DETERMINATION PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Filed with appropriate review authority - Clarify if a formal determination or advisory opinion is sought
3	**Completeness Determination**
4	**Staff Review** May include consultation with Town Attorney
5	**Decision by Review Authority** Formal determinations are made in writing and may be appealed to the BOA
6	**Notification of Decision**

B. DETERMINATIONS DISTINGUISHED

1. FORMAL DETERMINATIONS

a. Formal determinations shall be in writing and prepared in accordance with this section.

b. Only formal determinations are subject to appeal as an administrative decision.

2. ADVISORY OPINIONS

a. Any written or oral opinions that do not meet the strict requirements of this section are advisory opinions.

b. Advisory opinions have no binding effect and are not considered formal determinations subject to appeal.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. DECISION

1. The Planning Director, ~~or~~ Engineering Director, or Inspections Director, as appropriate, shall provide determinations of this Ordinance or the Official Zoning Map in accordance with Figure 2.3.11 and Section 2.4, Review Procedures.
2. Prior to rendering a determination, a Town staff member may consult with the Town Attorney or other Town officials.

E. REVIEW CRITERIA

1. OFFICIAL ZONING MAP BOUNDARIES

Interpretation of district boundaries on the Official Zoning Map shall be in accordance with the standards in Section 3.8.3, Interpretation of Map Boundaries, and consistent with the Town's adopted policy guidance.

2. TEXT PROVISIONS AND PRIOR APPROVALS

Interpretation of this text and approved applications shall be based on the standards in Section 8.2, Language Construction, Section 1.10, Transitional Provisions, and the following considerations:

- **a.** The legislative intent of the provision, as indicated by purpose statements, its context and consistency with surrounding and related provisions, and any legislative history related to its adoption;
- **b.** When the legislative intent of a provision is unclear, the Planning Director shall consider the clear and plain meaning of the provision's wording, as defined by the meaning and significance given specific terms used in the provision, as established in Section 8.3, Terms Defined, and by the common and accepted usage of the term;
- **c.** The general purposes served by this Ordinance, as set forth in Section 1.7, Purpose and Intent of Ordinance; and
- **d.** Consistency with the Town's adopted policy guidance.

3. UNLISTED USE TYPES

Determination of whether an unlisted use is similar to a use identified in Table 4.2.5, Listing of Common Principal Uses, shall be based on consistency with ~~Section 4.7.2, Use Category Descriptions,~~ the Town's adopted policy guidance, and the following standards:[16]

- **a.** The function, product, or physical characteristics of the use;
- **b.** The impact on adjacent lands created by the use;
- **c.** The type, size, and nature of buildings and structures associated with the use;
- **d.** The type of sales (retail, wholesale), and the size and type of items sold and displayed on the premises;
- **e.** The types of items stored (such as vehicles, inventory, merchandise, chemicals, construction materials, scrap and junk, and raw materials including liquids and powders);
- **f.** The volume and type of vehicle traffic generated by the use, and the parking demands of the use;
- **g.** Any processing associated with the use, including assembly, manufacturing, warehousing, shipping, distribution, and whether it occurs inside or outside a building;
- **h.** Any dangerous, hazardous, toxic, or explosive materials associated with the use;
- **i.** The amount and nature of any nuisances generated on the premises, including noise, smoke, odor, glare, vibration, radiation, and fumes; and
- **j.** Any prior applicable determinations made by the Planning Director or decisions made by the Board of Adjustment.

[16] See STN # 108.

~~2.3.10~~2.3.12 DEVELOPMENT AGREEMENT

A. PURPOSE AND INTENT

The Development Agreement procedure is a flexible, voluntary process for the establishment and review of large-scale development projects likely to build out over several years, projects that include over-sizing of public utilities, or projects outside the Town's planning jurisdiction.

FIGURE 2.3.12 DEVELOPMENT AGREEMENT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** ~~(Optional)~~
2	**Neighborhood Meeting** (Optional)
3	**File Application** Filed with Planning Director
4	**Completeness Determination**
5	**Staff Review** Includes preparation of a staff report prepared in consultation with Town legal staff
6	**Public Notification**
7	**Review and Decision by Town Council**
8	**Notification of Decision**
9	**Annual Review**

B. APPLICABILITY

The Town Council may enter into a Development Agreement with a developer for a development of any size and for any reasonable duration, provided the duration is specified in the agreement. All Development Agreements shall be subject to NCGS§§ 160D-1001 through 160D-1012.

C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams) except that the Planning Board shall not review the application.

D. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with Figure 2.3.12 and the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
   a. Enter into the Development Agreement, as submitted;
   b. Enter into the Development Agreement, subject to changes agreed to in writing by the developer; or
   c. Not enter into the Development Agreement.
3. The decision shall be based on the legislative discretion of the Town Council, taking into consideration the standards in Section 2.4, Review Procedures.

E. REVIEW CRITERIA

1. The Development Agreement shall comply with the applicable standards in NCGS§160D-1006.
2. The development shall demonstrate the impact on existing and future provisions of capital improvements by the Town, including all of the following: transportation, potable water, sanitary sewer, solid waste, stormwater management, educational, parks and recreation, and health systems and facilities.
3. The Development Agreement shall not require the Town to exercise any authority or make any commitment that is unauthorized by general or local act, or impose any unauthorized tax or fee.

F. SEQUENCE

A Development Agreement shall be approved prior to any subsequent development subject to the agreement's provisions.

~~2.3.11~~2.3.13 DRIVEWAY PERMIT

A. APPLICABILITY

1. All lots seeking to gain vehicular access to a Town-maintained or North Carolina Department of Transportation (NCDOT)-maintained street via a driveway shall obtain a driveway permit in accordance with this section. Lots seeking to obtain vehicular driveway access to an NCDOT-maintained street shall also obtain NCDOT approval prior to issuance of a Driveway Permit. Town staff will inform applicants of the need to contact the NCDOT for a prior NCDOT approval.
2. Lots seeking to gain vehicular access to a private street are not required to obtain a Driveway Permit from the Town, but shall obtain a Zoning Compliance Permit (see Section 2.3.33, Zoning Compliance Permit), and provide proof of permission from the owner of the street if no public access easement is recorded or public access agreement is in place. **AMENDED 9.16.24 (UDOTA2-24)**

FIGURE 2.3.13 DRIVEWAY PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Submitted to Engineering Director - Permits on NCDOT streets also require NCDOT review
3	**Completeness Determination**
4	**Engineering Director Review and Decision**
5	**Notification of Decision**

B. APPLICATION

An application for a Driveway Permit shall be accompanied by plans or drawings prepared by a development or construction professional familiar with preparing such plans or drawings. Plans or drawings shall demonstrate compliance with all applicable requirements of this Ordinance, other Town documents, and NCDOT's Policy on Street and Driveway Access to North Carolina Highways, if applicable. **AMENDED 9.16.24 (UDOTA2-24)**

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Driveway Permit shall be decided by the Engineering Director, in accordance with Figure 2.3.13, Section 2.4.7, Staff Review and Action, and the following:

1. The applicable requirements of the Town's Engineering Specifications and Design Manual;
2. The Town Code of Ordinances or other policy documents;
3. Any applicable requirements of this Ordinance, including but not limited to Section 6.1, Access and Circulation;
4. NCDOT's Policy on Street and Driveway Access to North Carolina Highways, if applicable; and
5. All other standards or conditions of any prior, applicable permits, and development approvals.

E. SEQUENCE

Applications for a Driveway Permit may be submitted with a Site Plan, Subdivision, or Zoning Compliance Permit, but the Driveway Permit shall be approved after these permit types.

~~2.3.12~~2.3.14 EXEMPT SUBDIVISION

A. EXEMPT SUBDIVISIONS, GENERALLY

1. Subdivisions exempted from this Ordinance are identified in NCGS§160D-802 and Table 2.2.2, Subdivision Types Table. **AMENDED 4.15.24 (UDOTA1-24)**
2. The Town may not require a plat for an Exempt Subdivision, but the Register of Deeds may require a plat to record the division of land.
3. Land divided as an Exempt Subdivision is subject to other requirements in this Ordinance, including but not limited to water supply watershed standards, stormwater, and flood damage protection.

FIGURE 2.3.14 EXEMPT SUBDIVISION PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** Applications are voluntary at the discretion of the subdivider
3	**Completeness Determination**
4	**Planning Director Review and Decision**
5	**Notification of Decision**
6	**File Applications for Other Required Permits** Including Stormwater Permits

B. APPLICATION

Applications for review of an Exempt Subdivision are strictly voluntary and at the discretion of the landowner or subdivider.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for an Exempt Subdivision shall be decided by the Planning Director in accordance Figure 2.3.14, with Section 2.4.7, Staff Review and Action, and the following:

1. GENERALLY

Except for combinations or recombinations, an Exempt Subdivision shall be approved provided it complies with the following:

- **a.** The plat includes a title block identifying the subdivision as an Exempt Subdivision, and describes what makes the subdivision exempt;
- **b.** The plat complies with the standards in NCGS§47-30;
- **c.** The plat is prepared, signed, and sealed by a registered surveyor;
- **d.** The plat complies with the impervious surface requirements, and the minimum buffer requirements, to the maximum extent practicable, if located within the (WPOD) Watershed Protection Overlay District; and
- **e.** The plat includes all applicable statements and declarations identified in Chapter 9 of this Ordinance.

2. COMBINATIONS OR RECOMBINATIONS

- **a.** An Exempt Subdivision consisting of a combination or recombination of lots shall be approved provided it complies with the following:
  - **i.** The resultant lots comply with the minimum dimensional requirements of the zoning district where located;
  - **ii.** The total number of lots is not increased;
  - **iii.** All the metes and bounds boundaries of the affected lots are shown;
  - **iv.** All lot boundaries changed or eliminated by requested combination are indicated by dashed lines;
  - **v.** The plat complies with the standards in NCGS§47-30;
  - **vi.** The title block contains the word "Recombination;"

~~2.3.13~~2.3.15 FEE-IN-LIEU

A. PURPOSE AND INTENT

This fee-in-lieu procedure creates a uniform process for consideration of Town-mandated or applicant-requested payment of a fee instead of providing required land or infrastructure. The fee-in-lieu process is intended to create flexibility in the provision of required aspects of development when payment of a fee is appropriate and in closer alignment with the Town's adopted policy guidance than the alternative.

FIGURE 2.3.15 FEE-IN-LIEU PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Town-mandated fee-in-lieu requests are reviewed as part of a Site Plan, Subdivision, or Zoning Compliance Permit - Filed with the appropriate review authority
3	**Completeness Determination**
4	**Staff Review**
5	**Decision by Review Authority**
6	**Notification of Decision**
7	**Pay Fee**

B. APPLICABILITY

Payment of a fee-in-lieu may be approved by the Planning Director or the Engineering Director, as appropriate, only for the following forms of development:

1. LAND DEDICATION OR EASEMENT

Payment of a fee-in-lieu of dedication of the land or granting an easement to the Town for the following features:

- **a.** Public street right-of-way land, including land needed for sidewalks, bike lanes, on-street parking, turn lanes, and ingress or egress into a site;
- **b.** Park land; and
- **c.** Greenway or sidewalk right-of-way. **AMENDED 4.15.24 (UDOTA1-24)**

2. PUBLIC INFRASTRUCTURE

Payment of a fee-in-lieu of construction of the following public infrastructure features:

- **a.** Streets, including on-street parking;
- **b.** Curb and gutter;
- **c.** Bicycle facilities; and
- **d.** Sidewalks, multi-use paths, or greenways. **AMENDED 4.15.24 (UDOTA1-24)**

3. PRIVATE SITE FEATURES

Payment of a fee-in-lieu of inclusion of the following features:

- **a.** Required open space set-aside; and
- **b.** Parking lot cross-access.

C. REQUESTS DISTINGUISHED

1. APPLICANT-REQUESTED

In cases where an applicant or developer desires to provide a fee-in-lieu, the process for considering such requests shall be in accordance with this section.

2. TOWN-MANDATED

- **a.** Town-mandated fee-in-lieu payments are decided by Town staff as part of a Site Plan, Subdivision, or Zoning Compliance Permit application review in accordance with the applicable standards in Section 2.4, Review Procedures.

~~2.3.14~~2.3.16 FLOODPLAIN PERMIT

A. APPLICABILITY

The following forms of development shall obtain a Floodplain Permit in accordance with this section prior to or concurrent with an application for a Site Plan or Building Permit, as appropriate:

1. Development proposed on land in the Flood Protection Overlay District, also known as the Flood Hazard Overlay District, as defined by the National Flood Insurance Program (NFIP); and
2. Development that is proximate to and may be impacted by unmapped streams or where regulatory flood elevations are not delineated in the NFIP, in accordance with Section 3.7.2B.3, Standards for Floodplains without Established Base Flood Elevations.

FIGURE 2.3.16 FLOODPLAIN PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** Submitted to Engineering Director
3	**Completeness Determination**
4	**Engineering Director Review and Decision**
5	**Notification of Decision**
6	**Apply for Elevation Certificate**

B. APPLICATION

Application for a floodplain permit shall be made prior to any development activities located within the Flood Protection Overlay District or other special flood hazard areas. Applications for a floodplain permit shall include, at a minimum, the following items:

1. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
   a. The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
   b. The boundary of the special flood hazard area as delineated on the FIRM or other flood Town-designated map, or a statement that the entire lot is within the special flood hazard area;
   c. The flood zone(s) designation of the proposed development area as determined on the FIRM or other flood Town-designated map;
   d. he boundary of the floodway(s) or non-encroachment area(s);
   e. The base flood elevation (BFE) where provided as set forth in Section 8.3, Terms Defined;
   f. The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
   g. The certification of the plot plan by a registered land surveyor or professional engineer.
2. The proposed elevation, and method thereof, of all development within the Flood Protection Overlay District, or other special flood hazard area including but not limited to:
   a. Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;
   b. Elevation in relation to NAVD 1988 to which any non-residential structure in Zone E will be floodproofed; and
   c. Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or floodproofed.

~~2.3.15~~2.3.17 LAND DISTURBANCE PERMIT

A. APPLICABILITY

1. Land-disturbing activities occupying one acre or more in area (regardless of the number of different lots or ownership patterns) shall be subject to a Land Disturbance Permit issued in accordance with this section.
2. Land-disturbing activities occupying less than one acre are exempted from the requirement to obtain a Land Disturbance Permit, but shall still be subject to the standards in Section 6.14, Soil Erosion & Sedimentation Control.

FIGURE 2.3.17 LAND DISTURBANCE PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**File Application** - Submitted to Engineering Director - Requires submittal of an erosion control plan
3	**Completeness Determination**
4	**Engineering Director Review and Decision**
5	**Notification of Decision**
6	**Secure Performance Guarantee**

B. APPLICATION

1. An application for a Land Disturbance Permit shall include an erosion control plan prepared in accordance with Section 6.14, Soil Erosion & Sedimentation Control.
2. The permit application shall identify the person financially responsible for the land disturbing activity and shall be signed by the landowner, and the person financially responsible for the land-disturbing activity, or their agent, who shall be licensed to do business in the State of North Carolina.
3. Land-disturbing activity subject to NCGS§113A(1) shall include all necessary environmental documentation.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams) except that a pre-application conference is required.

D. "EARLY GRADING" OPTION

1. An applicant may, in their sole discretion, apply for an optional early grading approval that permits the commencement of tree removal and land disturbance on a development site.
2. Issuance of an approval for early grading by the Town shall not require prior approval of a Site Plan or Construction Drawings but shall require prior approval of a Tree Cleaning Certificate (see Section 2.3.30, Tree Clearing Certificate).
3. In no instance shall an approval for early grading from the Town authorize the installation of any infrastructure, which may only take place following the issuance of a Land Disturbance Permit in accordance with this section.

E. REVIEW CRITERIA

An application for a Land Disturbance Permit shall be decided by the Engineering Director in accordance with Figure 2.3.17, Section 2.4.7, Staff Review and Action, and the following:

1. All relevant standards in NCGS Art. 4 of Chapter 113A;
2. All relevant standards in Section 6.14, Soil Erosion & Sedimentation Control;
3. All State rules pertaining to protection of riparian buffers along surface waters;
4. All other applicable State and federal requirements in place at the time of application acceptance;
5. All other applicable requirements of this Ordinance;

~~2.3.16~~2.3.18 LIMITED SUBDIVISION

A. APPLICABILITY

1. The standards in this section shall apply to divisions of land meeting all the following criteria:
   a. The proposed division of land is not exempted from the subdivision standards of this Ordinance in accordance with NCGS§160D-802;
   b. The proposed division will not result in more than three lots (including any residual or "parent" parcel), with each lot meeting or exceeding the applicable dimensional requirements of the zoning district where located;
   c. The area of land subject to the division shall be comprised of at least five acres under common ownership;
   d. No land included in an limited subdivision application shall have been the subject of an limited subdivision application approval within the preceding ten years;
   e. No extension of public infrastructure (streets, water, or sewer) is proposed; and
   f. A proposed permanent means of ingress and egress to each lot is recorded.
2. Divisions of land not meeting all these standards shall be reviewed as a Major ~~or Minor~~ Subdivision, as appropriate.

FIGURE 2.3.18 LIMITED SUBDIVISION PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Must include Health Department evaluation if served by on-site wastewater
3	**Completeness Determination**
4	**Planning Director Review and Decision**
5	**Notification of Decision**
6	**Recordation**

B. APPLICATION

1. Applications for a Limited Subdivision shall include a plat prepared by a registered land surveyor or professional engineer licensed to practice in North Carolina.
2. Applications for a Limited Subdivision served by on-site wastewater systems shall include an evaluation from the appropriate county health department indicating that an on-site wastewater system may be used on each lot included in the subdivision.

C. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

An application for a Limited Subdivision shall be decided by the Planning Director in accordance with Figure 2.3.18, Section 2.4.7, Staff Review and Action, and the following:

1. The Limited Subdivision plat is on a sheet or sheets suitable for recording with the Register of Deeds in the county where the subdivision is located;
2. The Limited Subdivision plat is prepared and sealed by a licensed professional land surveyor or licensed professional engineer;
3. The Limited Subdivision plat complies with all applicable standards in this Ordinance and NCGS§47-30;
4. The Limited Subdivision complies with all applicable water supply watershed protection provisions, if located within the (WPOD) Watershed Protection Overlay District;
5. The Limited Subdivision complies with all applicable requirements in Section 6.15, Stormwater;

~~2.3.17~~2.3.19 MAJOR SUBDIVISION [17]

A. PURPOSE AND INTENT

The purpose for this Major Subdivision procedure is to establish a fair, consistent, and predictable process for the division of land into a series of lots for development or sale in ways that promote the public's health, safety, and welfare. The intent of these standards is to ensure:

1. Orderly growth and development;
2. Coordination of transportation and utility networks;
3. Preservation of open space for purposes of recreation or natural resource protection;
4. Protection from flooding, damaging sedimentation, and decreased surface water quality; and
5. Distribution of population in ways that supports infrastructure investment and diminishes the impact of traffic and overcrowding.

B. APPLICABILITY

Unless exempted by NCGS§160D-802(a), or configured in accordance with Section 2.3.16, Limited Subdivision, all divisions of land involving the creation of one or more new lots ~~following~~ shall be considered Major Subdivisions subject to the standards of this section.~~:~~

~~1. Two or more lots along with the provision of or changes to streets or other public infrastructure (e.g., water lines, sewer lines, storm sewer, etc.); or~~

~~2. Six or more lots with no changes to or extension of public infrastructure.~~

C. STAGES OF REVIEW

The review of a Major Subdivision application is organized into the following ~~three~~ stages:

1. Stage One, review of a Preliminary Plat;
2. ~~.~~ Stage Two, review of Construction Drawings for the installation of new or extension of existing public infrastructure; and~~review of Construction Drawings, in cases where changes to of extension of public infrastructure is included as part of the development; and~~
2.
3. Stage Three, ~~Stage Three,~~ review of a Final Plat.
3. ~~3.~~4. Subdivisions that include installation of new or extension of existing public infrastructure (like streets, sidewalks, or sewer lines) requires approval of Construction Drawings in accordance with Section 2.3.8, Construction Drawings. Unless subject to the standards in Section 2.3.9F.2, Alternative Sequence, Construction Drawings shall be approved prior to the application for

FIGURE 2.3.19 MAJOR SUBDIVISION PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**File Application** Preliminary Plat stage
3	**Completeness Determination**
4	**Staff Review** Includes comment by TRC
5	**Decision by Planning Director** Preliminary Plat
6	**Notification of Decision**
7	**Proceed with Construction Drawings** (If applicable)
8	**File Application** Final Plat stage
9	**Completeness Determination**
10	**Staff Review** Includes comment by TRC
11	**Decision by Planning Director** Final Plat
12	**Notification of Decision**
13	**Recordation of Final Plat**

[17] See STN # 18.

a Final Plat. In no instance shall a Certificate of Occupancy be issued until all public infrastructure is installed, inspected, and accepted.

~~4. Nothing shall prevent the review of application materials associated with Stages One and Two concurrently.~~

D. PROCESS TYPE

1. Type II (see Section 2.2.3, Process Diagrams) for each of the three stages of review.
2. The Technical Review Committee shall comment on plats and plans prepared as part of each stage.

E. STAGE 1, PRELIMINARY PLAT

A Preliminary Plat is the initial design stage of a proposed Major Subdivision, and shall be reviewed and configured in accordance with the following:

1. APPLICATION

a. A Preliminary Plat shall be prepared by a licensed professional surveyor, registered professional landscape architect, or licensed professional engineer.

b. When a Major Subdivision is to be developed in phases, a master plan shall be submitted for the entire development and a Preliminary Plat shall be submitted for each phase, though there is no limitation on the number of phases that may be included in a Preliminary Plat. Phasing shall be in accordance with Section 2.4.13, Phased Development.

c. The application shall include a Transportation Impact Analysis, or Traffic Assessment, as appropriate, when required by Section 2.3.29, Transportation Impact Analysis.

d. In cases where lots in the subdivision will utilize on-site wastewater, the subdivider shall provide a report from a licensed soil scientist in the form of a letter, signed and dated, that describes the possibilities of lot sizes the site can support and their general locations within the subdivision.

e. Subdivisions seeking to utilize public sewer shall include a wastewater allocation request completed in accordance with all Town requirements.

f. All Major Subdivisions shall submit a stormwater management plan prepared in accordance with Section 6.15, Stormwater, and the most current edition of the North Carolina Department of Environmental Quality, Division of Water Quality's Stormwater Best Management Practices Manual.

g. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.15, Fee-in-Lieu.

h. In cases where a Major Subdivision is seeking to take advantage of sustainability incentives, allowable density bonuses, or allowable alternative forms of compliance, the application shall include supplemental details and justification for the use of these provisions.

2. REVIEW CRITERIA

An application for a Preliminary Plat shall be decided by the Planning Director in accordance with Figure 2.3.19, Section 2.4.7, Staff Review and Action, and the following:

a. The Preliminary Plat is prepared and sealed by a professional land surveyor, professional landscape architect, or professional engineer;

b. The Preliminary Plat includes all applicable certifications and declarations;

c. All lots are served by a Town-maintained, NCDOT-maintained, or private street configured in accordance with NCDOT or Town standards, as appropriate;

d. All lots have been certified by a county Health Department as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) are served by on-site wastewater systems;
e. The Preliminary Plat includes a stormwater management plan configured in accordance with applicable requirements;
f. The Preliminary Plat complies with all applicable overlay districts standards in Section 3.7, Overlay Zoning Districts;
g. The lots shown on the Preliminary Plat are in conformance with all applicable requirements in the zoning district where located;
h. The Preliminary Plat complies with all standards and conditions of any applicable master plans, permits and development approvals from outside agencies, utilities, volunteer fire departments, and any other applicable agency or service provider;
i. The name of the subdivision does not duplicate or is not phonetically similar to the name of an existing subdivision in the Town's Planning jurisdiction or Johnston County;
j. Street names comply with all applicable Town and County requirements; and
k. The Preliminary Plat complies with all other applicable requirements in this Ordinance and Town policy.

3. EFFECT

a. Approval of a Preliminary Plat does not constitute the approval for recording a subdivision with the Register of Deeds, or approval for the conveyance of lots, but nothing shall prohibit the landowner or the subdivider, as appropriate, from entering into contracts to sell or lease land by reference to an approved Preliminary Plat in accordance with NCGS§160D-807(c). However, conveyance of ownership may not take place until after recordation of a Ffinal Pplat in accordance with Section 2.3.19G, Stage 3, Final Plat.
b. In cases where Stages One and Two of the Major Subdivision review are conducted separately, approval of a Preliminary Plat authorizes the subdivider to submit Construction Drawings for the installation of public infrastructure in accordance with Section 2.3.19F, Stage 2, Construction Drawings~~Stage 2, Construction Drawings Associated with Subdivision~~.
c. In cases where Stages One and Two of the Major Subdivision review are conducted separately, an approved Preliminary Plat authorizes the submittal of soil erosion and sedimentation control plans and the issuance of an erosion control permit in accordance with Section 2.3.22H.4, Erosion Control Permit (as applicable).
d. In cases where Stages One and Two of the Major Subdivision review are conducted separately, an approved Preliminary Plat authorizes the submittal of Cconstruction Ddrawings, but approval of stormwater management plans and the issuance of a ~~s~~Stormwater ~~p~~Permit in accordance with Section 2.3.24, Stormwater Permit, shall only take place following the approval of Construction Drawings~~completion of Stage Two)~~.

4. DEVELOPMENT PHASING

a. Phased development shall comply with Section 2.4.13, Phased Development.
b. The initial Preliminary Plat may depict one or more phases of the development.
c. Construction Drawings and Final Plats may be prepared by phase and there is no limitation on including two or more phases on the same set of Construction Drawings or Final Plat provided that the phasing submitted must match the phasing approved as part of the Preliminary Plat. In no instance shall a portion of a phase be submitted for Construction Drawing or Final Plat review.

5. AMENDMENT

Amendment of a Preliminary Plat approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

6. EXPIRATION

a. An approved Preliminary Plat shall be valid for two years from the date of its approval.

b. Failure to submit an application for Construction Drawings or a Final Plat for the phase of the land subject to the Preliminary Plat within two years of its approval shall render the Preliminary Plat void.

c. A master plan for a phased Major Subdivision shall not expire.

7. VESTING

a. See Section 1.11.4D, Site-Specific Vesting Plan. Applicants seeking a longer vesting term may file an application in accordance with Section 2.3.32, Vested Rights Certificate.

b. In cases where the proposed subdivision has multiple phases, vesting shall be in accordance with Section 1.11.4E, Multi-Phase Development Plan.

8. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.4, Appeal.

F. STAGE 2, ~~STAGE 2,~~ CONSTRUCTION DRAWINGS ~~ASSOCIATED WITH SUBDIVISION~~

1. Subdivisions that include installation of new or extension of existing public infrastructure (like streets, sidewalks, water or sewer lines, etc.) shall require review and approval of Construction Drawings in accordance with Section 2.3.8, Construction Drawings, prior to approval of a Final Plat.
2. A Final Plat may be approved prior to completion of required public infrastructure depicted in approved Construction Drawings only in accordance with Section 2.3.9F.2, Alternative Sequence.

~~Construction Drawings are the middle stage of a proposed Major Subdivision and include the installation of public infrastructure as indicated in the associated Preliminary Plat. Major Subdivisions that do not include any public infrastructure remain subject to these Construction Drawing requirements as part of Land Disturbance Permit and Stormwater Permit approvals. Construction Drawings shall be reviewed and configured in accordance with the following:~~

~~1. APPLICATION~~

~~Following approval of a Preliminary Plat for a division of land that include changes to or extension of public infrastructure, an application for approval of Construction Drawings shall be submitted in accordance with the following:~~

~~**a.** Construction Drawings shall be prepared for changes to or extensions of public infrastructure, configuration of erosion control and sedimentation features, stormwater control measures;~~

~~**b.a.** Construction Drawings shall be prepared by, signed, and stamped by a licensed professional engineer;~~

~~**c.a.** Construction Drawings shall show both the horizontal or "plan" view of infrastructure as well as the vertical or "profile" view of infrastructure; and~~

~~**d.a.** When a subdivision is to be developed in phases, Construction Drawings shall indicate the number of phases in the plat, and public infrastructure shall be provided so that each lot is adequately served by public infrastructure at the time of conveyance regardless of the phase of development.~~

e.a. Phasing must match the phasing approved as part of the Preliminary Plat. In no instance shall a portion of a phase be submitted for Construction Drawing review.

2.1. REVIEW CRITERIA

Applications for approval of Construction Drawings shall be decided by the Engineering Director in accordance with Section 2.4.7, Staff Review and Action, and the following:

a. Construction Drawings shall be prepared by a professional engineer licensed by the State of North Carolina;

b.a. The location and configuration of public infrastructure shall be substantially consistent with the Preliminary Plat, including the number of any boundaries of phases;

c.a. If included as part of a phased development, be configured to be inclusive of all land area located within the particular phase(s) under review;

d.a. Public infrastructure elements depicted in the Construction Drawings are configured in accordance with all applicable Town and State requirements;

e.a. The Construction Drawings include all design sheets necessary to determine compliance; and

f.a. Copies of all required third-party agreements, permits, and approvals necessary to begin construction are included.

3.1. EFFECT

a. Approval of Construction Drawings permits a subdivider to commence construction of public infrastructure following issuance of a Land Disturbance Permit and conducting a pre-construction meeting on-site with Town staff.

b.a. A subdivider may file an application for a Final Plat before work associated with Construction Drawings is completed, but in no instance shall a Final Plat be approved or Certificate of Occupancy be issued until all public infrastructure associated with approved Construction Drawings is complete, inspected, and accepted, or subject to a Performance Guarantee (see Section 2.3.19, Performance Guarantee).

4.1. AMENDMENT

Amendment of Construction Drawings may only be reviewed and considered in accordance with the procedures and standards established for their original approval.

5.1. INSPECTION

A passing inspection by Town staff or certification from a third-party utility service provider shall be obtained prior to issuance of a Final Plat or Certificate of Occupancy.

6.1. AS-BUILT PLANS

As-built plans shall be required prior to issuance of a Final Plat or Certificate of Occupancy in accordance with Section 2.3.19J, As-built Plans Required.

7.1. EXPIRATION

See Section 2.4.17, Expiration.

8.1. VESTING

See Section 1.11.4C, Statutory Vested Rights.

9.1. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.2, Appeal.

G. STAGE 3~~3~~, FINAL PLAT

Submittal of a Final Plat application is the last stage of a proposed Major Subdivision. The Final Plat ensures that the subdivision and associated public infrastructure is configured in substantial conformity with the Preliminary Plat and all applicable regulations. It also helps ensure the Town or another landowner may readily determine and accurately reproduce the location, bearing, radius (as applicable) and length of the elements of a Major Subdivision.

1. APPLICATION

a. A Final Plat shall be submitted for every Preliminary Plat.

b. In cases where a Major Subdivision has multiple phases, each phase must be depicted on its own Final Plat though there is no limitation on including two or more different phases on the same Final Plat.

c. A Final Plat shall be prepared by a licensed professional surveyor.

2. REVIEW CRITERIA

Applications for a Final Plat shall be decided by the Planning Director in accordance with Figure 2.3.19 and Section 2.4.7, Staff Review and Action, and the following:

a. The Final Plat is on a sheet or sheets suitable for recording with the county Register of Deeds;

b. The Final Plat is prepared and sealed by a licensed professional land surveyor;

c. The Final plat complies with the standards in NCGS§47-30;

d. The Final Plat includes all required certifications and declarations;

e. All lots shown on the plat have an assigned street address in accordance with Town and County requirements;

f. All required infrastructure improvements (e.g., streets, sewer lines, water lines, drainage, etc.) depicted on the Construction Drawings are installed, inspected, and accepted by the Town, or are subject to a Performance Guarantee (see Section 2.3.20, Performance Guarantee);

f.~~g.~~ In cases where the Final Plat includes lots intended for residential occupancy, functional fire protection, as well as the base and initial courses of street paving shall be in place and accepted by the Town; [18]

g.~~h.~~ All required easements and rights-of-way are properly depicted on the Final Plat;

h.~~i.~~ If no public wastewater service is associated with the Major Subdivision, all lots have been certified by the county Health Department (as appropriate) as capable of accommodating the wastewater generated from the proposed use;

i.~~j.~~ The Final Plat is in substantial conformance with the associated Preliminary Plat(s);

j.~~k.~~ The applicant has secured all required State, federal, and other applicable County permit approvals;

k.~~l.~~ The Final Plat complies with all standards and conditions of any applicable permits and development approvals; and

l.~~m.~~ The Final Plat complies with all other applicable requirements in this Ordinance and Town policy.

[18] See STN # 56.

3. RECORDATION

a. Once a Final Plat is approved, a signed statement by the Planning Director shall be entered on the face of the plat. The Final Plat may not be recorded without this and all other required certifications.

b. A Final Plat may not be recorded until after public infrastructure has been accepted by the Town or has been made subject to a performance agreement in accordance with Section 2.3.19, Performance Guarantee.

c. Following certification, the applicant, or the Town staff, as appropriate, shall record the Final Plat and all associated protective covenants and deed restrictions in the office of the Register of Deeds in the county where the development is located. Failure to record the final plat in accordance with Section 2.3.19G.7, Expiration, shall render the plat null and void. **AMENDED 9.16.24 (UDOTA2-24)**

d. In cases where the applicant records the final plat, the applicant shall be responsible for delivering a digital copy of the recorded Final Plat to the Planning Department. Failure to deliver the digital copy in accordance with Section 2.3.19G.7, Expiration, may interfere with the Town's ability to review any subsequent development applications associated with the land identified in the Final Plat. **AMENDED 9.16.24 (UDOTA2-24)**

4. ACCEPTANCE OF PUBLIC INFRASTRUCTURE

a. Approval and recordation of a Final Plat constitutes an offer of dedication by the owner of the right-of-way of each public street and any other public infrastructure shown on the Plat.

b. Approval of the Final Plat does not constitute acceptance for maintenance responsibility of any improvements within a right-of-way or easement and the Town assumes no responsibility to open, operate, repair, or maintain any improvements until it is in the public interest to do so.

c. Improvements within rights-of-way or easements, such as streets, drainage facilities, or sidewalks may be accepted for maintenance by the Town, when deemed appropriate, in the Town's sole discretion.

d. The Town Council may, by resolution, accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes when the lands or facilities are located within the extraterritorial jurisdiction.

e. Acceptance of dedication of lands or facilities located within the extraterritorial jurisdiction but outside the corporate limits of the Town shall not place on the Town any duty to open, operate, repair or maintain any street, utility line, or other land or facility, and the Town shall not be held responsible in any civil action or proceeding for failure to open, repair, or maintain any street located outside its corporate limits.

f. A Final Plat shall not be recorded until public water and sewer service is accepted and in service, if lots in the subdivision are served by public water and sewer service.

5. EFFECT

a. Approval of a Final Plat allows the sale or conveyance of lots within the subdivision following recordation in the office of the Register of Deeds.

b. Building Permits may be issued following recordation of the Final Plat.

6. AMENDMENT

Amendment of a Final Plat approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

2.3.18 MINOR SUBDIVISION

A. APPLICABILITY

1. Divisions of land that include up to five lots (including the parent parcel) with no extension of or changes to public infrastructure (streets, sewer, water, etc.) shall be reviewed in accordance with the standards in this section.
2. No lot within a Minor Subdivision (including the parent parcel) shall be the subject of another Minor Subdivision application for a period of three years from the date the initial Minor Subdivision is recorded.

B. APPLICATION

1. Applications for a Minor Subdivision shall include a plat prepared by a registered land surveyor or professional engineer licensed to practice in North Carolina.
2. The application shall include a Transportation Impact Analysis, or Traffic Assessment, when required by Section 2.3.27, Transportation Impact Analysis.
3. Applications for a Minor Subdivision served by on-site wastewater systems shall include an evaluation from the appropriate county health department indicating that an on-site wastewater system may be used on each lot included in the subdivision.
4. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.13, Fee-in-Lieu.
5. In cases where a Minor Subdivision is seeking to take advantage of sustainability incentives, allowable density bonuses, or allowable alternative forms of compliance, the application shall include supplemental details and justification for the use of these provisions.

C. PROCESS TYPE

Type II (see Section 2.2.3, Process Diagrams) except that a pre-application conference is optional, and the Technical Review Committee shall comment on the proposed plat.

D. REVIEW CRITERIA

An application for a Minor Subdivision shall be decided by the Planning Director in accordance with Section 2.4.7, Staff Review and Action, and the following:

1. GENERALLY

a. The Minor Subdivision plat is on a sheet or sheets suitable for recording with the Register of Deeds in the county where the subdivision is located;
b. The Minor Subdivision plat is prepared and sealed by a licensed professional land surveyor or licensed professional engineer;
c. The Minor Subdivision plat complies with all applicable standards in this Ordinance and NCGS§47-30;
d. The Minor Subdivision plat includes all required certifications and declarations;
e. The applicant has secured all required State and federal permit approvals;
f. All lots have been certified by the appropriate county Health Department as capable of accommodating the wastewater generated from the proposed use, if served by an on-site wastewater system;
g. No drainage or utility easements will be required to serve any interior lots;
h. All lots will have frontage on existing approved streets or qualify for ingress and egress via a shared driveway (see Section 6.1.4D.5, Alternative Access);

i. Except in cases of a combination or recombination involving existing lots of record, all lots in the Minor Subdivision comply with the applicable dimensional requirements for the zoning district where located; and

j. The development complies with all applicable overlay zoning district standards in Section 3.7, Overlay Zoning Districts.

2. FAMILY SUBDIVISION

In cases where the Minor Subdivision is also a Family Subdivision, the following criteria shall also apply in addition to the criteria in sub-section (1) above:

a. The owner and grantee certify, in writing, that the grantee of each lot is the husband, wife, mother, father, brother, sister, child (biological, adopted, or step), grandmother, grandfather, grandchild (biological, adopted, or step), aunt, uncle, niece, or nephew of the owner;

b. The owner and grantee certify, in writing, that no consideration shall be paid for any of the lots; and

c. The owner and grantee certify that the purpose of the Minor Subdivision is not to circumvent the provisions of this Ordinance, and that none of the lots shall be conveyed to third parties for a period of not less than three years, and that the plat shall indicate this three-year limitation.

d. Family subdivisions shall not be subject to the limit on successive minor subdivisions in Section 2.3.18F, Limit on Successive Minor Subdivisions.

E. RECORDATION

1. Once a Minor Subdivision plat is approved, a signed statement by the Planning Director shall be entered on the face of the plat. The plat may not be recorded without this and all other required certifications.

2. Following certification, the subdivider shall record the plat, any certifications associated with a Family Subdivision, and any associated protective covenants and deed restrictions in the office of the Register of Deeds in the county where the development is located.

3. Failure to record the plat in accordance with Section 2.3.18J, Expiration, shall render the plat null and void.

4. Land may not be conveyed, or construction started until the Minor Subdivision is recorded.

F. LIMIT ON SUCCESSIVE MINOR SUBDIVISIONS

The Planning Director may, in their sole discretion, determine that an application for a Minor Subdivision shall be processed as a Major Subdivision in cases where the land that is the subject of a Minor Subdivision application has already part of a Minor Subdivision approved after January 2, 2024.

G. SEQUENCE

1. An application for Site Plan, Special Use Permit, or Zoning Compliance Permit may be filed with a Minor Subdivision application, but the Minor Subdivision application shall be approved first.

2. A limited subdivision shall also be subject to the standards in Section 2.3.23, Stormwater Permit, and may also be subject to the standards in Section 2.3.15, Land Disturbance Permit, based on the amount of land disturbance.

H. EFFECT

1. Approval of the Minor Subdivision plat allows the sale or conveyance of lots within the subdivision.

2. Building permits may be issued following the recordation of the Minor Subdivision plat.

I. AMENDMENT

Amendment of a Minor Subdivision approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. EXPIRATION

A Minor Subdivision plat shall be null and void unless the signed or certified plat is recorded in the office of the Register of Deeds of the county where it is located within 30 days of approval.

K. VESTING

See Section 1.11.4C, Statutory Vested Rights.

L. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.2, Appeal.

~~2.3.19~~2.3.20 PERFORMANCE GUARANTEE

A. PURPOSE AND INTENT

1. These standards create the additional flexibility necessary for lots in a subdivision to be conveyed or for issuance of a Building Permit to commence with development prior to completion of all required infrastructure or site improvements, subject to the prior approval of the Town, and provided funds have been reserved for completion of these features.
2. These provisions ensure that funds are available for the Town's use to complete required public infrastructure or private site features in the event an applicant is unable to do so.

FIGURE 2.3.20 PERFORMANCE GUARANTEE PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Filed with appropriate review authority - Applications filed after commencement of construction are decided by Town Council
3	**Completeness Determination**
4	**Staff Review** ~~Includes review by TRC~~
5	**Decision by Review Authority** ~~Applications considered by Town Council do not require public notification~~
6	**Notification of Decision**
7	**Install Required Features**
8	**Inspection**
9	**Release**

B. ELIGIBLE FEATURES

1. Performance Guarantees shall be configured and managed in accordance with the standards in this section. Acceptance of a Performance Guarantee is in the sole discretion of the Town, which is under no obligation to accept a request for or approve a Performance Guarantee for any feature or under any circumstance.
2. Requests for submittal of a Performance Guarantee instead of completion in advance of Ffinal Pplat approval or Building Permit issuance may be filed with the Town for any of the following public infrastructure elements or private site features:
   a. Sidewalks, multi-use paths, and greenways; **AMENDED 4.15.24 (UDOTA1-24)**
   b. The final lift of asphalt on a Town-maintained public street;
   c. Street lights and on-site exterior lighting;
   d. Active and passive recreation features located within open space set-aside;
   e. Private stormwater control measures; and
   f. Placement or replacement of required vegetation and landscaping, except when required as part of erosion control measures. **AMENDED 9.16.24 (UDOTA2-24)**

C. INELIGIBLE FEATURES [19]

1. RESIDENTIAL DEVELOPMENT

In cases where new development includes lots or structures intended for residential occupancy, Tthe following forms of public infrastructure may not be subject to a Performance Guarantee, and shall be completed, dedicated to the Town, and inspected prior to conveyance of lots or issuance of a Certificate of Occupancy:

~~1. Public potable water;~~
~~2. Public sanitary sewer;~~

[19] See STN # 56 & 68.

~~3.~~a. Functional fire protection infrastructure;
~~4.~~b. The base and initial courses of asphalt on a street;
~~5. Drainage facilities associated with a street right-of-way;~~
~~6. Public stormwater control measures;~~
~~7. Curb and gutter;~~
~~8.~~c. Street signs and traffic control signals; and
~~9.~~d. Land disturbance features related to sedimentation or erosion control. **AMENDED 9.16.24 (UDOTA2-24)**

2. NON-RESIDENTIAL DEVELOPMENT

The following forms of public infrastructure may not be subject to a Performance Guarantee, and shall be completed, dedicated to the Town, and inspected prior to conveyance of lots or issuance of a Certificate of Occupancy:

a. Street signs and traffic control signals; and
~~a.~~b. Land disturbance features related to sedimentation or erosion control.**STORMWATER AND EROSION CONTROL FACILITIES**

Stormwater control measures and erosion control facilities shall comply with the specific provisions for Performance Guarantees associated with these features in accordance with NCGS§160D-804 rather than the standards in this section.

E. FORM

1. The form of a Performance Guarantee shall take one of the following forms, at the sole discretion of the applicant:
   a. A surety bond issued by a firm licensed to operate in the State of North Carolina;
   b. A letter of credit issued by a financial institution licensed to operate in the State of North Carolina; or
   c. Cash or certified check; or
   d. Another form of guarantee that provides equivalent security to the forms listed above, as determined by the Town.
2. In cases where more than one facility or site feature is requested to be subject to a Performance Guarantee, the applicant may provide a single, consolidated Performance Guarantee for all facilities or site features. In no instance shall Performance Guarantees associated with private stormwater control mechanisms or sedimentation control be consolidated with any other Performance Guarantee.
3. If cash or other instrument is deposited in escrow with a financial institution, an agreement between the financial institution and the developer shall be filed with the Town guaranteeing the following:
   a. That the escrow account shall be held in trust until released by the Town and may not be used or pledged by the developer for any other matter during the term of the escrow;
   b. That in case of a failure on the part of the developer to complete or repair the improvements, the financial institution shall, upon notification by the Town, immediately pay the funds deemed necessary by the Town to complete or repair the improvements up to the full balance of the escrow account, or deliver to the Town any other instruments fully endorsed or otherwise made payable in full to the Town; and
   c. The financial institution holding the cash or other instrument shall indicate to the Town its notification requirements for release or payment of funds.

F. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

~~1. Requests for provision of a Performance Guarantee shall be decided in the same manner as is used by the review authority for deciding the related application type based on the standards in Section 2.4, Review Procedures.~~

~~2. In cases where a request for a Performance Guarantee is filed after approval of a development application, or there is a request for renewal or extension, the Town Council shall decide the Performance Guarantee.~~ ~~AMENDED 9.16.24 (UDOTA2-24)~~

G. REVIEW CRITERIA

1. An application for a Performance Guarantee shall include a map or plan showing the infrastructure and site improvements to be subject to a Performance Guarantee.
2. A Performance Guarantee application shall be decided by the Planning Director or the Engineering Director, as appropriate, in accordance with Figure 2.3.20, Section 2.4.7, Staff Review and Action, and~~may be approved if the application complies with~~ the following:[20]
   a. The request is for an eligible facility or site feature;
   b. The request is in the form and the amount required;
   c. The term of the guarantee is for the minimum period of time necessary; and
   d. The application complies with this section, Section 1.7, Purpose and Intent of Ordinance, and the Town's applicable Adopted Policy Guidance.
3. The Performance Guarantee shall be conditioned on the performance of all work necessary to complete the installation of the required improvements within the term of the guarantee.

H. AMOUNT

1. GENERALLY

a. The amount of the performance guarantee shall be 125% of the reasonably estimated cost of completion (including mobilization costs) at the time the Performance Guarantee is issued.
b. The Town may determine the amount of the Performance Guarantee or use a cost estimate determined by the applicant.
c. The reasonably estimated cost of completion shall include 100% of the costs for labor and materials necessary for completion of the required improvements. Where applicable, the costs shall be based on unit pricing.
d. The additional 25% includes inflation and all costs of administration regardless of how such fees or charges are denominated.

2. ESTIMATED COSTS

Estimated costs of completing installation of required public infrastructure or private site features shall be itemized by improvement type and certified by the developer's licensed professional.

3. EXTENSION

The amount of any extension of any Performance Guarantee shall be determined according to the procedures for determining the initial guarantee and shall not exceed 125% of the reasonably estimated cost of completion of the remaining incomplete improvements still outstanding at the time the extension is obtained.

[20] See STN # 92.

4. RENEWAL

If a Performance Guarantee is renewed, the Planning Director may require the amount of the Performance Guarantee be updated to reflect changes in cost over time.

I. SEQUENCE

1. Performance Guarantee applications may be filed along with or subsequent to any application for a Subdivision, Site Plan, Special Use Permit, Building Permit, or Zoning Compliance Permit, as appropriate.
2. Development subject to a Performance Guarantee shall not receive a Certificate of Occupancy or other final approval until all public infrastructure and private site features subject to a Performance Guarantee have been installed, inspected, and accepted by the Town or other appropriate agency.

J. AS-BUILT PLANS REQUIRED

1. PUBLIC IMPROVEMENTS

Upon completion of public improvements, a professional engineer shall certify, in writing, that the completed public improvements have been constructed in accordance with the approved plans and shall submit actual "as-built" plans for all public improvements after final construction is completed.

2. STORMWATER CONTROL MEASURES

Upon completion of a private stormwater control mechanism, the developer shall certify to the Engineering Director that the completed project is in accordance with all applicable requirements in this Ordinance and State law.

3. INSPECTION REQUIRED

A final inspection and approval by appropriate Town staff shall occur before the release of the Performance Guarantee.

K. MAINTENANCE WARRANTY

1. WARRANTY FOR STORMWATER CONTROL MEASURES

a. Upon completion of construction of public or private stormwater control measures, the developer shall request a warranty inspection. Once all the improvements are deemed acceptable by the Engineering Director and pass the warranty inspection, the developer shall submit the following to the Town:
   i. A set of acceptable as-built drawings;
   ii. A written warranty against defects which shall guarantee the material and workmanship of required improvements for a period of not less than one year from the date of such acceptance; and
   iii. A maintenance warranty payable to the Town equal to at least ~~25~~10% of the cost of the installation of such improvements. The applicant may retain the maintenance warranty provided evidence of the warranty shall be produced for the Town's inspection upon demand. [21]

[21] See STN # 3.

2. MAINTENANCE OF STREETS UNTIL ACCEPTANCE

Following completion, the developer of any development containing streets to be maintained by NCDOT or by an owners' association shall sign a street maintenance disclosure statement to guarantee that the streets will be properly maintained until the offer of dedication is accepted by the NCDOT, or until maintenance responsibility is transferred to an owners' association if streets are private.

L. MAXIMUM TERM

Performance Guarantees shall have a maximum term of one year, unless the developer determines a longer term is necessary to complete the public infrastructure or private site features. Acceptance of a proposed guarantee remains at the discretion of the Town.

M. INSPECTION

Inspection of guaranteed improvements by the Town shall take place within 30 days of the request for inspection by the applicant. [22]

~~M.~~N. EXPIRATION

1. The applicant shall demonstrate good faith towards the completion of public infrastructure or private site features subject to a Performance Guarantee. I~~-~~n the event the aspects subject to a guarantee are not completed prior to the expiration of the guarantee, the applicant shall request a renewal of the Performance Guarantee in accordance with these standards.
2. In the event an application for renewal of a Performance Guarantee has been filed with the Town prior to expiration of an existing guarantee, the Town shall delay the provision of notice of failure to install or complete improvements in accordance with Section 2.3.20O, Forfeiture.

~~N.~~O. FORFEITURE

1. NOTICE OF FAILURE TO INSTALL OR COMPLETE IMPROVEMENTS

If the owner or developer fails to complete installation of the guaranteed improvements within the term of the Performance Guarantee (as may be extended), the Town shall give the owner or developer 30 day's written notice of the scope and degree of the default, by certified mail.

2. TOWN COMPLETION OF IMPROVEMENTS

a. After the 30-day notice period expires, the Town may draw on the guarantee and use the funds to perform the work necessary to complete installation of the guaranteed improvements.
b. After completing such work, the Town shall provide a complete accounting of the expenditures to the owner or developer.
c. In the event of a default triggering the use of the performance guarantee, the Town shall return any of the unused deposited cash funds or other security.

~~O.~~P. RELEASE OR REDUCTION

1. RELEASE OR REDUCTION REQUESTED

The Town shall release or reduce a Performance Guarantee only after:

a. The owner or developer has submitted a written request to the Town for a release or reduction of the Performance Guarantee that includes certification by a professional

[22] See STN # 3 and 20.

engineer or contractor, whichever is appropriate, that installation of the guaranteed improvements has been completed in accordance with approved plans and specifications, and as-builts (if applicable);

b. Town staff has performed an inspection of the improvements and certified in writing that installation of the guaranteed improvements is completed in accordance with approved plans and specifications; ~~and~~

c. No release or reduction in Performance Guarantee amounts will be considered until more than 25% of the work is in place and approved; and

~~c.~~**d.** Release of a performance guarantee shall take place no more than 30 days after the completion and/or acceptance of the guaranteed improvements by the Town has taken place.[23]

2. ACCEPTANCE SHALL BE DOCUMENTED

The Planning Director or Engineering Director, as appropriate, shall provide written notice of the Town's final acceptance of the improvements subject to a Performance Guarantee.

3. IMPROPER RELEASE OF PERFORMANCE GUARANTEE

If the Town releases a Performance Guarantee through error, the error shall not release the developer from responsibility for the completion of all improvements in accordance with this Ordinance.

~~P.~~Q. APPEAL

~~1.~~ Decisions by a Town Staff member may be appealed in accordance with NCGS§160D-405, and Section 2.3.4, Appeal.

~~2. Decisions by the Board of Adjustment or Town Council may be appealed in accordance with~~ In accordance with ~~Section 2.3.2B.1, Decisions by Board of Adjustment, or in accordance with Section 2.3.2B.2, Decisions by Town Council, as appropriate.~~

[23] See STN # 3 & 20.

~~2.3.20~~2.3.21 SIGN PERMIT

A. APPLICABILITY

1. All signs except those exempted from the sign regulations in Section 6.13.3, Exemptions, shall obtain a Sign Permit in accordance with this section before being erected, replaced, relocated, or altered.
2. Alterations limited to sign copy on a lawfully-established sign shall not require approval of a Sign Permit.
3. Temporary signage shall be reviewed in accordance with ~~Section 2.3.25, Temporary Permit~~these standards.[24]
4. Establishment of new outdoor advertising after January 2, 2024, shall be prohibited. Changes to existing outdoor advertising shall be considered in accordance with Section 2.3.23, Special Use Permit.
5. Establishment of new development comprised of two or more principal buildings on one or more lots are encouraged to configure signage in accordance with a Uniform Sign Plan as a part of a Sign Permit application.
6. Applicants seeking to deviate from otherwise applicable signage provisions may request consideration of deviations in accordance with Section 2.3.2, Alternative Plan~~2.3.20K, Alternative Sign Plan~~.

FIGURE 2.3.21 SIGN PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Submitted to Planning Director - Must indicate if application is for a temporary or permanent sign
3	**Completeness Determination**
4	**Staff Review**
5	**Planning Director Review and Decision**
6	**Notification of Decision**

B. PROCESS TYPE

Type I (see Section 2.2.3, Process Diagrams).

C. REVIEW CRITERIA

Applications for a Sign Permit shall be decided by the Planning Director in accordance with Figure 2.3.21, Section 2.4.7, Staff Review and Action, and the following:

1. GENERALLY

- **a.** The standards in Section 6.13, Signage;
- **b.** The sign is located on the same lot or site as the business, product, or service being advertised;
- **c.** The North Carolina State Building Code, including requirements for electrical service, if applicable;
- **d.** All standards or conditions of any prior applicable permits and developments approvals; and
- **e.** All other applicable requirements of this Ordinance.

2. UNIFORM SIGN PLANS

Uniform Sign Plans, if submitted, shall indicate each of the following:

- **a.** A Uniform Sign Plan shall include measured drawings and details about the parameters of signage permitted by the Plan;
- **b.** If the total amount of allowable signage in the development will be apportioned in a manner that deviates from the standards in Section 6.13, Signage, and if so, how the signage will be apportioned;

[24] See STN # 54.

c. The maximum sign sizes by sign type, and by building type, if different;
d. The rules for signage placement on multi-tenant buildings;
e. The range of proposed unifying elements for signage in the development, including but not limited to style, illumination, color, material;
f. Any sight distance triangles on the site; and
g. Any additional information identified by the Planning Director as necessary to determine compliance with this Ordinance.

D. INSPECTION REQUIRED

Applicants for a Sign Permit shall request inspection of signage by the Town following completion. Operating a use type with signage subject to these Sign Permit requirements but without a passing sign inspection shall be a violation of this Ordinance.

E. SEQUENCE

1. In cases when a Sign Permit application ~~may be~~ is ~~filed~~ associated with ~~an application for~~ a Site Plan or~~,~~ Subdivision, the Sign Permit application shall not be submitted until after the Site Plan or Subdivision has been approved. ~~or Zoning Compliance Permit, but shall only be approved after these prior applications.~~
2. An application for a Sign Permit ~~must~~ may be submitted with a request for consideration of an Alternative ~~Sign~~ Plan, but the A~~a~~lternative ~~sign~~ P~~p~~lan request shall be decided prior to the Sign Permit.

F. EFFECT

1. SIGN PERMIT

Approval of a Sign Permit shall entitle a landowner to erect or modify signage on a development site.

2. UNIFORM SIGN PLAN

a. Development subject to a Uniform Sign Plan shall require all owners, tenants, sub-tenants, and individual use types within the development to comply with the approved Uniform Sign Plan.
b. No permanent signage shall be erected, altered, or maintained except in accordance with the approved Uniform Sign Plan.
c. In cases where a Uniform Sign Plan is more restrictive than the standards in Section 6.13, Signage, the standards in the Uniform Sign Plan shall control.

~~3. ALTERNATIVE SIGN PLAN~~

~~Approval of an Alternative Sign Plan request shall permit consideration of the associated application for a Sign Permit.~~

G. AMENDMENT

Amendment of a Sign Permit or~~,~~ Uniform Sign Plan~~, or Alternative Sign Plan~~ may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

H. EXPIRATION

If the work authorized by a Sign Permit is not substantially commenced within six months from the date of issuance, the Sign Permit shall become null and void.

I. VESTING

In accordance with Section 1.11.4C, Statutory Vested Rights.

J. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.4, Appeal.

~~K. ALTERNATIVE SIGN PLAN~~

~~Development proposing to construct or modify existing signage in ways that do not comply with the standards in Section 6.13, Signage, shall be subject to the requirements for an alternative sign plan in accordance with this section.~~

~~1. PURPOSE~~

~~The alternative sign plan process is included to allow for creativity of sign design and configuration in ways that do not otherwise comply with the applicable standards of this Ordinance, but that are found to be in closer alignment with the Town's Adopted Policy Guidance or the provisions in Section 1.7, Purpose and Intent of Ordinance, than would result from the strict application of the signage provisions of this Ordinance.~~

~~2. APPLICABILITY~~

~~Any application for a Sign Permit may incorporate a request for an alternative sign plan configured in accordance with this section, but in no instance shall an alternative sign plan include prohibited signage identified in Section 6.13.5, Prohibited Signs.~~

~~3. CONTENTS~~

~~Requests for an Alternative Sign Plan shall be part of an application for a Sign Permit, and shall include all of the following:~~

- ~~**a.** A written statement detailing the project information, the proposed alternatives being requested, and an explanation of how the proposed alternative meets the standards in Section 2.4, Review Procedures;~~
- ~~**b.** The location of land subject to the Alternative Sign Plan;~~
- ~~**c.** The proposed allocation of permitted sign area among tenants and any other proposed signs;~~
- ~~**d.** The total allowable sign face area for the project;~~
- ~~**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;~~
- ~~**f.** Color specifications for each sign component shall be specified, including but not limited to sign face backgrounds, lettering, and the sign structure;~~
- ~~**g.** A plan or other graphical depiction showing where each particular sign type is proposed;~~
- ~~**h.** A written justification for the Alternative Sign Plan request, including how the proposed signage will result in a development that is in closer alignment with the Town's Adopted Policy Guidance or the standards in Section 1.7, Purpose and Intent of Ordinance, and~~
- ~~**i.** Any additional information requested by the Planning Director considers necessary to measure the application's conformance with the applicable review criteria.~~

~~4. PROCEDURE~~

~~Type IV (see Section 2.2.3, Process Diagrams), including comment by the Technical Review Committee.~~ ~~AMENDED 9.16.24 (UDOTA2-24)~~

~~5. REVIEW CRITERIA~~

~~An Alternative Sign Plan application shall be only approved provided on a finding the applicant demonstrates:~~

a. The contents of the Alternative Sign Plan request are consistent with the applicable requirements of this section;

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, any adjoining signage on the site, and/or the district character or architectural character of the area in which it is located;

c. The Alternative Sign Plan proposes innovative, but appropriate, use of materials and design techniques in response to unique characteristics of the specific site, if applicable;

d. The signage envisioned by the Alternative Sign Plan application will be consistent with approved neighborhood plans, studies, or area plans; and

e. The signage anticipated by the Alternative Sign Plan signage will result in a development that is in closer alignment with the Town's Adopted Policy Guidance or the standards in Section 1.7, Purpose and Intent of Ordinance.

6. CONDITIONS OF APPROVAL

The Town Council may apply conditions to any approval of an Alternative Sign Plan in accordance with Section 2.3.20K.6, Conditions of Approval. Conditions may include, but are not limited to, any of the following: **AMENDED 9.16.24 (UDOTA2-24)**

a. Specification of color(s);

b. The number of signs;

c. The total amount of sign face area;

d. The location of signs;

e. The maximum height of signs;

f. Sign illumination; and

g. The types of signs allowed.

7. AMENDMENT

Amendment of an Alternative Sign Plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

~~2.3.21~~2.3.22 SITE PLAN

A. APPLICABILITY

Except for development exempted from Site Plan review in accordance with Section 2.3.22B, Exemptions, all of the following forms of development shall be subject to Site Plan review in accordance with this section:

1. Any development involving construction, moving, or significant alteration of a building or habitable structure;
2. Any development that results in the increase in the amount of impervious surface on a lot;
3. Any development that changes the vehicular access to or internal circulation on a lot; or
4. Any development subject to a Concept Plan.

FIGURE 2.3.22 SITE PLAN PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting** (Optional)
3	**File Application** - Filed with Planning Director - Must be prepared by a licensed professional
4	**Completeness Determination**
5	**Staff Review** Includes comment by TRC
6	**Decision by Planning Director**
7	**Notification of Decision**
8	**Proceed with Other Applications** (If applicable)

B. EXEMPTIONS

1. The following forms of development are exempted from Site Plan review, but remain subject to the applicable standards in this Ordinance:
   a. Construction of one single-family detached dwelling on an individual lot that does not include changes to or extension of public infrastructure;
   b. Placement of one manufactured or mobile home on its own lot in a zoning district permitting such uses that does not include changes to or extension of public infrastructure;
   c. Establishment of a secondary use in an existing structure, or a new secondary structure(s) of 1,000 square feet in floor area or less than the total floor area that existed on a lot on January 2, 2024;
   d. Interior fit-ups or changes to a lawfully-established non-residential structure or use type that do not result in the need for additional off-street parking spaces, additional screening or landscaping, any changes to existing impervious surface coverage, or changes to or extension of public infrastructure;
   e. The construction or alteration of a sign, subject to the requirements and procedures in Section 2.3.21, Sign Permit;
   f. The establishment of a temporary use or structure, subject to the requirements and procedures in Section 2.3.27, Temporary Permit;
   g. The construction or alteration of a fence or wall, subject to the requirements of Section 2.3.33, Zoning Compliance Permit;
2. Development exempted from Site Plan review is still required to obtain a Building Permit in accordance with the North Carolina State Building Code and a Zoning Compliance Permit in accordance with this Ordinance.

C. LIMITATIONS

A Site Plan application may be filed concurrently with an application for a Conditional Rezoning, ~~or~~ a Special Use Permit, or Construction Drawings, but a Site Plan shall not be a part of a Conditional Rezoning or Special Use Permit application. Conditional Rezoning and Special Use Permit applications shall include a Concept Plan, not a Site Plan. Site Plans shall be reviewed for consistency with an approved Special Use Permit or Conditional Rezoning Concept Plan, if applicable.

~~D. STAGES OF REVIEW~~

~~The review of a Site Plan application that includes changes to or the extension of public infrastructure is organized into the following two stages:~~

~~1. Stage One, review of the Site Plan;~~

~~2. Stage Two, review of Construction Drawings for associated public infrastructure, erosion control and sedimentation features, and stormwater control measures.~~

~~3. Nothing shall prevent the review of application materials associated with Stages One and Two concurrently.~~

~~E.~~D. PROCESS TYPE

~~1.~~ Type II (see Section 2.2.3, Process Diagrams) ~~for each of the two stages of review~~.

~~2. The Technical Review Committee shall comment on plats and plans prepared as part of each stage.~~

~~F.~~E. APPLICATION

1. Site Plan applications shall be prepared by a North Carolina licensed professional qualified to prepare such documents. Site Plans shall be prepared to scale and shall include the basic information for Site Plans identified in the Town's requirements.
2. When a development includes phases, the Site Plan shall depict the entire development and shall indicate all phasing boundaries.
3. Phasing shall be in accordance with Section 2.4.13, Phased Development.
4. The application shall include a Transportation Impact Analysis, or Traffic Assessment, when required by Section 2.3.29, Transportation Impact Analysis.
5. The Site Plan application shall include a wastewater allocation request prepared in accordance with all Town requirements if proposing to utilize public sewer.
6. Applications that involve changes to or extension of public infrastructure, erosion control devices, or stormwater control measures shall include construction drawings prepared in accordance with Section 1.1.1A, .
7. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.15, Fee-in-Lieu.
8. In cases where development is seeking to take advantage of sustainability incentives, allowable density bonuses, or allowable alternative forms of compliance, the application shall include supplemental details and justification for the use of these provisions.
9. Applications proposing to disturb one acre of land or more shall include details on compliance with Section 6.14.6, Erosion and Sedimentation Control Plans.

~~G.~~F. REVIEW CRITERIA

Applications for a Site Plan shall be decided by the Planning Director in accordance with Figure 2.3. 22, Section 2.4.7, Staff Review and Action, and the following:

1. All standards or conditions of any prior applicable permits and development approvals;
2. Any applicable Concept Plans, master plans, or plats;
3. All applicable requirements of this Ordinance and Town policy; and
4. All applicable County, State, and federal requirements.

~~H.~~A. ~~CONSTRUCTION DRAWINGS ASSOCIATED WITH A SITE PLAN~~

~~1. DRAWING REQUIREMENTS~~

~~Site Plan applications that include changes to or extensions of public infrastructure shall include construction drawings configured in accordance with the following:~~

~~a. Construction drawings shall be prepared by, signed, and stamped by a licensed professional engineer;~~

~~b.a. Construction drawings shall show both the horizontal or "plan" view of infrastructure as well as the vertical or "profile" view of infrastructure; and~~

~~c.a. When a Site Plan is to be developed in phases, construction drawings shall be submitted for each individual phase and public infrastructure shall be provided so that each lot is adequately served by public infrastructure at the time of conveyance regardless of the phase of development.~~

~~2.1. CONSTRUCTION DRAWING REVIEW CRITERIA~~

~~The portion of a Site Plan application including construction drawings shall be decided by the Engineering Director in accordance with Section 2.4.7, Staff Review and Action, and the following:~~

~~a. Construction Drawings shall be prepared by a professional engineer licensed by the State of North Carolina;~~

~~b.a. The location and configuration of public infrastructure shall be substantially consistent with the Site Plan;~~

~~c.a. Public infrastructure elements depicted in the construction drawings are configured in accordance with all applicable Town and State requirements;~~

~~d.a. The construction drawings include all design sheets necessary to determine compliance; and~~

~~e.a. Copies of all required third-party agreements, permits, and approvals necessary to begin construction are included.~~

~~I.~~G. SEQUENCE

1. Site Plan applications may be submitted or reviewed concurrently with ~~c~~Construction ~~d~~Drawings or any other development application, but Site Plans shall not receive final approval until after an associated Annexation, Development Agreement, Rezoning, or Subdivision application.

~~1.~~2. Construction Drawings associated with a Site Plan that include the installation of new or extension of existing public infrastructure shall not be approved until after the associated Site Plan has been approved.

~~2.~~3. Developments subject to a Site Plan shall also be required to obtain a Zoning Compliance Permit, a Building Permit, and may be required to obtain other approvals, such as a Tree Clearing Certificate. Permits associated with site features depicted on a Site Plan may be filed with a Site Plan application, but shall not be issued until after the Site Plan is approved.

~~J.~~H. EFFECT

1. ZONING COMPLIANCE PERMIT

A Site Plan approval authorizes the submittal of or review of an application for a Zoning Compliance Permit in accordance with Section 2.3.33, Zoning Compliance Permit. In cases where the Planning Director determines that a Zoning Compliance Permit is not required, then an applicant may file an application for a Building Permit in accordance with Section 2.3.5, Building Permit.

2. CONSTRUCTION DRAWINGS

Approval of a Site Plan that includes the installation of new or extension of existing public infrastructure allows submittal or review of associated Construction Drawings in accordance with Section 2.3.8, Construction Drawings, prior to issuance of a Building Permit.

~~2.1. CONSTRUCTION DRAWINGS~~

~~a. Construction drawings for all public infrastructure included with the Site Plan application shall be approved prior to street and utility construction in accordance with the applicable Town standards.~~

~~b.a. In the case of a multi-phase Site Plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.~~

~~c.a. In no instance shall a portion of a phase be submitted for Construction Drawing review.~~

~~d.a. If included as part of a phased development, each phase shall be configured to be inclusive of all land area located within the particular phase(s) under review.~~

~~3.1. AS-BUILT PLANS~~

~~As-built plans for all public infrastructure shall be submitted in accordance with Section 2.3.19J, As-built Plans Required, prior to issuance of a Certificate of Occupancy or other final approval.~~

~~4.~~3. PERFORMANCE GUARANTEES

All public infrastructure and private site features that have not been installed by the developer, inspected, and accepted by the Town shall comply with the requirements in Section 2.3.20, Performance Guarantee, prior to the issuance of a Certificate of Occupancy or other final approval.

~~5.~~4. EROSION CONTROL PERMIT

Stage Two Construction Drawing approval authorizes the submittal of soil erosion and sedimentation control plans and the issuance of a Land Disturbance Permit in accordance with Section 2.3.17, Land Disturbance Permit, if applicable.

~~6.~~5. STORMWATER PERMIT

Stage Two Construction Drawing approval authorizes the submittal of stormwater management plans and the issuance of a Stormwater Permit in accordance with Section 2.3.24, Stormwater Permit, if applicable.

~~7.~~6. FEE-IN-LIEU

A Site Plan approval authorizes the filing of an applicant-requested payment of Fee-in-Lieu, or payment of Town-mandated Fee-in-Lieu in accordance with Section 2.3.15, Fee-in-Lieu.

~~K.~~I. AMENDMENT

Amendment of a Site Plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

~~L.~~J. EXPIRATION [25]

1. Approval of a Site Plan application shall expire and become null and void if substantial commencement is not undertaken within ~~one~~ two years of the date of approval.
2. Approval of a Site Plan application shall expire and become null and void if work is voluntarily stopped by the developer and the development fails to maintain substantial progress for a period of one year or longer.
3. Where more than one principal building is included with an approved Site Plan, the applicant may submit a series of Building Permit applications. The first application shall be submitted within one year from the date the Site Plan is approved. Each subsequent Building Permit application shall be submitted within 180 days from the date of issuance of a Certificate of Occupancy or other final approval for the previous building.
4. ~~An applicant may file a request, prior to the expiration of the Site Plan, for a one-time one-year extension to the approval of a Site Plan for good cause shown. The determination of good cause shall be at the sole discretion of the Planning Director.~~

~~M.~~K. VESTING

1. See Section 1.11.4D, Site-Specific Vesting Plan, or Section 1.11.4E, Multi-Phase Development Plan, as appropriate.
2. Applicants seeking a longer vesting term may file an application in accordance with Section 2.3.32, Vested Rights Certificate.

~~N.~~L. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.4, Appeal.

[25] See STN # 26 and 37.

~~2.3.22~~2.3.23 SPECIAL USE PERMIT

A. PURPOSE AND INTENT

This Special Use Permit procedure defines the process for consideration of a proposed use type that may be allowable in a zoning district, but because of its nature or potential deleterious effects, it requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings.

FIGURE 2.3.23 SPECIAL USE PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting**
3	**File Application** Must include a Concept Plan
4	**Completeness Determination**
5	**Staff Review** Includes Concept Plan review and comment by TRC
6	**Public Notification of Public Hearing**
7	**Decision by Board of Adjustment** Decision effective upon date of filing in the office of the Planning Department
8	**Notification of Decision**

B. APPLICABILITY

1. Uses identified as requiring a Special Use Permit in Table 4.2.5, Listing of Common Principal Uses, or in Table 4.5.4, Listing of Common Secondary Uses, shall be approved in accordance with the procedures and standards of this section.
2. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.
3. In cases where a single use type located within a larger multi-building or multi-use development requires a Special Use Permit, only that particular use type and the lot it is located upon shall be subject to the Special Use Permit, not the entire development.

C. APPLICATION

~~1.~~ An application for a Special Use Permit shall include a Concept Plan depicting the ~~proposed use and site configuration~~aspects described in the Town's Procedures Manual. [26] The Technical Review Committee shall review and comment on the Concept Plan prior to consideration of the application by the Board of Adjustment.

~~2.~~1. The application shall include a wastewater allocation request prepared in accordance with all Town requirements if proposing development that seeks to utilize public sewer.

~~3.~~2. The application shall include a Transportation Impact Analysis, or Traffic Assessment, as appropriate, when required by Section 2.3.29, Transportation Impact Analysis.

~~4.~~3. Applications that involve changes to or extension of public infrastructure shall identify these features on the Concept Plan.

~~5.~~4. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information identified in Section 2.3.15, Fee-in-Lieu.

~~6.~~5. In cases where development is seeking to take advantage of sustainability incentives, allowable density bonuses, or allowable alternative forms of compliance, the application shall include supplemental details and justification for the use of these provisions.

~~7.~~6. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

[26] See STN # 25.

iv. An increase in the total number of provided off-street parking spaces by ten percent or more beyond that approved under the initial Special Use Permit;
v. A change in the location of a principal or secondary structure by more than 10 feet in any direction;
vi. Structural alterations increasing the structure height;
vii. Alterations affecting the form, ornamentation, or appearance of a principal or secondary structure as shown in the Concept Plan;
viii. Changes in density or intensity;
ix. Decreases in open space;
x. Substantial changes in the location of streets (particularly if streets are to be deleted or access points to the development moved so traffic flows both inside and outside the development are affected) or pedestrian access or circulation;
xi. A change in the amount or location of proposed landscaping or required screening; or
xii. Changes to site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.

c. Major modifications must be reviewed and considered only in accordance with the procedures and standards established for the original application approval.

K. EXPIRATION

1. REPLACEMENT

If a special use is replaced by a use type permitted by right in the zoning district, the Special Use Permit and the corresponding Concept Plan approval is deemed abandoned and the Special Use Permit approval is null and void.

2. FAILURE TO START OR COMPLETE CONSTRUCTION

Unless otherwise stated in the Special Use Permit approval, a Special Use Permit and the corresponding Concept Plan shall expire and become null and void two years after the date of issuance if:

a. An application for a Site Plan or subdivision plat has not been filed;
b. Substantial commencement of construction has not taken place; or
c. Construction activities have started, but the owner has voluntarily stopped construction and substantial progress has not been maintained.

3. MULTIPLE BUILDING PERMITS

Where more than one principal building is included with an approved Special Use Permit, the applicant may submit a series of Building Permit applications. The first application shall be submitted within one year of the date the Special Use Permit is approved. Each subsequent Building Permit application shall be submitted within 180 days from the date of issuance of a Certificate of Occupancy or other final approval for the previous building.

L. REVOCATION

1. In the event of failure to comply with the plans or any other conditions imposed upon the Special Use Permit approval, the Planning Director shall give the permit holder 10 days written notice of intent to revoke the permit and request the permit holder to contact staff to set a reasonable time for the violation to be corrected.
2. A Special Use Permit may only be revoked in accordance with the procedure used to grant its approval.
3. If the permit is revoked and the special use has not ceased, the use is considered a violation of this Ordinance and subject to enforcement and penalties in Chapter 7, Violations.

~~2.3.23~~2.3.24 STORMWATER PERMIT

A. PURPOSE AND INTENT

This Stormwater Permit procedure governs the design, installation, and construction of proposed post-construction structural stormwater control measures or other design features intended to prevent or mitigate any adverse effects of increased post-construction stormwater runoff into receiving surface waters in accordance with Section 6.15, Stormwater, and NCGS§160D-925.

FIGURE 2.3.24 DRIVEWAY PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Submitted to Engineering Director - must include a narrative or graphic stormwater plan
3	**Completeness Determination**
4	**Engineering Director Review and Decision**
5	**Notification of Decision**
6	**Certification**
7	**Provide As-Builts**

B. APPLICABILITY

1. The standards in this section shall apply to all forms of residential development that cumulatively disturbs an acre of land or more, including Exempt or Limited Subdivisions.
2. The standards in this section shall apply to all forms of mixed-use or non-residential development that cumulatively disturbs one-half-acre of land or more, including Exempt or Limited Subdivisions.
3. These standards shall also apply to development disturbing less than the specified amount of land area when it is a part of a larger development that will disturb more than the designated minimum threshold in aggregate even though multiple, separate, or distinct activities take place at different times on different schedules.

C. EXEMPTIONS

The following forms of development shall be exempted from these standards:

1. Development or redevelopment that cumulatively disturbs less than one acre and is not part of a larger master plan, subdivision plat, or common plan of development is exempt from these standards;
2. Activities that are exempt from permit requirements of Section 404 of the federal Clean Water Act as specified in 40 CFR 232 (e.g., ongoing farming and forestry activities); and
3. A project owned or operated by a governmental agency that is already subject to a NPDES stormwater permit.

D. APPLICATION

1. An application for a Stormwater Permit shall describe how post-development stormwater runoff will be controlled and managed, the design of all stormwater facilities and practices, and how the proposed project will meet the requirements of this Ordinance.
2. All applications shall include a written or graphic concept plan of the proposed post-development stormwater management system including:
   a. The stormwater management concept plan shall be prepared by a qualified licensed North Carolina professional engineer, surveyor, soil scientist, or landscape architect. The engineer, surveyor, soil scientist, or landscape architect shall perform services only within their area of competence.
   b. The stormwater management plan shall detail the following:
      i. An existing conditions and proposed site layout sketch plan showing existing and proposed topography, perennial and intermittent streams, mapping of predominant soils from soil

~~2.3.24~~2.3.25 STREET ~~RENAMING/~~ CLOSURE[27]

A. APPLICABILITY

This process for the ~~renaming or~~ closure of streets is applied to publicly-owned or maintained streets operated by the NCDOT or the Town.

B. APPLICATION

In cases where the Town initiates an application to abandon an existing or platted street, it shall first file a Resolution of Intent to Abandon the street in accordance with NCGS§160A-299.

1. In cases where an application to rename an existing street is filed by landowners (not the Town) the application shall be supplemented with a petition signed by at least 75 percent of the landowners that are affected by the renaming. The application shall also include the desired street name.
2. A petition is not required for street renaming applications initiated by the Town or another unit of government. **AMENDED 4.15.24 (UDOTA1-24)**
3. Applications for Street Renaming filed by landowners for reasons other than public safety or emergency service delivery shall require a determination of merit by Town staff prior to review by the Planning Board.

FIGURE 2.3.25 STREET CLOSURE PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**Neighborhood Meeting**
3	**Resolution of Intent to Abandon Street Right-of-Way** Required when initiated by Town
4	**File Application**
5	**Completeness Determination**
6	**Staff Review**
7	**Public Notification**
8	**Decision by Town Council**
9	**Notification of Decision**
10	**Recordation**

C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams) except that the Planning Board does not provide a recommendation to the Town Council.

D. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with Figure 2.3.25 and the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
   a. Approve the Street ~~Renaming/~~ Closure of all or a portion of the street right-of-way;
   ~~b.~~ Denial of the Street ~~Renaming/~~ Closure~~; or~~
   ~~c.~~b. ~~Remand of the application to the Planning Board for further consideration~~.
3. ~~In no instance shall the Town Council approve a different street name or extent than requested without new public notification and another public hearing.~~

E. REVIEW CRITERIA

An application for a Street ~~Renaming/~~ Closure shall be approved, provided:

~~1. STREET CLOSURE~~

~~a.~~1. Closing of the street is in the best interest of the public; and

[27] See STN # 43.

~~b.~~2. A landowner in the vicinity of the street would not be deprived of reasonable ingress or egress to their land.

~~2. STREET RENAMING~~

~~a. The street renaming is in accordance with all applicable street name requirements;~~

~~b. The street renaming will serve the public interest by enhancing public safety or will do no harm;~~

~~c. The street renaming will not adversely affect land values or cause excessive economic impact to landowners or the Town; and~~

~~d. The street renaming will result in an overall public good that generally cannot be measured in monetary terms but is found to outweigh known or perceived economic interests and costs.~~

F. RECORDATION

The Town Clerk shall file a certified copy of a Street Closure approval in the office of the Register of Deeds in the county where located within a reasonable period of time after the approval.

G. SEQUENCE

Not Applicable.

H. EFFECT

~~1. STREET CLOSURE~~

Where a platted or existing street is abandoned in accordance with this section, the regulations applicable to a lot shall apply to the portion of the lot formerly occupied by the abandoned street.

~~2. STREET RENAMING~~

~~a. All approved street renaming applications shall have an effective date at least 45 days from the date of approval but may be further delayed for a set period of time not to exceed one year, to assist businesses and other affected landowners in preparing for the name change.~~

~~b. Street renaming initiated by the Town due to public safety or emergency service delivery issues may take effect immediately upon approval.~~

I. AMENDMENT

~~An application for a Street Renaming with the same name for the same street or portion of the same street shall not be filed within two years from the date of final action on the previous request, unless the Town Council determines a substantial change has occurred in the nature of the application that merits reconsideration.~~Not Applicable.

J. EXPIRATION

Not Applicable.

K. VESTING

Not Applicable.

L. APPEAL

In accordance with Section 2.3.4B.2, Decisions by Town Council.

2.3.26 STREET RENAMING[28]

~~M.~~A. APPLICABILITY

This process for the renaming of streets is applied to publicly-owned or maintained streets operated by the NCDOT or the Town.

B. APPLICATION

1. In cases where an application to rename an existing street is filed by landowners (not the Town) the application shall be supplemented with a petition signed by at least 75 percent of the landowners that are affected by the renaming. The application shall also include the desired street name.
2. A petition is not required for street renaming applications initiated by the Town or another unit of government. **AMENDED 4.15.24 (UDOTA1-24)**
3. Applications for Street Renaming filed by landowners for reasons other than public safety or emergency service delivery shall require a determination of merit by Town staff prior to review by the Planning Board.

C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams) except that the Planning Board does not provide a recommendation to the Town Council.

D. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with Figure 2.3.26 and the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
   a. Approve the Street Renaming of all or a portion of the street right-of-way; or
   b. Denial of the Street Renaming.
3. In no instance shall the Town Council approve a different street name or extent than requested without new public notification and another public hearing.

FIGURE 2.3.26 STREET RENAMING PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting**
3	**Petition for Name Change** Required when initiated by landowners
4	**File Application**
5	**Completeness Determination**
6	**Staff Review** Includes a Determination of Merit, if appropriate
7	**Public Notification**
8	**Decision by Town Council** Shall have an effective date of at least 45 days after the date of approval
9	**Notification of Decision**

E. REVIEW CRITERIA

An application for a Street Renaming shall be approved, provided:

1. The street renaming is in accordance with all applicable street name requirements;
2. The street renaming will serve the public interest by enhancing public safety or will do no harm;
3. The street renaming will not adversely affect land values or cause excessive economic impact to landowners or the Town; and

[28] See STN # 43.

4. The street renaming will result in an overall public good that generally cannot be measured in monetary terms but is found to outweigh known or perceived economic interests and costs.

F. SEQUENCE

Not Applicable.

G. EFFECT

1. All approved street renaming applications shall have an effective date at least 45 days from the date of approval but may be further delayed for a set period of time not to exceed one year, to assist businesses and other affected landowners in preparing for the name change.
2. Street renaming initiated by the Town due to public safety or emergency service delivery issues may take effect immediately upon approval.

H. AMENDMENT

An application for a Street Renaming with the same name for the same street or portion of the same street shall not be filed within two years from the date of final action on the previous request, unless the Town Council determines a substantial change has occurred in the nature of the application that merits reconsideration.

I. EXPIRATION

Not Applicable.

J. VESTING

Not Applicable.

K. APPEAL

In accordance with Section 2.3.2B.2, Decisions by Town Council.

~~2.3.25~~2.3.27 TEMPORARY PERMIT

A. APPLICABILITY

1. The standards in this section apply to non-permanent uses and structures~~, including temporary signage,~~ that take place on a temporary basis whether on the same site or in different locations in the Town's planning jurisdiction.
2. Temporary uses occurring within the public right-of-way require approval by the Town Council or NCDOT, as appropriate, and are not subject to a Temporary Permit.

B. EXEMPTIONS

Temporary uses or structures operated by the Town or the County for public safety or as part of a sanctioned governmental event shall be exempted from these requirements.

C. PROCESS TYPE

Type II (see Section 2.2.3, Process Diagrams).

D. REVIEW CRITERIA

The Planning Director shall decide applications for a Temporary Permit in accordance with Figure 2.3.27, Section 2.4.7, Staff Review and Action, and the following:

1. The applicant has written permission from the landowner, or is otherwise authorized to make use of the land;
2. The applicant has obtained the appropriate permits and approvals from the Town and other agencies;
3. The temporary use meets public utility and Town requirements for proper connection to water, sewer, electrical, and other utility service connections, as applicable;
4. Inclusion of any lighting or electrical service shall be subject to an approved electrical permit;
5. Any habitable structures shall require approval of a Building Permit;
6. The temporary use or activity complies with all applicable provisions in Section 4.6, Temporary Uses;
7. The temporary use does not violate the applicable conditions of approval that apply to a site or use on the site;
8. The proposed site contains sufficient land area for the temporary use and for the parking and traffic movement associated with the temporary use, without impacting the site's ability to comply with other applicable requirements of this Ordinance;
9. The temporary use is located outside a special flood hazard area;
10. The temporary use provides adequate on-site restroom facilities, if necessary;
11. Adequate provisions for crowd control shall be provided, if necessary; and **AMENDED 4.15.24 (UDOTA1-24)**[29]
12. ~~Any signage associated with a Temporary Permit shall comply with the applicable standards in Section 6.13, Signage, and~~

FIGURE 2.3.27 TEMPORARY PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** Filed with the Planning Director
3	**Completeness Determination**
4	**Staff Review**
5	**Decision by Planning Director**
6	**Notification of Decision**

[29] See STN # 54.

~~2.3.26~~2.3.28 TEXT AMENDMENT

A. APPLICABILITY

The standards and requirements of this section shall apply to applications to revise the text of this Ordinance.

B. ~~APPLICATION~~REQUEST

~~Applications~~ Requests to amend the text of this Ordinance may be ~~initiated~~ made to~~by~~ the Town Council, the Planning Board, or Town staff~~, owners of land within the Town's planning jurisdiction, or by residents of the Town of Clayton or its extraterritorial jurisdiction~~. **AMENDED 12.16.24 (UDOTA3-24)**

~~C. TIMING OF REVIEW~~

~~1. TOWN-INITIATED AMENDMENT REQUESTS~~

~~Text amendment requests initiated by Town Council, the Planning Board, or Town staff shall be processed in accordance with a schedule established by the Town at the time of the amendment.~~ ~~**AMENDED 12.16.24 (UDOTA3-24)**~~

~~2. ALL OTHERS~~

~~Text amendment requests submitted by landowners or residents of the Town's planning jurisdiction shall only be processed in accordance with the Town's adopted schedule for such amendments, which are generally limited to two times per calendar year.~~ ~~**AMENDED 12.16.24 (UDOTA3-24)**~~

FIGURE 2.3.28 TEXT AMENDMENT PROCEDURE

STEP	ACTION
1	**Request Initiated~~Initiate Application~~**
2	**Completeness Determination**
3	**Staff Review**
4	**Review & Recommendation by Planning Board**
5	**Public Notification**
6	**Decision by Town Council** Must include written statement of reasonableness and consistency with adopted policy guidance
7	**Notification of Decision**
8	**Amend Ordinance Text** If approved

~~D.~~C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams).

~~E.~~D. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application in accordance with Section 2.4, Review Procedures.
2. In making its recommendation, the Planning Board shall prepare a written statement regarding the application's consistency with the Town's Adopted Policy Guidance.

~~F.~~E. DECISION

1. The decision shall be based on the legislative discretion of the Town Council, taking into consideration any recommendation received from the Planning Director, prepared in consultation with other Town staff, the recommendation of the Planning Board, citizen comments, Figure 2.3.28 and the standards in Section 2.4, Review Procedures.
2. In making its decision, the Town Council shall adopt a written statement of reasonableness and consistency with the Town's Adopted Policy Guidance in accordance with NCGS§160D-605.

~~G.~~F. CITIZEN COMMENT

In cases where a resident or landowner submits written comments to the Town at least two business days prior to the date a decision is being made on the application, the Town staff member processing the application shall deliver the statement(s) to the Town Council.

~~2.3.27~~2.3.29 TRANSPORTATION IMPACT ANALYSIS

A. PURPOSE AND INTENT

This Transportation Impact Analysis (TIA) procedure allows an assessment of a proposed development's impact on the Town's transportation system. It identifies recommended transportation system improvements to be included by the proposed development as necessary to mitigate any negative impacts created by the proposed development.

FIGURE 2.3.29 TRANSPORTATION IMPACT ANALYSIS PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**File Application** Must be prepared by a professional engineer
3	**Completeness Determination**
4	**Staff Review** Including comment by ~~Planning Director~~TRC
	3rd Party Review If required by Town
4	**Engineering Director Review and Acceptance**
5	**Notification of Decision**

B. APPLICABILITY

A Transportation Impact Analysis, prepared in accordance with this section shall be required for any of the following:

1. A new development anticipated to generate 100 or more vehicle trips during any peak hour, or 1,000 or more vehicle trips per day, based on the most recent edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual; or
2. A new development that is part of a larger development that, when considered cumulatively, will generate 100 or more vehicle trips during the AM or PM peak hour, or 1,000 or more vehicle trips per day, based on the most recent edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual; or
3. The proposed development is located on a roadway that has a demonstrated transportation capacity issue, as determined by the Engineering Director; or
4. There are likely to be significant changes to adjacent development traffic patterns, as determined by the Engineering Director, as a result of the proposed development.

C. TRAFFIC ASSESSMENT OPTION

1. In cases where the number of vehicle trips is not known (such as in the case of a Conventional Rezoning application), or in cases where the proposed uses will not result in 100 or more vehicle trips during any peak hour nor more than 1,000 vehicle trips per day, the Engineering Director shall require a Traffic Assessment instead of a Transportation Impact Analysis. **AMENDED 4.15.24 (UDOTA1-24); 12.16.24 (UDOTA3-24)**
2. A Traffic Assessment is a general investigation of anticipated traffic on adjacent roadway capacity and function as opposed to detailed estimates of the number of trips and steps necessary to maintain a minimum operating level of service.

D. APPLICATION

1. The type, scope, and contents of a Transportation Impact Analysis shall be determined during the mandatory pre-application conference (see Section 2.4.3, Pre-Application Conference).
2. A Traffic Impact Analysis shall be prepared by a professional engineer licensed in the State of North Carolina, and shall include all of the following:

5. The analysis identifies the post-development roadway lane configurations and levels of service for signalized and unsignalized intersections within the study area;
6. The projected traffic generated by the project, combined with existing traffic, either does not exceed the desirable operating level established in the impact area as identified in Section 6.5.11, Streets, or the impacts of the project traffic are properly mitigated by on-site and off-site improvements recommended in the analysis;
7. The analysis identifies the parties responsible for any recommended improvements; and
8. The applicant is willing and able to successfully mitigate the proportional impact that the proposed development will have on the public transportation network as identified in the Transportation Impact Analysis.

H. SEQUENCE

A Transportation Impact Analysis may be filed with an application for a rezoning, subdivision, Site Plan, Special Use Permit, Zoning Compliance Permit, or Building Permit, but the Transportation Impact Analysis shall be decided before these other application types.

I. EFFECT

1. An application may be denied upon the basis of the Transportation Impact Analysis even in cases where the Engineering Director accepts the analysis. **AMENDED 9.16.24 (UDOTA2-24)**
2. ~~Approval~~ Acceptance of a Transportation Impact Analysis permits an applicant to file for the next kind of development approval in the sequence.
3. In some cases, the results of a Transportation Impact Analysis may result in an applicant amending other applications in one or more of the following ways:
   a. Changes in use type or scope to reduce the projected vehicle trips per day;
   b. The dedication of additional right-of-way;
   c. The rerouting of traffic or modifications or additions of the internal street network or proposed access and egress points;
   d. Participation in the funding of a traffic signal, intersection improvement, or other off-site transportation improvement; or
   e. Other modification determined to be necessary.

J. AMENDMENT

Amendment to an approved Transportation Impact Analysis may only be reviewed and considered in accordance with the procedures and standards established for its original ~~approval~~acceptance.

K. EXPIRATION

A Traffic Impact Analysis ~~approval~~ acceptance shall expire within two years of its acceptance unless the ~~in accordance with the Concept Plan,~~ Site Plan, ~~,~~ subdivision plat, or ~~other approval~~Zoning Compliance Permit it is associated with has a longer expiration term.[30]

L. VESTING

In accordance with Section 1.11.4C, Statutory Vested Rights.

M. APPEAL

In accordance with NCGS§160D-405, and Section 2.3.4, Appeal.

[30] See STN # 27.

~~2.3.28~~2.3.30 TREE CLEARING CERTIFICATE

This Tree Clearing Certificate implements the enabling legislation granted to the Town by the North Carolina General Assembly. The purposes of this procedure is to establish some basic requirements for preserving existing vegetation around the perimeter of lots, or tracts for use towards meeting landscaping requirements of this Ordinance in the event the lot or tract is subsequently developed in accordance with this Ordinance. The intent of this procedure is to:

1. Protect existing trees and shrubs located upon undeveloped sites for use as future buffers and streetscapes to meet future development requirements;
2. Preserve existing tree and vegetative cover to protect the health safety and welfare of the public by:
   a. Preserving the visual and aesthetic qualities of the Town;
   b. Maintaining property values;
   c. Controlling erosion; and
   d. Reducing sediment and other pollutant run-off into streams and waterways to protect water quality.

FIGURE 2.3.30 TREE CLEARING CERTIFICATE PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** Submitted to Planning Director
3	**Completeness Determination**
4	**Planning Director Review and Decision**
5	**Notification of Decision**

B. APPLICABILITY

Unless exempted in accordance with sub-section (C) below, a Tree Clearing Certificate shall be required for any land disturbing activities proposed on a site, lot or portion of a lot that is not subject to an approved subdivision, Site Plan, Conditional Rezoning, Zoning Compliance Permit, Erosion Control Permit, or similar development approval.

C. EXEMPTIONS

1. The following forms of development, land disturbance, or other activities are exempted from this section, but shall be subject to other applicable Town, County, State, or federal requirements.
   a. Removal of existing trees on lots or tracts subject to an approved subdivision, Site Plan, Conditional Rezoning, Zoning Compliance Permit, Erosion Control Permit, or similar development approval, which shall comply with the tree protection requirements included in the approval.
   b. The removal of existing trees on a single lot located within an approved single-family residential subdivision that is zoned for single-family use, and provided such trees are not included as required landscaping.
   c. Forestry activities on property taxed on its present-use value as agricultural, horticultural, or forestland in accordance with NCGS Ch. 105, Article 12, or forestry activity that is conducted in accordance with a forestry management plan prepared or approved by a forester registered pursuant to NCGS Ch. 89B, and provided such activities are accomplished in compliance with this section.
   d. The removal of vegetation by public or private agencies within the lines of any public street rights-of-way, utility easements, or other Town property, as may be necessary to ensure public safety, to obtain clear visibility at driveways or intersections, to perform authorized field survey work, or to preserve or enhance the symmetry and beauty of such Town property.

~~2.3.29~~2.3.31 VARIANCE

A. PURPOSE AND INTENT

The purpose of this Variance procedure is to allow deviations from certain standards of this Ordinance when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes provisions for reasonable accommodation of persons with physical disabilities and variances pertaining to the Town's special flood hazard area requirements, water supply watershed protection standards, and stormwater provisions.

FIGURE 2.3.31 VARIANCE PROCEDURE

STEP	ACTION
1	**Pre-Application Conference**
2	**Neighborhood Meeting**
2	**File Application** - Filed with Planning Director - Clarify type of Variance sought
3	**Completeness Determination**
4	**Staff Review**
5	**Public Notification**
6	**Decision by Board of Adjustment**
7	**Notification of Decision**
8	**Transmit to NC Environmental Management Commission** If a Major WSW Variance

B. APPLICABILITY

1. VARIANCE

a. Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.

b. No Variance may be sought for uses not allowed in a zoning district.

c. No Variance may be sought that increases development density (e.g., units per acre) beyond that allowed in the zoning district where located.

2. REASONABLE ACCOMMODATION

a. In cases where the strict application of the standards of this Ordinance would deprive an eligible person of their right to equal opportunity to use a dwelling under the federal Fair Housing Act, the person may apply for a Reasonable Accommodation in accordance with this section.

b. For the purposes of this section, an "eligible person" is a person who meets the definition of a disabled or handicapped person under federal law.

c. A person recovering from substance abuse is considered a person with a disability or handicap provided they are not currently engaging in the illegal use of controlled substances.

C. VARIANCES DISTINGUISHED

1. In addition to applications for a Reasonable Accommodation, this procedure recognizes the following different forms of Variance, each of which may have unique review processes and criteria:

a. Zoning or Subdivision Variances;

b. Flood Hazard Overlay Variances;

c. Stormwater Variances; and

d. Water Supply Watershed Variances. **AMENDED 4.15.24 (UDOTA1-24)**

~~2.3.30~~2.3.32 VESTED RIGHTS CERTIFICATE

A. PURPOSE AND INTENT

The purpose for this Vested Rights Certificate procedure is to permit an applicant to request vesting, or an extended vesting period, from changes in this Ordinance that take place after approval of a development application but prior to completion of an approved site-specific vesting plan associated with the application.

FIGURE 2.3.32 VESTED RIGHTS CERTIFICATE PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** May be filed as part of or after an application for a development approval constituting a site-specific vesting plan
3	**Completeness Determination**
4	**Staff Review and Recommendation** By Planning Director
5	**Public Notification**
8	**Decision by Town Council** Vesting duration limited to a maximum of five years
9	**Notification of Decision**
10	**Insert Vesting Term** If approved

B. APPLICABILITY

An application for a Vested Rights Certificate shall be limited to applications with an approved site-specific vesting plan in accordance with Section 1.11.4D, Site-Specific Vesting Plan.

C. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams) except that the Planning Board shall not provide a recommendation and a neighborhood meeting is not required.

D. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with Figure 2.3.32 and the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
   a. Approval of the Vested Rights Certificate as proposed;
   b. Approval of a revised Vested Rights Certificate; or
   c. Denial of the Vested Rights Certificate.
3. If approved, the Vested Rights Certificate is deemed established upon the date of approval of a qualifying site-specific vesting plan to which the application for a Vested Rights Certificate was attached.

E. REVIEW CRITERIA

An application for a Vested Rights Certificate shall be approved if:

1. The Vested Rights Certificate is for an approved site-specific vesting plan;
2. The development is valid and unexpired;
3. Any required Variances have been obtained; and
4. The request is in accordance with NCGS§160D-108, and Section 1.11, Vested Rights.

F. SEQUENCE

1. An application for a Vested Rights Certificate may be submitted concurrently with or following the application qualifying as a site-specific vesting plan, but consideration of a Vested Rights Certificate shall only take place following approval of the site-specific vesting plan.
2. A Vested Rights Certificate shall be approved prior to issuance of a Building Permit.

G. EFFECT

1. Each document used to establish a site-specific vesting plan shall bear the following notation:
   "Approval of this application establishes a zoning vested right under Section 160D-108 of the North Carolina General Statutes, as amended. Unless terminated at an earlier date, the vested right shall be valid until _____(date)."
2. The establishment of a vested right shall not preclude the application of overlay zoning district provisions that impose additional requirements but do not affect the allowable type and intensity of use, or through ordinances that are general in nature and are applicable to all property subject to land use regulation by the Town, including, but not limited to: building, fire, plumbing, electrical, and mechanical codes.

H. AMENDMENT

Amendment of Vested Rights Certificate may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

I. DURATION

1. In no instance shall a Vested Right Certificate provide a vested right for a period of longer than five years from the date of approval of the site-specific vesting plan.
2. A Vested Right Certificate shall expire and become null and void:
   a. At the end of the approved vesting period; or
   b. If a Building Permit application for the development subject to the certificate is not submitted within two years of the approval of the Vested Rights Certificate ~~associated with a Special Use Permit Concept Plan, Major Subdivision Preliminary Plat, or Site Plan, or five years of the approval of a Vested Rights Certificate associated with a Conditional Rezoning Concept Plan~~; or
   c. Upon a finding by the Town Council after public notice and a public hearing, that:
      i. Natural or man-made hazards on or in the immediate vicinity of the land, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated;
      ii. The landowner or landowner's representative intentionally supplied inaccurate information or made material misrepresentations which affected the approval of the site-specific vesting plan;
      iii. The landowner failed to comply with any condition imposed upon the establishment of the site-specific development plan or Vested Rights Certificate; or
   d. Upon payment to the affected landowner of compensation for all costs, expenses, and other losses incurred by the landowner, including all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consultant fees incurred after approval of the certificate by the Town, together with interest at the legal rate until paid. Compensation shall not include any diminution in the value of the land which is caused by such action; or
   e. With the written consent of the affected landowner.
3. Upon enactment or promulgation of a State or federal law or regulation that precludes development as contemplated in the site-specific vesting plan, the Town Council may modify the affected provisions of the certificate by ordinance, if after conducting a hearing, it finds the changed conditions created by the change in the State or federal law have a fundamental effect on the site-specific vesting plan.

~~2.3.31~~2.3.33 ZONING COMPLIANCE PERMIT

A. PURPOSE AND INTENT

The purpose of a Zoning Compliance Permit is to ensure no development occurs until there is assurance the development complies with the requirements of this Ordinance and all other applicable requirements.

FIGURE 2.3.33 ZONING COMPLIANCE PERMIT PROCEDURE

STEP	ACTION
1	**Pre-Application Conference** (Optional)
2	**File Application** - Submitted to Planning Director - Must include a plan or generalized sketch of the development
3	**Completeness Determination**
4	**Planning Director Review and Decision**
5	**Notification of Decision**

B. APPLICABILITY [31]

1. A Zoning Compliance Permit shall be required for development applications that are exempted from requirements to obtain a Building Permit, and the following:
   a. Erection or modification of a fence, ~~or~~ privacy, or retaining wall over ~~24~~ 36 inches in height above grade; or
   b. Any change in principal use within an existing non-residential, multi-family, or mixed-use structure; or
   c. A home occupation; or
   ~~b.~~d. Establishment of a secondary use or structure; or
   ~~c.~~e. Land disturbing activities; or
   ~~d.~~f. Changes in utility customer accounts (e.g., when a water or electricity customer account changes from one person or entity to a different person or entity). **AMENDED 12.16.24 (UDOTA3-24)**
2. In cases where a Building Permit is required, review for zoning compliance shall take place as a part of the review for the Building Permit application, and as a result, no Zoning Compliance Permit shall be required for developments subject to a Building Permit.

C. APPLICATION

1. Applications for a Zoning Compliance Permit shall include a generalized sketch of the development that identifies the lot lines and the outer extents of all of the following features (if present):
   a. Principal structure(s);
   b. Secondary structures (including those there on a temporary basis);
   c. Open-air uses of land;
   d. Required setbacks and allowable encroachments, if applicable;
   e. Existing potable water wells, septic tanks, drain fields, and reserve or back-up drain field locations;
   f. Required tree save areas;
   g. Required stormwater control measures;
   h. Any other features identified by the Planning Director as necessary for determining compliance with the requirements of this Ordinance; and
   i. Proposed uses, structures, or development activity associated with the Zoning Compliance Permit.
2. Sketches are not required to be professionally prepared, but must be drawn to scale.

[31] See STN # 61 & # 78.

D. FILING AND REVIEW SCHEDULE

Town policy documents shall contain the filing and review schedules for applications reviewed under this Ordinance. Copies of the application filing and review schedule shall be on file in the Planning Department.

E. APPLICATION FILING

1. An application shall not be considered submitted until it is determined to be complete in accordance with Section 2.4.5G, Determination of Application Completeness.
2. No application shall be reviewed or decided until after it is determined to be complete.
3. The provisions in Section 2.4.6, Permit Choice, shall only apply to applications that are complete.
4. Multiple concurrent applications may be filed and reviewed in accordance with Section 2.4.12, Concurrent Processing.

F. BURDEN OF PRESENTING COMPLETE APPLICATION

The burden of presenting and maintaining a complete application shall be solely upon the applicant.

G. DETERMINATION OF APPLICATION COMPLETENESS

The Planning Director shall determine, within a reasonable period of time, whether an application is complete or incomplete. A complete application is one that:

1. Contains all information and materials identified in this Ordinance and all supporting documentation, as required for submittal of the particular type of application;
2. Is in the form and number of copies required by the Town;
3. Is legible and to scale, if including a plan or plat;
4. Is signed by the person(s) with the authority to file the application;
5. Includes information in sufficient detail to evaluate whether the application complies with the applicable review standards in this Ordinance;
6. Is accompanied by the required fee(s);
7. Occurs only after conduct of a pre-application conference if one is required;
8. Occurs only after conduct of a neighborhood information meeting if one is required; and
9. Is not subject to the limitations described in Section 2.4.15, Reconsideration of Denied Applications.

H. APPLICATION INCOMPLETE [32]

1. If the application is incomplete, the Planning Director shall notify the applicant of the deficiencies in writing. The applicant may correct the deficiencies and resubmit the application for completeness determination in accordance with Section 2.4.5E, Application Filing.
2. Following receipt of a notice of application deficiency by the Planning Director, an applicant may revise and resubmit the application.
~~2.~~3. Application fees associated with an application that is withdrawn prior to completeness determination shall be refunded.
~~3.~~4. Failure of an applicant to submit missing or deficient portions of an application or file a written request to process the incomplete application within 30 days of delivery of a written notice of application deficiency shall render the application abandoned. **AMENDED 12.16.24 (UDOTA3-24)**

[32] See STN # 45.

5. In no instance shall an application that is abandoned be considered a complete application subject to the protections described in Section 2.4.6, Permit Choice.
~~4.~~6. Application fees associated with an abandoned application shall not be refunded.

I. APPLICATION COMPLETE

1. On determining that the application is complete, it shall be considered as submitted, and the Town shall notify the applicant and commence review in accordance with the procedures and standards of this Ordinance.
2. Nothing shall preclude the Planning Director or a review authority from re-evaluating an application for completeness in the event application inadequacies are revealed at a date subsequent to an application being declared complete. Such re-review shall not invalidate options or protections to a complete application extended under Section 2.4.6, Permit Choice.

2.4.6 PERMIT CHOICE

AMENDED 12.16.24 (UDOTA3-24)

A. In cases where the applicable provisions of this Ordinance are amended between the time that an application is declared complete (see Section 2.4.5G, Determination of Application Completeness) and when it is decided, the applicant may choose which version of this Ordinance shall apply to their application, in accordance with NCGS§143-755.

B. The applicant's decision shall be final, and review under a different set of requirements may only be accomplished through a withdrawal and re-submittal of the application.

C. The application shall be processed in accordance with the newest regulations unless the applicant requests, in writing, to have the application processed in accordance with the rules in place at the time of the application.

D. In cases where an applicant has had an opportunity to exercise permit choice under this section, and subsequently places their application on hold for a period of six consecutive months or more, the application shall be reviewed in accordance with the requirements in effect at the time the applicant requests recommencement of review.

E. In cases where an applicant has had an opportunity to exercise permit choice under this section, receives comments on the application or a request from the Town to provide additional information and fails to respond for a period of six consecutive months or more, the application shall be considered abandoned in accordance with Section 2.4.14C, Abandonment.

F. The right to permit choice is forfeited when an application is abandoned.

2.4.7 STAFF REVIEW AND ACTION

A. STAFF REVIEW

AMENDED 12.16.24 (UDOTA3-24)

1. Applications shall be reviewed during the review cycle in place when the application is determined to be complete. Application review cycles are described in Town policy documents.
2. When an application is determined complete, it shall be distributed to all appropriate staff and review agencies for review and comment, and submitted for preparation of a staff report, in accordance with Town policy.
3. If deficiencies in complying with applicable standards of this Ordinance are identified, the Planning Director shall notify the applicant of the deficiencies.
4. Failure of the applicant to respond to the notification of compliance deficiency within six months shall render the application abandoned in accordance with Section 2.4.14C, Abandonment.

B. Conditions shall be in writing and may be supplemented with text or plans and maps.

C. No condition shall be made part of the application which:

1. Specifies the ownership status, race, religion, or other characteristics of the occupants of housing units;
2. Establishes a minimum size of a dwelling unit;
3. Establishes a minimum value of buildings or improvements;
4. Excludes residents based upon race, religion, or income;
~~4.~~5. Requires an applicant to permit inspection of areas of a site that are not open to the general public; or[33]
~~5.~~6. Obligates the Town to perform in any manner relative to the approval of the application or the development of the land.

D. In no instance shall any of the following standards in this Ordinance be waived, reduced, or made less restrictive as part of an application:

1. Any of the applicable overlay district standards in Section 3.7, Overlay Zoning Districts;
2. The maximum allowable residential density, unless subject to an authorized incentive permitted under this Ordinance;
3. The signage standards in Section 6.13, Signage, unless part of Alternative Sign Plan; and
4. Technical requirements associated with public infrastructure.

E. All conditions of approval shall be consented to, in writing, by all owners of land or applicants subject to the conditions prior to delivery of a notice of decision (see Section 2.4.11, Written Notice of Decision).

F. All conditions of approval shall be identified in the approval, the notice of decision, and on any associated plans or plats.

G. Any condition of approval approved by the Town and the applicant shall become a part of the application approval and the applicant, landowner, or subsequent assign shall remain subject to its terms and requirements.

2.4.11 WRITTEN NOTICE OF DECISION

A. CONTENT

The notification of a decision on a development application shall be issued in the name of the applicant or applicant's agent, as appropriate, directed to the address(es) identified in the application materials, and shall identify the following:

1. The land or matter subject to the application;
2. A reference to any approved plans, as appropriate;
3. The approved use(s), if any; and
4. Any conditions of approval or other applicable requirements.

B. TIMING

The Planning Director shall provide the applicant written notification of a decision or action within a reasonable time after a final decision on a development application has been made.

C. COPY OF DECISION

1. In addition to providing the notification of a decision on an application to an applicant, the Planning Director shall make a copy of the decision available to anyone who submits a written request prior to the issuance of the decision.

[33] See STN # 3.

2. The Planning Director shall also make a copy of the notice of decision available to the public in the Town offices during normal business hours.

D. DELIVERY

~~2.~~ Applicants may request delivery of a written notice of decision via first class mail, electronic mail, or in-person receipt. [34]

2.4.12 ~~SIMULTANEOUS~~ CONCURRENT PROCESSING

A. Whenever possible, the Town shall process related development applications (e.g., a Site Plan, a Zoning Compliance Permit, and a Building Permit) ~~simultaneously or~~ concurrently.

B. Generally speaking, establishment of an appropriate zoning designation is a prerequisite to other related application types. A request for variation, deviation, reduction, or adjustment from required standards is a prerequisite to development plan approval. Plan approval is a prerequisite to Building Permit approval.

C. In the event a permit or development approval is a prerequisite to another permit or development approval (e.g., Administrative Adjustment or Variance approval prior to a Site Plan approval), a decision on the dependent application may not take place until all prerequisite approvals are obtained.

D. Except for "at risk" Building Permits, a Building Permit shall not be issued until after the Site Plan and Construction Drawings, as applicable, have been approved.

E. In the case of Major Subdivisions, a Building Permit shall not be issued until after the Final Plat has been approved unless the Construction Drawings are approved in accordance with Section 2.3.9F.2, Alternative Sequence.

~~A.~~**F.** Applications for Sign Permits on lots or sites subject to the requirement for review of a Site Plan or subdivision shall not be submitted until the Site Plan or subdivision application has been approved.

~~**B.A.** Generally speaking, establishment of an appropriate zoning designation is a prerequisite to other related application types. A request for variation, deviation, reduction, or adjustment from required standards is a prerequisite to development plan approval. Plan approval is a prerequisite to Building Permit approval.~~

~~**C.A.** In the event a permit or development approval is a prerequisite to another permit or development approval (e.g., Administrative Adjustment or Variance approval prior to a Site Plan approval), a decision on the dependent application may not take place until all prerequisite approvals are obtained.~~

~~D.~~**G.** Approval of one development application does not guarantee approval of any subsequent required development application.

2.4.13 PHASED DEVELOPMENT

Nothing shall prohibit the construction of development in phases, sections, or portions, provided the development complies with the following:

A. Applications associated with phased development shall include plans that clearly identify each phase, the location and extent of each phase boundary, and the anticipated schedule of development (e.g., first phase, second phase, third phase, etc.). Construction Drawings submitted with a phase of a phased development shall be inclusive of all land within the phase.

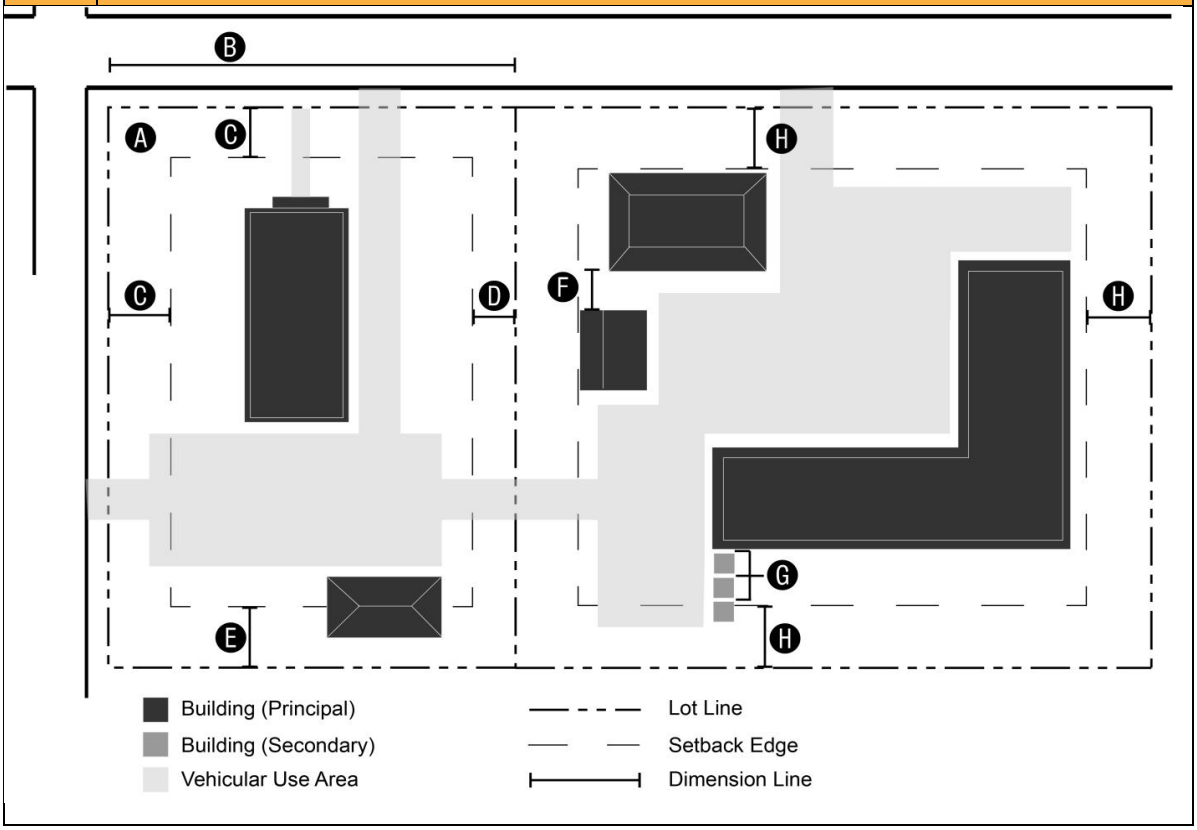
B. Major subdivisions proposed to be phased shall be configured so that each phase includes at least the lesser of 15 lots or 50% of the land area within the phase. In no instance shall any individual phase include fewer than five lots.

[34] See STN # 3.

C. CORRIDOR COMMERCIAL DISTRICT DIMENSIONAL STANDARDS FOR ALLOWABLE USE TYPES [35]

	Max. Residential Density (du/ac)	~~6.0~~No max.	C	Min. Street Setback (ft) [3]	25
A	Min. Lot Area (sf)	8,000	D	Min. Side Setback (ft)	15
	Min. Lot Area with Residential Use (sf) [1]	20,000	E	Min. Rear Setback (ft)	30
B	Min. Lot Width (ft)	60		Min. Spacing Between Buildings (ft) [4]	
	Max. Lot Coverage (% of lot area)	75	F	Principal	20
	Min. Open Space Set-Aside (% of lot area) [2]	5	G	Secondary	5
	Max. Building Height (ft)	60	H	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [5]	30

NOTES:
[1] Applied to entire development site, not to individual lots within a single development site.
[2] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[3] Applied from the edge of public street rights-of-way. Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if provided.
[4] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[5] Unified ~~and multi-building~~ developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.



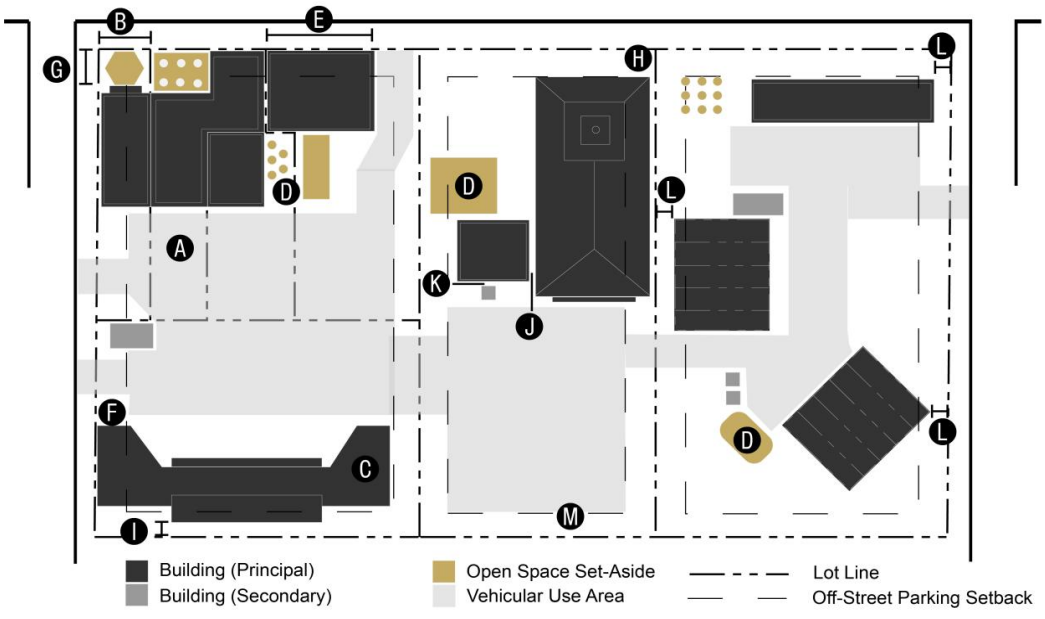
[35] See STN # 71.

C. DOWNTOWN CORE (DTNC) DISTRICT DIMENSIONAL STANDARDS [36]

	Max. Residential Density (du/ac)	~~30.0~~No max.	F	Min. Street Setback (ft) [8]	None
A	Min. Lot Area (sf)	None	G	Max. Street Setback (ft) [8] [9]	0
B	Min. Lot Width (ft) [1] [2] [3]	20	H	Side Setback (ft) (Abutting DTNC district / Abutting other district) [10] [11] [12]	0/5
	Max. Lot Coverage (% of lot area)	100	I	Rear Setback (ft) (Abutting DTNC district / Abutting other district) [10] [11] [12]	0/10
C	Max. Building Size (sf) [4]	30,000		Min. Spacing Between Buildings (ft) [10]	
D	Min. Open Space Set-Aside (% of lot area) [5]	5	J	Between Principal Buildings [13]	3
	Min. Building Height (stories)	2	K	Between Secondary and any other Building	3
	Max. Building Height (ft)	50	L	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [14]	10
E	Min. Building Frontage (% of lot width) [6] [7]	75	M	Min. Off-Street Parking Setback (ft)	20

NOTES:

[1] Applied to the entire development site when buildings on individual lots have shared or party walls.
[2] Measured at the interior building setback line (not the "pole" portion of a flag lot).
[3] New blocks of lots with lot widths of less than 50 feet require the provisions of alleys.
[4] Applied to new commercial buildings only. Buildings on lots over five acres in area are exempt.
[5] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[6] Measured at inner edge of the street setback adjacent to the primary building facade. Only applied to the lot side adjacent to the primary building façade on corner or dual frontage lots. **AMENDED 9.16.24 (UDOTA2-24)**
[7] Gathering areas abutting the street right-of-way are credited towards building frontage requirements.
[8] Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[9] Maximum street setback is applied only to the primary building façade and is zero feet. Primary building walls may be built to the edge of a gathering area located between the primary building wall and the street right-of-way.
[10] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[11] Not applied to lots lines adjacent to shared or party building walls.
[12] Not applied to multi-building and unified developments.
[13] Excludes buildings with shared or party walls.
[14] Unified ~~and multi-building~~ developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.



C. MIXED-USE (MXD) DISTRICT DIMENSIONAL STANDARDS [37]

	Max. Residential Density (du/ac)	~~12.0~~No max.	F	Max. Street Setback (ft) [10] [11] **AMENDED 9.16.24 (UDOTA2-24)**	20
A	Min. Lot Area (sf) [1]	4,000		Min. Street Setback (ft) **AMENDED 9.16.24 (UDOTA2-24)**	None
B	Min. Lot Width (ft) [2] [3] [4]	40	G	Side Setback (ft) [12] [13] [14]	15
	Max. Lot Coverage (% of lot area)	70	H	Rear Setback (ft) [12] [13] [14]	25
C	Max. Building Size (sf) [5] **AMENDED 9.16.24 (UDOTA2-24)**	50,000		Min. Spacing Between Buildings (ft) [12]	
D	Min. Open Space Set-Aside (% of lot area) [6] **AMENDED 12.16.24 (UDOTA3-24)**	7	I	Between Principal Buildings	10
	Min. Building Height (stories) [7]	2	J	Between Secondary and any other Building	5
	Max. Building Height (ft)	42	K	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [15]	30
E	Min. Building Frontage (% of lot width) [8] [9]	60	L	Min. Off-Street Parking Setback (ft) [16]	20

NOTES:
[1] Plus an additional 500 sf per residential unit for developments in excess of two units.
[2] Applied to the entire development site when buildings on individual lots have shared or party walls.
[3] Measured at the interior building setback line (not the "pole" portion of a flag lot).
[4] New blocks of lots with lot widths of less than 50 feet require the provisions of alleys.
[5] Applied to the non-residential portion of a building. Buildings on lots over five acres in area are exempt.
[6] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[7] Only applied to buildings comprised of a single use type.
[8] Measured at inner edge of the street setback adjacent to the primary building facade. Only applied to the lot edge adjacent to the primary building façade on corner or dual frontage lots.
[9] Gathering areas abutting the street right-of-way are credited towards building frontage requirements.
[10] Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[11] Reduced by 50% for bungalow court and pocket neighborhood uses.
[12] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[13] Not applied to lots lines adjacent to shared or party building walls.
[14] Not applied to multi-building and unified developments.
[15] Unified ~~and multi-building~~ developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.
[16] Applied to off-street parking areas including two or more rows of parking spaces.

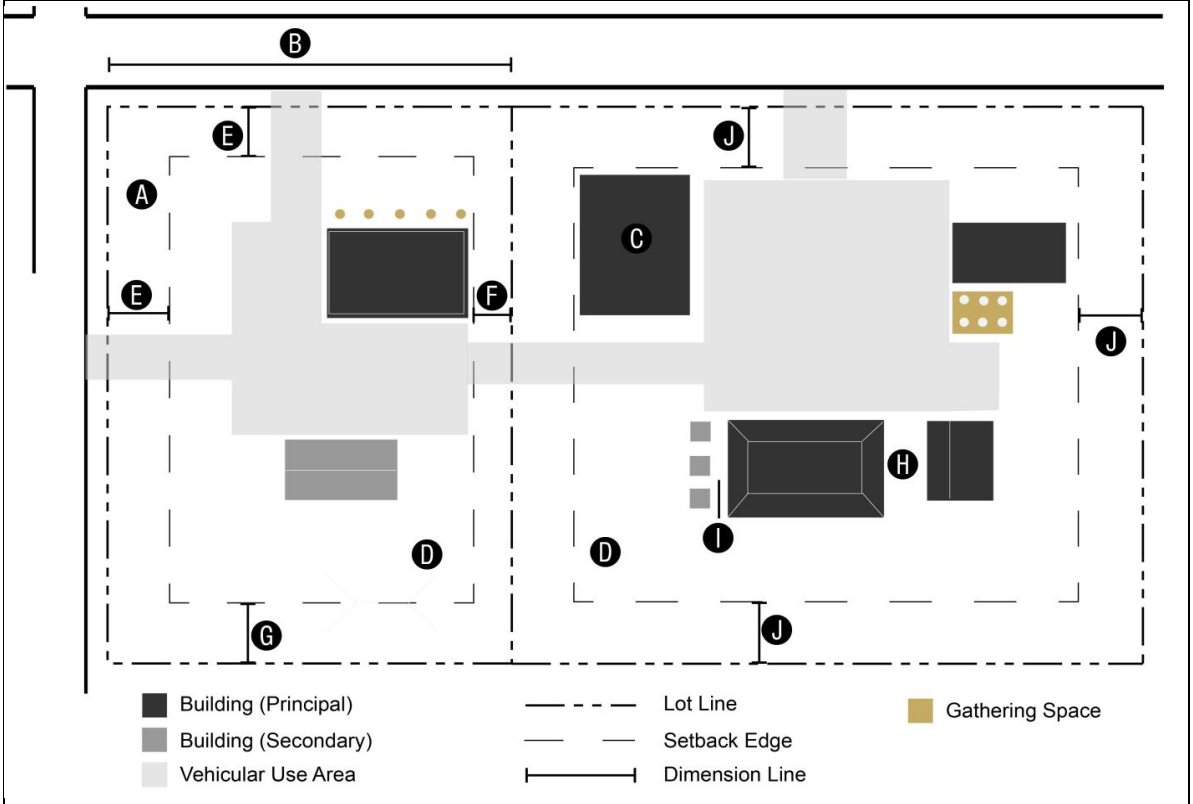
[37] See STN # 71.

C. NEIGHBORHOOD COMMERCIAL (NCM) DISTRICT DIMENSIONAL STANDARDS [38]

	Max. Residential Density (du/ac)	~~6.0~~7.2	F	Side Setback (ft) [8] [9] [10]	10
A	Min. Lot Area (sf) [1]	6,000	G	Rear Setback (ft) [8] [9] [10]	20
B	Min. Lot Width (ft) [2] [3]	50		Min. Spacing Between Buildings (ft) [8]	
	Max. Lot Coverage (% of lot area)	75	H	Between Principal Buildings	10
C	Max. Building Size (sf) [4]	5,000	I	Between Secondary and any other Building	5
D	Min. Open Space Set-Aside (% of lot area) [5] **AMENDED 12.16.24 (UDOTA3-24)**	5	J	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [11]	30
E	Min. Street Setback (ft) [6] [7]	20		Max. Building Height (ft)	35

NOTES:

[1] Plus an additional 500 sf per residential unit for developments in excess of two units.
[2] Applied to the entire development site when buildings on individual lots have shared or party walls.
[3] Measured at the interior building setback line (not the "pole" portion of a flag lot).
[4] Vertically-integrated buildings and buildings on lots over five acres in area are exempt.
[5] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[6] Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[7] Reduced by 50% for bungalow court and pocket neighborhood uses.
[8] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[9] Not applied to lots lines adjacent to shared or party building walls.
[10] Not applied to ~~multi-building and~~ unified developments.
[11] Unified ~~and multi-building~~ developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.



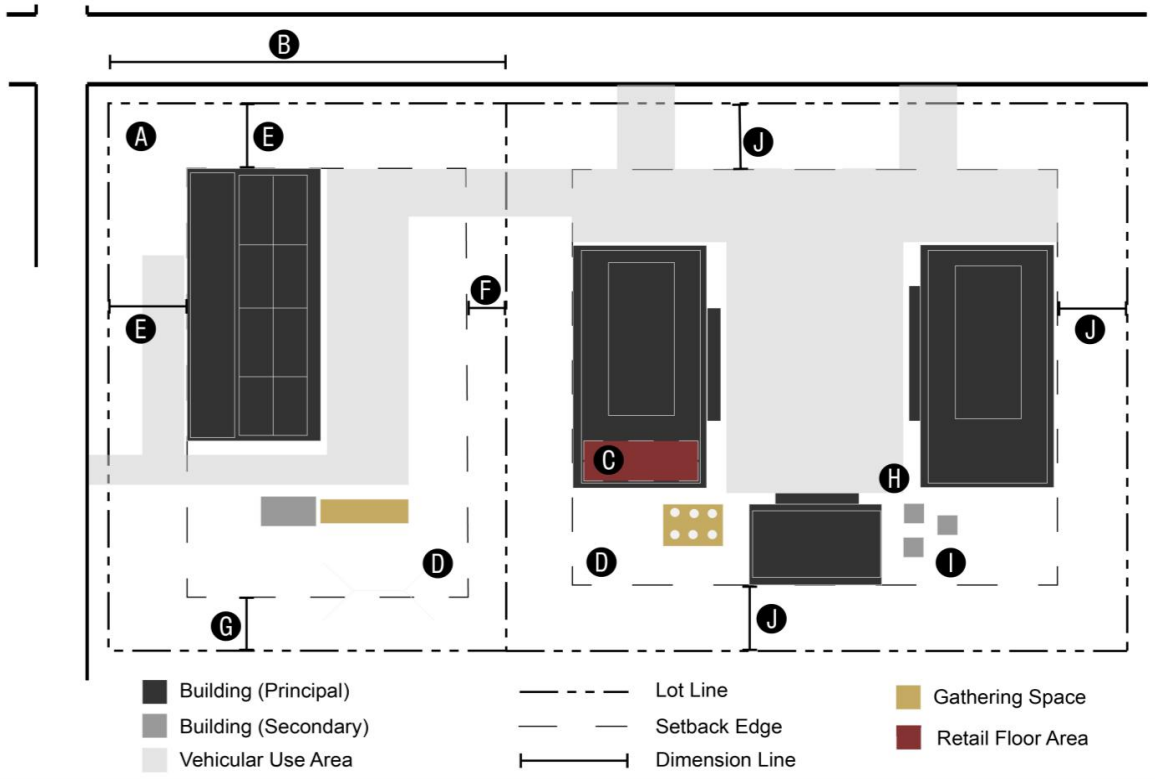
[38] See STN # 71.

C. OFFICE INSTITUTIONAL (OFI) DISTRICT DIMENSIONAL STANDARDS [39]

	Max. Residential Density (du/ac)	~~5.0~~7.2	F	Side Setback (ft) [7] [8] [9]	10
A	Min. Lot Area (sf) [1]	6,000	G	Rear Setback (ft) [7] [8] [9]	20
B	Min. Lot Width (ft) [2] [3]	60		Min. Spacing Between Buildings (ft) [7]	
	Max. Lot Coverage (% of lot area)	75	H	Between Principal Buildings	20
C	Max. Retail Building Floor Area (% of building floor area) [4]	20	I	Between Secondary and any other Building	10
D	Min. Open Space Set-Aside (% of lot area) [5] **AMENDED 12.16.24 (UDOTA3-24)**	5	J	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) [10]	30
E	Min. Street Setback (ft) [6]	30		Max. Building Height (ft)	60

NOTES:

[1] Plus an additional 500 sf per residential unit for developments in excess of two units.
[2] Applied to the entire development site when buildings on individual lots have shared or party walls.
[3] Measured at the interior building setback line (not the "pole" portion of a flag lot).
[4] Retail uses engaged solely in sale of heath-related and health care-related products are exempt from floor area limits.
[5] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[6] Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[7] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[8] Not applied to lots lines adjacent to shared or party building walls.
[9] Not applied to ~~multi-building and~~ unified developments.
[10] Unified ~~and multi-building~~ developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.



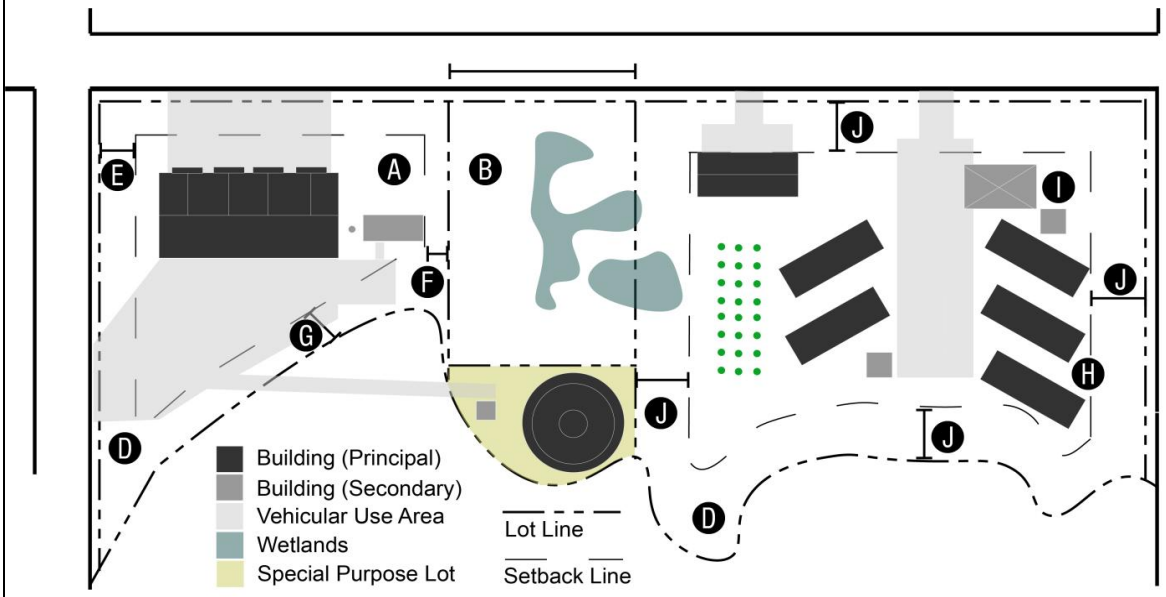
[39] See STN # 71.

C. PUBLIC FACILITIES (PUB) DISTRICT DIMENSIONAL STANDARDS[40]

	Max. Residential Density (du/ac)	N/A	E	Min. Street Setback (ft) [2~~3~~]	5~~20~~
	Min. Lot Area (sf)		F	Side Setback (ft) [3~~4~~] [4~~5~~]	5~~10~~
A	With Water & Sewer	None~~20,000~~	G	Rear Setback (ft) [3~~4~~] [5~~4~~]	5~~30~~
B	Without Water & Sewer	None~~2,000~~		Min. Spacing Between Buildings (ft) [3~~4~~]	
C	Min. Lot Width (ft) [1]	50	H	Between Principal Buildings	N/A~~20~~
	Max. Lot Coverage (% of lot area)	75	I	Between Secondary and any other Building	N/A~~5~~
D	Min. Open Space Set-Aside (% of lot area) ~~[2]~~	N/A~~5~~	J	Min. Perimeter Setback for Multi-Building and Unified Developments (ft) ~~[6]~~	N/A~~30~~
	Max. Building Height (ft)	N/A~~35~~			

NOTES:

[1] Not applied to conservation or environmentally-sensitive lands with no buildings.
[2] ~~See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.~~
~~[3]~~ Applied from the edge of public street rights-of-way (excluding alleys). Setbacks from private streets shall be at least five feet from the edge of the pavement or the edge of the sidewalk if one is provided.
[3~~4~~] Applicable Fire Code or Building Code requirements shall control with respect to minimum distance.
[4~~5~~] Not applied to ~~multi-building and~~ unified developments.
~~[6] Unified and multi-building developments meeting the definitions in this Ordinance are exempted from side and rear setbacks along internal lot lines. Perimeter setbacks shall apply along all public street rights-of-way.~~



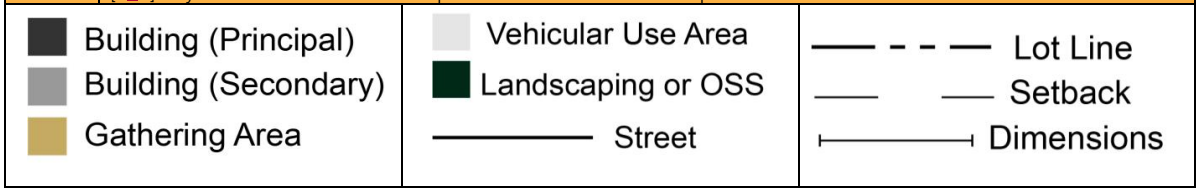
[40] See STN #97.

C. RESIDENTIAL HIGH DENSITY (RHD) DISTRICT DIMENSIONAL STANDARDS

Dimensional Standard (see following pages for dimensional standard diagrams) AMENDED 4.15.24 (UDOTA1-24)	Type of Development									
	Bungalow Court	Conservation Subdivision	Multi-Family	Pocket Neigh-hood	Single-Family Attached	Single-Family Detached	Triplex/ Quadplex	Duplex	Upper-Story Residential	Non-Residential
Maximum Residential Density (du/ac) [1]	8.2 [2]	10.8	N/A	8.2 [3]	7.2 ~~[4]~~	7.2 ~~[4]~~	N/A	N/A	N/A	N/A
(A) Minimum Site Size	1 ac	5 ac	N/A	1 ac	12,000 sf [45]	N/A	N/A	N/A	N/A	N/A
(B) Minimum Lot Area (sf)	3,600	N/A	N/A	3,600	N/A	6,000	N/A	N/A	N/A	6,000
(C) Minimum Lot Width (lf) [56]	50 [~~7~~6]	20	N/A	50 [7]	50 [~~7~~6]	50	N/A	N/A	N/A	50
Maximum Lot Coverage (% of lot area) [~~7~~8]	80	90	N/A	90	60 [~~7~~6]	60	N/A	N/A	N/A	60
(D) Minimum Open Space Set Aside (% of lot or site size) [8~~[9~~] AMENDED 12.16.24 (UDOTA3-24)	10	50	N/A	10 [9~~10~~]	10	10 [10~~1~~]	N/A	N/A	N/A	5
(E) Minimum Street Setback (lf)	20	3 [11~~2~~]	N/A	3 [11~~2~~]	25 [12~~3~~]	25	N/A	N/A	N/A	20
(F) Minimum Side Setback (lf)	3 [11~~2~~]	3 [11~~2~~]	N/A	3 [11~~2~~]	6 [6~~7~~]	6	N/A	N/A	N/A	6
(G) Minimum Rear Setback (lf)	3	3 [11~~2~~]	N/A	3 [11~~2~~]	20 [6~~7~~]	20	N/A	N/A	N/A	20
(H) Minimum Spacing Between Principal Buildings on Same Lot (lf) [13~~4~~]	N/A	N/A	N/A	20	20	N/A	N/A	N/A	N/A	20
(I) Minimum Spacing Between Secondary Building and Any Other Building on Same Lot (lf) [13~~4~~]	3	3	N/A	3	10	5	N/A	N/A	N/A	10
(J) Minimum Perimeter Setback for Multi-Building and Unified Developments (lf)	[14~~5~~]	[15~~6~~]	N/A	[14~~5~~]	25	N/A	N/A	N/A	N/A	20
Maximum Building Height (lf) [16~~7~~]	35	35	N/A	24	35	35	N/A	N/A	N/A	35

NOTES:

[1] Density bonuses may be granted for inclusion of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives.
[2] Must include at least three principal dwelling units.
[3] Must include at least four principal dwelling units but not more than 24 principal dwelling units.
[4] ~~Maximum density may be increased by up to one unit per acre for voluntary compliance with residential design guidelines.~~
~~[5]~~ 12,000 for the first two dwelling units plus an additional 500 sf for each unit beyond two.
~~[6~~5] Alleys are required to serve lots on blocks where one or more new lot is less than 50 feet in width. Conservation subdivisions exempted.
[~~7~~6] Applied to entire development, not individual lots.
[~~8~~7] Subject to applicable built-upon limits if located within the Watershed Protection Overlay District.
[~~9~~8] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[9~~10~~] At least 300 sf of OSS per unit shall be configured as a central green or garden.
[10~~11~~] Applied to subdivisions, not individual dwellings.
[11~~12~~] In no instance shall off-street parking be located in ways in which parked vehicles extend beyond lot lines.
[12~~13~~] May be reduced to three feet through provision of rear-loaded alleys and no curb cuts along streets abutting front building facades.
[13~~14~~] A larger distance may be required in accordance with the applicable NC Building Code or NC Fire Code.
[14~~15~~] Requires a Type C buffer along any portion of the development perimeter abutting a residential zoning district.
[15~~6~~] As necessary to comply with visibility requirements in Section 2.3.8, Conservation Subdivision.
[16~~7~~] May be increased in accordance provision of sustainable development incentives.



C. RESIDENTIAL LARGE LOT (RLL) DISTRICT DIMENSIONAL STANDARDS

Dimensional Standard (see following page for dimensional standard diagrams)	Type of Development									
	Bungalow Court	Conservation Subdivision	Multi-Family	Pocket Neigh-hood	Single-Family Attached	Single-Family Detached	Triplex/ Quadplex	Duplex	Upper-Story Residential	Non-Residential
Maximum Residential Density (du/ac) [1]	N/A	2.1 [2]	N/A	N/A	N/A	2.1 [2]	N/A	N/A	N/A	N/A
A Minimum Site Size	N/A	5 ac	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
B Minimum Lot Area (sf)	N/A	N/A	N/A	N/A	N/A	20,000 [3]	N/A	N/A	N/A	20,000
C Minimum Lot Width (lf) [4]	N/A	20	N/A	N/A	N/A	80 [5]	N/A	N/A	N/A	80
Maximum Lot Coverage (% of lot area) [6]	N/A	90	N/A	N/A	N/A	50	N/A	N/A	N/A	50
D Minimum Open Space Set Aside (% of lot or site size) [7] **AMENDED 12.16.24 (UDOTA3-24)**	N/A	50	N/A	N/A	N/A	10 [8]	N/A	N/A	N/A	5
E Minimum Street Setback (lf)	N/A	3 [9]	N/A	N/A	N/A	35	N/A	N/A	N/A	35
F Minimum Side Setback (lf)	N/A	3 [9]	N/A	N/A	N/A	15	N/A	N/A	N/A	15
G Minimum Rear Setback (lf)	N/A	3 [9]	N/A	N/A	N/A	30	N/A	N/A	N/A	30
Minimum Spacing Between Principal Buildings on Same Lot (lf) [10]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20
I Minimum Spacing Between Secondary Building and Any Other Building on Same Lot (lf) [10]	N/A	3	N/A	N/A	N/A	5	N/A	N/A	N/A	10
J Minimum Perimeter Setback for Multi-Building and Unified Developments (lf)	N/A	[11]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	35
Maximum Building Height (lf) [12]	N/A	35	N/A	N/A	N/A	35	N/A	N/A	N/A	35

NOTES:

[1] ~~Maximum density may be increased by up to one unit per acre for voluntary compliance with residential design guidelines.~~ Density bonuses may be granted for inclusion of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives.
[2] Maximum residential density for development with water but no sewer is 1.7 units per acre; for development with no public water or sewer 1.0 units per acre.
[3] Minimum lot area of 25,000 square feet for lot with public water but no public sewer.
[4] Alleys are required to serve lots on blocks where one or more new lot is less than 50 feet in width. Conservation subdivisions exempted.
[5] Minimum lot width is 100 linear feet for lots with no public water or sewer.
[6] Subject to applicable built-upon limits if located within the Watershed Protection Overlay District.
[7] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[8] Applied to subdivisions, not individual dwellings.
[9] In no instance shall off-street parking be located in ways in which parked vehicles extend beyond lot lines.
[10] A larger distance may be required in accordance with the applicable NC Building Code or NC Fire Code.
[11] As necessary to comply with visibility requirements in Section 2.3.8, Conservation Subdivision.
[12] May be increased in accordance provision of sustainable development incentives.

C. RESIDENTIAL LOW DENSITY (RLD) DISTRICT DIMENSIONAL STANDARDS

Dimensional Standard (see following page for dimensional standard diagrams)	Type of Development									
	Bungalow Court	Conservation Subdivision	Multi-Family	Pocket Neigh-hood	Single-Family Attached	Single-Family Detached	Triplex/ Quadplex	Duplex	Upper-Story Residential	Non-Residential
Maximum Residential Density (du/ac) [1]	N/A	4.0 [2]	N/A	N/A	N/A	4.0 [2]	N/A	N/A	N/A	N/A
A Minimum Site Size	N/A	5 ac	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
B Minimum Lot Area (sf)	N/A	N/A	N/A	N/A	N/A	10,000 [3]	N/A	N/A	N/A	10,000
C Minimum Lot Width (lf) [4]	N/A	20	N/A	N/A	N/A	70 [5]	N/A	N/A	N/A	70
Maximum Lot Coverage (% of lot area) [6]	N/A	90	N/A	N/A	N/A	50	N/A	N/A	N/A	50
D Minimum Open Space Set Aside (% of lot or site size) [7] **AMENDED 12.16.24 (UDOTA3-24)**	N/A	50	N/A	N/A	N/A	10 [8]	N/A	N/A	N/A	5
E Minimum Street Setback (lf)	N/A	3 [9]	N/A	N/A	N/A	30	N/A	N/A	N/A	30
F Minimum Side Setback (lf)	N/A	3 [9]	N/A	N/A	N/A	10	N/A	N/A	N/A	10
G Minimum Rear Setback (lf)	N/A	3 [9]	N/A	N/A	N/A	25	N/A	N/A	N/A	25
Minimum Spacing Between Principal Buildings on Same Lot (lf) [10]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20
I Minimum Spacing Between Secondary Building and Any Other Building on Same Lot (lf) [10]	N/A	3	N/A	N/A	N/A	5	N/A	N/A	N/A	10
J Minimum Perimeter Setback for Multi-Building and Unified Developments (lf)	N/A	[11]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	30
Maximum Building Height (lf) [12]	N/A	35	N/A	N/A	N/A	35	N/A	N/A	N/A	35

NOTES:

[1] ~~Maximum density may be increased by up to one unit per acre for voluntary compliance with residential design guidelines.~~ Density bonuses may be granted for inclusion of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives.
[2] Maximum residential density for development with water but no sewer is 1.7 units per acre; for development with no public water or sewer 1.0 units per acre.
[3] Minimum lot area of 25,000 square feet for lot with public water but no public sewer.
[4] Alleys are required to serve lots on blocks where one or more new lot is less than 50 feet in width. Conservation subdivisions exempted.
[5] Minimum lot width is 100 linear feet for lots with no public water or sewer.
[6] Subject to applicable built-upon limits if located within the Watershed Protection Overlay District.
[7] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[8] Applied to subdivisions, not individual dwellings.
[9] In no instance shall off-street parking be located in ways in which parked vehicles extend beyond lot lines.
[10] A larger distance may be required in accordance with the applicable NC Building Code or NC Fire Code.
[11] As necessary to comply with visibility requirements in Section 2.3.8, Conservation Subdivision.
[12] May be increased in accordance provision of sustainable development incentives.

C. RESIDENTIAL MEDIUM DENSITY (RMD) DISTRICT DIMENSIONAL STANDARDS

Dimensional Standard (see following page for dimensional standard diagrams) **AMENDED 4.15.24 (UDOTA1-24)**	Type of Development									
	Bungalow Court	Conservation Subdivision	Multi-Family	Pocket Neigh-hood	Single-Family Attached	Single-Family Detached	Triplex/ Quadplex	Duplex	Upper-Story Residential	Non-Residential
Maximum Residential Density (du/ac) [1]	5.0	5.0	N/A	5.0	N/A	5.0	N/A	N/A	N/A	N/A
A Minimum Site Size	1 ac	5 ac	N/A	1 ac	N/A	N/A	N/A	N/A	N/A	N/A
B Minimum Lot Area (sf)	7,000	N/A	N/A	7,000	N/A	8,000	N/A	N/A	N/A	8,000
C Minimum Lot Width (lf) [2]	60 [3]	20	N/A	60 [3]	N/A	60	N/A	N/A	N/A	60
Maximum Lot Coverage (% of lot area) [4]	80	90	N/A	90	N/A	55	N/A	N/A	N/A	55
D Minimum Open Space Set Aside (% of lot or site size) [5] **AMENDED 12.16.24 (UDOTA3-24)**	10	50	N/A	10 [6]	N/A	10 [7]	N/A	N/A	N/A	5
E Minimum Street Setback (lf)	20	3 [8	N/A	3 [8]	N/A	25	N/A	N/A	N/A	25
F Minimum Side Setback (lf)	3	3 [8]	N/A	3 [8]	N/A	10	N/A	N/A	N/A	10
G Minimum Rear Setback (lf)	3	3 [8]	N/A	3 [8]	N/A	25	N/A	N/A	N/A	25
Minimum Spacing Between Principal Buildings on Same Lot (lf) [9]	N/A	N/A	N/A	20	N/A	N/A	N/A	N/A	N/A	20
I Minimum Spacing Between Secondary Building and Any Other Building on Same Lot (lf) [9]	3	3	N/A	3	N/A	5	N/A	N/A	N/A	10
J Minimum Perimeter Setback for Multi-Building and Unified Developments (lf)	[10]	[11]	N/A	[10]	N/A	N/A	N/A	N/A	N/A	25
Maximum Building Height (lf) [12]	35	35	N/A	24	N/A	35	N/A	N/A	N/A	35

NOTES:

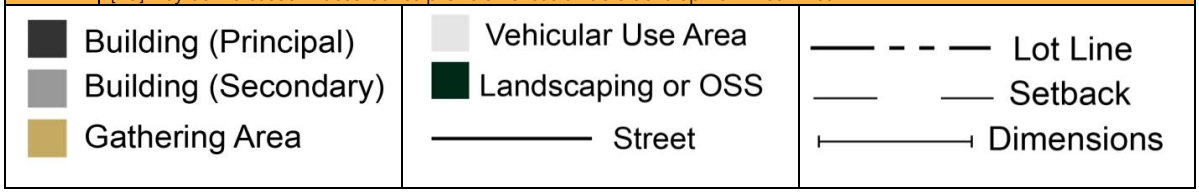
[1] ~~Maximum density may be increased by up to one unit per acre for voluntary compliance with residential design guidelines.~~ Density bonuses may be granted for inclusion of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives.
[2] Alleys are required to serve lots on blocks where one or more new lot is less than 50 feet in width. Conservation subdivisions exempted.
[3] Applied to subdivisions, not individual dwellings.
[4] Subject to applicable built-upon limits if located within the Watershed Protection Overlay District.
[5] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[6] At least 300 sf of OSS per unit shall be configured as a central green or garden.
[7] Applied to subdivisions, not individual dwellings.
[8] In no instance shall off-street parking be located in ways in which parked vehicles extend beyond lot lines.
[9] A larger distance may be required in accordance with the applicable NC Building Code or NC Fire Code.
[10] Requires a Type C buffer along any portion of the development perimeter abutting a residential zoning district.
[11] As necessary to comply with visibility requirements in Section 2.3.8, Conservation Subdivision.
[12] May be increased in accordance provision of sustainable development incentives.

C. RESIDENTIAL MULTI-FAMILY (RMF) DISTRICT DIMENSIONAL STANDARDS

	Dimensional Standard (see following pages for dimensional standard diagrams)	Type of Development									
		Bungalow Court	Conservation Subdivision	Multi-Family	Pocket Neigh-hood	Single-Family Attached	Single-Family Detached	Triplex/ Quadplex	Duplex	Live/Work	Non-Residential [1]
	Maximum Residential Density (du/ac) [2]	12 [3]	12	12	12 [4]	12 [5]	12 ~~[5]~~	12	12	6	6
A	Minimum Site Size	1 ac	5 ac	18,000 sf	1 ac	8,000 sf [5~~6~~]	N/A	N/A	N/A	N/A	N/A
B	Minimum Lot Area (sf) **AMENDED 12.16.24 (UDOTA3-24)**	3,600	N/A	N/A	3,600	N/A	3,600	10,800	7,200	7,000	6,000
C	Minimum Lot Width (lf) [6~~7~~]	50 [8]	20	50	50 [7~~8~~]	50 [7~~8~~]	50	50	50	50	50
	Maximum Lot Coverage (% of lot area) [~~9~~8]	80	90	60	90	60	60	60	60	60	60
D	Minimum Open Space Set Aside (% of lot or site size) [9~~10~~] **AMENDED 12.16.24 (UDOTA3-24)**	10	50	10	10 [11]	10	10	10	10	7	5
E	Minimum Street Setback (lf)	20	3 [12]	20	3 [12]	20 [12]	20	20	20	20	20
F	Minimum Side Setback (lf)	3 [12]	3 [12]	10	3 [12]	10 [12]	5	10	5	10	10
G	Minimum Rear Setback (lf)	3	3 [12]	15	3 [12]	15 [12]	15	15	15	15	15
H	Minimum Spacing Between Principal Buildings on Same Lot (lf) [13]	N/A	N/A	20	20	20	N/A	N/A	N/A	20	20
I	Minimum Spacing Between Secondary Building and Any Other Building on Same Lot (lf) [13]	3	3	10	3	10	5	7	5	7	10
J	Minimum Perimeter Setback for Multi-Building and Unified Developments (lf)	[14]	[15]	20	[14]	20	N/A	20	20	20	20
	Maximum Building Height (lf) [16]	35	35	45	24	35	35	35	35	45	45

NOTES:

[1] Includes upper-story residential.
[2] Density bonuses may be granted for inclusion of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives.
[3] Must include at least three principal dwelling units.
[4] Must include at least four principal dwelling units but not more than 24 principal dwelling units.
[5] ~~Maximum density may be increased by up to one unit per acre for voluntary compliance with residential design guidelines.~~
[6~~7~~]8,000 for the first two dwelling units plus an additional 500 sf for each unit beyond two.
[6~~7~~] Alleys are required to serve lots on blocks where one or more new lot is less than 50 feet in width. Conservation subdivisions exempted.
[7~~8~~] Applied to entire development, not individual lots.
[8~~9~~] Subject to applicable built-upon limits if located within the Watershed Protection Overlay District.
[9~~10~~] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[10~~11~~] At least 300 sf of OSS per unit shall be configured as a central green or garden.
[11~~1~~] Applied to subdivisions, not individual dwellings.
[12] In no instance shall off-street parking be located in ways in which parked vehicles extend beyond lot lines.
[13] A larger distance may be required in accordance with the applicable NC Building Code or NC Fire Code.
[14] Requires a Type C buffer along any portion of the development perimeter abutting a residential zoning district.
[15] As necessary to comply with visibility requirements in Section 2.3.8, Conservation Subdivision.
[16] May be increased in accordance provision of sustainable development incentives.



C. RURAL (RUR) DISTRICT DIMENSIONAL STANDARDS

Dimensional Standard (see following page for dimensional standard diagrams)	Type of Development									
	Bungalow Court	Conservation Subdivision	Multi-Family	Pocket Neigh-hood	Single-Family Attached	Single-Family Detached	Triplex/ Quadplex	Duplex	Upper-Story Residential	Non-Residential [1]
Maximum Residential Density (du/ac)	N/A	N/A	N/A	N/A	N/A	1.0 [2]	N/A	N/A	N/A	1.0 [3]
(A) Minimum Site Size	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	43,560
(B) Minimum Lot Area (sf)	N/A	N/A	N/A	N/A	N/A	43,560	N/A	N/A	N/A	N/A
(C) Minimum Lot Width (lf)	N/A	N/A	N/A	N/A	N/A	100	N/A	N/A	N/A	100 [4]
Maximum Lot Coverage (% of lot area) [5]	N/A	N/A	N/A	N/A	N/A	40	N/A	N/A	N/A	40 [4]
(D) Minimum Open Space Set Aside (% of lot or site size) [6] **AMENDED 12.16.24 (UDOTA3-24)**	N/A	N/A	N/A	N/A	N/A	10	N/A	N/A	N/A	5
(E) Minimum Street Setback (lf)	N/A	N/A	N/A	N/A	N/A	50	N/A	N/A	N/A	50
(F) Minimum Side Setback (lf)	N/A	N/A	N/A	N/A	N/A	20	N/A	N/A	N/A	20
(G) Minimum Rear Setback (lf)	N/A	N/A	N/A	N/A	N/A	35	N/A	N/A	N/A	35
Minimum Spacing Between Principal Buildings on Same Lot (lf) [7]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20
(I) Minimum Spacing Between Secondary Building and Any Other Building on Same Lot (lf) [7]	N/A	N/A	N/A	N/A	N/A	10	N/A	N/A	N/A	10
(J) Minimum Perimeter Setback for Multi-Building and Unified Developments (lf)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	50
Maximum Building Height (lf) [8]	N/A	N/A	N/A	N/A	N/A	35	N/A	N/A	N/A	N/A

NOTES:
[1] Includes manufactured home parks.
[2] ~~Maximum density may be increased by up to one-half unit per acre for voluntary compliance with residential design guidelines.~~ Density bonuses may be granted for inclusion of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives.
[3] Applied to manufactured home parks only.
[4] Applied to entire manufactured home park, not individual home spaces.
[5] Subject to applicable built-upon limits if located within the Watershed Protection Overlay District.
[6] See Section 6.7, Open Space Set-Aside and Parkland, for the type of open space required.
[7] A larger distance may be required in accordance with the applicable NC Building Code or NC Fire Code.
[8] May be increased in accordance provision of sustainable development incentives.

c. The ways in which approval of the less restrictive condition(s) will result in development that is in closer alignment with the provisions in Section 1.7, Purpose and Intent of Ordinance, and the Town's adopted policy guidance; and

d. Applicants are strongly encouraged to provide mitigation for any potential negative impacts anticipated to result from proposed conditions that are less restrictive than the applicable requirements.

E. CONCEPT PLANS ASSOCIATED WITH A TYPE 3 CONDITIONAL REZONING

1. GENERALLY

A Concept Plan, prepared in accordance with this section, shall be provided with an application for a Type 3 Conditional Rezoning application (see Section 2.3.7D, Application).

2. PREPARATION

A Concept Plan shall be prepared by a professional engineer, a licensed architect, or a licensed landscape architect.

3. CONTENTS

All Concept Plans shall include the information specified in the Town's Procedures Manual.~~following:~~ [41]

~~a. The general location of individual development areas, identified by land use(s) and/or development density or intensity;~~

~~b. The general configuration and relationship of the principal elements of the proposed development, including general building types;~~

~~c. Identify, for the entire district and each development area, the acreage, types and mix of land uses, number of residential units (by use type), non-residential floor area (by use type), residential density, and non-residential intensity (floor area square footage);~~

~~d. The general location, amount, and type (whether designated for active, passive, or gathering area) of open space set-aside;~~

~~e. The location of environmentally sensitive lands, wildlife habitat, and resource protection lands;~~

~~f. The on-site transportation circulation system, including the general location of all streets, existing or projected transit service, pedestrian, and vehicular circulation features, and how they will connect with existing and planned systems;~~

~~g. The general location of on-site potable water and wastewater facilities, and how they will connect to existing systems;~~

~~h. The general location of on-site stormwater control measures, and how they will connect to existing public systems;~~

~~i. The general location of all other on-site public facilities serving the development, including but not limited to parks, schools, bus shelters, and facilities for fire protection, police protection, EMS, and solid waste management; and~~

~~j. The applicable dimensional standards, including consistency with the conditional zoning district dimensional requirements or any requested deviations.~~

4. DEVIATIONS OR REDUCTIONS

a. Applicants seeking a Type 3 Conditional Rezoning that includes a request for a deviation or reduction from the generally applicable Ordinance standards are responsible for demonstrating, in the concept plan or related application materials, that

[41] See STN # 25.

3.3.2 (CZC) CONDITIONAL COMMERCIAL

A. PURPOSE AND INTENT [42]

The Conditional Commercial (CZC) District is established to provide greater flexibility in terms of the range of allowable uses or applicable development standards than is permitted within the CRM or NCM conventional zoning districts. The CZC District creates a means for an applicant to voluntarily restrict a proposed development in order to protect community character or seek relief from otherwise applicable standards in order to produce commercial development that is in closer alignment with the Town's goals for development than would result from a strict application of the standards applicable in the ~~CZM~~ CRM or NCM districts.

B. DIMENSIONAL STANDARDS

Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.1, (CRM) Corridor Commercial District, shall apply to all development within a CZC District.

C. ALLOWABLE DENSITY

Unless modified as part of a Type 3 Conditional Rezoning application and Section 3.5, Incentives and Alternatives, the maximum density standards in Section 3.2.1, (CRM) Corridor Commercial District, shall apply to all development within a CZC District. **AMENDED 4.15.24 (UDOTA1-24)**

D. ALLOWABLE USES

1. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable principal uses shall be in accordance with the principal uses listed in the ~~CZM~~CRM, NCM, or CZC columns of the table in Section 4.2.5, Listing of Common Principal Uses.
2. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable secondary uses shall be in accordance with the secondary uses listed in the ~~CZM~~CRM, NCM, or CZC columns of the table in Section 4.5.4, Listing of Common Secondary Uses.
3. In no instance shall a principal or secondary use that is not listed in the ~~CZM~~CRM, NCM, or CZC columns of the appropriate table be permitted within a CZC District.

E. USE-SPECIFIC STANDARDS

~~Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, t~~The use-specific standards in Section 4.3, Standards for Specific Principal Uses, or Section 4.5.5, Standards for Specific Secondary Uses, as appropriate, shall apply to development in a CZC District. [43]

F. DEVELOPMENT STANDARDS

Unless modified as part of a Type 3 Conditional Rezoning application, the standards in Chapter 6, Standards, shall apply to all development in the CZC district. Type 3 Conditional Rezoning applications shall comply with the standards in Section 3.3.1E.9, Limitations on Reductions.

[42] See STN # 57.
[43] See STN# 34.

3.3.3 (CZD) CONDITIONAL DOWNTOWN

A. PURPOSE AND INTENT

The Conditional Downtown (CZD) District is established to provide greater flexibility in terms of the range of allowable uses or applicable development standards than is permitted within DTNC, DTNT, or DTNN conventional zoning districts. The CZD District creates a means for an applicant to voluntarily restrict a proposed development in order to protect community character or seek relief from otherwise applicable standards in order to produce a development that is in closer alignment with the Town's goals for downtown development than would result from a strict application of the standards applicable in a particular conventional district.

B. DIMENSIONAL STANDARDS

Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.3, (DTNC) Downtown Core, shall apply to all development within a CZD District.

C. ALLOWABLE DENSITY

Unless modified as part of a Type 3 Conditional Rezoning application and Section 3.5, Incentives and Alternatives, the maximum density standards in Section 3.2.3, (DTNC) Downtown Core, shall apply to all development within a CZD District. **AMENDED 4.15.24 (UDOTA1-24)**

D. ALLOWABLE USES

1. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable principal uses shall be in accordance with the principal uses listed in the DTNC, DTNT, DTNN, or CZD columns of the table in Section 4.2.5, Listing of Common Principal Uses.
2. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable secondary uses shall be in accordance with the secondary uses listed in the DTNC, DTNT, DTNN, or CZD column of the table in Section 4.5.4, Listing of Common Secondary Uses.
3. In no instance shall a principal or secondary use that is not listed in the CZD column of the appropriate table be permitted within a DTNC, DTNT, DTNN, or CZD District.

E. USE-SPECIFIC STANDARDS

~~Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, t~~The use-specific standards in Section 4.3, Standards for Specific Principal Uses, or Section 4.5.5, Standards for Specific Secondary Uses, as appropriate shall apply to development in a CZD District.[44]

F. DEVELOPMENT STANDARDS

Unless modified as part of a Type 3 Conditional Rezoning application, the standards in Chapter 6, Standards, shall apply to all development in the CZD district. Type 3 Conditional Rezoning applications shall comply with the standards in Section 3.3.1E.9, Limitations on Reductions.

[44] See STN # 34.

3.3.4 (CZI) CONDITIONAL INDUSTRIAL

A. PURPOSE AND INTENT

The Conditional Industrial (CZI) District is established to provide greater flexibility in terms of the range of allowable uses or applicable development standards than is permitted within LID or HID conventional zoning districts. The CZI District creates a means for an applicant to voluntarily restrict a proposed development in order to protect community character or seek relief from otherwise applicable standards in order to produce a development that is in closer alignment with the Town's goals for industrial development than would result from a strict application of the standards applicable in the LID or HID districts.

B. DIMENSIONAL STANDARDS

Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.6, (HID) Heavy Industrial, shall apply to all development within a CZI District.

C. ALLOWABLE DENSITY

Unless modified as part of a Type 3 Conditional Rezoning application and Section 3.5, Incentives and Alternatives, the maximum density standards in Section 3.2.6, (HID) Heavy Industrial, shall apply to all development within a CZI District. **AMENDED 4.15.24 (UDOTA1-24)**

D. ALLOWABLE USES

1. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable principal uses shall be in accordance with the principal uses listed in the LID, HID, or CZI columns of the table in Section 4.2.5, Listing of Common Principal Uses.
2. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable secondary uses shall be in accordance with the secondary uses listed in the LID, HID, or CZI columns of the table in Section 4.5.4, Listing of Common Secondary Uses.
3. In no instance shall a principal or secondary use that is not listed in the CZI column of the appropriate table be permitted within a LID, HID, or CZI District.

E. USE-SPECIFIC STANDARDS

~~Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, t~~The use-specific standards in Section 4.3, Standards for Specific Principal Uses, or Section 4.5.5, Standards for Specific Secondary Uses, as appropriate shall apply to development in a CZI District.[45]

F. DEVELOPMENT STANDARDS

Unless modified as part of a Type 3 Conditional Rezoning application, the standards in Chapter 6, Standards, shall apply to all development in the CZI district. Type 3 Conditional Rezoning applications shall comply with the standards in Section 3.3.1E.9, Limitations on Reductions.

[45] See STN # 34.

3.3.5 (CZM) CONDITIONAL MIXED-USE

A. PURPOSE AND INTENT

The Conditional Mixed-Use (CZM) District is established to provide greater flexibility in terms of the range of allowable uses or applicable development standards than is permitted within the MXD conventional zoning district. The CZM District creates a means for an applicant to voluntarily restrict a proposed development in order to protect community character or seek relief from otherwise applicable standards in order to produce a development that is in closer alignment with the Town's goals for industrial development than would result from a strict application of the standards applicable in the CZM district.

B. DIMENSIONAL STANDARDS

Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.8, (MXD) Mixed-Use, shall apply to all development within a CZM District.

C. ALLOWABLE DENSITY

Unless modified as part of a Type 3 Conditional Rezoning application and Section 3.5, Incentives and Alternatives, the maximum density standards in Section 3.2.8, (MXD) Mixed-Use, shall apply to all development within a CZM District. **AMENDED 4.15.24 (UDOTA1-24)**

D. ALLOWABLE USES

1. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable principal uses shall be in accordance with the principal uses listed in the MXD and CZM columns of the table in Section 4.2.5, Listing of Common Principal Uses.
2. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable secondary uses shall be in accordance with the secondary uses listed in the MXD and CZM columns of the table in Section 4.5.4, Listing of Common Secondary Uses.
3. In no instance shall a principal or secondary use that is not listed in the MXD or CZM columns of the appropriate table be permitted within a CZM District.

E. USE-SPECIFIC STANDARDS

~~Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, t~~The use-specific standards in Section 4.3, Standards for Specific Principal Uses, or Section 4.5.5, Standards for Specific Secondary Uses, as appropriate shall apply to development in a CZM District.[46]

F. DEVELOPMENT STANDARDS

Unless modified as part of a Type 3 Conditional Rezoning application, the standards in Chapter 6, Standards, shall apply to all development in the CZM district. Type 3 Conditional Rezoning applications shall comply with the standards in Section 3.3.1E.9, Limitations on Reductions.

[46] See STN # 34.

3.3.6 (CZR) CONDITIONAL RESIDENTIAL

A. PURPOSE AND INTENT

The Conditional Residential (CZR) District is established to provide greater flexibility in terms of the range of allowable uses or applicable development standards than is permitted within the RHD, RLL, RLD, RMD, RMF, or RUR conventional zoning districts. The CZR District creates a means for an applicant to voluntarily restrict a proposed development in order to protect community character or seek relief from otherwise applicable standards in order to produce a development that is in closer alignment with the Town's goals for industrial development than would result from a strict application of the standards applicable in the RHD, RLL, RLD, RMD, RMF, or RUR districts.

B. DIMENSIONAL STANDARDS

1. Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.15, (RMD) Residential Medium Density shall apply to single-family detached, bungalow courts, pocket neighborhoods, and conservation subdivisions within a CZR District.
2. Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.16, (RMF) Residential Multi-Family, shall apply to single-family attached, multi-family, duplex, triplex, and quadplex, live/work, and upper-story residential dwellings within a CZR district.
AMENDED 4.15.24 (UDOTA1-24)

C. ALLOWABLE DENSITY

Unless modified as part of a Type 3 Conditional Rezoning application and Section 3.5, Incentives and Alternatives, the maximum density standards in Section 3.2.16, (RMF) Residential Multi-Family, shall apply to all development within a CZR District. **AMENDED 4.15.24 (UDOTA1-24)**

D. ALLOWABLE USES

1. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable principal uses shall be in accordance with the principal uses listed in the RHD, RLL, RLD, RMD, RMF, RUR, or CZR columns of the table in Section 4.2.5, Listing of Common Principal Uses.
2. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable secondary uses shall be in accordance with the secondary uses listed in the RHD, RLL, RLD, RMD, RMF, RUR, or CZR columns of the table in Section 4.5.4, Listing of Common Secondary Uses.
3. In no instance shall a principal or secondary use that is not listed in the RHD, RLL, RLD, RMD, RMF, RUR, or CZR columns of the appropriate table be permitted within a CZR District.

E. USE-SPECIFIC STANDARDS

~~Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, t~~The use-specific standards in Section 4.3, Standards for Specific Principal Uses, or Section 4.5.5, Standards for Specific Secondary Uses, as appropriate shall apply to development in a CZR District.[47]

[47] See STN# 34.

2. All lots created after January 2, 2024, shall have sufficient area, dimensions, and access to allow a principal building to be erected on it in compliance with the requirements of this Ordinance.
3. Lots intended for non-residential development shall be of an adequate size and shape to accommodate required off-street parking, loading, landscaping, and on-site circulation features.

B. DOUBLE-FRONTAGE LOTS

1. Double frontage (or "through" lots) shall be prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific challenges of topography and orientation.
2. In cases where a double frontage lot abuts an arterial or collector street, access to the lot shall be provided from the street with the lowest average daily trips. This requirement may be waived by the Planning Director in cases where compliance with this standard will likely result in dramatic increases in traffic within residential areas.
3. A double frontage lot shall include an easement of at least ten feet in width across the rear of the lot which shall prohibit access to the abutting street.

C. FLAG LOTS [48]

1. No ~~N~~new flag lots shall ~~may~~ be established ~~, subject to the following requirements:~~ after June 16, 2025.
2. Lawfully-established flag lots created prior to June 16, 2025, shall comply with the following standards:
   - ~~1.~~a. No more than two flag lots may be created from a parent parcel after January 2, 2024;
   - ~~2.~~b. New flag lots may only be established along existing streets;
   - ~~3.~~c. The "pole," arm," or "pan handle" portion of a flag lot shall maintain a minimum width of at least 30 feet;
   - ~~4.~~d. Use of a single driveway to serve an adjoining lot is encouraged. Wherever possible, the shared driveway shall be on the flag lot; and
   - ~~5.~~e. In no case shall flag lots be configured to have two "poles," "arms," or "pan handles" on different lots adjacent to one another.

D. MINIMUM LOT SIZE

1. Except for special purpose lots, or in cases of governmental acquisition of land in accordance with Section 5.2.5, Governmental Acquisition of Land, no lot established after January 2, 2024, shall be reduced in size or dimension such that noncompliance with respect to any dimensional requirement, setback, parking, landscaping, or other development standard is created.
2. Except for special purpose lots, or lots subject to a valid approval in accordance with Section 3.5, Incentives and Alternatives, all lots created after January 2, 2024, shall meet the minimum lot dimensional requirements for the district where located.
3. Corner lots shall be of sufficient size to ensure development may be configured in accordance with the standards in Section 6.1.7, Sight Distance Triangles.

E. MINIMUM LOT FRONTAGE

The minimum frontage of any lot at the right-of-way line shall be at least 20 linear feet.

[48] See STN # 53.

3.4.7 UNIFIED DEVELOPMENT[49]

A. A unified development is a residential, non-residential, or mixed-use development like a shopping or a lifestyle center consisting of at least two buildings located on one or more lots that are planned, permitted, and developed~~, and operated~~ as a single unit.

B. Structures and land uses located on different lots within a unified development are subject to perimeter setbacks rather than traditional side and rear setbacks applied to individual lots.

C. All the buildings and land uses within a unified development are treated as a single use or structure with respect to the ~~location~~ amount of off-street parking (see Section 6.9.4G, Unified Developments), the location of landscaping, the application of exterior lighting provisions, the amount and location of required open space set-aside, stormwater requirements, and tree protection provisions.

D. Signage provisions shall be applied to individual lots and uses unless subject to a uniform sign plan in accordance with Section 2.3.21F.2, Uniform Sign Plan.

3.5 INCENTIVES AND ALTERNATIVES

3.5.1 DENSITY

Unless otherwise indicated in this Ordinance, the maximum residential density for a conventional or conditional zoning district may be increased beyond the amount identified in Section 2.3.10, Conventional Rezoning, and Section 3.3, Conditional Zoning Districts, only in accordance with the following:

A. Configuration of a residential subdivision as a conservation subdivision in accordance with Section 2.3.8, Conservation Subdivision.

B. Provision of sustainable development features in accordance with Section 6.17, Sustainable Development Incentives;

C. Voluntary compliance with Section 6.2.6, Single-Family Residential Design Guidelines, as applied to a single-family detached dwelling, a single-family attached dwelling, a duplex, triplex, or quadplex use, or dwelling; and

D. Density increases resulting from provision of sustainable development features and voluntary compliance with design guidelines may be combined within the same development.

AMENDED 4.15.24 (UDOTA1-24)

3.5.2 DIMENSIONAL STANDARDS

Required dimensional standards on lots in conventional, conditional, or overlay districts may be reduced or revised in accordance with the following:

A. Section 2.3.1, Administrative Adjustment;

B. Section 2.3.8, Conservation Subdivision; **AMENDED 4.15.24 (UDOTA1-24)**

C. Section 6.17, Sustainable Development Incentives; or

D. Section 2.3.31, Variance.

3.5.3 ALTERNATIVE MEANS OF COMPLIANCE

A. Principal and secondary structures and uses may encroach into required setbacks in accordance with Section 3.6.9, Setback Encroachments.

B. Deviations or exceptions to maximum building height provisions are permitted in accordance with Section 3.6.4D, Exceptions.

C. Alternative site access to single-family detached and duplex dwellings may be established in accordance with Section 6.1.4D.5, Alternative Access.

[49] See STN # 102.

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
S = Permitted, subject to a Special Use Permit & applicable use standards
C =Permitted within a conditional zoning district, subject to applicable use standards
"•" = Prohibited
[#] = Table note (see end of table)

Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
AGRICULTURAL USE CLASSIFICATION																							
Agricultural Packaging & Processing	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.4
Agricultural Storage & Distribution	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.5
Animal Husbandry	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	C	·	·	4.3.6
Animal Processing	·	·	·	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	·	·	C	-
Equestrian Facility	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	C	·	·	4.3.42
Farm Equipment Sales and Service	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	C	·	·	4.3.46
Farm Supply Sales (retail or wholesale)	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	C	·	·	4.3.47
Horticulture	P	P	·	·	·	·	·	·	·	·	·	·	·	·	P	·	-P	·	·	C	·	·	4.3.65
Nursery (retail or wholesale)	·	P	·	·	·	·	·	·	·	·	P	P	·	·	·	·	P	·	·	·	·	·	4.3.89
COMMERCIAL USE CLASSIFICATION																							
Animal Boarding Indoor and Outdoor	S	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	C	·	C	·	·	4.3.8
Animal Boarding, Indoor Only	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	·	·	4.3.7
Animal Shelter	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	·	C	4.3.9
Bank, Credit Union, or Similar Use	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	·	C	C	·	4.3.15
Bar, Cocktail Lounge, Private Club	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	P	·	·	C	C	C	·	4.3.16
Bed & Breakfast	·	S	·	·	S	·	S	S	S	S	·	·	·	·	·	·	·	C	C	C	C	·	4.3.17
Bottle Shop (on-premise consumption)	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	P	·	·	C	C	C	·	4.3.19
Bulky Item Sales	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	·	C	4.3.21
Campground	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.24
Catering Establishment	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	·	4.3.25

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Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Check Cashing / Pay Day Lending	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.27
Coffee Shop or Bakery	·	·	·	·	·	·	·	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	4.3.29
Computer Related Services	·	·	·	·	·	·	P	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	4.3.32
Convenience Store (with gasoline sales)[50]	·	·	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	·	C	C	·	C	4.3.37
Co-Working Space	·	·	·	·	·	P	P	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	4.3.38
Day Spa (medical or non-medical)	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	-
Event Venue, Indoor & Outdoor	·	·	·	·	·	·	P	P	P	·	·	P	·	·	·	·	·	C	C	C	C	·	4.3.43
Event Venue, Indoor Only	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	·	·	C	C	C	C	·	4.3.43
Fitness Center	·	·	·	·	·	P	P	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.49
Flea Market	·	·	·	·	·	·	·	·	·	·	·		·	·	·	·	·	·	·	C	·	·	4.3.50
Funeral Related Services	·	·	·	·	·	·	P	·	·	·	·	P	P	·	·	·	·	·	·	·	·	C	4.3.54
Gasoline Sales	·	·	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	·	·	C	·	C	4.3.55
Grocery Store	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	4.3.59
Grooming (Animal)	P	·	·	·	·	·	·	P	P	·	P	P	·	·	·	·	·	·	C	C	·	·	4.3.60
Hair, Nail, and Skin Related Services	·	·	·	·	·	·	·	P	P	P	P	P	·	·	·	P	·	·	C	C	C	·	4.3.62
Heavy Equipment Sales, Rental, & Repair	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	4.3.64
Hotel or Motel	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	C	C	C	·	4.3.68
Indoor Commercial Recreation	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.69
Instructional Services	·	·	·	·	·	·	P	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	4.3.73
Laundry and Fabric Cleaning	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.73
Light Equipment Sales, Rental, & Repair	·	·	·	·	·	·	·	·	·	·	P	P	P	P	·	·	·	·	·	C	·	C	4.3.75
Micro Brewery, Micro Distillery, or Micro Winery	·	·	·	·	·	·	·	P	P	·	P	P	P	P	·	P	·	·	C	C	C	C	4.3.85

[50] See STN # 70.

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

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Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Nightclub or Dance Hall	•	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	•	•	•	•	C	C	4.3.88
Office, High Intensity	•	•	•	•	•	•	P	P	P	•	P	P	P	•	•	P	~~P~~ P	•	C	C	C	C	4.3.90
Office, Low Intensity	•	•	•	•	P	P	P	P	P	•	P	P	P	•	•	P	~~P~~ P	C	C	C	C	C	4.3.90
Outdoor Commercial Recreation	•	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	~~C~~ C	C	•	C	4.3.92
Packaging and Shipping **AMENDED 9.16.24 (UDOTA2-24)**	•	•	•	•	•	•	•	P	P	•	P	P	P	•	•	P	•	•	C	C	C	C	4.3.95
Parking Lot	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	•	C	C	•	4.3.97
Parking Structure	•	•	•	•	•	•	•	P	S	S	•	•	•	•	•	•	~~P~~ P	•	~~C~~ C	C	C	•	4.3.98
Pawn Shop	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	4.3.99
Pharmacy	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	P	•	•	C	C	C	•	4.3.100
Recreational Vehicle Park	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	4.3.104
Repair Shop	•	•	•	•	•	•	•	P	P	•	P	P	P	•	•	P	•	•	C	C	C	C	4.3.107
Restaurant Indoor and Outdoor Seating	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	P	•	•	C	C	C	•	4.3.110
Restaurant Indoor Seating Only	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	P	•	•	C	C	C	•	4.3.110
Restaurant Walk-up Service Only	•	•	•	•	•	•	P	P	P	•	P	P	•	•	•	P	•	•	C	C	C	•	4.3.110
Restaurant with Drive Through	•	•	•	•	•	•	P	•	•	•	P	P	•	•	•	•	•	•	C	C	C	•	4.5.5K
Retail, General	•	•	•	•	•	•	•	P	P	•	P	P	P	•	•	P	•	•	C	C	C	C	4.3.111
~~Retail, Large Format~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~P~~	~~P~~	~~•~~	~~•~~	~~•~~	~~•~~	~~•~~	~~C~~	~~C~~	~~•~~	~~C~~	~~4.3.114~~
Retail, Micro	•	•	•	•	•	P	•	P	P	P	P	P	•	•	•	P	•	C	C	C	C	C	4.3.112
Sexually-Oriented Business	•	•	•	•	•	•	•	•	•	•	•	•	S	•	•	•	~~•~~	•	•	•	•	•	4.3.117
Storage, Indoor ~~and Outdoor~~ **AMENDED 4.15.24 (UDOTA1-24)**	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	~~P~~ P	•	•	•	•	C	4.3.122
Storage, ~~Indoor Only~~Outdoor [51] **AMENDED 4.15.24 (UDOTA1-24)**	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	~~P~~ P	•	•	•	•	C	4.3.123
Tanning Salon	•	•	•	•	•	•	•	P	P	•	P	P	•	•	•	P	•	•	C	C	C	•	

[51] See STN # 48.

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
S = Permitted, subject to a Special Use Permit & applicable use standards
C =Permitted within a conditional zoning district, subject to applicable use standards
"•" = Prohibited
[#] = Table note (see end of table)

Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Tattoo & Piercing Establishment	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	P	·	·	C	·	C	C	4.3.125
Theatre, Indoors	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	P	·	C	C	C	·	4.3.127
Theatre, Outdoors	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	P	·	·	C	·	·	4.3.128
Tobacco, CBD, and Vapor Shop	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.129
Vehicle Painting/ Bodywork	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	·	C	4.3.135
Vehicle Parts and Accessory Sales	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	·	·	4.3.136
Vehicle Repair and Service (no painting/ bodywork)	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	P	·	·	C	·	C	4.3.137
Vehicle Sales and Rental	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	C	4.3.138
Vehicle Towing or Storage **AMENDED 9.16.24 (UDOTA2-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	C	·	C	4.3.139
Vehicle Washing or Detailing	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	P	·	C	C	C	C	4.3.140
Veterinary Services, Large Animal	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.141
Veterinary Services, Small Animal	·	·	·	·	·	·	P	P	·	·	P	P	·	·	·	·	·	·	C	C	C	C	4.3.142
INDUSTRIAL USE CLASSIFICATION																							
Asphalt or Concrete Plant	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.12
Business Incubator	·	·	·	·	·	·	P	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.23
Contractor Services Office/Yard	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.36
Cryptomining and Data Processing	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.39
Electrical, HVAC, or Plumbing Fabrication	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.41
Extractive Industry	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.44
Freight Terminal	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.52
Fuel Oil/Bottled Gas Distribution	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.53

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Level 2 Solar Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.121
Level 3 Solar Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.121
Major Utility	·	·	·	·	·	·	S	·	·	·	·	·	P	P	·	·	P	·	·	C	C	C	4.3.134
Maker Space	·	·	·	·	·	·	·	·	·	·	·	P	P	P	·	P	P	·	C	C	C	C	4.3.77
Manufacturing, Heavy	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	C	4.3.81
Manufacturing, Light	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.82
Manufacturing, Medium	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.83
Metal Fabrication	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.83
Minor Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	P	P	C	C	C	C	C	-
Recycling Center	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	C	4.3.105
Research and Development	·	·	·	·	·	·	P	·	·	·	·	·	P	P	·	·	P	·	C	C	C	C	4.3.108
Salvage and Junkyard	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.113
Transfer Station **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	C	4.3.130
Warehouse, Distribution or Storage[52]	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	~~P~~	·	·	C	·	C	4.3.143
Wholesale Sales, Indoor and Outdoor	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.144
Wholesales Sales, Indoor Only	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.144
Wind Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	~~P~~	·	·	·	·	C	4.3.145
INSTITUTIONAL USE CLASSIFICATION																							
Adult Day Care	·	·	·	·	·	·	P	·	·	·	P	P	P	·	·	P	·	C	C	C	C	C	4.3.3
Antenna Collocation, Major	P	·	·	·	·	·	P	P	P	P	P	P	P	P	·	P	P	·	C	C	C	C	4.3.10
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	P	P	C	C	C	C	C	4.3.11
Arboretum or Formal Garden	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	P	P	C	C	C	C	·	-
Athletic Field or Court	P	P	P	P	P	P	P	P	P	·	P	P	P	·	·	P	P	C	C	C	·	·	4.3.13

[52] See STN # 58.

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Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Auditorium, Coliseum, Convention Center	·	·	·	·	·	·	P	P	P	·	·	P	·	·	·	·	P	·	C	C	C	·	4.3.14
Broadcasting Studio	·	·	·	·	·	·	P	·	·	·	P	P	P	·	·	·	P	·	·	·	C	·	4.3.20
Bus Station	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	-
Cemetery or Mausoleum	P	P	·	·	·	·	P	·	·	·	·	·	·	·	·	·	P	C	·	C	·	·	4.3.26
Child Day Care	·	·	·	·	·	P	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	4.3.28
College or University	·	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	C	·	-
Community Center	·	·	·	·	·	P	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	·	4.3.30
Community Garden	P	P	P	P	P	P	P	P	P	P	P	·	·	·	P	P	P	C	C	C	C	·	-
Community Recreation Facility (private)	P	P	P	P	P	P	P	·	·	·	·	·	·	·	·	P	·	C	C	C	C	·	4.3.31
Fire/EMS/ Police Station	P	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	P	C	C	C	C	C	4.3.48
Fraternal Club or Lodge	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	P	C	C	C	C	C	4.3.51
Golf Course (public or private)	P	P	P	P	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	C	·	·	4.3.56
Government Maintenance or Storage Facility[53]	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	P	C	C	C	C	C	4.3.57
Government Office	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	4.3.58
Governmental Training Facility	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	P	C	C	C	C	C	-
Hospital	·	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	C	·	4.3.66
Indoor Recreation, Public	·	P	·	·	·	P	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	4.3.70
Laboratory[54]	·	·	·	·	·	·	P	·	·	·	P	P	P	·	·	·	P	·	C	C	·	C	4.3.72
Library	·	·	·	·	P	P	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	·	4.3.74
Museum	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	P	P	·	C	C	C	·	4.3.87
Outdoor Recreation, Public	P	P	P	·	·	P	P	·	·	·	·	·	·	·	·	P	P	C	C	C	C	·	4.3.93
Outpatient Facility	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	P	·	C	C	C	·	4.3.94
Park and Ride Facility	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	C	C	C	C	C	-
Park or Playground (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	P	P	C	C	C	C	·	4.3.96

[53] See STN $ 104.
[54] See STN # 42.

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
S = Permitted, subject to a Special Use Permit & applicable use standards
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Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Post Office	·	·	·	·	·	·	P	P	P	P	P	P	P	·	·	P	P	C	C	C	C	·	-
Psychiatric Services	·	·	·	·	·	·	S	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	4.3.102
Rail Related	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	C	C	C	4.3.103
Religious Institution	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	P-	C	C	C	C	C	4.3.106
Residential Treatment Facility	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	C	C	C	C	C	4.3.109
School, Elementary or Middle	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	P-	C	C	C	C	C	4.3.114
School, High AMENDED 4.15.24 (UDOTA1-24)	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	P-	C	C	C	C	C	4.3.115
School, Vocational	·	·	·	·	·	·	P	·	·	·	·	·	·	P	·	·	P	C	C	C	C	C	4.3.116
Small Wireless Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	P	P	·	·	·	·	·	4.3.120
Telecommunications Facility, Major	S	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.126
Telecommunications Facility, Minor or Concealed	P	·	·	·	P	P	P	P	P	P	P	P	P	P	·	P	P	C	·	·	·	·	4.3.126
Urgent Care	·	·	·	·	·	·	P	·	·	·	·	P	·	·	·	P	P	·	C	C	C	C	4.3.133
RESIDENTIAL USE CLASSIFICATION																							
Boarding House	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.18
Bungalow Court [1]	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	·	C	·	4.3.22
Congregate Care	·	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.33
Conservation Subdivision [1]	·	P	P	P	P	P	·	·	·	·	·	·	·	·	·	P	·	C	C	·	·	·	4.3.34
Continuing Care Retirement Community	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.35
Duplex Dwelling [1] AMENDED 4.15.24 (UDOTA1-24)	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	·	C	·	4.3.40
Family Care Home	P	P	P	P	P	P	·	P	P	P	P	·	·	·	·	P	·	C	·	·	·	·	4.3.45
Group Home	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.61
Halfway House	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.63
Homeless Shelter	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.67
Live/Work	·	·	·	·	·	P	P	P	P	P	P	P	P	·	·	P	·	C	C	C	C	C	4.3.76
Manufactured Home (Class A Doublewide)	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.78

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Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Manufactured Home (Class B Singlewide)	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.79
Manufactured Home Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.80
Mobile Home	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	-
Mobile Home Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	-
Multi-Family Dwelling[55]	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	P	·	C	C	·C	C	·	4.3.86
Pocket Neighborhood [1]	·	·	·	P	P	P	·	·	·	·	P	·	·	·	·	P	·	C	C	·	C	·	4.3.101
Single-Family Attached Dwelling [1]	·	·	·	·	P	P	·	·	·	·	·	·	·	·	·	P	·	C	C	C	C	·	4.3.118
Single-Family Detached Dwelling	P	P	P	P	P	P	·	·	P	P	P	·	·	·	·	P	·	C	·	·	C	·	4.3.119
Triplex or Quadplex [1] **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	P	·	C	C	·C	C	·	4.3.131
Upper-Story Dwelling	·	·	·	·	·	P	P	P	P	P	P	P	·	·	·	P	·	C	C	C	C	·	4.3.132

NOTES:
[1] Not permitted on lots within the downtown boundary as designated in the 2045 Comprehensive Growth Plan Future Land Use Map unless permitted by and located within the CZD zoning district.

[55] See STN # 69

B. Drive-throughs shall comply with the standards in Section 4.5.5K, Drive-Through.

4.3.16 BAR, COCKTAIL LOUNGE, PRIVATE CLUB

A bar, cocktail lounge, or private club shall comply with the following requirements:

A. The main entrance of the use shall face a street or outdoor gathering area. In cases where the main entrance could face more than one street, it shall be configured to face the street with the larger number of non-residential establishments or where the larger number of non-residentially zoned lots are located. In no instance shall the use orient the primary entrance toward an abutting lot in a residential district;

B. Except within the Downtown district, the use shall have a six-foot-high opaque fence or masonry wall along all lot lines abutting a residential district; and

C. Outdoor seating (including, but not limited to, seating for dining or listening to live or recorded acoustic or amplified entertainment outside of the building) shall comply with the standards in Section 4.5.5U, Outdoor Dining or Seating.

~~4.3.17 BARBER OR BEAUTY SALON~~

~~All activity shall take place entirely within a fully-enclosed building.~~

~~4.3.18~~4.3.17 BED & BREAKFAST

A. The use shall be owned and operated by a person who resides on the site.

B. The use shall be located in a structure that was originally constructed as a residential dwelling and there shall be no substantial modifications to the exterior appearance of the structure, provided that fire escapes, handicapped entrances and other features may be added to protect public safety.

C. No more than six guest sleeping rooms may be included. Bed and breakfast uses with more than six guest sleeping rooms are classified as a hotel or motel.

D. Meals served on the premises shall be solely for guests and employees.

E. Rooms shall not be equipped with cooking facilities.

F. Off-street parking other than on a driveway with a maximum width of 24 feet shall not be allowed in any required setback.

G. A Type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

~~4.3.19~~4.3.18 BOARDING HOUSE

A boarding house shall comply with the following standards:

A. Boarding houses shall comply with Sections 152.25 through 152.28 of the Town Code of Ordinances;

B. A boarding house shall not be located within 1,000 feet of another boarding house;

C. A boarding house shall meet the applicable dimensional requirements for a single-family detached residential use in the zoning district where located;

D. The property owner or a designated property manager responsible for operating the boarding house in accordance with this Ordinance must reside on the same premise as the boarding house;

E. No more than five resident sleeping rooms shall be available for rent;

F. At least 15 square feet of common living area other than the kitchen, hallways, and bathrooms shall be provided per resident sleeping room;

G. Separate structures, secondary buildings, and garages shall not be used as a resident sleeping room;

H. No separate exterior doorways for individual resident sleeping rooms shall be permitted;

~~A. When proposed as a principal use, the maximum floor area associated with a business incubator shall be 10,000 square feet.~~

~~B. When proposed as a tenant space within a multi-tenant building, the maximum floor area associated with a business incubator shall be 7,500 square feet.~~

~~C. When proposed as a secondary use, the floor area devoted to the business incubator shall not exceed 25 percent of the principal use's total floor area.~~

~~D.~~A. Use types located within a business incubator use type are subject to the business incubator use specific standards, not the use standards that would typically apply if it were a principal use on its own lot.

~~E.~~B. In no instance shall a business incubator include a use type that is not permitted as a principal use in the district where located, or any of the following use types:

1. Bar; cocktail lounge, or private club;
2. Cryptomining or data processing;
3. Funeral-related services or mausoleums;
4. Heavy equipment sales, rental, or repair;
5. Heavy manufacturing;
6. Metal fabrication;
7. Nightclub or dance hall;
8. Psychiatric services;
9. Residential uses of any kind or type;
10. Salvage or junkyard;
11. Sexually-oriented business;
12. Tattoo or piercing establishment; or
13. Vehicle painting or bodywork.

~~F.~~C. Business incubators shall meet the off-street parking requirement for this use type in Table 6.9.4, Table of Minimum Off-Street Parking Requirements, not the individual types of uses within the business incubator.

~~G.~~D. Floor area within a building serving as a business incubator may be used for storage, but no outdoor activity or storage shall be permitted with a business incubator.

~~H.~~E. When located within a MXD, OFI, NCM, CRM, or conditional zoning district, the use shall comply with the standards in Section 6.2.5, Non-Residential Design Standards.

~~4.3.25~~4.3.24 CAMPGROUND

A. Campgrounds shall not include permanent residences, except as necessary for caretakers;
B. Individual campsites shall maintain a minimum size of 500 square feet in area each and at least 20 feet in width;
C. Campgrounds shall provide a common recreational area consisting of at least 100 square feet per campsite;
D. Campgrounds shall provide sufficient groundcover to prevent erosion;
E. Individual campsites shall be set back at least 100 feet from the front lot line and at least 50 feet from the side and rear lot lines; and
F. Waste collection facilities shall be screened in accordance with Section 6.6.14, Screening.

~~4.3.26~~4.3.25 CATERING ESTABLISHMENT

Catering establishments shall not prepare food or beverages for on-site consumption by patrons.

~~4.3.27~~4.3.26 CEMETERY OR MAUSOLEUM

Except as otherwise required in this Ordinance, new cemeteries and the expansion of existing cemeteries (as a principal use) shall comply with the following standards:

A. New cemeteries shall be located on a site or parcel with an area of at least two acres; this standard shall not apply to existing cemeteries or the expansion of existing cemeteries;

B. New cemeteries shall be located on a site or parcel that fronts a collector or higher classification street; this standard shall not apply to existing cemeteries or the expansion of existing cemeteries;

C. Cemeteries shall include drive aisles or vehicular accessways of at least 12 feet in width or greater as needed for the parking and maneuvering of funeral processions; and

D. Interments shall take place at least 25 feet from any lot line and comply with all applicable requirements of the North Carolina General Statutes.

~~4.3.28~~4.3.27 CHECK CASHING /PAY DAY LENDING

Check cashing establishments and pay day lending uses shall comply with the following standards:

A. Such uses shall not include a drive through window or drive-up service;

B. No products shall be offered for retail or wholesale sale; and

C. In no instance shall the use be configured with outdoor gathering areas or locations where persons may gather outdoors when not engaged in transactions with the use.

~~4.3.29~~4.3.28 CHILD DAY CARE

Child day care centers shall comply with the standards for licensure in Article 7, Chapter 110, of the North Carolina General Statutes, as well as the Summary of North Carolina Child Care Laws and Rules pamphlet, as amended, prepared by the NC Department of Health and Human Services.

A. The use shall not permit overnight accommodation of patrons;

B. The use shall include a fenced outdoor gathering area of at least 25 square feet per patron receiving care;

C. The use includes a pick-up and drop-off area that allows patrons to enter and exit vehicles without crossing a parking lot or vehicular accessway;

D. The pick-up and drop-off area shall not be located within a required yard or landscaping area;

E. The use shall comply with the standards in Section 6.2.5, Non-Residential Design Standards; and

F. A child day care shall provide a Type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, along all lot lines that abut a residential district.

~~4.3.30~~4.3.29 COFFEE SHOP OR BAKERY[57]

~~**A.** Except in the Downtown district, a coffee shop or bakery in its own principal building shall have a six-foot-high opaque fence or masonry wall along all lot lines abutting a residential district; and~~

~~**B.**~~ Coffee shops or bakeries with outdoor seating or gathering areas shall comply with the standards in Section 4.5.5U, Outdoor Dining or Seating.

AMENDED 4.15.24 (UDOTA1-24)

~~4.3.31~~4.3.30 COMMUNITY CENTER

A. The main entrance to the lot or site shall be served or have direct access to a collector or higher classification street;

B. Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting a residential district;

C. Community centers proposed in residential districts shall be on a lot of at least two acres in area;

D. The use shall comply with the standards in Section 6.2.5, Non-Residential Design Standards; and

[57] See STN# 103.

E. A Type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

~~4.3.32~~4.3.31 COMMUNITY RECREATION FACILITY (PRIVATE)

A. The minimum area for a private community recreation facility serving a non-residential use shall be at least two acres.

B. Private community recreation uses shall have at least one direct vehicular access to a collector or higher classification street. However, if the use is intended to serve only a membership that is limited to a residential development, access may be provided from an interior street within the same residential development.

C. A minimum distance of at least 50 feet shall be maintained between a clubhouse, swimming pool, any court or athletic field, or golf course tee, green, or fairway and any adjacent residence.

D. A type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district as well as along all lot lines shared with a residential dwelling unit, if located within a residential or mixed-use development.

E. Outdoor swimming pools shall be protected by a fence or locking ladders in accordance with Section 4.5.5EE, Swimming Pools/Hot Tubs.

F. Events conducted at community recreation facilities shall be subject to the standards in Section 4.6.5C, Other Special Events.

~~4.3.33~~4.3.32 COMPUTER RELATED SERVICES

The use shall be limited to the repair, sales, re-sale, or refurbishment of desktop and small-scale computers and computer-related equipment. Data processing shall be subject to the standards in Section 4.3.39, Cryptomining and Data Processing.

~~4.3.34~~4.3.33 CONGREGATE CARE

A. Congregate care uses shall meet other applicable dimensional requirements for a non-residential use in the zoning district where located.

B. Congregate care buildings containing living units shall comply with the standards in Section 6.2.4, Multi-Family Design Standards.

C. The facility shall provide centrally located, shared food preparation, services to residents, and shared dining areas.

D. Common recreation, social, and service facilities shall be provided at a minimum rate of 30 square feet per dwelling unit or per rooming unit.

E. All facilities shall be solely for the use of residents and their guests.

F. A Type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

~~4.3.35~~4.3.34 CONSERVATION SUBDIVISION

A. Conservation subdivisions shall comply with the standards in Section 2.3.8, Conservation Subdivision.

B. All dwelling units located within a conservation subdivision shall be served by a public wastewater treatment system and a public potable water system.

~~4.3.36~~4.3.35 CONTINUING CARE RETIREMENT COMMUNITY (CCRC)

A. The maximum development density is based on the number of independent living units only and may not exceed that permitted in the zoning district where located.

B. Single-family detached dwellings are not subject to the dimensional standards for the zoning district where located but must maintain 15 feet from each lot line and any other principal

structure whether on the same or a different lot. CCRCs shall meet all the other applicable dimensional requirements for a non-residential use in the zoning district where located.

C. Multi-unit structures within a CCRC shall comply with the standards in Section 6.2.4, Multi-Family Design Standards.

D. In no instance shall any individual site within a CCRC exceed a maximum lot coverage of 70 percent.

E. A Type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed around the perimeter of the development.

F. Access and circulation shall adequately provide for firefighting equipment, service deliveries and refuse collection.

G. Pedestrian paths shall form a logical, safe, and convenient system for pedestrian and handicapped access to all on-site buildings and facilities as well as major off-site destinations.

~~4.3.37~~4.3.36 CONTRACTOR SERVICES OFFICE/YARD

A. All activity, including storage of materials, shall be conducted entirely within a fully enclosed building. The temporary loading and off-loading of vehicles shall be permitted outside.

B. Storage of fleet vehicles and equipment is permitted as a secondary use, subject to the standards in Section 6.6.14, Screening.

~~4.3.38~~4.3.37 CONVENIENCE STORE (WITH GASOLINE SALES)

Convenience stores with gasoline sales shall comply with the following standards:

A. Vehicle repair or storage shall be prohibited.

B. Inclusion of a restaurant or food counter providing products ~~for on-site consumption shall require the development to comply the standards in Section 6.2.3, Mixed-Use Design Standards,~~ and shall require the provision of adequate off-street loading facilities that may be utilized without interrupting typical on-site vehicular and pedestrian circulation.

C. Fuel facilities shall comply with the standards in Section 4.3.55, Gasoline Sales.

D. Drive through and fuel canopies shall comply with the standards in Section 4.5.5G, Canopies (Drive Through and Fuel, etc.).

E. Automatic car washes provided as a secondary structure shall be located behind the rear building line of the principal structure and shall comply with the standards in Section 4.3.140, Vehicle Washing or Detailing.

F. Outdoor sales and display areas, if provided, shall comply with the standards in Section 4.5.5V, Outdoor Display/Sales.

~~4.3.39~~4.3.38 CO-WORKING SPACE

A. Use types and activities associated with a co-working space shall be limited to the range of activities typically associated with office uses.

B. Food or beverages produced or sold within the use shall be limited to patrons of co-working space not the general public.

C. Delivery of personal services within the co-working space (manicure, massage, education, exercise classes, child care, etc.) shall be limited to patrons of the co-working space and shall take place indoors or within designated outdoor gathering areas located outside public rights-of-way.

D. Facilities for pets shall be indoors or fully screened from adjacent streets and other uses.

~~4.3.40~~4.3.39 CRYPTOMINING AND DATA PROCESSING

All principal and secondary structures shall be located and soundproofed so that no use-related noise exceeds 90 decibels when measured at the lot line during daylight hours and 60 decibels after sundown.

B. A lot containing a family care home shall not be located within one-half mile (2,640 feet) of another lot containing a family care home or a group home.

C. A family care home house shall meet the applicable dimensional requirements for a single-family detached residential use in the zoning district where located.

~~C.~~**D.** In no instance shall a family care home contain more than 10 children. [58]

~~4.3.47~~4.3.46 FARM EQUIPMENT SALES AND SERVICE

A. All outdoor storage of materials and machinery service areas shall be screened from view of adjacent streets and residentially zoned land in accordance with Section 6.6.14, Screening. This screening requirement shall not apply to the placement of goods or products for sale.

B. Equipment capable of producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

C. All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

D. A Type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

~~4.3.48~~4.3.47 FARM SUPPLY SALES (RETAIL OR WHOLESALE)

A. All outdoor storage of materials shall be screened from view of adjacent streets and residentially zoned land in accordance with Section 6.6.14, Screening. This screening requirement shall not apply to the placement of goods or products for sale.

B. Products for sale shall not be placed within required off-street parking areas, required landscape areas, sight distance triangles, public easements, or within public street rights-of-way.

~~FINANCIAL SERVICES~~

~~C. Drive-throughs, if provided, shall be located to the side or rear of the building and shall be subject to the standards in Section 4.5.5K, Drive-Through~~~~All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.~~

~~4.3.49 FINANCIAL SERVICES~~

~~Drive-throughs, if provided, shall be located to the side or rear of the building and shall be subject to the standards in Section 4.5.5K, Drive-Through~~.

~~4.3.50~~4.3.48 FIRE/EMS/POLICE STATION

A type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

~~4.3.51~~4.3.49 FITNESS CENTER

A. Except within the Downtown districts, fitness centers that include outdoor exercise or use areas shall be located on lots of at least one acre in size.

B. Outdoor swimming pools or hot tubs shall comply with all applicable requirements in Section 4.5.5EE, Swimming Pools/Hot Tubs.

C. Outdoor exercise or use areas shall:

1. Be fully enclosed by a fence or wall meeting the minimum height necessary to ensure equipment is contained within the fitness center site;
2. Comply with all applicable requirements in Section 6.4, Exterior Lighting; and
3. Not include a public address system or amplified music audible beyond the lot line after nightfall.

[58] See STN # 3.

~~4.3.57~~4.3.55 GASOLINE SALES

A. Fuel storage shall take place entirely underground.
B. Fuel storage shall be located at least 20 feet from all principal buildings.
C. Tank access ports for refilling shall be configured so that no refilling vehicle blocks vehicular ingress or egress to the site during the refilling process.
D. Fuel pumps and pump islands shall be located no closer than 20 feet to any lot line or right-of-way. Internal lot line setbacks are not applied within unified developments.[59]
E. Any secondary use shall comply with the applicable standards in Section 4.5, Secondary Uses.
F. In no instance shall fuel lines be located within a public utility or drainage easement.
G. Vents may not be freestanding, and shall be attached to a principal or secondary structure.
H. Gasoline sales uses shall include an opaque fence or wall of six feet in height or higher if permitted by the fence standards in the district where located, along all lines abutting a residential zoning district.

~~4.3.58~~4.3.56 GOLF COURSE (PUBLIC OR PRIVATE)

A. A minimum distance of at least 50 feet shall be maintained between a tee, green, or fairway and any adjacent principal or habitable secondary structure not associated with the golf course use.
B. Activities like driving ranges and similar features shall incorporate fencing, netting, or other control measures around the perimeter of the activity area to ensure projectiles do not leave the area and endanger off-site areas.
C. Golf course uses that include recreational structures shall comply with the standards applied to Section 4.3.31, Community Recreation Facility (private).

4.3.57 GOVERNMENT MAINTENANCE AND STORAGE FACILITY[60]

Government maintenance and storage facilities shall comply with the applicable standards for outdoor storage (see Section 4.3.126, Storage, Outdoor (as a Principal Use)), membrane structures (see Section 4.5.5S, Membrane Structure), and any other principal, secondary, or temporary uses proposed on the site.

~~4.3.59~~4.3.58 GOVERNMENT OFFICE

A. Equipment capable of producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residential zoning district.
B. All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.
C. The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.
D. The use shall comply with the standards in Section 6.2.5, Non-Residential Design Standards.

~~4.3.60~~4.3.59 GROCERY STORE

A. Outdoor display and sales areas shall be configured in accordance with Section 4.5.5V, Outdoor Display/Sales.
B. Storage shall take place within an enclosed building or be located behind the rear line of the principal building.

~~4.3.61~~4.3.60 GROOMING (ANIMAL)

A. Overnight boarding of animals shall not be permitted.
B. All activities shall take place solely within an enclosed structure.

[59] See STN # 102.
[60] See STN # 104.

30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

~~4.3.84~~4.3.83 MANUFACTURING, MEDIUM

Medium manufacturing uses shall comply with the following standards: **AMENDED 12.16.24 (UDOTA3-24)**

A. All manufacturing activity shall take place within a fully enclosed building.

B. Outdoor processing activities shall be located at least 200 feet from a lot line shared with a residential zoning district.

C. All structures, buildings, enclosed areas, outdoor storage tanks, and other outdoor storage used for the operation shall be a minimum of 100 feet from a lot line shared with a residential zoning district.

D. Outdoor storage of raw materials is prohibited, and outdoor storage of equipment, partially-finished products, and finished products shall be fully screened in accordance with Section 6.6.14, Screening.

E. The use shall not generate excessive noise, discernable vibration, glare, fumes, odors, or electrical interference at the lot line.

F. Uses engaged in the storage or distribution of flammable materials shall meet the requirements established by the fire prevention code of the National Board of Fire Underwriters and the National Fire Protection Association standards, Flammable and Combustible Liquids Code, NFPA 30 and Standards for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, as applicable.

~~4.3.85~~4.3.84 METAL FABRICATION

The use shall not generate noise, vibration, glare, fumes, or odors on adjacent residentially zoned or used property.

~~4.3.86~~4.3.85 MICRO BREWERY, MICRO DISTILLERY, OR MICRO WINERY

A micro brewery, micro distillery, or micro winery use shall comply with the standards in Section 4.3.16, Bar, Cocktail Lounge, Private Club.

~~4.3.87~~4.3.86 MULTI-FAMILY DWELLING

Multi-family development shall comply with the standards in this section. Residential development located above non-residential development in the same building is considered upper-story residential.

A. BUILDING PLACEMENT

1. Buildings shall be setback from one another in accordance with the district dimensional requirements unless a larger distance is required by the North Carolina Building Code.
2. Buildings shall be set back from private drives and parking lots a minimum of ten feet as measured from back-of-curb or from the edge of pavement if no curb is provided.
3. Buildings shall be setback from public streets in the development in accordance with the street setbacks for the zoning district where located.

B. BUILDING LENGTH[61]

1. The maximum length of an individual multi-family building shall be 250 linear feet in any single direction. This standard is waived in the following instances:
   a. The building is located in a downtown district;
   b. The building is designated as affordable housing; or

[61] See STN # 105.

c. The building is intended solely for age-restricted (e.g., 55 years old and older) residents.

~~1. The maximum length of an individual multi-family building shall be 250 linear feet, except in the Downtown district, where no maximum length is applied.~~

2. No maximum building length shall be applied if the building includes facilities for dining, recreation, or gathering that occupy an area amounting to at least 10 percent of the building's ~~total floor area~~ground floor area.

3. In no instance shall the provision of a firewall between different building sections constitute two separate buildings for the purpose of meeting the building length requirement.

C. DESIGN

Multi-family development shall comply with the applicable design standards in Section 6.2.4, Multi-Family Design Standards.

~~D. OFF-STREET PARKING LOCATION~~

~~Except when proposed within the setback from a rear lot line, no off-street parking space shall be located in a required setback area.~~

~~E.~~D. OUTDOOR SPACE

~~Each~~ At least 75 percent of the dwelling units within a multi-family development shall include a patio, deck, or balcony with a width or length dimension of no less than seven feet.[62]

~~F.~~E. RECREATION FACILITIES

Any active recreation facilities shall be located at least 50 feet from any lot line shared with a single-family detached residential dwelling.

~~G.~~F. PEDESTRIAN CONNECTION

Sidewalks or other ADA-compliant trails shall be constructed within the interior of the development to link residential buildings with other destinations such as, but not limited to: off-street parking, adjoining streets, mailboxes, trash disposal, adjoining sidewalks or greenways, and on-site active recreation or gathering areas.

~~H.~~G. SCREENING

Utility areas such as clothes drying yards and outdoor storage areas shall be fully screened from public streets and adjacent lots in accordance with Section 6.6.14, Screening.

~~I.~~H. LIGHTING

All entrances and exits to multi-family residential buildings containing more than five units, shall be adequately lit to ensure the safety of persons and the security of the building.

~~J.~~I. UTILITIES

1. All new electric, communications, water, and sewer utility lines shall be installed underground.
2. Any existing overhead utilities located adjacent to a multi-family development are strongly encouraged to be relocated to an underground location.
3. Multi-family development shall be served by a public potable water system and a public sanitary sewer system.

[62] See STN # 105.

D. Except in the Downtown districts, walk-up restaurants shall incorporate outdoor dining areas approximate to the window where food or beverages may be picked up.

~~4.3.112~~4.3.111 RETAIL, GENERAL

A. Nothing shall limit the placement of retail use within a unified development or mixed-use development, provided the development meets the minimum size and access requirements for unified developments or mixed uses, as appropriate.

B. Such uses shall comply with the standards in Section 6.2.5, Non-Residential Design Standards, including the standards for large format retail establishments, if applicable.

C. Wholesale sales, manufacturing, assembly of raw materials, or on-site consumption of products shall not take place as part of a general retail use.

D. Outdoor display and sales may be permitted as a secondary use, subject to the standards in Section 4.5.5V, Outdoor Display/Sales, provided such display and sales areas:

1. Comply with locational requirements;
2. Do not interfere with safe vehicular or pedestrian circulation; or
3. Obstruct the proper function of stormwater control measures.

E. All outdoor storage shall be screened in accordance with the applicable standards in Section 6.6.14, Screening.

F. Outdoor storage of any kind, including storage within containers, shall not exceed the height of the principal structure.

G. All drive throughs and canopies shall comply with the standards in Section 4.5.5K, Drive-Through, and Section 4.5.5G, Canopies (Drive Through and Fuel, etc.).

~~4.3.113 RETAIL, LARGE FORMAT~~

~~**A.** Large format retail uses shall comply with the standards in Section 6.2.5G, Retail, Large Format.~~

~~**B.** Outdoor display and sales areas shall comply with the standards in Section 4.5.5V, Outdoor Display/Sales.~~

~~**C.** Outdoor storage areas shall comply with the standards in Section 4.5.5W, Outdoor Storage.~~

~~**D.** In cases where a large format retail use includes outparcels with other use types, those uses shall not be subject to the standards for large format retail uses unless they meet the minimum size thresholds.~~

~~**E.** Large format retail uses shall not engage in wholesale sales activity.~~

~~**F.** Large format retail uses engaged in sales of bulky items shall also comply with the standards in Section 4.3.22, Bulky Item Sales.~~

~~4.3.114~~4.3.112 RETAIL, MICRO

A. Micro retail uses shall be limited to no more than ten separate tenants or establishment spaces per use.

B. Outdoor sales and display is permitted in accordance with Section 4.5.5V, Outdoor Display/Sales, but all outdoor display or sales shall take place in a single central area that serves all micro retail tenants.

C. Off-street parking standards shall be in accordance with the requirements for micro retail uses rather than the individual tenants.

~~4.3.115~~4.3.113 SALVAGE AND JUNKYARD

A. The minimum area required to establish a salvage and junkyard shall be five acres.

B. The operations of salvage and junkyards shall not be any closer than 300 feet to any residential lot line, school, hospital, congregate care home, or day care facility.

2. Condominiums shall conform to the requirements of the North Carolina Condominium Act, in Chapter 47C of the North Carolina General Statutes.
3. Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be recorded in the office of the Register of Deeds for the county where located.

~~4.3.121~~4.3.119 SINGLE-FAMILY DETACHED DWELLING

A. Modular homes shall comply with the standards in NCGS§ 160D-911, and shall be treated as site-built single-family detached structures.
B. A single-family detached dwelling shall meet all applicable State Building Code standards for one-family homes, including minimum room size and ceiling clearance requirements.
C. Single-family detached dwellings located on lots 55 feet wide or less established after January 2, 2024, shall be served by alleys configured as private streets that are configured in accordance with the applicable standards in this Ordinance. Developments of five or fewer single-family detached structures on contiguous lots are exempted from this requirement.
D. Single-family detached dwellings constructed in a conditional zoning district shall comply with the standards in Section 6.2.6, Single-Family Residential Design Guidelines.
E. Single-family detached development in all other conventional districts may comply with Section 6.2.6, Single-Family Residential Design Guidelines, with the consent of the landowner(s) at the time of application to establish the development.
F. Single-family detached dwelling development may take advantage of available residential density bonuses for voluntary compliance with the applicable provisions in Section 6.2.6, Single-Family Residential Design Guidelines.

~~4.3.122~~4.3.120 SMALL WIRELESS FACILITY

See Section 4.3.126, Telecommunications Facilities.

~~4.3.123~~4.3.121 SOLAR ENERGY CONVERSION, LEVEL 2 OR 3

A Level 2 or 3 solar energy conversion use shall comply with the standards in NCGS§ 160D-911, and the following:

A. The facility shall be on a site of at least one acre in area.
B. Signage shall be limited to ownership and contact information, and any other information required by State or federal government regulation.
C. Commercial advertising is prohibited.
D. The entire facility shall be enclosed by a fence of at least six feet in height with a locking gate.
E. Equipment shall be configured so as not to create glare or shadows on adjacent lands.
F. A type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines shared with a residential district.
~~F.~~G. Applications for establishment of a new or expansion of an existing level 2 or 3 solar energy conversion use shall include a copy of the NCDEQ-approved decommissioning plan and documentation of the required financial assurance provided to NCDEQ in accordance with NCGS§ 130A-309.240. [63]

~~4.3.124~~4.3.122 STORAGE, INDOOR

Indoor storage uses include "self-storage" use types, and shall comply with the following standards:

A. The use shall be located on a lot or site of at least two acres in area.

[63] See STN# 3.

H. The siting and design of the facility shall comply with the applicable requirements of the NC Solid Waste Management Rules.

I. The operation of the facility shall maintain compliance with the State of North Carolina's operation, maintenance, and monitoring regulations for solid waste disposal facilities.

~~4.3.133~~4.3.131 TRIPLEX OR QUADPLEX

A. Triplex and quadplex dwellings shall comply with the following:

1. Use of a single shared primary entrance serving all of the individual dwelling units is strongly encouraged. If a single shared entrance is not practical or possible, then consolidation of individual dwelling unit entrances into shared entrances is encouraged.
2. At least one primary entrance of the structure shall face the street from which the structure derives its street address.
3. Except for through lots, if a parking lot is provided, it shall be located to the interior side or rear of the dwelling and not be located between the dwelling and a street. Through lots are exempted from this requirement, but shall not locate a parking lot between the primary entrance and the street from which the structure derives its street address.
4. Attached garages or carports shall be located to the side or rear of the principal structure.
5. When a triplex or quadplex dwelling is on a corner lot, the use may include two separate driveways on different lot frontages, provided each driveway is configured in accordance with Section 6.1, Access and Circulation, and all applicable Town or State standards related to driveway placement and street access.
6. In no instance shall a lot with a triplex or quadplex include more than one recreational vehicle, inoperable vehicle, or trailer, all of which shall be located in accordance with the applicable standards in Section 4.5, Secondary Uses.
7. Up to one detached secondary structure may be permitted on a lot with a triplex or quadplex, and in no instance shall it contain an accessory dwelling unit.
8. A Type B perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

B. Triplex and quadplex dwellings constructed in a conditional zoning district shall comply with the standards in Section 6.2.6, Single-Family Residential Design Guidelines.

C. Triplex and quadplex development ~~in all other conventional districts are strongly encouraged~~in structures exceeding two stories in height shall ~~to~~ comply with Section 6.2.6, Single-Family Residential Design Guidelines~~, with the consent of the landowner(s) at the time of application to establish the development~~.[64]

~~4.3.134~~4.3.132 UPPER-STORY DWELLING

A. Except within the Downtown districts, an upper-story dwelling unit shall occupy the second or higher floor of a building with a non-residential use on the ground floor.

B. In the Downtown districts, nothing shall limit the placement of residential floor area on the ground or basement floor provided:

1. The non-residential portion of the building occupies the front façade of the street-level ground floor; and
2. The non-residential portion of the use has its own entrance, or the building has a shared primary entrance.

C. Upper story dwelling units are subject to the dimensional requirements for non-residential development in the zoning district where located.

[64] See STN # 3.

TABLE 4.5.4: LISTING OF COMMON SECONDARY USES

"C" = Permitted, subject to Section 2.3.7, Conditional Rezoning, applicable secondary use-specific standards, and conditions of approval
"P" = Permitted, subject to applicable secondary use-specific standards
"S" = Permitted subject to Section 2.3.23, Special Use Permit, and applicable secondary use-specific standards
" • " (blank cell) = Not allowed or no additional secondary use-specific standards
[#] Table Note
Most secondary uses are subject to use standards in Section 4.5.5, Standards for Specific Secondary Uses

Secondary Use Type [1]	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts				
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNN	DTNT	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI
Garage or Carport, Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Guard House, Shelter, or Gatehouse	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Helistop	•	•	•	•	•	•	S	•	•	•	•	•	•	S	•	•	S	•	C	C	C	C
Home Occupation, Type 1	P	P	P	P	P	•	P	P	P	P	P	P	•	•	•	•	•	C	•	•	•	•
Home Occupation, Type 2 **AMENDED 12.16.24 (UDOTA3-24)**	P	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•	•	C	C	C	•	•
Membrane Structure[65]	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•	•
Mobile Restaurant or Push Cart **AMENDED 9.16.24 (UDOTA2-24)**	•	•	•	•	•	•	•	P	P	P	•	P	P	P	•	•	•	•	C	C	C	C
Outdoor Dining and Seating	•	•	•	•	•	P	P	P	P	P	P	P	P	P	•	P	•	C	C	C	C	C
Outdoor Display/Sales	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	S	P	•	C	C	C	•
Outdoor Storage	•	•	•	•	•	•	•	P	P	P	P	P	P	P	•	•	P	•	•	C	C	C
Parking of Heavy Trucks or Trailers	P	•	•	•	•	•	•	•	•	•	•	P	P	P	•	•	P	•	•	C	•	C
Parking of Recreational Vehicles **AMENDED 9.16.24 (UDOTA2-24)**	P	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•	•
Play Equipment [2]	P	P	P	P	P	P	P	P	P	P	P	•	•	•	P	P	P	C	C	C	C	•
Private Stables	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	•	C	•	•	•	•
Produce Stand	P	P	P	P	P	•	P	P	P	P	P	P	•	•	•	•	•	C	•	C	C	•
Refuse or Recycling Container **AMENDED 12.16.24 (UDOTA3-24)**	•	•	•	•	•	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Solar Energy Conversion, Level 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Swimming Pool/Hot Tub	P	P	P	P	P	P	P	P	P	P	P	P	•	•	•	P	•	C	C	C	C	•
Tool/Storage Shed	P	P	P	P	P	P	P	P	P	P	P	P	P	P	•	P	P	C	C	C	C	C
Underground Storage Tank	•	•	•	•	•	•	•	•	•	•	P	P	P	P	•	•	P	•	•	C	•	C
Urban Archery[66]	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•	P	C	•	•	•	•
Vehicle Repair (non-commercial)	P	P	P	P	•	•	P	•	•	•	P	P	P	•	•	•	•	C	•	C	•	•
Vehicle Towing or Storage **AMENDED 9.16.24 (UDOTA2-24)**	•	•	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	C	•	C

NOTES:
AMENDED 12.16.24 (UDOTA3-24)
[1] Unlisted secondary uses may be permitted in accordance Section 4.7, Unlisted Uses.
[2] Exempted from the requirement to obtain Zoning Compliance Permit.

[65] See STN # 28.
[66] See STN # 106.

2. Supports or uprights for a canopy structure shall be clad in brick, masonry, or treated with some other architectural treatment compatible with the principal structure. In no instance shall supports or uprights take the form of a simple metal pole that is just painted.
3. The maximum height of the canopy may exceed the height of the principal building, but in no instance shall any signage associated with the canopy be higher above grade than would be permitted on the exterior wall of the adjacent principal structure.
4. The edge of the canopy structure shall be no closer than 15 feet from a lot line or right-of-way. The canopy setback requirement is not applied to internal lot lines located within a unified development.[67]
5. Exterior lighting associated with a fuel canopy shall comply with the requirements for shielding and glare control in Section 6.4, Exterior Lighting.

H. CHILD CARE, INCIDENTAL

1. An incidental child care or home day care for three or more children is permitted as a secondary use to an occupied residential dwelling unit provided it complies with Article 7 of Chapter 110 of the North Carolina General Statutes, and the Summary of North Carolina Child Care Laws and Rules pamphlet, as amended prepared by the NC Department of Health and Human Services.
2. Incidental child care uses shall obtain all applicable approvals from the State of North Carolina.
3. In cases where an incidental child care use is operated within a residential dwelling and includes more than five children or includes employees who do not reside in the principal dwelling the incidental child care use shall meet all the requirements in Section 4.5.5R, Home Occupation, Level 2.

I. CLUSTER BOX UNIT

Cluster box units shall comply with the standards of the United States Postal Service and the following:

1. Cluster box units shall be located within one or more of the following locations:
   a. On land owned or maintained by an owners' association;
   b. Outside a public street right-of-way; or
   c. Within a private access easement.
2. Wherever possible, cluster box units shall be located central to the development they serve or proximate to a primary vehicular entrance to the development.
3. In no instance shall a cluster box unit be located within a required sight distance triangle, a public utility easement, within the vehicular travelway portion of a street or alley, or in a manner that obstructs the movement of pedestrians along a sidewalk or trail.
4. A cluster box unit shall be positioned so that the individual mailbox units may be accessed without the need to stand within a street travelway.
5. In cases where a subdivision includes a recreational amenity building, cluster box units are encouraged to be located within or adjacent to the building.
6. All cluster box units in a development shall be directly served by a sidewalk, pedestrian trail, or include facilities for vehicular access.
7. At least five percent of the provided mailboxes shall be configured to permit access in accordance with the American with Disabilities Act.

[67] See STN # 102.

b. The caregiver must be an individual 18 years of age or older who provides care for the mentally or physically impaired person and is a first or second degree relative of the impaired person. A first or second degree relative is a spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew, or niece, including half, step, and in-law relationships.

3. PERMIT CONDITIONS

a. Once the applicant provides sufficient proof that the family health care structure meets all standards, then the structure shall be permitted for a period of 12 months.

b. The applicant may renew the prior approval for a 12-month period and continue to renew it provided the applicant provides evidence of continued need and compliance with these standards.

c. The Town may make periodic inspections of the family health care structure at reasonable times convenient to the applicant.

d. No signage shall be permitted on the exterior of the structure or on the lot that identifies or promotes the existence of the structure.

e. The structure shall not be subdivided or otherwise separated in ownership from the single-family detached dwelling.

f. The structure shall be removed within 60 days if the impaired occupant is no longer receiving or in need of assistance.

g. The approval may be revoked, or other enforcement actions taken if these standards are violated.

N. FLAGPOLE

1. No more than two flagpoles shall be allowed on a residential lot in a residential zoning district.

2. Flagpoles on all other lots shall comply with the following standards:

a. No more than three flagpoles shall be allowed;

b. Flagpoles shall be located on the same lot as the principal building;

c. Flagpoles may be located on the wall of the principal building on the lot or within 75 feet of the building's main entrance;

d. Flagpoles shall not be located within a public right-of-way; and

e. Flagpoles shall not exceed a height of ~~25~~ 40 feet.[68]

3. Flags shall comply with the appropriate standards in Section 6.13.9, Permanent Sign Standards.

O. GUARD HOUSE, SHELTER, OR GATEHOUSE

Nothing shall limit the placement of a guard house, guard shelter, or gatehouse within a required yard or setback, provided it shall:

1. Maintain a maximum size or floor area of 100 square feet or less;

2. A height of 15 feet or less;

3. Be located outside any required sight distance triangles; and

4. Maintain a minimum distance of five feet from a public street right-of-way.

[68] See STN # 23.

P. HELISTOP

Auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment are not permitted.

Q. HOME OCCUPATION, LEVEL 1

1. The area set aside for a home occupation shall occupy no more than 25 percent of the gross floor area of a dwelling unit or of a secondary structure or 500 square feet, whichever is less.
2. No outside storage or display of materials, animals, or items associated with the home occupation is permitted. Nothing shall limit storage of such items within enclosed structures.
3. No goods, stock-in-trade, or other commodities shall be displayed.
4. The home occupation shall be conducted entirely within a dwelling unit or secondary structure. It must be a use that is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character of the residence.
5. Permitted home occupations include, but are not limited to:
   a. Offices;
   b. Personal services;
   c. Day care of up to five children;
   d. Catering, provided food is prepared solely with residential-grade equipment;
   e. Tailoring; and
   f. Handcrafting, and similar vocations.
6. No on-site retail sales, except for goods made on the premises, are allowed. Nothing shall prohibit the digital sale of material for delivery off-site.
~~6.~~7. Sale of vehicles, including trailers, as a commercial activity is prohibited. For the purposes of this section, more than two vehicle sales per calendar year from the same lot shall be considered commercial activity. [69]
~~7.~~8. Activities shall not generate traffic, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.
~~8.~~9. No home occupation shall involve the use of electrical or mechanical equipment that would change the fire rating of the structure in which the home occupation is located.
~~9.~~10. No one may be employed who is not an occupant of the residence.
~~10.~~11. Instruction in music, dancing, art, or similar subjects shall be limited to no more than five students at one time.
~~11.~~12. Signs for home occupations shall be limited to incidental signs permitted in residential zoning districts (see Section 6.13, Signage).

R. HOME OCCUPATION, LEVEL 2

1. The level 2 home occupation shall be located on a lot or tract of one acre or more in area.
2. The total floor area of all buildings engaged in the home occupation shall not exceed the lesser of: 20% of the principal dwelling's floor area or 1,000 square feet.
3. All operations associated with the home occupation use shall maintain a minimum 50-foot setback from all lot lines.
4. A type C perimeter buffer configured in accordance with Section 6.6.13, Perimeter Buffers, shall be installed along all lot lines abutting a residential district.

[69] See STN # 52.

5. All operations associated with the home occupation shall be located behind the rear building line of the principal dwelling.
6. The person operating the home occupation shall reside on the property.
7. No more than two persons shall be employed other than those residing on the property.
8. Establishment of a level 2 home occupation shall require review of a site plan in accordance with Section 2.3.22, Site Plan, and the site plan shall indicate the location of outside storage, if any, the proposed number of vehicles to be parked on the lot, and methods of screening.
9. The home occupation shall not be operated between the hours of 9 PM to 6 AM.
10. Permitted uses shall be limited to those products assembled or manufactured on-site for resale elsewhere, professional and business services, or stock-in-trade clearly incidental to such services.

S. MEMBRANE STRUCTURE [70]

Membrane structures shall comply with all applicable requirements in the State Building Code (including wind loading standards) and the following standards:

1. Membrane structures shall be limited to storage, and shall not be used for regular occupancy or special events for the gathering of people;
2. Membrane structures shall be subject to all applicable dimensional standards, including setbacks, lot coverage, and maximum height standards, but nothing shall limit the total square footage of a membrane structure to a size smaller than the principal structure;
3. A membrane structure shall be attached to a footing, foundation wall, metal storage container, or be adequately braced and anchored to prevent weather-related collapse;
4. The membrane material shall be tensioned and attached to frame and supports;
5. The membrane material shall be opaque, and any patches or patch kits shall match primary membrane material and color;
6. In cases where a membrane structure abuts a lot line shared with a residential zoning district, the side of the structure facing the lot line shall be screened with a continuous row of evergreen trees planted no more than five feet on-center;
7. Once a membrane structure has been approved in accordance with this Ordinance it may be erected and dismantled, as needed, without need for an additional development approval, provided the membrane structure:
   a. Continues to comply with all applicable standards in this Ordinance and any applicable conditions of approval;
   b. Is located on the same lot and in the same general location on the lot or site;
   c. Does not increase in size or height beyond the amount indicated in the original approval; and
   d. Does not cause the site to become nonconforming with respect to lot coverage or stormwater management requirements.

[70] See STN # 28.

lot from the principal use it serves shall not be credited towards open space set-aside.
AMENDED 9.16.24 (UDOTA2-24)

c. Outdoor dining or seating areas where alcohol is served or may be consumed shall be clearly demarcated from other areas of the site or a public right-of-way with planters, fencing, roping, railing, or some other physical barrier that separates the area from its surroundings.

d. Outdoor dining or seating areas that include any form of public address system, recorded or live musical performances, or other sounds provided as part of the operation of the principal use shall be located as far as possible from adjacent residential zoning.

e. Lighting associated with outdoor dining or seating shall comply with the standards in Section 6.4, Exterior Lighting, except that exterior lighting may be located within Town right-of-way subject to all applicable Town policies.

f. Outdoor dining or seating areas shall comply with the applicable off-street parking standards in Section 6.9.4, Off-Street Parking Requirements.

g. In no instance shall an outdoor dining or seating area take place within a required landscaping, screening, or parking area or interfere with safe pedestrian or vehicular circulation on or off the site.

h. In no instance shall an outdoor dining or seating area obstruct access to an entrance or exit, emergency exit, drainage infrastructure, fire hydrant, standpipe, utility access area, ventilation, or ADA access features.

i. Outdoor dining or seating areas shall include trash receptacles and shall not result in the accumulation of litter or waste in the public right-of-way or on adjacent lots.

2. IF LOCATED WITHIN A PUBLIC RIGHT-OF-WAY

a. In cases where outdoor dining or seating areas are proposed on a public sidewalk or other public right-of-way, establishment of the secondary use shall require approval of a Zoning Compliance Permit for areas capable of accommodating up to 12 people, or Site Plan approval for areas capable of accommodating more than 12 people. Regardless of the amount of seating provided, all outdoor dining or seating areas located within a public right-of-way require ~~site plan and~~ execution of an encroachment agreement with the Town or NCDOT in accordance with Town policy, as appropriate.

b. Outdoor dining and seating areas in a public right-of-way areas shall comply with the standards in NCGS§136-27.4, and the following:

- **i.** All tables, chairs, and other furnishing shall be at least six linear feet from any vehicular travel lane;
- **ii.** There shall be at least five feet of unobstructed sidewalk width maintained at all times across the frontage of a site with outdoor dining or seating areas on a public sidewalk;
- **iii.** Awnings, umbrellas, and coverings shall maintain at least nine feet of clearance above sidewalks and shall not project out into the vehicle travelway;
- **iv.** In no instance shall an outdoor dining or seating area be located adjacent to a street with a posted speed limit of 45 miles-per-hour or greater; and
- **v.** No water misters, heaters, or mechanical climate control devices shall be located within the public right-of-way.

c. The owner of the business utilizing an outdoor dining or seating area within a public right-of-way shall be responsible for repairing any incidental damage to public sidewalk resulting from the secondary use.

d. The owner or operator of the principal use shall provide evidence of adequate liability insurance specified by the Town under NCGS§ 160A-485 as the limit of the Town's waiver of immunity or the amount of tort claim liability specified in NCGS§ 143-299.2,

~~AA.~~BB. PRODUCE STAND

The sale of fresh vegetables and produce from curbside stands or in a similar fashion shall:

1. Be located on the same lot as a principal use;
2. Be limited to retail sale of agricultural or horticultural products grown on-site or in agricultural facilities under the same ownership as the produce stand;
3. Be located outside public street rights-of-way, sight distance triangles, or other areas that may result in visual obstructions to drivers;
4. Not exceed 1,000 square feet in area; and
5. Provide adequate ingress/egress and off-street parking.

~~BB.~~CC. REFUSE AND RECYCLING CONTAINERS

AMENDED 12.16.24 (UDOTA3-24)

Non-residential, mixed-use, and multi-family development that include refuse and recycling containers shall comply with the following standards:

1. CENTRALIZED COLLECTION AREA(S)

- **a.** Refuse and recycling containers that are shared by two or more use types shall be located in a centralized location on the lot or site where located.
- **b.** Centralized collection areas may be detached from or attached to a principal or another accessory structure on the lot or site.
- **c.** Nothing shall prevent more than one centralized collection area on one lot or site.
- **d.** In no instance shall a site be configured with refuse or recycling collection containers located outside a building or enclosure.

2. COLLECTION AREA SIZE

Collection areas containing refuse and recycling containers shall be of sufficient size to accommodate the trash and recycling generated by the uses being served.

3. COLLECTION AREA LOCATION [71]

- **a.** A detached collection area shall not be located within a required setback or between the front or side façade of a building and an abutting public street. Collection areas abutting or within two feet of a principal or accessory building ~~may~~ shall be considered attached collection areas and may be located between a building and an abutting street.
- **b.** A collection area shall be setback from a residential zoning district boundary at least 50 feet.

4. COLLECTION AREA CONFIGURATION

- **a.** Collection areas shall be surrounded by a fence, wall, or other enclosure for the purpose of security and preventing windblown debris from leaving the collection area.
- **b.** Collection areas shall be located on a concrete pad sized to accommodate all the anticipated containers. In cases where refuse or recycling is collected by a service vehicle. the pad shall be served by a concrete apron capable of supporting a service vehicle's operations.
- **c.** Collection areas configured to be served by vehicles shall be equipped with self-closing gates.

[71] See STN # 32.

HH. URBAN ARCHERY[72]

1. GENERALLY

It shall be unlawful within the Town's planning area for any person to shoot any wild game or any squirrel, whether wild or tame, with a gun or firearm or to willfully poison any wild game or squirrel; however, deer hunting by bow and arrow or crossbow ("collectively Urban Archery"), as defined by the State Wildlife Resources Commission, is permitted on private property during the Urban Archery Season as established by the State Wildlife Resources Commission, and in accordance with the standards of this section.

a. This section creates an exception from Section 130.03 of the Town Code of Ordinance prohibiting the discharge of bow and arrows or crossbows within Town's planning area.

b. Violations of this section shall subject the offender to penalties set forth in this subsection. Additionally, persons who violate this subsection shall immediately have their urban archery permit revoked and will be ineligible to receive one for a period of three years from the date of revocation.

2. OVERSIGHT

Unless otherwise set forth in this section, hunters must follow all federal, state, and local laws, rules, and ordinances regulating hunting.

3. HUNTING LICENSE

Hunters must have in their possession a valid North Carolina hunting license (issued by the North Carolina Wildlife Resources Commission) and an urban archery permit from the Town.

4. URBAN ARCHERY PERMIT REQUIREMENTS

An urban archery permit shall require all of the following:

a. Presentation of a valid photo I.D.;

b. A copy of the prospective hunter's valid and current North Carolina hunting license;

c. Property information if the hunter intends to hunt on private property;

d. Owner permission if the prospective hunter doesn't own the private property; and

e. Payment of a fee set by the Town fee schedule.

5. SECURING THE HARVEST

Hunters will make every reasonable effort to track wounded deer for the purpose of completing the harvest and recovering the carcass. In the event that a wounded deer cannot be recovered or leaves the permitted hunting tract, the hunter immediately will notify the North Carolina Wildlife Resources Commission and seek the assistance of a Wildlife Officer. If an officer of the Wildlife Resources Commission is not timely available assistance may be sought through the Clayton Police Department.

6. URBAN ARCHERY SEASON

Bow and arrow hunting may take place during Urban Archery Season as defined by the North Carolina Wildlife Resources Commission, only when the Town has indicated its participation in Urban Archery Season for that particular year.

[72] See STN # 104. Carried over from City Code 91.09 and supplemented with enforcement provisions from 91.99. The minimum lot area of 5 acres has been reduced to 2 acres.

7. HUNTING LANDS; PRIVATE PROPERTY

a. Landowners may hunt on their own property, subject to the limitations and criteria of this section.

b. Persons may hunt on another's property only when possessing written permission from the property owner dated within the current calendar year.

c. If accessing a hunting area requires passing through other private land, a hunter must receive written permission dated within the current calendar year from that landowner to pass through the land into a designated hunting area.

8. SAFETY

Permitted hunters must adhere to all of the following guidelines.

a. ELEVATION

Arrows must be fired from at least three yards (nine feet) above ground level and toward the interior of the hunting parcel.

b. TRACT SIZE

Hunting is allowed only on a tract or parcel of land (or an aggregation of contiguous tracts or parcels) that is at least two acres in size.

c. BUFFER

Arrows may not be fired from, nor be propelled to within, 50 yards (150 feet) of any dwelling or road right-of-way except that the 50-yard (150 feet) provision shall not apply to the hunter's own dwelling unit.

d. DAYCARE, SCHOOLS, CHURCHES, AND PARKS

Arrows may not be fired from, nor be propelled to within 100 yards (300 feet) of any daycare, elementary or secondary school, religious institution, or Town park.

e. HOURS

Hunting hours shall be in accordance with established North Carolina Wildlife Commission guidelines.

f. POSTING

Signage is required if private property is accessible to members of the public via a walkway, access easement, or other method open to the public.

9. ASSUMPTION OF RISK

a. Notice is hereby given that the Town makes no warranties and assumes no liability for the actions of persons hunting with an urban archery permit or persons allowing hunters to make use of their property for hunting or access. Nothing herein shall prevent the voluntary or contractual shifting of any risk of loss by and between the property owners and permitted hunters.

b. A person exercising privileges granted pursuant to this section voluntarily assumes full responsibility for any risk of loss, property damage or personal injury, including death, caused or incurred by the hunter and shall indemnify and hold the Town harmless from any such claims.

c. A person exercising privileges granted pursuant to this section to use property owned or controlled in whole or part by the Town is deemed to have released, waived, discharged, and covenanted not to sue the Town for any loss, damage, or injury, including death, that may be sustained while participating in such activities, however caused or sustained.

10.PENALTIES FOR VIOLATION

Unless a different fine or penalty is set out in a particular section of this Ordinance or the Town Code of Ordinances, a violation of any provision of these standards shall subject the violator to the following schedule for notices of violation:

a. ANIMAL CRUELTY

The violator shall be fined $500, per offense, per animal, for any conduct construed as animal cruelty, including but not limited to, a violation of the Town Code of Ordinances.

b. OTHER VIOLATIONS

All other violations:

i. First notice of violation: $100;
ii. Second notice of violation: $200; and
iii. Third and subsequent notice of violation: $300.

c. APPLICATION

Violations of this subsection are charged per offense, per animal. Fines and penalties are separate and shall accumulate accordingly.

~~GG.~~II. VEHICLE REPAIR (NON-COMMERCIAL)

Up to two private vehicles may be repaired on residentially-zoned land, provided:

1. The vehicles are registered to the occupant of the residence; and
2. The repair takes place within an entirely enclosed structure or within an area meeting the standards in Section 6.6.14, Screening, and located to the interior side or rear of the principal structure.

~~HH.~~JJ.VEHICLE TOWING OR STORAGE

Vehicle towing or storage as a secondary use shall comply with the standards in Section 4.3.139, Vehicle Towing or Storage. **AMENDED 9.16.24 (UDOTA2-24)**

2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;
3. Prohibition of the storage or use of hazardous materials;
4. Regulation of placement, height, size, and location of equipment;
5. Provision of sanitary and medical facilities;
6. Provision of solid waste collection and disposal;
7. Provision of security and safety measures;
8. Use of an alternate location or date;
9. Modification or elimination of certain proposed activities;
10. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
11. Submission of a performance guarantee (see Section 2.3.20, Performance Guarantee) to ensure that any temporary use will be removed from the lot.

4.6.4 DURATION OF COMMON TEMPORARY USES

This section includes a summary table of common temporary uses and their maximum duration. [73]

TABLE 4.6.4: TABLE OF COMMON TEMPORARY USES AND DURATION

Type of Temporary Use or Structure		Maximum Number of Occurrences per year on the Same Lot	Maximum ~~Duration~~ Number of Days per Occurrence [1]	Maximum ~~Frequency per Calendar Year~~Number of Days per Year per Lot
Itinerant Merchant Sale		3	~~No more than 45 continuous days per lot per calendar year~~no max.	~~Three, subject to maximum duration per year~~45 days
Outdoor Seasonal Sales		3	~~No more than 45 continuous days per lot per calendar year~~no max.	~~Three, subject to maximum duration per year~~45 days
Portable Storage Containers [2]		1	~~90~~ 120 days ~~per lot per calendar year~~	~~Once, subject to maximum duration per year~~120 days
Other Special Event	Circus, Carnival or Fair	1	~~Up to~~ 14 consecutive days ~~per calendar year~~	~~Once~~14 days
	Garage or Yard Sale	2	2 consecutive days	4 days
	Grand Opening Sale	1	~~Up to~~ 7 consecutive days ~~per calendar year~~	~~Once~~7 days

[73] See STN # 107.

TABLE 4.6.4: TABLE OF COMMON TEMPORARY USES AND DURATION

Type of Temporary Use or Structure		Maximum Number of Occurrences per year on the Same Lot	Maximum ~~Duration~~ Number of Days per Occurrence [1]	Maximum ~~Frequency per Calendar Year~~ Number of Days per Year per Lot
	Non-profit Event	4 [3]	Up to 7 consecutive days per calendar year	~~Once every three months~~28 days
	Outdoor Vehicle Sale	2	~~Up to~~ 3 consecutive days ~~per calendar year~~	~~Twice~~ 6 days
	Religious Event	4	~~Up to~~ 5 consecutive days ~~per calendar year~~	~~Up to four per development per calendar year~~20 days
	Tent Sale	2	~~Up to~~ 7 consecutive days ~~per calendar year~~	~~Twice per lot per calendar year~~14 days
Temporary Disaster Dwelling		No max.	~~No more than 12 months~~N/A	~~N/A~~365 days
Temporary Dwelling		No max.	~~No more than 6 months~~N/A	~~N/A~~180 days
Temporary Fencing		1	~~Up to~~ 90 days ~~per calendar year~~	~~Once~~90 days
Temporary Office AMENDED 12.16.24 (UDOTA3-24)		No max.	Must be removed within ~~30~~ 45 days after all units are sold or leased, or within 45 days of ~~following~~ issuance of a final Certificate of Occupancy, if the temporary office is associated with construction [74]	
Temporary Signs		See Section 6.13.10, Temporary Sign Standards		
Temporary Wireless Communications Facility AMENDED 12.16.24 (UDOTA3-24)		No max.	No more than two years unless placed for emergency purposes	
			No more than 30 days when placed to serve emergency purposes	

NOTES:
[1] No temporary use shall remain in place more than 90 days if located on a lot within a Flood Protection Overlay District.
[2] Portable storage containers on lots within the PUB district may be in place for up to one year, with the potential for two additional one-year terms at the Planning Director's discretion. [75]
[3] In no instance shall there be less than 90 days between non-profit events on the same lot during any 365-day period.

[74] See STN # 30.
[75] See STN # 49.

4.6.5 STANDARDS FOR SPECIFIC TEMPORARY USES

A. ITINERANT MERCHANT SALES

Itinerant merchant sales, not including mobile restaurant vendors, are permitted on lots in non-residential and mixed-use zoning districts, subject to the following standards:

1. The sale of merchandise, products, or material must be a permitted principal or secondary use in the zoning district where the sales are temporarily located;
2. Itinerant merchants shall file an indemnification form with the Town when engaged in open air sales;
3. Itinerant merchant sales shall be located outside of street rights-of way, required sight distance triangles, required landscape areas, vehicular circulation areas, required off-street parking spaces, and areas where pedestrian access is needed to ensure safe movement through or across a site;
4. Signage shall comply with the applicable standards in Section 6.13, Signage;
5. All merchandise and related materials shall be removed from the site following the sale;
6. The maximum period of operation of itinerant merchant sales shall be from 8:00 AM to 11:00 PM; and
7. Permitted itinerant merchant sales shall be limited in duration ~~to a maximum of 45 continuous days from the date the Temporary Permit is issued~~in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration.

B. OUTDOOR SEASONAL SALES

Outdoor seasonal sales are permitted on a lot in all zoning districts, except lots occupied by residential uses, subject to the following standards:

1. Seasonal sales shall be limited to seasonal agricultural products such as Christmas trees, pumpkins, and living plants;
2. The maximum hours of operation of an outdoor seasonal sales use shall be from 8:00 AM to 11:00 PM, except when located in a residential district, then the seasonal sales use shall cease by 9:00 PM;
3. Exterior lighting shall comply with the requirements in Section 6.4, Exterior Lighting;
4. One recreational vehicle is allowed as a temporary dwelling for security purposes in association with the seasonal sales use, provided it meets the general standards of Section 4.6.5F, Temporary Dwelling, and is removed at the end of the sales;
5. The on-site secondary sale of seasonal products by an agricultural use or retail sales use is not considered outdoor seasonal sales and is not subject to these standards; and
6. Outdoor seasonal sales shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration~~to a maximum of 45 continuous days from the date the Temporary Permit is issued~~.

C. OTHER SPECIAL EVENTS

1. EXEMPT EVENTS

A special event is not subject to the requirements in this section, if:

a. The event lasts one day or less within a 180-day period on a lot with an established principal use; or
b. The event is sponsored by the Town, a county, or the State.

2. SUBJECT TO THIS ORDINANCE

A special event not otherwise exempted from the standards in this section is permitted on a lot in a non-residential zoning district, subject to the following standards:

a. A special event includes, but is not limited to arts and crafts shows, cultural events, musical events, concerts, and stage shows, celebrations, festivals, fairs, carnivals, circuses, or outdoor religious events; and

b. Circuses, carnivals, and similar amusements may be subject to the applicable provisions of the Town Code of Ordinances.

~~b.~~**c.** The special event shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration.

D. PORTABLE STORAGE CONTAINERS

1. RESIDENTIAL USES

Storage in a storage container (e.g., a portable storage container) may be permitted as a temporary use to a single-family detached, single-family attached, duplex, triplex, or quadplex dwelling unit, subject to the following standards.

a. TYPES DISTINGUISHED

Storage containers shall take one of the following two forms:

i. A container used for the purposes of storage of personal property such as household items being temporarily stored or relocated; or

ii. A roll-off box, bin, or construction dumpster used for the collection and hauling of waste or debris.

b. PERMIT REQUIRED

A building permit shall not be required for a storage container, but a temporary use permit issued in accordance with Section 2.3.27, Temporary Permit, is required.

c. EXEMPTIONS

The standards in this section shall not apply to storage containers used as temporary construction trailers, construction dumpsters, or construction materials recycling facilities, provided construction on the site is on-going.

d. MAXIMUM SIZE

Containers shall be no larger in dimension than eight feet in height, eight feet in width, or 20 feet in length.

e. MAXIMUM NUMBER

No more than two storage containers shall be located on a single lot or parcel of land.

f. HAZARDOUS SUBSTANCES

Storage containers shall not be used to store or transport non-residential materials and substances, including but not limited to the following: solid waste, hazardous materials, explosives, or unlawful substances and materials.

g. LOCATION

i. A storage container may be located in a driveway, a designated parking area, or behind a dwelling.

ii. If site conditions make placement of the storage container behind a dwelling, on a driveway, or in a designated parking area impossible, then the storage container may be located immediately adjacent to the driveway or designated parking area.

iii. A storage container shall not be located between the front of a dwelling and the street it faces unless any other placement is impossible due to site conditions.

iv. In no instance shall a storage container be located within a Town street, public street right-of-way, or in a location that poses a threat to public health or safety.

h. DURATION

Portable storage containers shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration.

~~i. Storage containers may be located on a site for a maximum of up to 90 days per calendar year. This period may be renewed once by the Planning Director, for good cause shown, as determined in the sole discretion of the Planning Director, and based upon factors outside the control of the applicant.~~

~~ii. In no instance shall these standards be construed to allow placement of one or more storage containers on a single site for more than 90 days in any single calendar year.~~

2. NON-RESIDENTIAL AND MIXED USES

Storage of goods, products, or materials within a storage container (e.g., portable storage container, shipping container, etc.) may be permitted as a temporary use as part of a lawfully established non-residential or mixed-use, subject to the following standards:

a. TYPES DISTINGUISHED

Storage containers shall take one of the following four forms:

i. A portable storage container (sometimes referred to a as a "POD") used for the purposes of storage of finished goods or bulk materials within packaging;
ii. A shipping container;
iii. A roll-off box, bin, or construction dumpster used for the collection and hauling of waste or debris; or
iv. A fully-enclosed, non-motorized, trailer (commonly known as a semi-trailer) with wheels intended to be towed to a site for the purpose of storage or transport of goods, materials, or equipment.

b. PERMIT REQUIRED

A building permit shall not be required for a storage container, but a temporary use permit issued in accordance with Section 2.3.27, Temporary Permit, is required.

c. EXEMPTIONS

The standards in this section shall not apply to storage containers used as temporary construction trailers, construction dumpsters, or construction materials recycling facilities, provided construction on the site is on-going.

d. MAXIMUM SIZE

Containers shall be no larger in dimension than ten feet in height, eight feet in width, or 40 feet in length.

e. MAXIMUM NUMBER

No more than four storage containers shall be located on a single lot or parcel of land.

f. HAZARDOUS SUBSTANCES

Storage containers shall not be used to store or transport solid waste, hazardous materials, explosives, or unlawful substances and materials.

g. LOCATION

i. A storage container may be located to the side or rear of a building, but shall not be located between a primary building wall and the street.
ii. If site conditions make placement of the storage container behind or beside a building impossible, then the storage container may be located within designated parking or loading area provided such placement does not interfere with the safe operation of vehicles and

provided the placement does not render the site nonconforming with respect to off-street parking space requirements.

iii. In no instance shall a storage container be located within a Town street, public street right-of-way, or in a location that poses a threat to public health or safety.

h. DURATION

~~i.~~ Portable storage containers shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration~~Portable storage containers may be located on a site for a maximum of up to 90 days per calendar year.~~

~~ii. In no instance shall these standards be construed to allow placement of one or more storage containers on a single site for more than 90 days in any single calendar year~~.

E. TEMPORARY DISASTER DWELLING

A temporary disaster dwelling unit is permitted on a lot in a residential, business, special, or conditional zoning district, subject to the following standards:

1. One temporary dwelling may be used to house occupants of the principal dwelling under construction or subject to repair due to a disaster, natural or fire or other damage.
2. Temporary dwellings shall be located on the same lot as the structure under construction.
3. Temporary emergency dwellings operated by a religious institution, governmental agency, or nonprofit organization may be located to provide emergency shelter where fire, flood, or other natural disaster has displaced persons.
4. A temporary dwelling shall be removed within 30 days of issuance of a certificate of occupancy for the structure, or removed immediately if the building permit expires or is revoked.
5. A temporary dwelling shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration~~to a maximum of twelve months, except that the Temporary Permit may be renewed for good cause shown~~.

F. TEMPORARY DWELLING

A temporary dwelling is permitted on a lot while a permanent dwelling is being constructed, subject to the following standards:

1. GENERAL STANDARDS

a. A temporary dwelling may be either a dwelling that meets all applicable North Carolina Building Code requirements for a dwelling or a recreational vehicle.
b. The temporary dwelling shall be located on the lot in a manner to meet the dimensional standards of the zoning district, to the maximum extent practicable.
c. One temporary dwelling may be used to house occupants of the principal dwelling under construction or subject to repair.
d. Temporary dwellings may be used on a construction site and occupied by persons having construction or security responsibilities over such construction site.
e. Temporary dwellings shall be located on the same lot as the structure under construction.
f. The temporary use permit shall not be issued until a Site Plan is approved or a Building Permit is issued for the principal structure.

2. DURATION

Portable storage containers shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration.

~~a. A temporary dwelling shall be removed within 30 days of issuance of a Certificate of Occupancy for the structure, or removed immediately if the Building Permit expires or is revoked.~~

~~b. A temporary dwelling shall be limited in duration to a maximum of six months, except that the Temporary Use Permit may be renewed for good cause shown.~~

G. TEMPORARY FENCING

Temporary fencing shall require approval of a Temporary Use Permit in accordance with Section 2.3.27, Temporary Permit, and shall be subject to the following standards:

1. Temporary fencing sections shall be adequately secured to the ground in order to prevent uplift, movement, or shifting;
2. Temporary fencing shall be located outside of rights-of-way unless subject to prior approval by the owner of the right-of-way;
3. Temporary fencing shall maintain a minimum height of at least four feet in accordance with OSHA regulations, but in no instance shall temporary fencing exceed a maximum height of six feet above grade;
4. Temporary fencing that includes screening cloth or other opaque material shall not be located within a required sight distance triangle; and
5. Temporary fencing may be comprised of chain link, wire, or plastic, but shall comply with the standards in Section 6.3.4D, Restricted Fence Materials.

~~5.~~6. Temporary fencing shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration

H. TEMPORARY OFFICE [76]

A temporary office is permitted on a lot, subject to the following standards:

1. REAL ESTATE OFFICE/MODEL HOME [77]

AMENDED 12.16.24 (UDOTA3-24)

a. The office is located on a lot that is part of the development being sold or leased;
b. Signage complies with the standards of Section 6.13, Signage;
c. The office complies with the dimensional standards of the zoning district in which it is located;
d. The office complies with all applicable State laws; and
~~e.~~ The temporary office is converted into a dwelling or removed ~~within 30 days after all units are sold or leased; and~~
e. ~~In the event a temporary office is a trailer, it shall be removed within 30 days after all units are sold or leased~~ in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration.
f. Real estate office/model home uses may accommodate up to 100 percent of the required off-street parking on a different lot or site, provided:
   i. The most distant parking space is located within 1,000 linear feet; and
   ~~f.~~ii. Provided there is an improved pedestrian access between the parking area and the use being served.

2. CONSTRUCTION OFFICE

AMENDED 12.16.24 (UDOTA3-24)

[76] See STN # 30.
[77] See STN # 59.

a. A construction office shall be located on the same lot or site where the construction is taking place.
b. A construction office shall not be located within required setbacks or easements.
c. The construction office shall be removed from the site ~~prior~~ in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration~~to issuance of a Certificate of Occupancy~~.
d. Construction office uses may accommodate up to 100 percent of the required off-street parking on a different lot or site provided:
   i. The most distant parking space is located within 1,000 linear feet; and
   ~~c.~~ii. Provided there is an improved pedestrian access between the parking area and the use being served.

I. TEMPORARY USES ON TOWN-OWNED LAND IN THE PUB DISTRICT

1. PURPOSE AND INTENT

This section provides standards for temporary uses and structures on Town-owned lots located in the PUB zoning district. This section outlines the permitting requirements and standards for temporary uses and structures often required as a part of new projects and routine maintenance on Town facilities.

2. APPLICABILITY

The provisions of this section shall only apply to lands in the Public Facilities (PUB) zoning district. These provisions shall apply to all types of applications regardless or the review procedures by which they are approved, unless otherwise specified in this Ordinance. These standards may be modified by other applicable standards or requirements in this Ordinance.

3. STANDARDS

At the Planning Director's discretion, a Temporary Use Permit may be granted for placement of mobile or modular structures in the PUB district for up to one year, subject to the following standards:

a. GENERALLY

All temporary uses and structures shall:

i. Not be placed within a public right-of-way;
ii. Meet all current zoning standards for building height, impervious surface, and setbacks;
iii. Have active Building and Zoning Compliance Permits;
iv. Be shown on an approved Site Plan and Construction Drawings;
v. Conform to structural strength and uplift requirements;
vi. Show the occupancy, means of egress, and occupant load for all temporary structures;
vii. Be provided with a portable fire extinguisher in accordance with the State Building Code;
viii. Not include permanent alterations to the site; and
ix. Not interfere with the normal operations or any permanent use on the site.

b. TEMPORARY PARKING

i. Temporary parking areas associated with uses subject to these standards may be unpaved and may be used regardless of whether a structure exists at the site.
ii. Temporary parking areas are exempt from the standards in Section 6.6.12, Off-Street Parking Lot Landscaping.

c. TEMPORARY USE PERMIT RENEWAL

i. Upon expiration, a Temporary Use Permit may be renewed for up to one year by the Town Council.

ii. A Temporary Use Permit approved under this section may be renewed up to two times.
iii. The maximum period of time a temporary use that is permitted under these standards may a be in place is three years.

d. SITE RESTORATION

Applicants shall be required to either restore the site, structure, or parking area to its original condition, or construct a permanent site, structure, or parking area in accordance with plans and permits approved in accordance with this Ordinance.

J. TEMPORARY WIRELESS COMMUNICATIONS FACILITY

AMENDED 12.16.24 (UDOTA3-24)

A temporary wireless telecommunications facility may be located within any zoning district, and shall comply with the following standards:

1. Temporary wireless communications facilities shall be limited in duration in accordance with Table 4.6.4, Table of Common Temporary Uses and Duration.
~~1. A temporary wireless telecommunications facility may be allowed on a lot after a disaster or other emergency for a period not to exceed 30 days, except that the Temporary Permit may be renewed for good cause shown;~~
~~2. A temporary wireless telecommunications facility may be allowed on a lot to evaluate the technical feasibility of a site or to ensure continuity in wireless coverage during reconstruction of a telecommunications Facility for a period not to exceed six months, except that the Temporary Permit may be renewed up to four times;~~
~~3.~~2. A temporary wireless telecommunications facility may be allowed on a lot with an existing permanent wireless telecommunications facility where the permanent structure is undergoing reconstruction or maintenance, and the temporary facility is needed to maintain sufficient levels of service. The temporary facility shall be removed after reconstruction or maintenance is complete and service restored on the permanent structure; and
~~4.~~3. All temporary wireless telecommunications facilities, including all supporting cables and anchors, shall be contained on the lot.

4.7 UNLISTED USES

4.7.1 PROCEDURE FOR DETERMINATION

A. In the event that a proposed principal, secondary, and temporary use type is not listed in this Ordinance, and such land use is not listed in Section 4.4, Prohibited Uses, or is not otherwise prohibited by law, the Planning Director shall determine whether a materially similar land use exists in this Ordinance.

B. The Planning Director shall determine whether or not an unlisted use is similar to an existing use type based on the definitions in Section 8.3, Terms Defined, the standards for unlisted uses in Section 2.3.11, Determination, and the appropriate ~~table~~ section in ~~Section 4.7.2, Use Category Descriptions~~the Procedures Manual. Nothing shall limit the Planning Director from seeking input from Town staff, the Planning Board, or the Town Council in determining how to categorize an unlisted use.[78]

C. Should the Planning Director determine that a materially similar land use does exist, the regulations governing that land use shall apply to the unlisted use type and the Planning Director's determination shall be recorded in writing.

[78] See STN # 108.

D. In cases where a proposed unlisted use type is not found to be similar to an existing use type, the Planning Director may, but shall not be required to, initiate a text amendment application to revise the text of this Ordinance to add the use type in accordance with Section 2.3.28, Text Amendment.

~~4.7.2 USE CATEGORY DESCRIPTIONS~~

~~The following tables set out the range of use categories, use characteristics, and example use types by use classification listed in Section 4.2.5, Listing of Common Principal Uses.~~

~~A. AGRICULTURAL USE CLASSIFICATION~~

~~Table 4.7.2, Agricultural Use Categories, sets out the use categories included in the agricultural use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.~~

~~TABLE 4.7.2.A: AGRICULTURAL USE CATEGORIES~~

~~Use Category~~	~~Characteristics~~ ~~Examples~~
~~Agricultural Processing~~	~~The Agricultural Processing Use Category is characterized by uses engaged in the storage, distribution, refinement, packaging, and transport of agricultural products and by-products.~~
	~~Example use types include grain and feed elevators, processing, caning, and dehydration plants, as well as storage facilities. Processing of animal products is an industrial use.~~
~~Agricultural Production~~	~~The Agricultural Production Use Category is characterized by general agricultural activities, including the cultivation and production of orchard, garden, or nursery crops on a small or large scale, the production of field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses. The use category also includes agronomy, aquaculture, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), fisheries, honey production, and similar uses. Secondary uses may include offices, storage areas and repair facilities related to agriculture uses.~~
	~~Example use types include agronomy, aquaculture, biotechnical, crop farming, fisheries, apiculture, silviculture, plant nurseries, and similar uses.~~
~~Agricultural Support Services~~	~~The Agricultural Support Services Use Category is characterized by commercial establishments engaged in the sales, repair, rental, and storage of tools, equipment, supplies, and machinery in support of farms, farming, agriculture, or horticulture.~~
	~~Example use types include farm equipment sales, sales of farming supplies, establishments engaged in repair, refurbishment, servicing of farm equipment (whether on-site or in a centralized location), agricultural research facilities, and similar uses.~~

TABLE 4.7.2.A: AGRICULTURAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Livestock-Related	The Livestock-Related Use Category is characterized by the commercial and non-commercial propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals and livestock.
	Example use types include the raising and production of cattle (beef and dairy), pigs, mules, ducks, horses, goats, poultry, sheep, and similar livestock or domesticated animals. Breeding and rearing of animals typically thought of as household pets (e.g., dogs, cats, small rodents, etc.) is not animal husbandry.

B. COMMERCIAL USE CLASSIFICATION

Table 4.7.2.B, Commercial Use Categories, sets out the use categories included in the commercial use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 4.7.2.B: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Animal Related	The Animal-Related Use Category is characterized by uses related to the provision of medical services and treatment to animals, including veterinary services, animal hospitals, and the boarding of animals related to the provision of these services.
	Examples use types include animal shelters, animal grooming, kennels (outdoor and indoor), animal hospitals, and veterinary clinics.
Eating & Drinking	The Eating and Drinking Use Category includes use types that prepare and sell food and beverages for immediate or direct on- or off-premise consumption. Secondary uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.
	Example use types include restaurants (including brewpubs) with indoor and outdoor seating, caterers, restaurants, specialty eating establishments (ice cream parlors, bakery shops, dessert shops, juice, or coffee houses). Secondary uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.
Equipment Related	The Equipment-Related Use Category is characterized by commercial establishments engaged in the rental and repair of large and small equipment, tools, tables, chairs, party supplies, plants, and similar features available for short term rental for consideration.

TABLE 4.7.2.B: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include tool rental, and heavy and light equipment repair/refurbishment uses.
Event Venue	The Event Venue Use Category is characterized by establishments that provide gathering spaces and facilities available for conducting events, receptions, and similar shared experiences. Such facilities are rented hourly or by the day, and may include dining, catering, and activity areas. Secondary uses may include classrooms, accommodations, and equipment storage.
	Example use types include conference halls, conference centers, retreats, wedding venues, and similar spaces.
Financial Services	The Financial Services Use Category includes use types engaged in the provision of financial advice, savings, making of loans, and secure storage of currency or similar valuables.
	Example use types include banks, credit unions, investment offices, payday loan establishments, credit counselling, and pawn shops.
Lodging	The Lodging Use Category includes use types that provide lodging units or space for short-term stays for rent, lease, or interval occupancy. Secondary uses may include pools and other recreational facilities, limited storage, restaurants, bars, supporting commercial, meeting facilities, offices, and parking.
	Example use types include hotels, motels, bed and breakfast inns, extended stay facilities, campgrounds, and hunting lodges.
Office Related	The Office Use Category includes use types that provide for activities that are conducted in an office setting and generally focus on business, professional, or financial services. Secondary uses may include cafeterias, day care facilities, recreational or fitness facilities, parking, supporting commercial, or other amenities primarily for the use of employees in the business or building.
	Example use types include business and sales offices (such as tax preparers, and real estate agents), and professional services (such as lawyers, accountants, engineers, or architects). Offices that are part of and located with a principal use in another use category are considered secondary to the establishment's primary activity. Contractors and others who perform services off-site are included in the Offices Use Category if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site. Government offices and medical and dental clinics, medical or dental labs, and blood collection facilities are classified as Institutional uses.
Parking Related	The Parking-Related Use Category includes uses engaged in the provision of short-term, temporary off-site parking for automobile, trucks, motorcycles, battery powered vehicles, and similar vehicles intended for personal transport. Such uses may or may not permit the temporary storage of trailers and similar vehicle-related appurtenances.

TABLE 4.7.2.B: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include parking lots and parking structures. Uses engaged in sales or rental are vehicle-related uses.
Personal Services	The Personal Service Use Category is characterized by use types related to the provision of services or product repair for consumers. Personal services use types meet frequent or recurrent service needs of a personal nature, including the repair of small personal items such as shoes, watches, jewelry, and clothing.
	Example use types include laundromats, laundry and dry-cleaning drop-off establishments, photographic studios, mailing or packaging services, photocopy and blueprint services, funeral homes, fitness centers, locksmiths, hair salons and barber/beauty shops, tanning and nail salons, tattoo parlors and body piercing establishments, massage therapy and day spas, dance or music instruction, and psychics or mediums.
Recreation Related	The Recreation-Related Use Category is characterized by use types that provide recreational, amusement, and entertainment opportunities that are privately-owned and commercial in nature. Uses may be either indoors, outdoors, or both.
	Example use types include recreational uses occurring outdoors (private golf driving ranges and privately-owned miniature golf facilities; go-cart racing, race-track, or dirt-track facilities; water parks, and amusement parks; and privately-owned active sports facilities), billiard halls, indoor commercial recreation uses, bowling alleys, movie theatres, dance and yoga studios, fitness centers, sports instructional schools, martial arts instruction, and similar uses.
Retail Sales	The Retail Sales Use Category includes use types involved in the sale, lease, or rent of new or used products primarily intended for the general public. Secondary uses may include offices, storage of goods, limited assembly, processing, or repackaging of goods for on-site sale, concessions, ATM machines, outdoor display/sales areas, and parking. Use types within this use category are categorized based on their intensity, scale, and function.
	Example use types include stores selling, leasing, or renting consumer, home, and business goods, whether new or used, including art and art supply stores, audio/video stores, bicycle sales, book stores, clothing stores, convenience stores, department stores, dry good sales, electronic equipment stores, fabric shops, furniture stores, florist shops, garden supply centers, gift shops, grocery stores, hardware stores, stores that sell household products, jewelry stores, office supply stores, pet and pet supply stores, and pharmacies. Secondary uses may include storage of products for sale, offices, concessions, seating areas, areas for testing of products prior to purchase, and provision of product-related service or repair.

TABLE 4.7.2.B: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Sexually-Oriented Business	An adult use as defined in Section 14-202.10(2) of the North Carolina General Statutes.
Storage Related	The Storage-Related Use Category includes uses engaged in the temporary short-term storage of goods, personal property, vehicles, and similar aspects in off-site areas. Storage of goods can take place in indoor and outdoor facilities.
	Example use types include self-storage facilities.
Vehicle Related	The Vehicle-Related Use Category includes use types involving the direct sale, rental, storage, and servicing of automobiles, trucks, boats, motorcycles, recreational vehicles, and other consumer motor vehicles intended to transport persons or goods over land or water or through the air, whether for recreation, commerce, or personal transport. Secondary uses may include offices, sales of parts, maintenance facilities, parking, outdoor display, and vehicle storage.
	Example use types include vehicle sales or rentals; automotive repair and servicing; automotive painting/bodywork; boat and marine sales or rental; aircraft parts, sales, and maintenance; transmission shops; automotive wrecker services; oil change, state vehicle inspection, and muffler shops; automotive parts sales and maintenance; car wash and auto detailing; and tire sales and mounting services.

C. INDUSTRIAL USES

Table 4.7.2.C, Industrial Use Categories, sets out the use categories included in the industrial use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 4.7.2.C: INDUSTRIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Energy Related	The Energy-Related Use Category is characterized by establishment engaged in the industrial-scale production of energy (electricity).
	Example use types include solar energy conversion, wind energy conversion, geothermal, and gas energy conversion activities, as well as coal-fired plants, natural gas plants, and hydro-electric facilities.

TABLE 4.7.2.C: INDUSTRIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Extractive Industry	The Extractive Industry Use Category includes use types involving the extraction, removal, or basic processing of minerals, liquids, gases, or other natural resources. Such uses also include quarrying, well operation, drilling, mining, or other procedures typically done at an extraction site. Secondary uses may include offices, limited wholesale sales, security or caretaker's quarters, outdoor storage, and maintenance facilities.
	Examples use types include quarries, borrow pits, mining, and sand and gravel operations.
Flex Space	The Flex Space Use Category includes uses engaged in the provision of covered floor area available for short-term or long-term rental for the conduct of light industrial, assembly, storage, office, and related functions.
	Example use types include industrial floor area that is available for rental and configuration as a wide variety of use types.
Industrial Services	The Industrial Services Use Category includes use types involving the repair or servicing of industrial, business, or consumer machinery equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar use types perform services off-site. Few customers, especially the general public, come to the site. Secondary activities may include limited retail or wholesale sales, offices, parking, warehousing, and outdoor storage.
	Example use types include machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; heavy equipment sales, rental, or storage; heavy equipment servicing and repair; building, heating, plumbing, or electrical contractors; fuel oil or bottled gas distributors; research and development facilities; laundry, dry-cleaning, and carpet cleaning plants; and general industrial service uses. Contractors and others who perform services off-site are included in the Office Use Category under Commercial Use Classification if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site.

TABLE 4.7.2.C: INDUSTRIAL USE CATEGORIES	
Use Category	**Characteristics** **Examples**
Manufacturing	The Manufacturing Use Category includes use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. The use category also includes custom industries (establishments primarily engaged in the on-site production of goods by use of hand tools and small-scale equipment). Goods are generally not displayed or sold on site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the manufacturing site. Secondary uses may include retail or wholesale sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, fueling facilities, security and caretaker's quarters.
	Manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, the manufacture of other wood products; production or repair of small machines or electronic parts and equipment; and similar uses.
Utility-Related	The Utility-Related Use Category is characterized by activities associated with the provision of a utility or infrastructure-related service such as electricity distribution, potable water treatment, storage, or delivery, wastewater collection, storage, or treatment. Facilities are classified as major or minor depending upon their impacts or scale.
	Example use types include potable water treatment plants, utility equipment and storage yards, utility substations, water towers, pump stations, stormwater management facilities, telephone exchanges, and facilities serving transit.
Warehouse-Related	The Warehouse-Related Use Category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Secondary uses include offices, truck fleet parking, outdoor storage, and maintenance areas.
	Example use types include separate storage warehouses (used for storage by retail stores such as furniture and appliance stores); distribution warehouses (used for distribution by trucking companies; cold storage plants; and outdoor storage (as a principal use). Self-storage is a commercial use type.

TABLE 4.7.2.C: INDUSTRIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Waste-Related	The Waste-Related Use Category includes use types that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. This use category also includes use types that receive wastes from others. Secondary uses may include offices, outdoor storage, recycling of materials, and repackaging and trans-shipment of by-products.
	Example use types include recycling and salvage centers, convenience centers, transfer stations, land clearing and construction debris landfills, tire disposal or recycling, waste composting, incinerators, energy recovery plants, salvage yards and junkyards, and recycling drop-off centers.
Wholesale Sales	The Wholesale Use Category includes use types involving the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or taking of orders and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer. Secondary uses may include offices, product repair, warehouses, minor fabrication services, outdoor storage, and repackaging of goods.
	Example use types include sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, plants and landscaping materials, auto parts, and building hardware.

D. INSTITUTIONAL USES

Table 4.7.2.D, Institutional Use Categories, sets out the use categories included in the institutional use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 4.7.2.D: INSTITUTIONAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Assembly	The Assembly Use Category is characterized by uses and facilities that bring people together for the purposes of learning or discussion, worship, recreation, or as part of a fraternal organization. Secondary uses may include entertainment or recreation facilities, day care, food preparation facilities, offices, parking, and similar features.
	Example use types include auditoriums, community centers, fraternal clubs, lodges, and religious institutions. Schools are included in the education related category.
Cultural Facility	The Cultural Facility Use Category includes use types of a public, nonprofit, or charitable nature that provide cultural amenities and educational services. Services and facilities typically include meeting areas, display areas, recreational features, as well as indoor facilities used primarily for business or professional conferences, seminars, and training programs. Generally, such uses are open to or provide services to members of the general public. Secondary uses may include parking, training facilities, kitchens/cafeterias, recreation areas, offices, meeting rooms, storage, food sales or consumption.
	Example use types include museums, libraries, senior centers, youth clubs, and art galleries.
Day Care	The Day Care Use Category includes use types that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence, and for less than 24 hours a day. Care can include education and development activities. Care can be provided during daytime or nighttime hours. Secondary uses include offices, food preparation, recreation areas, and parking.
	Example use types day care centers, nurseries, nursery schools, adult day care facilities. Home day care is considered a secondary use. Drop-in or short-term day care provided in connection with employment or at a shopping center, recreational facility, religious institution, hotel, or other principal uses are not included in the Day Care Use Category.
Education Related	The Educational Use Category is characterized by uses engaged in the provision of educational services to children and adults, whether through public or private learning institutions. Secondary uses include living quarters, food preparation facilities, recreational facilities, offices, gathering spaces, and related activities.
	Example use types include primary and secondary schools, colleges, vocational schools, and establishments engaged in providing training whether for profit or as a community service.
Governmental Related	The Government-Related Use Category includes facilities and establishments engaged in governance and the provision of governing-related services, public safety, and operations.

TABLE 4.7.2.D: INSTITUTIONAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include governmental offices, governmental maintenance facilities, post offices, law enforcement facilities, fire stations, and similar uses.
Health Care	The Health Care Use Category includes use types that provide medical or surgical care and treatment to patients as well as laboratory services. Secondary uses may include offices, laboratories, laundry facilities, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, housing for staff or trainees, and limited accommodations for family members.
	Example use types include hospitals, outpatient medical facilities, urgent care providers, medical offices (doctors, dentists, radiologists, etc.), clinics, congregate care, memory care, drug and alcohol treatment facilities, psychiatric treatment facilities, and blood/tissue collection facilities.
Open Space	The Open Space Use Category includes use types that focus on open space areas largely devoted to vegetative landscaping or outdoor recreation and that tend to have few structures. Secondary uses may include club houses, recreational structures, statuary, fountains, maintenance facilities, concessions, parking, and columbaria and mausoleums (as secondary to cemeteries).
	Example use types include arboretums or botanical gardens, parks, community gardens, areas of undisturbed vegetation on land owned by the public or a conservation entity, and cemeteries.
Recreation Related	The Recreation Use Category includes active and passive recreation uses and facilities (whether indoor or outdoor) that are available for use by the general public or by the residents of a neighborhood or community.
	Example use types include athletic fields or courts, swim clubs, country clubs, golf courses, indoor recreation uses, and similar facilities.
Telecommunications	The Telecommunications Use Category is characterized by uses and facilities engaged in the provision of wireless telecommunication signals and information.
	Example use types include telecommunications antennae, signal processing equipment, antenna supporting structures, broadcasting studio and broadcasting towers.
Transportation	The Transportation Use Category includes use types that provide for the landing and takeoff of airplanes and helicopters, and passenger terminals for surface transportation. Secondary uses may include freight handling areas, concessions, offices, parking, maintenance, and fueling facilities.

TABLE 4.7.2.D: INSTITUTIONAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include airports, helicopter landing facilities, and passenger terminals for ground transportation (train, bus). Transit route facilities such as bus stops, bus shelters, and park-and-ride facilities are classified as Utilities.

E. RESIDENTIAL USES

Table 4.7.2.E, Residential Use Categories, sets out the use categories included in the residential use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 4.7.2.E: RESIDENTIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Assisted Living	The Assisted Living Use Category is characterized by establishment providing residential occupancy to unrelated individuals in need of care, treatment, or assistance. Assistance may take the form of daily life care, specialized medical care, counselling, addiction, or fostering services.
	Example use types include congregate care, nursing homes, rehabilitation centers, and retirement communities.
Group Living	The Group Living Use Category includes use types that provide for the residential occupancy of a structure by a group of people who do not meet the definition of "household." The size of the group may be larger than the average size of a household. Tenancy is typically arranged on a monthly or longer basis. Generally, group living structures have a common eating and or congregating area for residents. The residents may receive care, training, or treatment. Secondary uses include recreational facilities, dining facilities, and parking of vehicles for occupants and staff.
	Example use types include dormitories, family care homes, group homes, rooming, boarding houses, and similar uses. Facilities for rehabilitation or the treatment of addiction are considered assisted living facilities.
Household Living	The Household Living Use Category includes use types that provide for the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Secondary uses commonly associated with household living are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations are secondary uses that are subject to additional regulations.

~~TABLE 4.7.2.E: RESIDENTIAL USE CATEGORIES~~	
~~USE CATEGORY~~	~~CHARACTERISTICS~~ ~~EXAMPLES~~
	~~Example use types include detached residential dwellings like single-family detached dwellings or manufactured homes, attached residential structures like townhouses, multi-family uses, upper story dwellings, and similar uses.~~

5.2 NONCONFORMING LOTS OF RECORD

5.2.1 APPLICABILITY

Lawfully established nonconforming lots of record may be developed in accordance with the standards in this section.

5.2.2 NONCONFORMING LOT WIDTH OR AREA

A. SINGLE LOT OF RECORD IN A DOWNTOWN OR RESIDENTIAL ZONING DISTRICT

1. When a lawfully-established single lot of record in a downtown or residential zoning district has a lot width or area that does not conform to the dimensional requirements of the district where it is located, a single-family detached dwelling may be built on the lot, provided the dwelling complies with the applicable setback standards to the maximum extent practicable.
2. In cases where the single-family detached dwelling is a manufactured or mobile home, such dwelling may only be established in zoning districts that permit such uses, and the dwelling shall comply with applicable setback standards, to the maximum extent practicable.
3. An Administrative Adjustment or Variance to lot width or lot area shall not be required to establish a single-family detached dwelling as a principal structure on lots subject to these standards.

B. SINGLE LOT OF RECORD IN A NON-RESIDENTIAL ZONING DISTRICT

1. When a lawfully-established single lot of record in a non-residential or mixed-use zoning district has a lot width or area that does not conform to the dimensional requirements of the district where it is located, then development on the lot may be permitted, subject to compliance with all other required dimensional, development, and design standards.
2. An Administrative Adjustment or Variance to lot width or lot area standards shall not be required to establish permitted principal structures on lots subject to these standards.

C. LOTS WITH CONTIGUOUS FRONTAGE IN ONE OWNERSHIP

Whenever two or more contiguous vacant lots are in single ownership, and the lots individually or together have less minimum lot area than is required for the zoning district where located, such lots shall be combined via an Exempt Subdivision, Limited Subdivision, or ~~Minor~~ Major Subdivision in order to reduce the nonconformity.

D. ADDITION OF LAND ENCOURAGED

Landowners seeking to develop a nonconforming lot of record are strongly encouraged to investigate if adjacent landowners will consider transferring land to the nonconforming lot in order to reduce or remove the nonconforming situation.

5.2.3 NONCONFORMITY AFFECTS SETBACKS

A. In cases where the size or shape of a nonconforming lot inhibits the ability of a use to comply with required setbacks, an applicant may apply to reduce the setback requirements the minimum amount necessary in accordance with the standards and requirements in Section 2.3.1, Administrative Adjustment, or Section 2.3.31, Variance.

B. Development of a single-family detached dwelling on a lawfully-established nonconforming lot of record within a downtown or any residential zoning district shall comply with the applicable

5.4 NONCONFORMING SITE FEATURES

5.4.1 APPLICABILITY

A. Applications that include any of the following actions shall address nonconforming site features in accordance with the standards in this section:

1. Changes of principal use within an existing single-tenant structure;
2. Demolition of all or substantially all of an existing principal structure;
3. Expansion to the floor area of an existing principal structure totaling 75 percent or more of the structure's assessed value; or
4. Expansion of the outdoor use area of 50 percent or more.

B. For purposes of this section, the term "nonconforming site features" includes only the following:

1. Nonconforming off-street parking and associated driveways or vehicular access;
2. Nonconforming landscaping;
3. Nonconforming screening;
4. Nonconforming open space set-aside;
5. Nonconforming walls or fences; and
6. Nonconforming exterior lighting.

C. Town staff may develop administrative guidelines to assist in the implementation of this section, including guidelines for the resolution of conflicts when it may not be possible for one or more types of nonconforming site features to be brought into compliance with the requirements of this Ordinance because of particular site constraints or impacts on adjacent sites.

D. Applications for development on sites with existing structures that do not comply with applicable design standards shall be subject to the applicability standards in Section 6.2.3, Mixed-Use Design Standards, Section 6.2.4, Multi-Family Design Standards, or Section 6.2.5, Non-Residential Design Standards, as appropriate.

5.4.2 DETERMINATION OF COST AND ASSESSED VALUE

A. For the purposes of determining if upgrading of nonconforming site features is required by this section, the cost of the expansion shall be as shown on the approved building permit application. In cases where no building permit is required, the applicant shall provide a written cost estimate detailing the cost of the expansion. The Planning Director may require a written cost estimate to be reviewed by a licensed professional engineer to ensure accuracy.

B. Assessed value shall be based on the most recently available tax records from the county where the development is located.

5.4.3 CHANGE OF USE

A. Except on lots in the Downtown district, in cases where an existing principal use in a single-tenant building is replaced by a different use type, or a vacant principal structure is proposed for occupancy by a new principal use, all nonconforming site features shall be brought into full compliance with all applicable requirements in this Ordinance.

B. In cases where the principal use within a principal structure on a lot within the Downtown district is subject to a change in use, nonconforming site features associated with screening, fences, walls, and exterior lighting shall be brought into full compliance with all applicable requirements of this Ordinance. Full compliance with off-street parking, landscaping, or open space set-aside shall not be required, but are encouraged.

~~b. In cases where Town requirements are more stringent than NCDOT's standards, the driveway shall comply with Town standards.~~

~~c.~~b. All driveways connecting to State-maintained streets shall obtain driveway permit approval from NCDOT prior to the construction.

2. COMPLIANCE WITH TOWN STANDARDS

a. Driveways providing ingress or egress to a Town-maintained street shall be placed and constructed in accordance with applicable Town requirements.

b. All driveways connecting to Town-maintained streets shall obtain driveway permit approval from the Town prior to construction.

3. CONFIGURATION

a. All driveways shall be constructed so that:

i. Vehicles can enter and exit from a lot without posing any substantial danger to themselves, pedestrians, bicycles, or vehicles traveling on abutting streets; and

ii. Interference with the free flow of traffic on abutting or surrounding streets is minimized.

b. No driveway serving an off-street parking area or providing on-site circulation is permitted within any required landscaping area, but driveways may be installed across these areas.

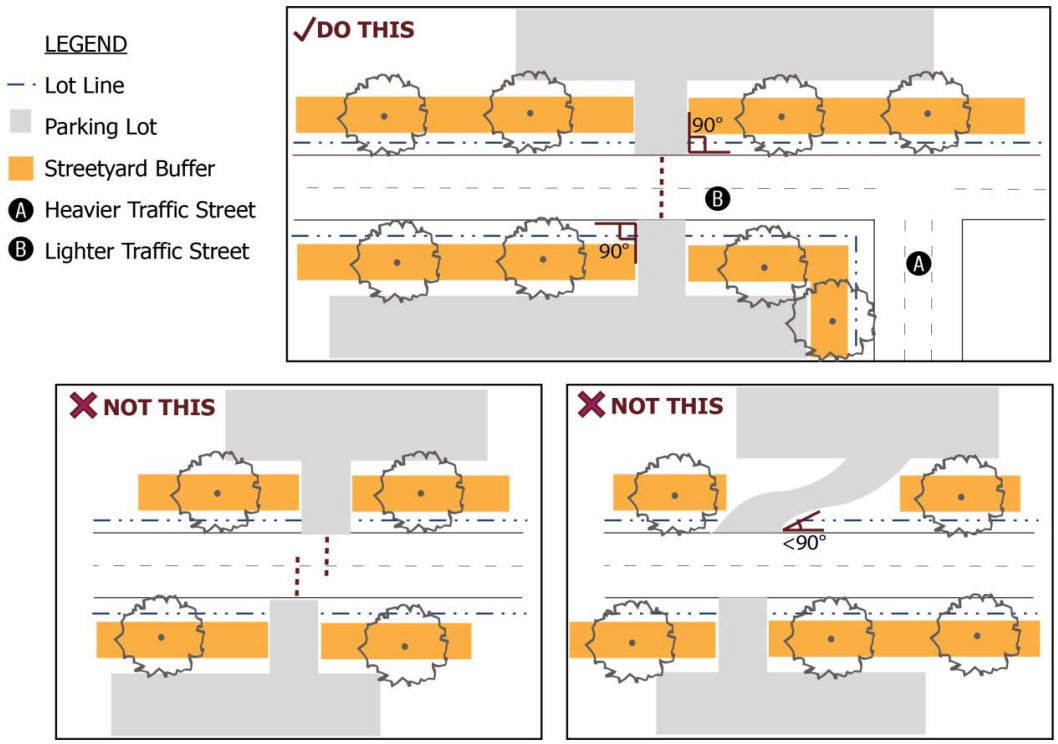
c. Driveway radii shall be designed in accordance with the 'NCDOT's or the Town's Engineering Specifications and Design Manual and shall not extend beyond lot lines.

d. Driveways shall be as nearly perpendicular to the street right-of-way as possible (see Figure 6.1.4.C, Driveway Configuration);

e. Driveways shall line up with other driveways across the street, where practicable.

f. Driveways on corner lots shall provide access from the street with less traffic, to the maximum extent practicable.

FIGURE 6.1.4.C: DRIVEWAY CONFIGURATION



4. DRIVEWAY SURFACING

a. New driveways established after January 2, 2024, that abut a right of way with a paved street shall be surfaced with asphalt or six inches of concrete and extend outwards from the lot line to the edge of the pavement and inwards from the lot line for a distance of at least five feet from the edge of the existing pavement.

b. In cases where a sidewalk is present or is not present but is required, the apron shall be configured so as not to interfere with the sidewalk.

~~b.~~**c.** In no instance shall the Town require pavement design standards that exceed the most recently-adopted version of the NCDOT's Pavement Design Manual. Pavement design standards may be less restrictive than the NCDOT's pavement design standards only in cases where they are approved, signed, and sealed by a professional engineer. [79]

5. MAINTENANCE

The Town shall not be responsible for maintenance of driveways or other vehicular use areas, whether located within or outside a public right-of-way, or on land not owned and operated by the Town of Clayton.

[79] See STN# 3.

2. NUMBER

The number of driveway access points may be restricted by the Town or NCDOT, as appropriate, where it is necessary for purposes of decreasing traffic congestion or hazards. These restrictions may include required common or shared access points. **AMENDED 9.16.24 (UDOTA2-24)**

3. SPACING

Approval of driveway access between a lot and the right-of-way at an interval less than those specified in the *Policy on Street and Driveway Access to North Carolina Highways,* manual, as adopted and amended by NCDOT, may be granted subject to the approval of the Town Engineer and NCDOT.

4. MINIMUM PARKING LOT ACCESSWAY WIDTH AND DEPTH[80]

a. Driveways serving off-street parking lots shall comply with the standards for minimum depth in Table 6.1.4.E: Parking Lot Accessway Width and Depth.

b. A parking lot accessway shall be configured to prevent a turning movement into a parking space or intersecting drive aisle until after the minimum required depth has been surpassed (see Figure 6.1.4.E: Parking Lot Accessway Depth). **AMENDED 9.16.24 (UDOTA2-24)**

c. In cases where a development is subject to a transportation impact analysis, the parking lot accessway depth specified in the transportation impact analysis shall control.

d. Nothing shall limit a parking lot accessway from having a deeper depth than specified in this subsection.

TABLE 6.1.4.E: PARKING LOT ACCESSWAY WIDTH AND DEPTH

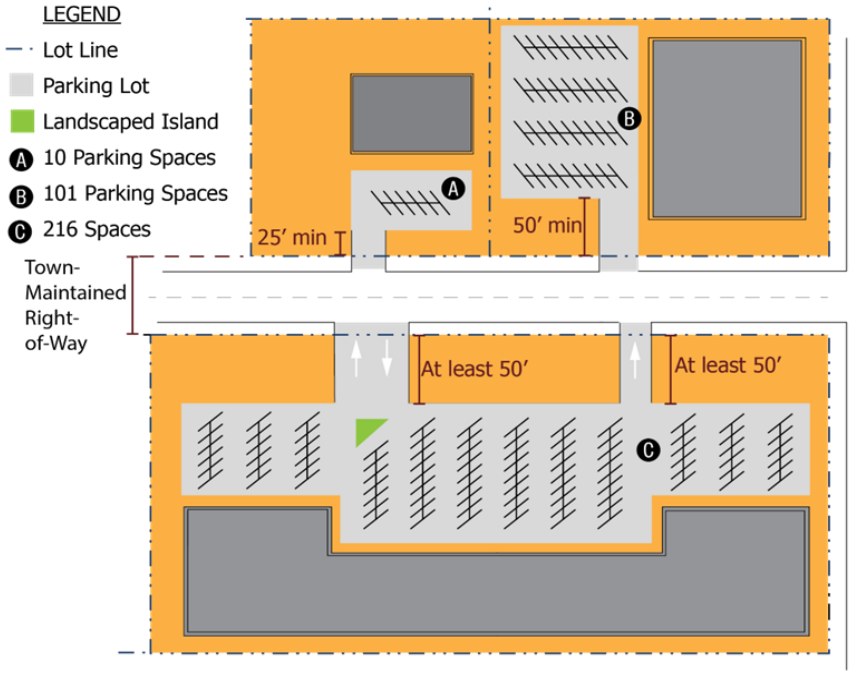
Number of Provided Off-Street Parking Spaces in Parking Lot	Minimum Driveway Width (feet) [1] AMENDED 9.16.24 (UDOTA2-24)		Minimum Parking Accessway Depth (feet) [3] [4]	
	One-Way Traffic	Two-Way Traffic [2]	From a Town-Maintained Street	From a NCDOT-Maintained Street
~~10 or less~~100 or less ~~11 to 50~~ ~~51 to 100~~	12	24	25 ~~50~~ ~~75~~	As determined by NCDOT
101 to 200			~~100~~50	
201 or more			50 or more, ~~A~~as determined by the Engineering Director	

NOTES:
AMENDED 9.16.24 (UDOTA2-24)
[1] The maximum width for a one-way parking lot accessway shall be 20 feet (excluding medians). The maximum width for a two-way parking lot accessway shall be 36 feet (excluding medians).
[2] Travel lane widths on two-way driveways may differ when required by the Engineering Director.
[3] Measured from the edge of the right-of-way serving the parking lot.

[80] See STN # 109.

TABLE 6.1.4.E: PARKING LOT ACCESSWAY WIDTH AND DEPTH				
Number of Provided Off-Street Parking Spaces in Parking Lot	Minimum Driveway Width (feet) [1] AMENDED 9.16.24 (UDOTA2-24)		Minimum Parking Accessway Depth (feet) [3] [4]	
	One-Way Traffic	Two-Way Traffic [2]	From a Town-Maintained Street	From a NCDOT-Maintained Street
[4] The Engineering Director may require a planted landscaping island opposite the accessway where necessary for access management or traffic control.				

FIGURE 6.1.4.E: PARKING LOT ACCESSWAY DEPTH



F. SHARED ACCESS

Shared driveways may be required between adjacent lots fronting on a thoroughfare in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots.

G. REVISION OF EXISTING ACCESS

1. The Town Council, in conjunction with NCDOT, shall have the authority to require the closure, relocation, or restriction of existing access points where multiple access points to the site are available.
2. The Town Council may require the closure of driveway access in those cases where adjoining parcels are subsequently developed with a residential use.

H. NONCONFORMING DRIVEWAYS

Lawfully-established driveways existing prior to (insert the effective date of this Ordinance) that do not conform to these standards shall be subject to the standards in Chapter 5, Nonconformities.

6.1.5 ON-SITE PEDESTRIAN CIRCULATION [81]

On-site pedestrian walkways that minimize conflict between pedestrians and vehicles shall be provided on all non-residential, mixed-use, single-family attached, and multi-family development sites, and shall be configured in accordance with the following standards:

A. On-site pedestrian walkways shall connect each primary building entrance to off-street parking areas and to other building entrances on the same site (see Figure 6.1.5, Pedestrian Walkways);

B. Development subject to these standards shall provide at least one connection to ~~an~~ existing or planned public sidewalks, multi-use trails, ~~or existing~~ greenways, or other pedestrian circulation features ~~whether located on- or at the edge of an abutting lot; via an on-site pedestrian walkway, configured in accordance with these standards;~~

C. Development subject to these standards that abuts vacant land shall provide pedestrian circulation connections extending to the lot line of abutting vacant land(s) at logical connection points, as determined by the Planning Director;

~~**B.**~~

~~**C.**~~**D.** In cases where a lot has two or more sides bounded by a sidewalk, a sidewalk connection shall be made on each side with an existing or planned sidewalk;

~~**D.**~~**E.** Connections shall be made to all existing or planned adjacent transit facilities, to the maximum extent practicable;

~~**E.**~~**F.** On-site pedestrian walkways shall be paved with asphalt, concrete, pavers, bricks, stone, or other masonry material, and shall be of contrasting color or materials when crossing drive aisles;

~~**F.**~~**G.** On-site pedestrian walkways shall be positively drained and configured to avoid areas of pooling water;

~~**G.**~~**H.** On-site pedestrian walkways shall comply with applicable State and federal requirements, including ADA requirements; and

~~**H.**~~**I.** Development with 200 or more off-street parking spaces shall provide fully-separated, improved on-site pedestrian walkways within planted landscape islands located a minimum of every six parking rows. On-site pedestrian walkways shall be aligned perpendicular to the buildings served and terminate at building entrances, to the maximum extent practicable.

[81] See STN # 66.

6.2 DESIGN STANDARDS AND GUIDELINES

6.2.1 SECTION CONTENTS

A. DESIGN STANDARDS

The design standards in this section address the following types of development:

1. Farmland;
2. Mixed-uses;
3. Multi-family residential uses; and
4. Non-residential uses (including institutional, light industrial, office, and retail use types).

B. DESIGN GUIDELINES

This section also sets out a series of design guidelines that may be applied to single-family detached, single-family attached, duplex, triplex, and quadplex development through landowner or applicant consent or as a condition associated with establishment of a conditional zoning district designation (see Section 2.3.7, Conditional Rezoning).

6.2.2 FARMLAND PROTECTION STANDARDS

A. PURPOSE AND INTENT

The purpose and intent of these farmland protection standards is to promote development that is compatible with existing farms and agricultural uses in the Town's planning jurisdiction. More specifically, these standards are intended to:

1. Ensure new development does not negatively impact existing adjacent agricultural uses;
2. Maintain and promote rural character in agricultural areas; and
3. Ensure greater compatibility between existing farms and new non-farm uses developed in close proximity to an existing farm or tract engaged in agricultural activity.

B. APPLICABILITY

The standards in this section shall apply to all ~~major~~ Major ~~and minor~~ Ssubdivisions, Cconditional Rrezonings, Sspecial Uuse Ppermits, or Ssite Pplans on lots or tracts of two acres in area or greater proposed adjacent to a bona fide farm or agricultural use associated with a bona fide farm.

C. COMPATIBILITY STANDARDS

Development subject to the standards in this section shall comply with the following compatibility standards:

1. VEGETATED BUFFER

a. Development subject to these standards shall provide a 50-foot-wide vegetated buffer between building lots in the development and an adjacent agricultural use (see Figure 6.2.2: Vegetated Buffer). The buffer shall:
   i. Remain undisturbed for a minimum distance of 25 feet from the edge of the agricultural use or boundary of the agricultural activity;
   ii. Include at least eight trees for every 100 linear feet of buffer length;
   iii. Include at least eight evergreen shrubs for every 100 linear feet of buffer length;
   iv. Incorporate existing or planted vegetation, configured in a staggered fashion, so as to create two or more rows of trees within the buffer; and

v. No more than 50 percent of any single window or door is obstructed by a window sign or other opaque display.

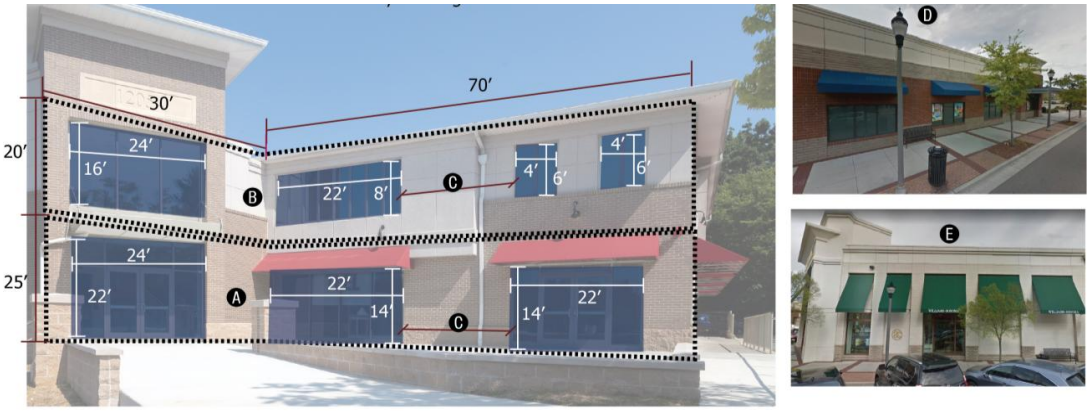
b. SECONDARY BUILDING WALLS

i. Secondary building walls shall be configured so that at least 20 percent of the ground floor façade and at least 10 percent of any second-floor façade is occupied by visually transparent windows or doors with regular spacing;

ii. For the purposes of this section, the ground floor extends from the finished floor elevation upwards to the underside of the roof deck;

iii. Secondary wall calculations exclude parapet walls, cornices, mansard roofs, and dormer windows.

FIGURE 6.2.5.F.8: NON-RESIDENTIAL BUILDING FENESTRATION



LEGEND

Ⓐ First Floor Primary Wall
Total Area = 25 x (30+70) = 2,500 sf
Fenestration Area = (22x24) + (22x14) + (22x14) = 1,164 sf
Percent Fenestration = 1,164 / 2,500 = 46.6% (Minimum 40%)

Ⓑ Second Floor Primary Wall
Total Area = 20 x (30+70) = 2,000 sf
Fenestration Area = (16x24) + (22x8) + (4x6) + (4x6)= 1,176 sf
Percent Fenestration = 608 / 2,000 = 30.4% (Minimum 30%)

Ⓒ 20′ Max. Distance Between Windows or General Access Doorways

Ⓓ Secondary Building Wall Alternative: False or Opaque Windows

Ⓔ Secondary Building Wall Alternative: Articulated Wall Forms with Awnings

c. INDIVIDUAL BUILDINGS OF 70,000 SQUARE FEET OR MORE[83]

Individual buildings of 70,000 square feet or more may comply with the following standards:

i. PRIMARY BUILDING WALLS

Primary building walls shall be configured so that at least 10 percent of the first-floor portion of the primary wall is occupied by visually transparent windows or doors; and no more than 50 percent of any single window or door is obstructed by a window sign or other opaque display.

ii. SECONDARY BUILDING WALLS

Secondary building walls shall be configured so that at least five percent of the ground floor façade is occupied by visually transparent windows or doors; false or opaque windows; or

[83] See STN # 102.

articulated wall forms designed to mimic window openings that also include an overhang or awning.

~~c.~~**d. ALTERNATIVES TO VISUALLY TRANSPARENT WINDOWS AND DOORS**

Primary and secondary walls may utilize one or more of the following alternatives to visually transparent windows or doors provided the alternatives occupy an equal or greater percentage of the façade area:

i. Two or more false or opaque windows with regular spacing;
ii. Recesses or projections of at least four inches in deviation from the primary façade plane that are designed to mimic window or door openings in terms of size and placement;
iii. Features or fixtures of a different material than the exterior wall that are mechanically attached or otherwise affixed (i.e., not painted or glued on) and designed to be compatible with the building's architecture or appearance (For example, false sliding barn doors, louvered doors, shuttered windows, or similar features; metal utility doors shall not be credited towards this requirement); or
iv. Inclusion of a series of awnings or overhangs that mimics how such features would be configured if windows were included on the building facade.

9. NON-RESIDENTIAL AWNINGS

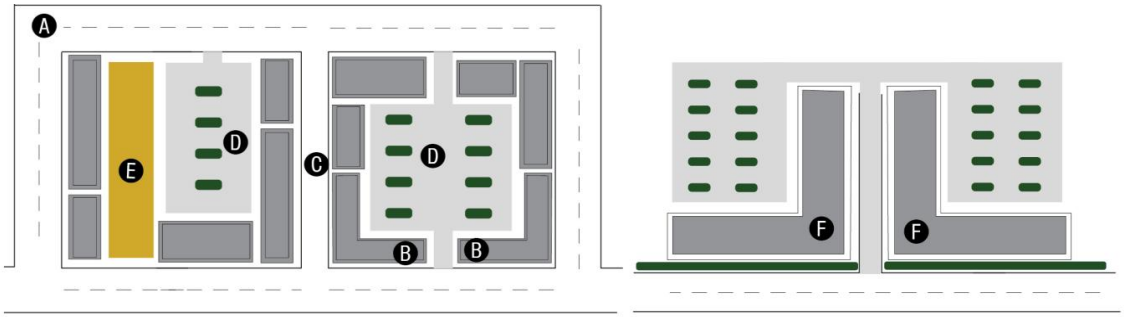
a. No awning shall extend outwards from the building wall more than the width of the sidewalk or ten feet, whichever is less.
b. Awnings must be self-supporting from the building wall.
c. No supports shall rest on or interfere with the use of pedestrian walkways or streets.
d. In no case shall any awning extend beyond the street curb or interfere with street trees or public utilities.

10. NON-RESIDENTIAL OUTPARCELS

Development on outparcels or pad sites associated with a commercial development shall comply with the following requirements (see Figure 6.2.5.F.10: Outparcel Development):

a. Buildings on outparcels or pad sites shall incorporate materials that are similar to and compatible with those used on the primary buildings in the development. Corporate or prototypical architecture shall be reconfigured as necessary in order to comply with this standard.
b. Building walls associated with development on an outparcel or pad site shall be configured solely in accordance with the articulation and fenestration provisions for primary or secondary walls, as appropriate, for the main buildings in the development.
c. Spaces between buildings on outparcels or pad sites shall include pedestrian amenities such as plazas, seating areas, and gathering places in addition to off-street parking spaces.
d. Outparcel buildings on lots at street corners shall be located and configured to define the corner through a combination of two or more of the following features: **AMENDED 9.16.24 (UDOTA2-24)**
   i. Locating the building as close to the rights-of-way as is practicable;
   ii. Limiting surface parking between the building and the streets;
   iii. Providing a public gathering space adjacent to the corner; and
   iv. Use of distinctive roof form or other pedestrian features such as porches, canopies, or arcades.

FIGURE 6.2.5.F.11: MULTI-BUILDING DEVELOPMENT



LEGEND

- A Small "Blocks" Site Configuration
- B Corner Buildings Front Both Sides of Street Intersection
- C On-site Streets, Pedestrian Walkways, or Other Circulation
- D Buildings Enclose at Least Three Sides of Parking Areas
- E Buildings Frame Gathering Space
- F Corner Buildings Frame Development Entry Point
- Parking Lot
- Landscaped Area
- Gathering Space

~~G. RETAIL, LARGE FORMAT~~

~~The following standards shall apply to large format retail uses:~~

~~1. LARGE FORMAT RETAIL USES DISTINGUISHED~~

~~Large format retail uses are commercial use types (see Table 4.2.5, Table of Common Principal Uses) consisting of a single or multiple commercial tenants in one or more buildings totaling more than 70,000 square feet in area when 70% or more of the total floor area is occupied by retail sales activity.~~

~~2. COMPLIANCE WITH COMMERCIAL DESIGN REQUIREMENTS~~

~~Large format retail uses shall comply with the following commercial design standards:~~

~~a. Section 6.2.5F.1, Street Network;~~
~~b. Section 6.2.5F.3, Non-Residential Building Address Numbers;~~
~~c. Section 6.2.5F.4, Non-Residential Building Articulation;~~
~~d. Section 6.2.5F.5, Non-Residential Materials and Colors;~~
~~e. Section 6.2.5F.6, Non-Residential Building Wall Attachments and Fixtures;~~
~~f. Section 6.2.5F.7, Non-Residential Roof Form;~~
~~g. Section 6.2.5F.9, Non-Residential Awnings;~~
~~h. Section 6.2.5F.10, Non-Residential Outparcels; and~~
~~i. Section 6.2.5F.11, Multi-building Development.~~

~~3. ADDITIONAL STANDARDS FOR LARGE FORMAT RETAIL USES~~

~~a. CUSTOMER ENTRANCES~~

~~Large format retail uses shall comply with the standards in Section 6.2.5F.2, Customer Entrances, except that primary entrances shall include four of the listed options instead of three.~~

b. FENESTRATION

Building walls on large format retail uses shall incorporate fenestration features in accordance with the following standards (see Figure 6.2.5.G, Large Retail Building Fenestration):

i. PRIMARY BUILDING WALLS

Primary building walls shall be configured so that at least 10 percent of the first-floor portion of the primary wall is occupied by visually transparent windows or doors; and no more than 50 percent of any single window or door is obstructed by a window sign or other opaque display.

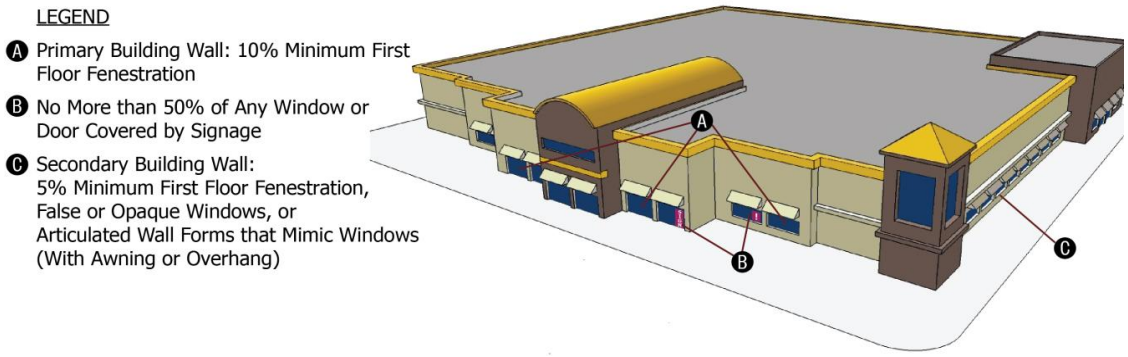
ii. SECONDARY BUILDING WALLS

Secondary building walls shall be configured so that at least five percent of the ground floor façade is occupied by visually transparent windows or doors; false or opaque windows; or articulated wall forms designed to mimic window openings that also include an overhang or awning.

iii. ALTERNATIVES

Large retail buildings may utilize the fenestration alternatives in Section 6.2.5F.8.c, Alternatives to Visually Transparent Windows and Doors, to comply with these requirements.
AMENDED 9.16.24 (UDOTA2-24)

FIGURE 6.2.5.G: LARGE RETAIL BUILDING FENESTRATION



c. OFF-STREET PARKING LOCATION

i. Sites comprised of large format retail uses subject to these design standards shall be configured such that no more than 75 percent of the provided off-street parking shall be located between a building's primary building façade and the street it faces.

ii. Off-street parking serving large format retail development located within a Gateway Overlay District shall be configured in accordance with the applicable requirements in Section 3.7.3, GTOD Gateway Overlay District.

6.2.6 SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES

A. PURPOSE AND INTENT

These residential design guidelines are proposed as ways to ensure that new single-family detached, duplex, triplex, and quadplex housing is high quality, aesthetically pleasing, and provides a wide variety of living options for Town residents. More specifically, these guidelines are intended to: **AMENDED 9.16.24 (UDOTA2-24)**

1. Ensure single-family detached, duplex, triplex, and quadplex homes maintain consistent exterior materials and architectural treatments on the front and sides of buildings; **AMENDED 9.16.24 (UDOTA2-24)**
2. Establish guidance regarding changes of exterior finishes and materials on individual facades;
3. Avoid garage-dominated street fronts in residential neighborhoods;
4. Encourage duplex structures to appear as single-family homes; and
5. Ensure an adequate level of variability in home design so as to avoid monotonous streetscapes where every dwelling appears identical or very similar to its neighboring dwellings.

B. APPLICABILITY

1. Single-family detached, duplex, triplex, and quadplex dwellings shall comply with these guidelines in the following instances:
   a. When proposed development is subject to a signed statement of consent in accordance with Section 6.2.6C, Statement of Consent; and
   b. When compliance with these guidelines is included as a condition of approval associated with a type 3 Conditional Rezoning (see Section 2.3.7, Conditional Rezoning).
2. Single-family detached and ~~,~~ duplex~~, triplex, and quadplex~~ dwellings not subject to a statement of consent are not required to comply with these guidelines, though conformance is strongly encouraged.
~~2.~~3. Triplex and quadplex dwellings of two stories are less not subject to a statement of consent are not required to comply with these guidelines, though conformance is strongly encouraged. Triplex and quadplex dwellings of three or more stories shall comply with these standards. [84]

C. STATEMENT OF CONSENT

1. Compliance with the design guidelines in this section is voluntary and at the discretion of the applicant. In cases where an applicant chooses to comply with the guidelines in this section, the landowner shall sign the following statement of consent and include it with the application for a Preliminary Plat, Final, Plat Special Use Permit, Site Plan, or Building Permit, as appropriate.

VOLUNTARY COMPLIANCE WITH RESIDENTIAL DESIGN GUIDELINES

[84] See STN # 3.

6.3 FENCES AND WALLS

6.3.1 PURPOSE AND INTENT

These standards provide development standards for permanent fences and walls on individual lots or development sites. These standards are proposed to protect the health and safety of the public while balancing the practical uses for fencing and walls like security and privacy with the need for aesthetic quality and a high-quality built environment. More specifically, these standards are intended to:

A. Provide for privacy and security on individual lots;
B. Ensure proper construction techniques are followed and that fences and walls are maintained in good repair;
C. Assist with the transition between public and private spaces;
D. Minimize the appearance of fence or wall "canyons" along streets; and
E. Ensure fencing and walls are consistent with the Town's desired architectural character.

6.3.2 APPLICABILITY

A. GENERALLY

1. The provisions of this section shall apply to all new fence or wall construction or replacement of all fences, screening walls, or retaining walls.
2. A fence or wall may only be erected in accordance with the standards in this section and Section 2.3.33, Zoning Compliance Permit.
3. Except for retaining walls, fences~~,~~ or privacy walls over six feet in height shall comply with the structural requirements necessary to meet applicable wind loading standards and shall be subject to issuance of a building permit in accordance with Section _____ Building Permit.
4. Retaining walls with a total height of five feet or more, including the buried portion, require sealed plans prepared by a professional engineer as part of the application for a Building Permit.

B. EXEMPTIONS

The following are exempted from the standards in this section:

1. Fences and walls associated with bona fide farms and agricultural use types in districts where these uses are permitted;
~~1.~~2. Battery-charged security fences on lots located in non-residential and special zoning districts, provided they are completely surrounded by a non-electric security fence of at least five feet in height and configured in accordance with NCGS§160A-194.1; and[85]
~~2.~~3. Temporary fences for construction sites, including but not limited to: fencing necessary for soil erosion and sedimentation control and tree protection.

C. PRE-EXISTING DEVELOPMENT

Lawfully established fences and walls established prior to January 2, 2024, that do not comply with these standards shall be subject to the applicable standards in Section 5.4, Nonconforming Site Features.

[85] See STN # 3.

6.3.3 LOCATIONAL STANDARDS

A. GENERAL

No fence or wall shall:

1. Be located within the public right-of-way (except for public fences or walls, or as needed for retention of soil, subject to an approved encroachment agreement with the Town);
2. Be located within a designated public utility or drainage easement;
3. Obstruct visibility at intersections as required in accordance with Section 6.1.7, Sight Distance Triangles;
4. Impede visibility of the required property address number; or
5. Block pedestrian access from doors or windows.

B. EASEMENTS

1. Retaining walls shall provide maintenance easements centered on the wall and provided along the wall's full~~ir~~ course~~; particularly~~ when ~~a~~ the retaining wall crosses lot lines ~~shall be located within a maintenance easement~~.[86]
2. In cases where a fence or wall is permitted within an easement, the fence or wall shall be allowed to cross the easement perpendicularly or run parallel to and within the easement as close as is practicable to the edge of the easement. Crossings may be required to install a gate wide enough for maintenance equipment to transverse.
3. It is the landowner's responsibility to verify fence or wall locations within a private easement with the easement owner. The Town's permitting of fences or walls does not supersede or negate any private easement agreements or allowances.
4. The landowner shall remain solely liable for any repair or replacement if any portion of the fence or wall located within a required easement is damaged during maintenance or construction activities within the easement by the easement owner or their agent.

C. BLOCK DRAINAGE

Fences or walls shall not alter or impede the natural flow of water in any stream, creek, drainage swale, or ditch.

D. REQUIRED SETBACKS

Fences or walls may be located within required setbacks but shall not encroach onto a separate lot.

E. REQUIRED LANDSCAPING AREAS

Fences or walls may be located within required landscaping areas, subject to the standards in Section 6.6.10H, Permitted Encroachments. In no instance shall chain link or other semi-opaque fencing be credited towards applicable screening requirements.

6.3.4 MATERIALS

A. LIFESPAN

1. Fences be designed, constructed, and maintained to ensure a minimum useful life of at least ten years.
2. Walls be designed, constructed, and maintained to ensure a minimum useful life of at least 30 years.

[86] See STN # 60.

B. PERMITTED FENCE MATERIALS

The following fencing materials are permitted for fences:

1. Masonry or stone;
2. Ornamental iron, steel, or aluminum;
3. Wood;
4. Vinyl, rigid non-rolled plastic, or composite; or
5. Wire or chain-link only in accordance with Section 6.3.4D.2, Wire and Chain Link Fencing.

C. PROHIBITED FENCE MATERIALS

1. Fences made of wooden pallets, tires, debris, junk, rolled or sheet plastic, sheet metal, untreated or unpainted plywood, readily flammable material, or waste materials shall be prohibited, unless the materials have been recycled and reprocessed, for marketing to the general public as building materials designed to resemble new building materials (e.g., picket fencing made from recycled plastic and fiber).
2. In no instance shall tarps or silt fencing remain on a lot or site after completion of construction.

D. RESTRICTED FENCE MATERIALS

1. ELECTRIC FENCES

Fences that carry an electrical current are allowed solely for the purposes of enclosing livestock as part of a bona fide farm use and when configured as a battery-charged security fence as permitted in NCGS§160A-194.1.[87] Nothing shall prohibit below-ground electrical fences intended for the keeping of pets.

2. WIRE AND CHAIN LINK FENCING

a. BARBED, RAZOR, OR CONCERTINA WIRE AS FENCING

Barbed wire as a fence is prohibited in all zoning districts except that it may be allowed as part of a bona fide farm use.

b. BARBED, RAZOR, OR CONCERTINA WIRE ATOP ANOTHER MATERIAL

i. Barbed, razor, or concertina wire may be permitted atop another material or along the top of a wall within the CZC, CZD, CZI, CZM, CZR, PUB, LID, or HID districts.
ii. Where permitted, barbed, razor, or concertina wire shall be at least six feet above the grade measured from the base of the fence or wall upon which it is located.

c. CHAIN LINK FENCING

Chain link fencing shall be fully coated in black vinyl, and shall comply with the following requirements:

i. Except within industrial districts, black vinyl coated chain link fencing is prohibited in the area forward of the front façade line of a principal building and the street it faces.
ii. Black vinyl coated chain link fencing may not be located with a street setback unless fully obscured from view from the street by landscaping material to the same height as the chain link fencing.
iii. Shrubs used for the purposes of obscuring chain link fencing shall be at least 30 inches in height at planting.
iv. Vinyl coating is not required for chain link fences located in non-residential districts when the fence is not visible from adjacent property or right-of-way.

[87] See STN # 3.

B. COMPLIANCE WITH TOWN REQUIREMENTS [88]

All public infrastructure shall comply with all applicable requirements in the Clayton Manual of Standard Specifications and Details, as amended.

~~B.~~C. CONSISTENCY WITH ADJACENT DEVELOPMENT

Whenever it can reasonably be anticipated that infrastructure constructed in one development will be extended to serve other adjacent or nearby developments, the infrastructure (such as streets, water, or sewer lines) shall be located and constructed so that extensions can be made conveniently and without undue burden or expense or unnecessary duplication of service.

~~C.~~D. INSTALLATION SEQUENCE

Infrastructure shall be installed in the following sequence:

1. Street grading and installation of water distribution lines, sanitary sewers, storm sewers, gas, telephone, cable television, and electric service lines, with connections for each system extended beyond the curb line to preclude subsequent cutting of pavement;
2. Street base material;
3. Curb and gutter and sidewalks; and
4. Street paving. Installation of the final lift of asphalt on roadway surfaces shall be delayed until at least 80 percent of the development (or 80 percent of the development within a particular phase) is completed.

~~D.~~E. LOCATION

1. All infrastructure located within a Town-maintained right-of-way shall be subject to the Town's policies regarding public rights-of-way.
2. Placement of required infrastructure within a special flood hazard area shall only be in accordance with the applicable standards in this Ordinance and applicable State law.

~~E.~~F. MAINTENANCE REQUIRED

1. Required infrastructure installed or caused to be installed by a subdivider and intended for ownership or operation by another entity (like the Town, NCDOT, or an owners' association) shall be maintained by the subdivider until such time as the infrastructure is accepted by the entity who will own or operate it.
2. All infrastructure shall be constructed in a manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within the development.

~~F.~~G. PLANS (AS-BUILT) REQUIRED

1. Whenever a subdivider installs or causes to be installed any Town-operated or maintained infrastructure, the subdivider shall, as soon as practicable after installation is complete, and before acceptance, furnish the Town with an as-built plan prepared by a professional engineer that shows the exact location and configuration of all infrastructure features. Nothing shall limit the depiction of more than one type of infrastructure or utility on the same as-built plan sheet.
2. The as-built plan must be verified as accurate by the Town or appropriate utility service provider. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing the development.

[88] See STN # 9.

C. OWNERSHIP

All electrical facilities located within the Town's electrical service provision area shall become the sole property of the Town upon acceptance. A deed to the Town for such facilities, including any necessary easements, shall be executed prior to connections to the electrical system.

6.5.9 FIRE PROTECTION [89]

A. FIRE CODE

All new development subject to these standards shall comply with the ~~2018~~ most recently-amended version of North Carolina Fire Code, ~~as amended,~~ which is hereby adopted by the Town.

B. FIRE HYDRANTS

1. Fire hydrants shall be required when indicated by the applicable Fire Code or when a development includes four or more proposed lots, four or more dwelling units, or non-residential uses to be served by extension of a public water supply system. Fire hydrants shall comply with the following requirements:
   a. Fire hydrants shall be located within street rights-of-way, no more than 1,000 feet apart, and no more than 500 feet from any lot or unit to be served;
   b. Fire hydrants shall be located at street intersections where practical, near the turnaround of a dead-end street, and at property line intersections;
   c. Water lines serving fire hydrants shall be at least six inches in diameter, or larger size, as required by the water service provider, and shall not be dead-end lines, unless no other practicable alternative exists;
   d. Fire hydrants shall comply with standard hydrant design (National Standard Thread, 4½-inch steamer, two 2½- inch discharge connections, etc.);
   e. Fire hydrants shall be maintained by the provider providing water to the development; and
   f. Fire hydrants shall only be required in cases where the system operator is capable of supplying sufficient water pressure to operate the hydrants.
2. All fire hydrants installed under the requirements of this section shall become the sole property of the Town upon acceptance.
3. In cases where a building includes sprinklers or similar fire suppression devices, fire hydrants shall be required in accordance with ~~Appendix B Table 105.1(2) and Chapter 5 507.5.1.1 of~~ the ~~2018~~ North Carolina Fire Code.

6.5.10 POTABLE WATER

All development utilizing potable water shall comply with the following standards:

A. POTABLE WATER SUPPLY SYSTEM REQUIRED

1. Every development, building lot, and manufactured home space shall be served by a means of a water supply that is adequate to accommodate the reasonable needs of the use(s) or lot(s) and complies with all applicable public health regulations.
2. All materials and pipes shall be provided by the developer and shall meet or exceed the requirements established by State, Town, or utility service provider requirements for the potable water system.

[89] See STN # 62.

3. The Town may, before issuing any approval under this Ordinance, make an investigation and require the developer to submit the information as appears reasonably necessary to ensure that the development will be able to comply with the water supply system requirements of this Ordinance.

B. CONNECTION TO PUBLIC POTABLE WATER SYSTEM [90]

~~1. WITHIN THE CORPORATE LIMITS~~

~~a.~~1. Each new development and each lot in all major subdivisions within the Town's ~~corporate limits, and each development and lot in all major subdivisions in the extraterritorial jurisdiction located within a specified distance of an existing or approved but not yet constructed public potable water syste~~planning jurisdiction~~m~~ shall be connected~~; at the developer's expense~~ to the Town's potable water system at the developer's expense. ~~Mandatory connections to the public potable water system shall be in accordance with Table 6.5.10, Mandatory Water System Connection Required.~~

~~TABLE 6.5.10: MANDATORY WATER SYSTEM CONNECTION REQUIRED~~

~~Type of Development~~	~~Maximum Distance From Existing Public Water System Before Water System Connection is No Longer Required (feet) [1]~~
~~Single-Family Detached Residential Subdivision (by # of lots)~~ ~~AMENDED 4.15.24 (UDOTA1-24)~~	
~~6-20~~	~~300~~
~~21-50~~	~~500~~
~~51-100~~	~~1,000~~
~~More than 100~~	~~Connection is mandatory regardless of distance~~
~~All Other Residential Subdivisions, Non-Residential Development, and Mixed-Use Development~~ ~~AMENDED 4.15.24 (UDOTA1-24)~~	
~~1 or more lots~~	~~1,000 [2]~~

~~NOTES:~~
~~AMENDED 4.15.24 (UDOTA1-24); AMENDED 9.16.24 (UDOTA2-24)~~
~~[1] Measured in a straight line from closest point of proposed development to the existing or approved but not yet constructed public potable water system.~~
~~[2] If connection to a public potable water system is required, connection to the public sewer system is also required.~~

~~b. In the event a single-family detached residential subdivision has 100 or fewer lots and is farther from an existing water system water supply source than the maximum distance required in Table 6.5.10, Mandatory Water System Connection Required, the applicant may choose to connect the development to the public potable water supply system, but such connection is voluntary and is not required. AMENDED 4.15.24 (UDOTA1-24)~~

~~c. In the event a subdivision other than one devoted to single family detached residential development, a non-residential development, or a mixed-use development is farther from an existing water system water supply source than the maximum distance required in Table 6.5.10, Mandatory Water System Connection Required, the applicant may choose to connect the development to the public potable water supply system, but such connection is voluntary and is not required. AMENDED 4.15.24 (UDOTA1-24)~~

[90] See STN # 4.

~~2. Outside the Corporate Limits~~

~~a. Where a new development or a proposed major subdivision located in the Town's extraterritorial jurisdiction and is located within a specified distance from an existing or approved but not yet constructed public potable water supply system, the applicant shall, at the applicant's expense, connect the development or subdivision lots to the Town's public potable water system. Minimum connection distances shall be in accordance with Table 6.5.10, Mandatory Water System Connection Required, except that if a new development or major subdivision includes fewer than 100 units and is located more than 1,000 linear feet from an existing public potable water service line, connection to the Town's public potable water system is voluntary at the discretion of the applicant.~~

~~b. In the event a development in the extraterritorial jurisdiction is farther than the maximum distance required in Table 6.5.10, Mandatory Water System Connection Required, the applicant may choose to connect the development to the public potable water system, but such connection is voluntary and is not required.~~

~~c. No public potable water service shall be provided to any lot or development outside the Town's corporate limits, except in accordance with one of the following:~~

~~i.~~2. If the lot or site is outside, but contiguous to the Town's corporate limits, the landowner shall immediately petition for and obtain annexation of the property into the Town's corporate limits.

~~ii.~~3. If the lot or site is outside and not ~~then~~ contiguous to the Town's corporate limits, the landowner shall enter into a written agreement with the Town for the voluntary annexation of the lot or site at such future date as indicated by the Town.

~~iii.~~4. If the lot is located behind the Town's Master Meter Network, ~~and~~ it shall be~~is~~ subject requirements for ~~to~~ an agreement with Johnston County.

5. The Town Council may negotiate terms for voluntary annexation of major industrial or commercial tracts which require water and/or sewer system extensions.

6. Mandatory connection to the potable water system shall not be required for the development of an existing single-family residential dwelling located within the Town's corporate limits in cases where the cost of connection exceeds the cost of on-site potable water service.

7. Mandatory connection to the potable water system shall not be required for development configured as an exempt subdivision in accordance with Section 2.3.12, Exempt Subdivision, or as an limited subdivision configured in accordance with Section 2.3.16, Limited Subdivision.

~~iv.~~

~~3. Any applicant desiring to extend potable water service in an area where no public potable water service is available shall apply, in writing, to the Town for a specific daily allocation for such services.~~

C. CONFIGURATION

A public water supply system shall comply with the following requirements:

1. When a public water supply is provided, water service shall be required along all lot frontages and along all proposed street extensions, including street stubs.
2. The developer shall install potable water mains in a development so that all lots to be developed will be able to connect to the centralized water system.
3. Water mains shall be installed within street rights-of-way or dedicated public utility easements.

4. The minimum diameter of a water main shall be six inches.
5. Water service shall be provided by service lines with a minimum six-inch nominal diameter on streets which are "stubbed out" at property lines to permit future development.
6. In cases where development is proposed in phases, water line valves shall be installed at all phase boundaries.
7. The developer shall submit detailed drawings with the Construction Drawings associated with a development, prepared, and sealed by a professional engineer, showing the installation of the required public water supply system infrastructure.
8. All materials and pipes shall meet or exceed the requirements of the public water supply system provider.

D. DEDICATION AND ACCEPTANCE

1. Each developer of land connected to a public potable water supply system shall be responsible for providing system-related equipment and appurtenances, including water tanks, water mains, pump stations, fire hydrants, gate valves, blow-offs, and valve covers between their property and the Town's water supply system.
2. Individual water service meters shall be installed by the Town at the expense of the applicant.
3. All potable water supply facilities installed in accordance with these standards shall become the sole property of the Town upon acceptance. A deed to the Town for such facilities, including easements pertaining to the right-of-way entrance for maintenance, shall be executed prior to connection to the Town system.

E. CONNECTION FEES

The applicant shall pay all applicable water system development fees for each lot or development to be served by a connection to the Town's public potable water supply system in accordance with the Comprehensive List of Fees and Charges in place at the time of Building Permit issuance or Construction Drawing approval, whichever is appropriate.

F. OVERSIZING

1. Where the Town Council deems it necessary in the interest of the health, safety, and general welfare, the applicant shall make certain improvements at sizes in excess of those which would normally be required to serve only the applicant's development.
2. Where oversized improvements are required, the Town shall reimburse the applicant for the cost of materials incurred over and above those required to serve the applicant's development.
3. Such reimbursement shall be mutually agreed upon through a reimbursement agreement as authorized by NCGS§ 160A-499.

G. ON-SITE POTABLE WATER SUPPLY SERVICE

1. All on-site potable water supply systems shall be designed and installed in accordance with Johnston County Health Department requirements.
2. On-site potable water supply systems shall be located upon the same lot as the use they serve. In no instance shall a private potable water supply service cross a lot line, whether located in an private easement or otherwise. Only public potable water distribution water lines may cross lot lines. [91]

[91] See STN # 21.

3. MAINTENANCE

a. Neither the Town of Clayton nor NCDOT shall be responsible for maintenance of private streets.

b. Private streets may be marked with signage indicating where Town or State maintenance responsibility stops.

4. PRIVATE STREET DEED DISCLOSURE

Every deed created for a lot served by a private street subject to this Ordinance filed with the Johnston County Register of Deeds shall include the following disclosure:

> "It is hereby acknowledged that a Subdivision Streets Disclosure Statement has been executed in accordance with Section 136-102.6 of the North Carolina General Statutes."

5. COMPLIANCE WITH EASEMENTS

All private streets shall be located within an access easement configured in accordance with the applicable requirements in Section 6.5.7, Easements.

AMENDED 4.15.24 (UDOTA1-24)

H. CURB AND GUTTER

1. All public streets, whether inside the corporate limits of the Town or outside the Town's corporate limits but abutting land served by public water or sewer, shall be constructed with curb and gutter.
2. Curb and gutter shall be configured in accordance with the Town's Engineering Specifications and Design Manual. The configuration of curb and gutter shall be at the Town's discretion, but in no instance shall the Town prohibit curb and gutter design or configurations that comply with NCDOT standards. [92]
3. Rolled or valley-type curbs may be permitted for new residential streets at the discretion of the Engineering Director or as permitted by the Town's Engineering Specifications and Design Manual, but are prohibited on residential collector and other collector streets.

AMENDED 12.16.24 (UDOTA3-24)

I. STREET NAMES

1. All street names, including names for private streets, shall be in accordance with the County's street naming ordinance, and shall require approval by Johnston County prior to recordation of a Final Plat.
2. Where proposed streets are extensions of existing streets, or are in obvious alignment with existing streets, the existing street names shall be used except where a new name can reasonably be used to avoid further street name duplication.
3. Proposed street names shall not duplicate or phonetically approximate the name of any street anywhere within Clayton or unincorporated Johnston County.

J. STREET SIGNS

1. The subdivider or developer shall install street signs as part of new development.
2. All streets within a development shall be marked with a street name sign of a design specification and location in accordance with Town requirements.
3. Decorative street signs shall be approved as to form and configuration by the Town or NCDOT, as appropriate, prior to installation.

[92] See STN # 3.

B. CONNECTION TO PUBLIC WASTEWATER TREATMENT SYSTEM [93]

1. Each new development and each lot in all major subdivisions within the Town's planning jurisdiction shall be connected to the Town's wastewater treatment system at the developer's expense.
2. Connection to an existing or planned force main sewer line shall be at the Town's sole discretion.
3. If the lot or site is outside, but contiguous to the Town's corporate limits, the landowner shall immediately petition for and obtain annexation of the property into the Town's corporate limits.
4. If the lot or site is outside and not contiguous to the Town's corporate limits, the landowner shall enter into a written agreement with the Town for the voluntary annexation of the lot or site at such future date as indicated by the Town.
5. The Town Council may negotiate terms for voluntary annexation of major industrial or commercial tracts which require water and/or sewer system extensions.
6. Mandatory connection to the public wastewater treatment system shall not be required for the development of an existing single-family residential dwelling located within the Town's corporate limits in cases where the cost of connection exceeds the cost of on-site wastewater treatment.
7. Mandatory connection to the wastewater treatment system shall not be required for development configured as an exempt subdivision in accordance with Section 2.3.12, Exempt Subdivision, or as an limited subdivision configured in accordance with Section 2.3.16, Limited Subdivision.

~~B.~~

~~1. WITHIN THE CORPORATE LIMITS~~

~~a. Each new development and each lot in all major subdivisions within the Town's corporate limits, and each development and lot in all major subdivisions in the extraterritorial jurisdiction located within a specified distance of an existing or approved but not yet constructed gravity-fed public wastewater treatment line shall be connected, at the developer's expense to the Town's wastewater treatment system. Mandatory connections to public sanitary sewer service shall be in accordance with Table 6.5.13.B, Mandatory Sewer System Connection Required.~~

~~TABLE 6.5.13.B: MANDATORY SEWER SYSTEM CONNECTION REQUIRED~~

~~Type of Development~~	~~Maximum Distance From Existing Public Sewer System Before Sewer System Connection is No Longer Required (feet) [1]~~
~~Single-Family Detached Residential Subdivision (by # of Lots)~~ ~~AMENDED 4.15.24 (UDOTA1-24)~~	
~~6-20~~	~~300~~
~~21-50~~	~~500~~
~~51-100~~	~~1, 000~~
~~More than 100~~	~~Connection is mandatory within 5,000 linear feet~~
~~All Other Residential Subdivisions, Non-Residential Development, and Mixed-Use Development~~ ~~AMENDED 4.15.24 (UDOTA1-24)~~	

[93] See STN # 5.

TABLE 6.5.13.B: MANDATORY SEWER SYSTEM CONNECTION REQUIRED

TYPE OF DEVELOPMENT	MAXIMUM DISTANCE FROM EXISTING PUBLIC SEWER SYSTEM BEFORE SEWER SYSTEM CONNECTION IS NO LONGER REQUIRED (FEET) [1]
1 or more lots	1,000 [2]

NOTES:
AMENDED 4.15.24 (UDOTA1-24) AMENDED 9.16.24 (UDOTA2-24)
[1] Measured in a straight line from closest point of proposed development to the existing or approved but not yet constructed public sewer system.
[2] If connection to a public sewer system is required, connection to the public potable water system is also required.

b. In the event a single-family detached residential subdivision has 100 or fewer lots and is farther than the maximum distance required in Table 6.5.13.B, Mandatory Sewer System Connection Required, the applicant may choose to connect the development to the public sewer system, but such connection is voluntary and is not required. AMENDED 4.15.24 (UDOTA1-24)

c. In the event a subdivision other than one devoted to single family detached residential development, a non-residential development, or a mixed-use development is farther from an existing water system water supply source than the maximum distance required in Table 6.5.13.B, Mandatory Sewer System Connection Required, the applicant may choose to connect the development to the public sewer system, but such connection is voluntary and is not required. AMENDED 4.15.24 (UDOTA1-24)

2. OUTSIDE THE CORPORATE LIMITS

a. Where a new development or a proposed major subdivision located in the Town's extraterritorial jurisdiction and is located within a specified distance from an existing or approved but not yet constructed gravity-fed public wastewater line, the applicant shall, at the applicant's expense, connect the development or subdivision lots to the Town's public wastewater treatment system. Minimum connection distances shall be in accordance with Table 6.5.13.B, Mandatory Sewer System Connection Required, except that if a new development or major subdivision is more than 1,000 linear feet from an existing sanitary sewer service line, connection to the Town's sanitary sewer system is voluntary at the discretion of the applicant.

b. In the event a development in the extraterritorial jurisdiction is farther than the maximum distance required in Table 6.5.13.B, Mandatory Sewer System Connection Required, the applicant may choose to connect the development to the public sewer system, but such connection is voluntary and is not required.

c. No public wastewater treatment system service shall be provided to any lot or development outside the Town's corporate limits, except in accordance with one of the following:

i. If the lot or site is contiguous to the Town's corporate limits, the landowner shall immediately petition for and obtain annexation of the property into the Town's corporate limits.

ii. If the lot or site is not then contiguous to the Town's corporate, the landowner shall enter into a written agreement with the Town for the voluntary annexation of the lot or site at such future date as indicated by the Town.

iii. The Town Council may negotiate terms for voluntary annexation of major industrial or commercial tracts which require water and/or sewer system extensions.

~~3. Any applicant desiring to extend public wastewater treatment system service in an area where no public wastewater treatment service is available shall apply, in writing, to the Town for a specific daily allocation for such services.~~

C. CONFIGURATION

Public wastewater treatment systems shall comply with the following requirements:

1. The minimum diameter for a sewer main shall be eight inches.
2. All sewer mains shall be installed at a maximum depth to ensure service to as large an area as possible.
3. The developer shall install sewer mains so that all lots to be developed will be able to connect to the wastewater treatment system.
4. Sewer lines shall be installed within street rights-of-way or dedicated public utility easements.
5. The developer shall submit detailed drawings with the Construction Drawings plan associated with the development, prepared, and sealed by a professional engineer, showing the installation of the required wastewater infrastructure.
6. All materials and pipes shall meet or exceed the requirements of the public wastewater treatment system provider.
7. On streets which are "stubbed out" at property lines to permit future development, wastewater service must be provided by lines of at least eight inches in diameter. This requirement is not applied in cases when abutting land is located within a different drainage basin.

D. DEDICATION AND ACCEPTANCE

1. Each developer of land connected to a public wastewater treatment system shall be responsible for providing system-related equipment and appurtenances, including treatment facilities, pump stations, force mains, laterals, valve, and manhole covers between their property and the Town's wastewater treatment system.
2. Individual water service meters shall be furnished and installed by the Town.
3. All wastewater treatment system facilities installed in accordance with these standards shall become the sole property of the Town upon acceptance. A deed to the Town for such facilities, including easements pertaining to the right-of-way entrance for maintenance, shall be executed prior to connection to the Town system.

E. CONNECTION FEES

The applicant shall pay all applicable wastewater treatment system development fees for each lot or development to be served by a connection to the Town's public wastewater treatment system.

F. OVERSIZING

1. Where the Town Council deems it necessary in the interest of health, safety, and general welfare, the applicant shall make certain improvements to sizes in excess of those which would normally be required to serve only the applicant's development.
2. Where oversized improvements are required, the Town shall reimburse the applicant for the cost of materials incurred over and above those required to serve the applicant's development.
3. Such reimbursement shall be mutually agreed upon through a reimbursement agreement as authorized by NCGS§ 160A-499.

C. PHASED DEVELOPMENT

Development subject to these standards that is planned in phases may submit a landscape plan for the entire development, or separate landscape plans for each phase, which shall be approved as part of development of that phase.

D. ALTERNATIVE LANDSCAPE PLANS[94]

1. GENERALLY

a. An alternative landscape plan may be proposed as part of a Site Plan or subdivision application in accordance with Section 2.3.2, Alternative Plan. Revisions to the landscaping portions of an already-approved Site Plan or subdivision shall be considered in accordance with Section 2.4.16, Amendment of Approved Application.

b. When proposed, an alternative landscape plan shall be reviewed and decided by the Planning Director prior to a decision on the associated Site Plan or subdivision, and based on the standards in this subsection.

~~1.~~2. CONDITIONS JUSTIFYING ALTERNATIVE LANDSCAPE PLAN

Any of the following natural physical conditions may be used as a justification for an alternative landscape plan:

a. Wetland areas;
b. Topography;
c. Non-arable soils;
d. Difficult or unusual lot configuration;
e. Utility or drainage easements;
f. A desire to retain existing on-site vegetation;
g. Natural rock formations;
h. Required landscaping areas that are shaded; and
i. Impractical situations that would result from the application of this section.

~~2.~~3. INTENT

To be approved, any alternative landscape plan shall meet the intent of the applicable planting area(s) and the purpose and intent of the landscaping standards of this section.

~~3.~~4. ALLOWABLE MODIFICATIONS[95]

a. The following landscape standards may be modified by an alternate landscape plan:
  i. The location of required plant materials;
  ii. The width of required planting areas;
  iii. The configuration of required plant materials;
  iv. The species of required plants, provided however that invasive species shall not be used; and
  ~~**iv.**~~**v.** The number of required plant materials.

b. The alternative landscape plan shall include justification for the modifications requested, based upon but not limited to, the following:
  i. The presence or planned location of public utilities, infrastructure, or easements;

[94] This is not a new section; rather it has been relocated here from current Section 6.6.11 for the sake of clarity. There are a few new clarification provisions, but generally the section has not been substantively changed.

[95] See STN # 8.

3. Dead or diseased plantings shall be removed. Unless specifically exempted (such as understory trees shaded by canopy trees), replacement plantings shall be provided for any dead, diseased, or removed vegetation when such replacement plantings are necessary to meet the standards or this Ordinance or maintain the screening objective of the landscaping material.
4. Landscape structural features such as walls, fences, berms, or water features shall be maintained in a structurally safe and attractive condition.
5. Where other uses, including pedestrian and bicycle accessways, are allowed within a required landscaping area, these uses shall be maintained to provide for their safe use.
6. A water source shall be supplied within 50 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated an irrigation system shall be required. Irrigation systems shall meet the standards of the Town.

C. INSPECTION

1. POST CONSTRUCTION INSPECTION

a. A permanent Certificate of Occupancy for any development shall not be issued unless the landscaping and screening required under this section is installed in accordance with these standards and the development approval.

b. No person shall refuse entry or access to any staff or authorized representative of the Town who requests entry for the purpose of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with that representative while in the process of carrying out official duties.

2. FOLLOW-UP INSPECTION

The Planning Director, or a designee, may inspect a site one year after the issuance of a permanent Certificate of Occupancy in order to ensure compliance with this Ordinance.

3. PERIODIC INSPECTION

a. The Planning Director, or a designee, may periodically inspect sites subject to the provisions of this Ordinance. If, through inspection, it is determined that a site does not comply with the development approval, a notice of violation shall be prepared in accordance with Section 7.5.3, Written Notice of Violation.

b. The Town shall have the power to conduct investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Ordinance and for this purpose may enter at reasonable times upon the property, public or private, for the purpose of inspecting the site(s) subject to the provisions of this Ordinance.

6.6.7 MASS GRADING [96]

In cases where land disturbing activities that rise to the level of mass grading as defined in this Ordinance, take place over 75 percent of a lot or site that is at least five acres in area that abuts a residential zoning district (including a conditional residential zoning district), the following standards shall apply:

A. Any perimeter buffers required in accordance with Section 6.6.13, Perimeter Buffers, shall be at least 200 percent wider than the minimum buffer width required; and

B. The finished grade of land within 100 feet of the lot line along the abutting residential district shall not exceed a 10 percent slope or shall include retaining walls configured in accordance with this Ordinance and all applicable State law.

[96] See STN # 41.

4. A sustainable development incentive.

F. FIRE PROTECTION SYSTEM

The minimum clear separation distances required by the current adopted version of the North Carolina Fire Code shall be maintained for landscaping near a fire protection system.

G. LANDSCAPING IN BIO-RETENTION CELLS

Trees and shrubs used in bio-retention cells or rain gardens located in parking lots or within landscape yards may be counted toward tree or shrub requirements of this Ordinance, provided they meet the minimum specifications in Section 6.6.8, Plant Material Specifications.

H. PERMITTED ENCROACHMENTS[97]

1. The following features may be located entirely within required landscaping areas, provided the screening function of the landscaping is maintained and provided any encroachments into a required setback are in accordance with Table 3.6.9, Allowable Encroachments into Required Setbacks:
   - ~~a. Principal buildings, provided the minimum setbacks of the zoning district where located, are maintained;~~
   - ~~b.~~a. Landscaping features such as, ornamental pools, planting boxes, sculpture, arbors, trellises, and birdbaths;
   - ~~c.~~b. Pet shelters, well houses, and mechanical enclosures;
   - ~~d.~~c. On-grade patios, steps, benches, outdoor fireplaces, playground equipment serving an individual dwelling unit, accessibility ramps, roof overhangs, and fire escapes;
   - ~~e.~~d. Ornamental entry columns, gates, fences, walls, and retaining walls;
   - ~~f.~~e. Flagpoles of 30 feet in height or less;
   - ~~g.~~f. Lamp and address posts;
   - ~~h.~~g. Utility cabinets of four feet in height or less;
   - ~~i.~~h. Mailboxes; and
   - ~~j.~~i. Signage.
2. The following features may cross a required landscaping area in a manner that minimizes the impact to the required landscaping:
   a. Driveways, sidewalks, pedestrian walkways, greenways, or multi-use trails;
   b. Utilities; and
   c. Stormwater management facilities.

I. PROHIBITED FEATURES

The following features shall not be located within a required landscaping area:

1. A secondary structure or open-air use;
2. Off-street parking or loading areas; or
3. Outdoor storage or display of products for sale.

[97] See STN # 64.

~~6.6.10~~6.6.11 PLANTING FLEXIBILITY

A. CREDIT FOR EXISTING VEGETATION [98]

1. In order to encourage the preservation of existing mature trees, ~~established,~~ existing healthy ~~vegetation~~mature trees shall be credited towards new landscaping requirements at a rate of 2:1 where one caliper inch of existing tree is equal to two caliper inches of newly-planted trees.

~~1.~~2. ~~, credit shall be given towards the landscaping requirements in this section for preservation of existing trees that are pre-existing within the boundaries of required landscaping areas and that meet the standards in this Ordinance at a rate of two times the amount of existing, healthy trees proposed to be retained during and after development.~~ The Planning Director may require certification of a tree's health by a certified arborist or landscape architect at the applicant's expense.

~~2.~~3. Tree save areas established for the purposes of retaining existing vegetation in accordance with this section shall be credited towards the passive recreation area requirements in Section 6.7, Open Space Set-Aside and Parkland. **AMENDED 12.16.24 (UDOTA3-24)**

~~3.~~4. Vegetation to be credited towards these requirements shall be protected in accordance with, before and during development of the site and maintained thereafter in a healthy growing condition.

~~4.~~5. In no instance shall credit be given for the retention of existing vegetation that is identified as an invasive species by the North Carolina Agricultural Extension, the North Carolina Forest Service, or the North Carolina Invasive Plant Council.

B. REVISIONS TO APPROVED LANDSCAPE PLANS

Due to seasonal planting problems and/or a lack of plant availability, approved landscape plans may require minor revisions. Minor revisions to planting plans may be approved by the Planning Director in accordance with Section 6.6.11C, Alternative Landscape Plans, if: **AMENDED 12.16.24 (UDOTA3-24)**

1. There is no reduction in the quantity of plant material;
2. There is no significant change in size or location of plant materials; and
3. The new plants are of the same general category (i.e., canopy tree, understory tree, evergreen, or shrub) and have the same general design characteristics (mature height, crown spread, etc.) as the materials being replaced.

C. ALTERNATIVE LANDSCAPE PLANS[99]

~~An alternate landscape plan~~ See Section 6.6.4D, Alternative Landscape Plans. ~~that allows modifications to the requirements of this section may be approved by the Planning Director in accordance with the following:~~

~~1. CONDITIONS JUSTIFYING ALTERNATIVE LANDSCAPE PLAN~~

~~Any of the following natural physical conditions may be used as a justification for an alternative landscape plan:~~

~~a. Wetland areas;~~
~~b. Topography;~~
~~c. Non-arable soils;~~

[98] See STN # 63.
[99] See STN # 101.

~~d. Difficult or unusual lot configuration;~~
~~e. Utility or drainage easements;~~
~~f. A desire to retain existing on-site vegetation;~~
~~g. Natural rock formations;~~
~~h. Required landscaping areas that are shaded; and~~
~~i. Impractical situations that would result from the application of this section.~~

~~2. INTENT~~

~~To be approved, any alternative landscape plan shall meet the intent of the applicable planting area(s) and the purpose and intent of the landscaping standards of this section.~~

~~3. ALLOWABLE MODIFICATIONS~~

~~a. The following landscape standards may be modified by an alternate landscape plan:~~
~~i. The location of required plant materials;~~
~~ii. The width of required planting areas;~~
~~iii. The configuration of required plant materials; and~~
~~iv. The number of required plant materials.~~
~~b. The alternative landscape plan shall include justification for the modifications requested, based upon but not limited to, the following:~~
~~i. The presence or planned location of public utilities, infrastructure, or easements;~~
~~ii. The location of existing healthy vegetation or other beneficial site features to be retained after development;~~
~~iii. The size, shape, or topographic elevation of the site relative to the street(s) it abuts; and~~
~~iv. The need to protect solar access or avoid permanently shaded areas on the site.~~

~~4. DOCUMENTATION~~

~~In cases where a proposed development employs planting flexibility provisions to address the landscaping requirements of this section, the site plan, subdivision, permit, or other approval shall document the locations where and describe the extent to which planting flexibility provisions were employed.~~

D. BERMS

Berms may be used independently, or in conjunction with a wall or fencing, to meet the screening intent of a perimeter buffer or other required screening when configured in accordance with the following:

1. Berms shall have a minimum height of three feet, a minimum crown width of at least three feet, and a slope of no greater than 3:1;
2. Berms shall be no taller than twelve feet above the toe of the berm;
3. Berms shall be stabilized with vegetation and ground cover;
4. A berm may not damage the roots of existing healthy vegetation being preserved for credit towards the landscaping requirements in this Ordinance. Suffocation of existing roots by deposition of fill in excess of 12 inches shall be considered damage to existing tree roots; and
5. A berm shall not interfere with a required sight distance triangle (see Section 6.1.7, Sight Distance Triangles).

E. FENCES AND WALLS

1. Opaque fences or walls, a minimum of four feet in height, constructed within required landscaping areas, and configured in accordance with Section 6.3, Fences and Walls, may

1. Type A, Separation Buffer;
2. Type B, Intermittent Buffer;
3. Type C, Semi-Opaque Buffer; and
4. Type D, Opaque Buffer.

D. BUFFER DETERMINATION

1. The lot or site being developed is the one responsible for providing the required perimeter buffer, which shall be located solely upon the lot or site being developed.
2. Landscaping material located on an adjacent lot may not be credited towards these perimeter buffer requirements.
3. The type of perimeter buffer required is based upon the zoning district designation of the land being developed as well as the zoning district designation of the abutting lots (see Table 6.6.1.G, Buffer Application).

E. BUFFER LOCATION

1. Perimeter buffers required by this section shall be located along the outer perimeter of the lot and shall extend to the connecting lot lines.
2. In cases where the lot line is within a drainage swale, the perimeter buffer shall extend to the edge of the swale instead of the lot line.
3. A perimeter buffer may be located along shared access easements between parcels in non-residential developments.

~~F. MASS GRADING~~

~~In cases where new development subject to these standards includes mass grading, as defined, in this Ordinance, the minimum required buffer width and the minimum number of required plantings specified in this section shall be doubled.~~

TABLE 6.6.12.D: PERIMETER BUFFER CONFIGURATION

TYPE A – SEPARATION

The Type A Separation perimeter buffer serves as a visual break between land ownership or zoning district designations. It is not intended to provide complete visual or acoustic buffering. The image below shows an approximation of this buffer type at maturity.



BUFFER CONFIGURATION	REQUIREMENT
Buffer width (feet)	10 [1]
Canopy trees per every 100 linear feet (#) / Max. on-center spacing (feet)	None / None
Understory trees per every 100 linear feet (#) / Max. on-center spacing (feet)	4 / None [~~1~~2]
Shrubs per every 100 linear feet (#) / Max. on-center spacing (feet) [~~2~~3]	15 / None [~~1~~2]
Minimum percentage of evergreen shrubs (% of total along 1 side)	50
NOTES:	[1] Buffer width and plant count shall be doubled following mass grading in accordance with Section 6.6.7, Mass Grading. [2] Grouping of trees or shrubs is permitted provided there is no span of un-vegetated buffer exceeding 30 feet in length. [3~~2~~] In the event a fence or wall is provided, it shall be located within 10 feet of the lot line. Shrubs, if required, shall be located between the fence or wall and t-e lot line, but no closer than three feet to the lot line.

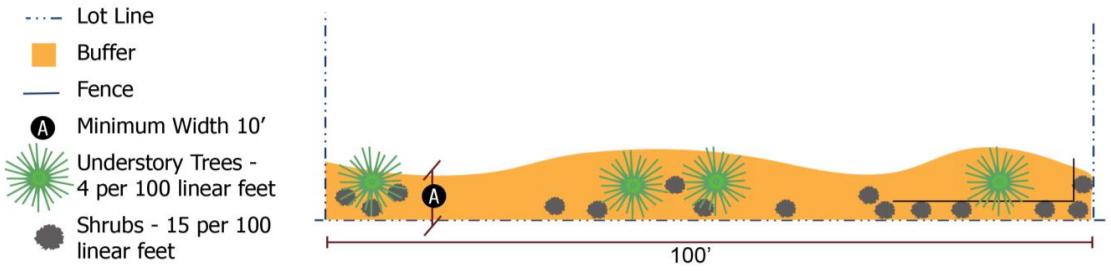


TABLE 6.6.12.D: PERIMETER BUFFER CONFIGURATION

TYPE B - INTERMITTENT

The Type B Intermittent perimeter buffer functions as an intermittent visual screen from the ground to a height of five feet. It is intended to partially block visibility between different uses but not totally obstruct visual contact from one use to another. The image below shows an approximation of this buffer type at maturity.



BUFFER CONFIGURATION	REQUIREMENT
Buffer width (feet)	20 [1]
Canopy trees per every 100 linear feet (#) / Max. on-center spacing (feet)	2 / 50
Understory trees per every 100 linear feet (#) / Max. on-center spacing (feet)	4 / 25 [~~1~~2]
Shrubs per every 100 linear feet (#) / Max. on-center spacing (feet) [~~2~~3]	15 / None [~~1~~2]
Minimum percentage of evergreen shrubs (% of total along 1 side)	60

NOTES:

[1] Buffer width and plant count shall be doubled following mass grading in accordance with Section 6.6.7, Mass Grading.
[2] Grouping of trees or shrubs is permitted provided there is no span of un-vegetated buffer exceeding 30 feet in length.
[3~~2~~] In the event a fence or wall is provided, it shall be located within 10 feet of the lot line. Shrubs, if required, shall be located between the fence or wall and the lot line, but no closer than three feet to the lot line.

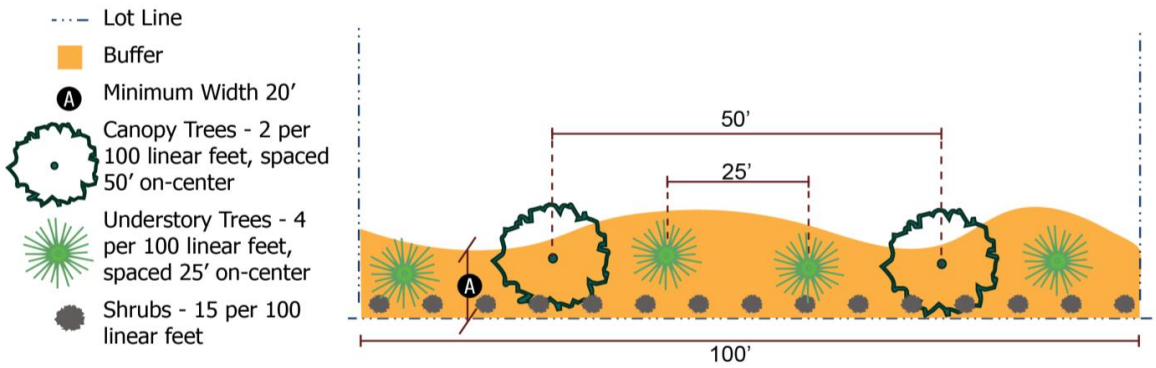


TABLE 6.6.12.D: PERIMETER BUFFER CONFIGURATION

TYPE C – SEMI-OPAQUE

The Type C Semi-Opaque perimeter buffer functions as a partially opaque screen from the ground to a height of six feet. This type of buffer prevents visual contact between uses but not total obstruction from one use to another. The buffer creates a sense of visual separation but provides only minor acoustic separation. The image below shows an approximation of this buffer type at maturity.



BUFFER CONFIGURATION	REQUIREMENT
Buffer width (feet) [1]	30 [2]
Canopy trees per every 100 linear feet (#) / Max. on-center spacing (feet)	3 / 33
Understory trees per every 100 linear feet (#) / Max. on-center spacing (feet)	6 / 16 [~~2~~3]
Shrubs per every 100 linear feet (#) / Max. on-center spacing (feet) [~~3~~4]	25 / 4 [~~2~~3]
Minimum percentage of evergreen shrubs (% of total along 1 side)	75

NOTES:

[1] Provision of a semi-opaque fence or wall along the entire buffer span allows the buffer width to be reduced by 5 feet (chain-link fencing is not permitted). Provision of a fully-opaque fence, wall, or berm along the entire buffer span allows the buffer width to be reduced by 10 feet.

[2] Buffer width and plant count shall be doubled following mass grading in accordance with Section 6.6.7, Mass Grading.

[3] Grouping of trees or shrubs is permitted provided there is no span of un-vegetated buffer exceeding 20 feet in length.

[~~3~~4] In the event a fence or wall is provided, it shall be located within 10 feet of the lot line. Shrubs, if required, shall be located between the fence or wall and the lot line, but no closer than three feet to the lot line.

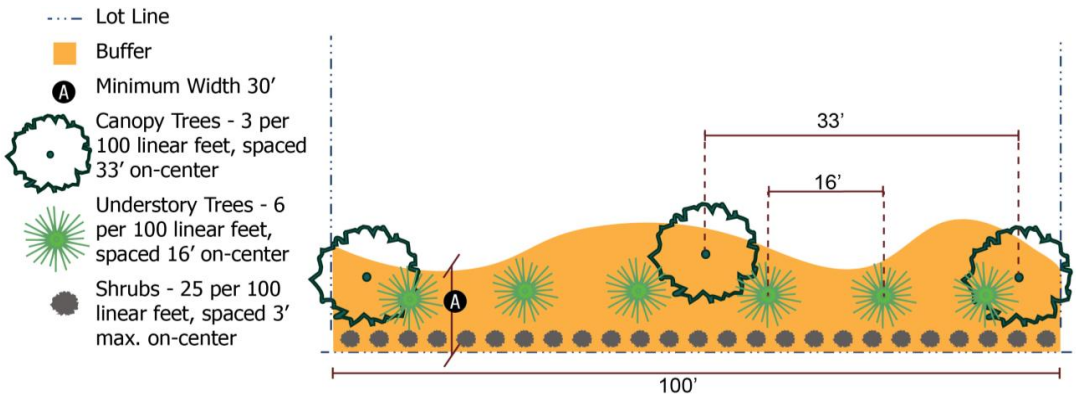


TABLE 6.6.12.D: PERIMETER BUFFER CONFIGURATION

TYPE D – OPAQUE

The Type D Opaque perimeter buffer functions as a fully opaque screen from the ground to a height of eight feet. This type of buffer provides a strong sense of visual and acoustic separation between uses. The cross-section image below shows an approximation of this buffer type at maturity.



BUFFER CONFIGURATION	REQUIREMENT
Buffer width (feet) [1]	40 [2]
Canopy trees per every 100 linear feet (#) / Max. on-center spacing (feet)	4 / 25
Understory trees per every 100 linear feet (#) / Max. on-center spacing (feet)	8 / 15
Minimum percentage of evergreen understory trees (% of total along 1 side)	75
Shrubs per every 100 linear feet (#) / Max. on-center spacing (feet) [~~2~~3]	35 / 3
Minimum percentage of evergreen shrubs (% of total along 1 side)	85

NOTES:

[1] Provision of a semi-opaque fence or wall along the entire buffer span allows the buffer width to be reduced by 5 feet (chain-link fencing is not permitted). Provision of a fully-opaque fence, wall, or berm along the entire buffer span allows the buffer width to be reduced by 10 feet.
[2] Buffer width and plant count shall be doubled following mass grading in accordance with Section 6.6.7, Mass Grading.
[3] In the event a fence or wall is provided, it shall be located within 10 feet of the lot line. Shrubs, if required, shall be located between the fence or wall and the lot line, but no closer than three feet to the lot line.

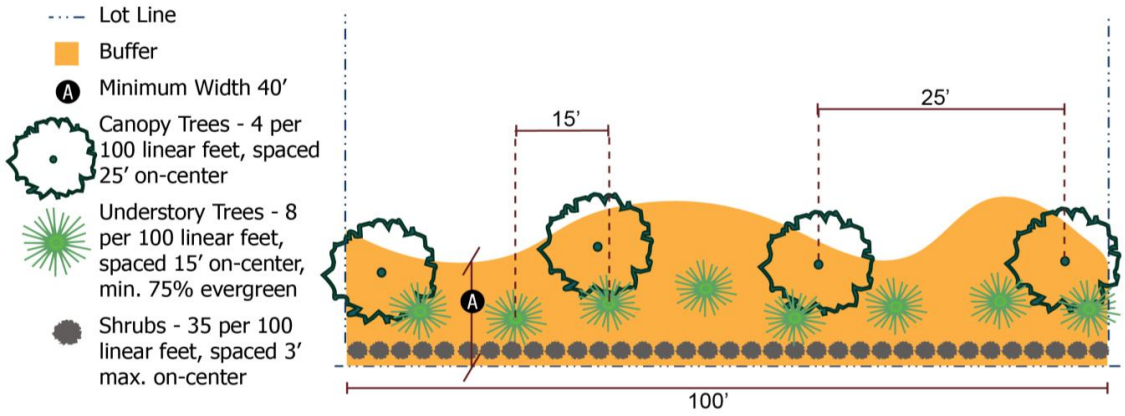


FIGURE 6.6.14: SITE LANDSCAPING



~~6.6.15~~6.6.16 STREET TREES [100]

AMENDED 12.16.24 (UDOTA3-24)

A. Development within the following districts shall provide street trees in accordance with the following standards:

1. DTNC;
2. DTNN;
3. DTNT; and
4. ~~NCM;~~
5. CZD~~;~~
6. ~~CZM; and~~
7. ~~CZR~~.

B. Unless exempted by this ordinance, development not providing street trees shall provide a streetscape buffer in accordance with Section 6.6.17, Streetscape Buffers.

C. WHERE REQUIRED

Street trees shall be located within tree pits or planting strips within the street right-of-way (see Figure 6.6.15: Street Tree Configuration).

D. LOCATION

1. WITHIN TREE PITS

In cases where sidewalks, boardwalks, or paving is located in the right-of-way, street trees shall be located within tree pits, configured in accordance with the following standards:

a. Tree pits shall have a minimum planting area of at least 36 square feet per tree pit;

b. Tree pits shall be covered or configured with ground covering at the same general height as the pedestrian walkway to avoid being a tripping hazard; and

c. Tree pits shall include structural soils or screened backfill to ensure appropriate drainage and backfill.

[100] See STN # 38.

4. REQUIRED PLANT MATERIAL [101]

a. Street trees shall be configured in one of the following two ways:

i. Three canopy trees for every 100 linear feet of lot frontage; or

ii. Five understory trees for every 100 linear feet, where overhead utilities are present.

b. Uniform spacing may be modified as necessary to accommodate driveways, sight distance triangles, utilities, or street trees on adjacent lot frontages. In cases where deviation from uniform on-center spacing is necessary, minimum spacing shall be in accordance with best practices for streetscape planting and maintenance in the sole discretion of the Town.

~~4.~~5. TYPES OF TREES

a. Except in areas underneath existing overhead utilities or upper story encroachments into the right-of-way, street trees shall be canopy trees that meet the standards in Figure 6.6.7.A, Plant Material Specifications.

b. In areas beneath existing overhead utilities or upper story encroachments into the right-of-way, street trees shall be understory trees that meet the standards in Figure 6.6.7.A, Plant Material Specifications.

~~5.~~6. SPECIES

a. Only those species identified in Table 6.6.15.B: Preferred Street Tree Species, shall be utilized to meet these standards:

TABLE 6.6.15.B.5: PREFERRED STREET TREE SPECIES

CANOPY TREES (BY COMMON NAME)	UNDERSTORY TREES (BY COMMON NAME)
Bald Cypress	Carolina Silverbell
European Hornbeam	Chinese Pistache
Hedge Maple	Common Witchhazel
Japanese Zelkova	Crape Myrtle
Lacebark Elm	Dogwood
London Planetree	Eastern Redbud
Hardy Rubber Tree	Fringetree
Thornless Honey Locust	Green Hawthorne
Kentucky Coffee Tree	Serviceberry

b. Applicants may propose a different species, subject to approval by the Engineering Director.

~~6.~~7. ON-CENTER SPACING

a. Canopy trees shall be planted 30 to 35 feet on-center.

b. Understory trees shall be planted 20 to 25 feet on-center.

[101] See STN # 38.

c. Grouping or clustering of street trees shall be prohibited, but on-center spacing may be reduced as necessary to avoid sight distance triangles, street furnishings, or other utility conflicts.

~~7.~~8. COMPLIANCE WITH NCDOT STANDARDS

In cases where street trees are located within street rights-of-way maintained by the NCDOT, street tree configuration shall be in accordance with NCDOT standards in addition to the standards in this section. In the event the standards in this section conflict with applicable NCDOT standards, the NCDOT standards shall control.

~~6.6.16~~6.6.17 STREETSCAPE BUFFERS

A. PURPOSE AND INTENT

Streetscape buffers are proposed to soften the view of development from the Town's street rights-of-way, and are intended to:

1. Enhance pedestrian orientation and encourage pedestrian travel;
2. Address urban heat islands by providing shade for streets and sidewalks;
3. Provide shade on sidewalks;
4. Promote the Town's "sense of place";
5. Support property values by enhancing the aesthetic character of the Town's streets; and
6. Provide habitat for flora and fauna.

B. APPLICABILITY

Streetscape buffers shall be provided on lots in the CRM, CZC, CZI, CZM, CZR, HID, LID, NCM, OFI, PUB districts in accordance with the following:

1. The standards in this section shall apply to all lot lines bounded by the following features, whether existing or identified in the Town's adopted policy guidance:
   a. Local streets;
   b. Collector streets;
   c. Arterial streets; and
   d. As specified in Section 3.7.3, GTOD Gateway Overlay District.
2. In cases where a future street is planned but its approximate location is not indicated on an adopted or approved Town map or plan, streetscape buffering shall not be required on lots abutting the future street alignment.
3. In cases where the rear yard of a lot abuts a Town street right-of-way, the rear yard shall include a streetscape buffer configured in accordance with these standards.

C. EXEMPTION

1. Streetscape buffers are not required in the following locations:
   a. Land in the CON district;
   b. Adjacent to portions of lot lines crossed by driveways, private drives, or alleys;
   c. Lot lines abutting platted street rights-of-way that are or have remained unopened for at least 15 years; or
   d. Lot frontages where the entirety of the lot frontage is within a required sight distance triangle.
2. Development subject to the standards in Section 6.6.16, Street Trees, is not required to provide streetscape buffers.

E. PRE-EXISTING NONCONFORMING DEVELOPMENT

Lawfully-established off-street parking and loading areas established prior to January 2, 2024, that do not comply with these standards shall be subject to the applicable standards in Chapter 5, Nonconformities.

6.9.3 EXEMPTIONS

A. The following forms of development are exempt from the requirements of this section:

1. Lawfully-established lots of record existing prior to January 2, 2024, that are 33 feet wide or less, contain a single-family detached residential structure, and are not served by an alley; and
2. Re-striping an existing parking lot which does not create a deficient number of parking spaces or a nonconforming situation.

B. Non-residential and mixed-use development located in the DTNC, DTNT, and DTNN districts is exempted from the minimum off-street parking requirements in Table 6.9.4, Table of Minimum Off-Street Parking Requirements, but off-street parking lots, if provided, shall comply with the standards in Section 6.9.7, Parking Lot Configuration.

6.9.4 OFF-STREET PARKING REQUIREMENTS

A. PARKING PLAN REQUIRED

Every application for a site plan or building permit shall include a parking plan or plot plan drawn to scale and fully-dimensioned as necessary in order to demonstrate compliance with the standards in this section.

B. ALTERNATIVE PARKING PLAN[102]

1. GENERALLY

a. An alternative parking plan may be proposed as part of a Site Plan or subdivision application in accordance with Section 2.3.2, Alternative Plan. Revisions to the off-street parking portions of an already-approved Site Plan or subdivision shall be considered in accordance with Section 2.4.16, Amendment of Approved Application.

b. When proposed, the alternative parking plan shall be reviewed and decided by the Planning Director prior to a decision on the associated Site Plan or subdivision, and based on the standards in this subsection.

2. CONDITIONS JUSTIFYING ALTERNATIVE PARKING PLAN

Any of the following conditions may be used as a justification for an alternative parking plan:

a. Off-street parking needs that are less than the minimum required (based upon a parking demand study accepted by the Town);

b. Off-street parking needs that exceed the maximum allowed (based upon a parking demand study accepted by the Town);

c. A site that lacks sufficient area to accommodate the required or proposed off-street parking;

d. Parking usage patterns between two or more use types on the same development or site that do no overlap one another in terms of timing; or

[102] See STN # 101.

e. A need or desire to reduce the amount of impervious surfacing associated with off-street parking.

3. INTENT

To be approved, any alternative parking plan shall meet the intent of the applicable off-street parking standards of this Ordinance.

4. ALLOWABLE MODIFICATIONS

~~B.~~a. ALTERNATIVE SURFACING

~~1.~~i. The use of pervious or semi-pervious parking area surfacing materials—including, but not limited to, "grasscrete," "turfstone," cellular reinforced paving systems, porous concrete, crushed stone, or recycled materials such as glass, rubber, used asphalt, brick, block, and concrete, may be proposed for required off-street parking spaces, drive aisles, or vehicular surface areas on a site, provided such areas are properly maintained. Where possible, such materials should only be used in areas proximate to and in combination with on-site stormwater control measures or tree protection measures.

~~2.~~ii. Grass or other pervious parking surfaces may be permitted for the following use types:

~~a.~~b. Uses which require off-street parking less than five days per week during a month;

~~b.~~c. Religious institutions; and

~~c.~~d. Parks, trailheads, playgrounds, ballfields, football and baseball stadiums, fairgrounds, and similar outdoor recreation areas.

~~3.~~i. Where provided, such alternative parking surfaces shall be maintained in a smooth, well-graded condition. If parking demand is such that the grass is damaged or destroyed to the extent that it ceases to grow and is not repaired or replaced, then paving in accordance with this section will be required.

~~C.~~e. DEVIATION FROM REQUIRED MINIMUM

An applicant may propose a reduced rate of provision for off-street parking less than that specified in Table 6.9.4, Table of Minimum Off-Street Parking Requirements, in accordance with a parking study prepared by a professional engineer licensed by the State of North Carolina. The parking study shall document why fewer spaces than required will be adequate while still protecting the public's health, safety, and welfare.

~~D.~~f. OFF-SITE PARKING

Up to 50 percent of off-street parking space requirements may be met by locating required parking in an off-site location, in accordance with the following standards:

~~1.~~i. The off-site parking is located within 1,000 feet from the use it serves, as measured from the entrance of the use to the nearest off-site parking space;

~~2.~~ii. A sidewalk or paved pedestrian walkway is provided to the off-site parking area from the use;

~~3.~~iii. In cases where the off-site parking is located on land under separate ownership from the use it serves, the off-site parking shall be subject to a written agreement executed by the owners involved and filed with the Planning Director prior to the use of off-site parking facilities. The agreement shall guarantee the long-term availability of the off-site parking in question; and

~~4.~~iv. Should an off-site parking agreement cease, then the use shall be considered a nonconformity subject to the standards in Chapter 5, Nonconformities, unless the use is brought into compliance with the minimum off-street parking requirements of this section.

~~5.~~v. In no instance shall a residential use other than multi-family utilize off-site parking on lots within the DTNC district.

~~3.~~iii. A valet parking area shall not be located within 200 feet of a public entrance to a building. Areas designated for valet parking shall not interfere with vehicular circulation or emergency access and shall not cause customers who do not use the valet service to park off-premise or cause queuing in the right-of-way.

5. DOCUMENTATION

In cases where a proposed development employs parking flexibility provisions to address the off-street parking requirements of this section, the Site Plan, subdivision, or other approval shall document the locations where and describe the extent to which parking flexibility provisions were employed.

~~I.~~C. MINIMUM OFF-STREET PARKING SPACES REQUIRED

1. The minimum number of off-street parking spaces required for development shall be in accordance with Table 6.9.4, Table of Minimum Off-Street Parking Requirements.
2. Off-street parking shall be provided to meet the parking demand without the use of streets, driveways, and garages, except as specifically allowed by this section.
3. Some uses may also be required to provide vehicle stacking spaces in accordance with Section 6.9.6, Stacking Spaces.
4. Some uses may also be required to provide bicycle parking spaces in accordance with Section 6.9.5, Bicycle Spaces.

~~J.~~D. OFF-STREET PARKING SPACE MAXIMUM

1. Where identified in Table 6.9.4, Table of Minimum Off-Street Parking Requirements, uses subject to an off-street parking maximum shall comply with the applicable maximum provisions in the table.
2. Deviations from the maximum parking space standards may be requested in accordance with Section 6.9.8, Parking Flexibility.

~~K.~~E. USE TYPE NOT LISTED

1. For use types that do not correspond to the use types listed in Table 6.9.4, Table of Minimum Off-Street Parking Requirements, any one of the following actions may be taken as part of determining the applicable off-street parking requirements:
   a. The applicant may provide a parking study for the use(s) prepared by a professional engineer licensed by the State of North Carolina;
   b. The applicant may propose a text amendment to this UDO in accordance with Section 2.3.28, Text Amendment;
   c. The applicant may request a formal determination of these off-street parking standards in accordance with Section 2.3.11, Determination, or
   d. The Planning Director may determine the minimum parking space requirement based on a similar use in accordance with the standards of this Ordinance.
2. In cases where the applicant desires the Planning Director to make a determination, the application shall provide the following information:
   a. The type of use(s);
   b. Number of employees;
   c. The availability of transit;
   d. The occupancy of the building;
   e. Anticipated square feet of sales, service, and office areas;
   f. Number of off-street parking spaces proposed; and

g. Hours of operation.

~~L.~~F. DEVELOPMENTS WITH MULTIPLE USE TYPES OR LOTS

1. Development containing more than one principal use shall provide the minimum number of off-street parking spaces in an amount equal to the total required for all individual principal uses in the development, except as allowed by Section 6.9.8, Parking Flexibility.
2. Developments consisting of multiple lots that are planned and developed as a single, unified, or consolidated project may be configured to locate a portion of the required parking for one lot on another in the same development as allowed by Section 6.9.8, Parking Flexibility.

G. UNIFIED DEVELOPMENTS

Unified developments shall comply with either the minimum parking standards for each use type in the development, or shall comply with the standards for a Unified Development in Table 6.9.4: Minimum Off-Street Parking Spaces Required.[103]

~~M.~~H. USE OF REQUIRED OFF-STREET PARKING SPACES

1. Off-street parking areas used for any of the following vehicles are not credited towards the minimum number of required off-street parking spaces in Table 6.9.4, Table of Minimum Off-Street Parking Requirements, and such vehicles shall be located outside required off-street parking spaces and any street right-of-way:
   a. Vehicles for sale or lease;
   b. Vehicles being stored, serviced, or repaired; or
   c. Vehicles belonging to the use, such as company vehicles.
2. Required off-street parking spaces shall not be used for any purpose other than the temporary parking of operable vehicles.
3. In no instance shall motor vehicle servicing or repair of a vehicle take place within a required off-street parking space except for washing and emergency service necessary to start the vehicle.

~~N.~~I. DRIVEWAYS USED TO MEET PARKING REQUIREMENTS

1. Driveways may be used to accommodate required off-street parking spaces only for the following uses:
   a. Boarding houses;
   b. Cemeteries;
   c. Family care homes;
   d. Group homes;
   e. Live/work dwellings;
   f. Manufactured dwellings;
   g. Mobile homes;
   h. Single-family attached dwellings when located in developments of six or fewer dwellings (driveways may be located on land owned in common), or in cases where a single-family attached dwelling is served by a rear-loaded driveway; **AMENDED 12.16.24 (UDOTA3-24)**
   i. Single-family detached dwellings, including those in bungalow courts and pocket neighborhoods;

[103] See STN # 102.

TABLE 6.9.4: MINIMUM OFF-STREET PARKING SPACES REQUIRED
[#] = Notes at the end of the table

USE TYPE	MINIMUM NUMBER OF REQUIRE OFF-STREET PARKING SPACES [1] [2]
Parking Related Use	1 per employee on the largest shift
Packaging and Shipping	1 per every 200 sf
Pawn Shop	1 per every 300 sf
Pharmacy	1 per every 200 sf
Recreational Vehicle Park	1 per employee on largest shift + 0.25 per every recreational vehicle space
Repair Shop	1 per every 600 sf
Restaurant with Drive-Through	1 per every 4 seats [4]; May not exceed 1 per every 150 sf
Restaurant, Indoor Seating Only	1 per every 4 seats [4]; May not exceed 1 per every 150 sf
Restaurant, Indoor and Outdoor Seating	1 per every 5 seats [4]; May not exceed 1 per every 150 sf
Restaurant, Walk-up Service Only	1 per employee on largest shift + 1 per every two outdoor seating locations
Retail, General	1 per every 200 sf; May not exceed 125% of minimum
~~Retail, Large Format~~[104]	~~70,000 sf – 200,000 sf: 1 per every 600 sf; May not exceed 125% of minimum~~ ~~>200,000 sf: 1 per every 800 sf; May not exceed 125% of minimum~~
Retail, Micro	1 per every 600 sf
Sexually-Oriented Business	1 per every 200 sf
Storage, Indoor Only	1 per every 5,000 sf
Storage, Indoor and Outdoor	1 + 1 per employee on largest shift
Tanning Salon	1 per every 200 sf
Tattoo and Piercing Establishment	1 per every 600 sf
Theatre, Indoors	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating; May not exceed 1 per every 150 sf
Theatre, Outdoors	2 + 1 per employee on largest shift
Tobacco, CBD, and Vapor Shop	1 per every 200 sf
Unified Development[105]	Non-residential uses: 1 per every 250 sf Residential uses: in accordance with the standards for residential uses in this table
Vehicle Repair and Service (no painting/body work)	2 + 1 per each service bay

[104] See STN # 102.
[105] See STN # 102.

TABLE 6.9.4: MINIMUM OFF-STREET PARKING SPACES REQUIRED
[#] = Notes at the end of the table

USE TYPE	MINIMUM NUMBER OF REQUIRE OFF-STREET PARKING SPACES [1] [2]
Wholesale Sales, Indoor and Outdoor	1 per every 900 sf + 1, per every 5,000 sf of outdoor area
Wind Energy Conversion	None
INSTITUTIONAL USE CLASSIFICATION	
Adult Day Care Center	1 + 1 per every employee on largest shift
Antenna Collocation, Major or Minor	None
Arboretum or Formal Garden	1 per employee on largest shift + 1 per 5,000 sf of garden area
Athletic Field or Court	1 per every 1,000 sf of court or field area
Auditorium, Coliseum, Convention Center	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating
Broadcasting Studio	1 per every employee on largest shift
Bus Station	1 per every 200 sf [5]
Cemetery or Mausoleum	1 per every employee on largest shift
Child Day Care Center	1 per employee + 1 per every 10 children
College or University	5 per every classroom and 1per every office
Community Center	1 per every 300 sf
Community Garden	None
Community Recreation Facility (private)	1 per every 1,000 sf of outdoor activity area + 1 per every 400 sf of building area
Coliseum, Convention, Conference Center	Greater of: 1 per every 4 seats or 1 per every 40 sf of seating area with moveable seating
Fire/EMS/Police Station	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Fraternal Club or Lodge	1 per every 300 sf
Golf Course (public or private)	1 per every 4 persons of design capacity
Government Office	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Government Maintenance and Storage Facility[106]	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Governmental Training Facility	1 per every 200 sf used by public + 1 per every 600 sf not used by the public
Hospital	1 per every 2 beds + 1 per every employee on largest shift
Indoor Recreation, Public	1 per every 400 sf

[106] See STN# 104.

ii. Number 57 stone, laid over a geotextile fabric, to a minimum depth of four inches in accordance with NCGS§143-214.7; or

iii. An alternative type and depth configuration, as specified by the Engineering Director; and

h. The landowner files a maintenance agreement for the gravel parking lot clarifying how the parking lot will be maintained annually.

4. Configuration of parking lots in accordance with low impact development practices (see Section 6.17.6, Menu of Sustainable Development Practices) is encouraged.

5. Parking lots shall not drain onto or across public sidewalks, or into adjacent property except into a natural watercourse or a drainage easement unless alternative provisions for drainage are proposed and accepted by the Engineering Director.

~~5.~~6. In no instance shall the Town require pavement design standards that exceed the NCDOT's pavement design standards. Pavement design standards may be less restrictive than the NCDOT's pavement design standards only in cases where they are approved, signed, and sealed by a professional engineer. [107]

[107] See STN # 3.

FIGURE 6.9.7.M: PARKING LOT SURFACE MATERIALS



N. VEHICLE BACKING

Vehicular use areas shall be designed so that a vehicle is not required to back onto a street to enter or exit the parking lot, a parking space, or a stacking space.

6.9.8 PARKING FLEXIBILITY[108]

Development may deviate from the off-street parking requirements in this section through the requirements and procedures in Section 2.3.1, Administrative Adjustment, Section 2.3.31, Variance, or ~~through approval of an alternative parking plan accepted by the Planning Director and configured in accordance with the following~~Section 6.9.4B, Alternative Parking Plan.~~:~~

6.9.9 OFF-STREET LOADING

A. LOADING FACILITIES REQUIRED

Every application for a non-residential use shall ensure that adequate off-street loading facilities are provided so that loading vehicles do not occupy required off-street parking spaces, block vehicular access, or prevent appropriate on-site maneuvering during times when the site is open to the public. Nothing shall limit the use of these areas at times of the day when the use is not open to the public. Uses may also establish dedicated loading zones for the purpose of accepting deliveries or making shipments during operating hours.

B. MINIMUM OFF-STREET LOADING SPACE REQUIREMENTS

1. A minimum number of off-street loading spaces is not established; however, if off-street loading spaces are provided, they shall be provided and maintained in sufficient numbers to adequately handle the needs of a non-residential use.

[108] See STN # 101.

10. The required sidewalk width shall increase from 60 inches to 72 inches when it abuts the back of the curb.
11. In cases where new sidewalk or multi-use path sections are proposed to join with existing pedestrian facilities of a differing width, the new sidewalk or multi-use path width shall include a gradual taper or flare, as appropriate so as to avoid abrupt changes in pedestrian facility width.

F. TIMING OF INSTALLATION

Sidewalks and multi-use paths shall be installed by the developer in accordance with Section 1.1.1A, , if associated with a Site Plan, or Section 2.3.19F, Stage 2, Construction Drawings, if associated with a Subdivision.

G. FEE-IN-LIEU

1. Proposed sidewalks and multi-use paths that may cause conflicts with other Town, State, or federal infrastructure projects in the opinion of the Engineering director may be subject to the requirements for Town-mandated fee-in-lieu provision in accordance with Section 2.3.15, Fee-in-Lieu.
2. All other fee-in-lieu requests shall be considered in accordance with Section 2.3.15, Fee-in-Lieu.

H. MAINTENANCE REQUIREMENTS

1. Maintenance and operation of a sidewalk or multi-use path following acceptance by the Town shall be the responsibility of the Town.
2. Sidewalks located within residential subdivisions of 20 or fewer lots in the Town's ETJ and located within the right-of-way of a NCDOT street shall be maintained by the Town. [109]

[109] See STN # 3.

6.13 SIGNAGE

6.13.1 PURPOSE AND INTENT

This section provides guidance and standards for signage across the Town's jurisdiction. The erection and maintenance of signs is controlled and regulated in order to promote the health, safety, welfare, convenience, and enjoyment of travel on streets and sidewalks. These provisions are also intended to balance between the promotion of beneficial commerce and the protection of community character. More specifically, these standards are intended to:

A. Promote traffic safety;
B. Avoid interference with protected free speech;
C. Regulate the content of signs to the least extent possible and only when absolutely necessary to protect public health and safety;
D. Regulate off-premise signage in accordance with State law and federal jurisprudence;
E. Ensure that any content-based signage standards serve a compelling public purpose and are as narrowly-tailored as possible;
F. Promote economic development and beneficial commerce;
G. Ensure residents and visitors can locate desired goods, services, and destinations;
H. Avoid conflicts between advertising and public safety signage;
I. Reflect the aesthetic character and design quality anticipated in the Town's adopted policy guidance; and
J. Minimize any detrimental effects of signage on adjacent properties.

6.13.2 APPLICABILITY

A. Except for the sign types exempted from these standards identified in Section 6.13.3, Exemptions, all signs shall be constructed, erected, affixed, placed, posted, painted, repainted, hung, or otherwise established only in accordance with the standards in this section and Section 2.3.21, Sign Permit.
B. Deviations from these standards may be proposed in accordance with Section 1.1.1A, .
C. New development comprised of two or more principal buildings on one or more lots is encouraged (but not required) to configure signage in accordance with a Uniform Sign Plan as specified in Section 2.3.21, Sign Permit.
D. Signs subject to the standards in this Ordinance are organized into the following two categories in accordance with Table 6.13.2, Sign Types:

TABLE 6.13.2: SIGN TYPES

Permanent Signs	Temporary Signs
Awning Sign	Banner Sign
Electronic Message Board	Sidewalk Sign
Flag	Short-Term Sign
Ground Sign	Sock Sign
Incidental Sign [1]	Walkway Decal Sign
Projecting Sign	
Subdivision Sign	
Wall Sign	
Window Sign	

TABLE 6.13.2: SIGN TYPES	
PERMANENT SIGNS	TEMPORARY SIGNS
NOTES: [1] Sign is not required to obtain a Sign Permit, but shall be subject to the standards in this section.	

~~D.~~

6.13.3 EXEMPTIONS

The following forms of signage shall not be subject to these signage standards, but may be subject to other applicable standards in this Ordinance, such as the requirement to obtain a Building Permit. Applicants shall be responsible for securing all required permits prior to erecting or modifying any of the following forms of excluded signage:

A. Fence-wrap signs affixed to fences surrounding a construction site in accordance with the standards in NCGS§ 160D-908;

~~A.~~**B.** Farm signs located within the right-of-way of a NCDOT-maintained street during the related farm season in accordance with NCGS§136.32; [110]

~~B.~~**C.** Legal notices required by governmental bodies, public utilities, or civic associations;

~~C.~~**D.** Signage owned or maintained by any unit of government or public agency that ~~includes, but is not limited to, flags, street signs, traffic warning signs, and other signage provided solely by governmental agencies for public health and safety~~is installed as a result of a federal, State, or local state of emergency;

~~D.~~**E.** Building cornerstones, historical plaques, or grave markers;

~~E.~~**F.** Signage associated with public transit stops;

~~F.~~**G.** Holiday displays on lots within all zoning districts;

~~G.~~**H.** Signage affixed to a motor vehicle or trailer, provided the motor vehicle or trailer is parked or stored on the same lot or site where the business being advertised is located;

~~H.~~**I.** Signage that is not visible from any off-site areas (e.g., entirely enclosed by opaque walls that prevent the visibility of signage from any off-site areas); and

~~I.~~**J.** Signage associated with off-street parking spaces or the prohibition of parking in certain locations like fire lanes, bus lanes, or loading zones.

6.13.4 NONCONFORMING SIGNAGE

Nonconforming signage is subject to the standards in Section 5.3, Nonconforming Signs.

6.13.5 PROHIBITED SIGNS

The following signs, sign construction, and displays are prohibited throughout the Town's jurisdiction:

A. Freestanding or pole signs where the sign face area is mounted on one or more poles in a manner where air or open space exists between the bottom of the sign face area and the surface of the ground beneath it, provided that this prohibition shall not apply to incidental signs configured in accordance with the applicable standards in Section 6.13.9, Permanent Sign Standards;

B. Off-premise signs or signage that advertises goods or services provided on a different lot, tract, or site from where the sign is located, provided that this prohibition shall not apply to subdivision signs configured in accordance with the applicable standards in Section 6.13.9, Permanent Sign Standards;

[110] See STN# 3.

C. Outdoor advertising, whether on- or off-premise, except for outdoor advertising lawfully established prior to January 2, 2024, which may be permitted to continue as a nonconforming use for up to 15 years following the date of annexation by the Town;

D. Signage that includes or depicts obscenities;

~~D.~~E. Feather flags, bow signs, pennants, and streamers;

~~E.~~F. Moving signs, excluding flags, banners, and clocks;

~~F.~~G. Flashing, scrolling, twirling, or blinking signs;

~~G.~~H. Gas- or air-filled balloons, figures, and other inflatable signs;

~~H.~~I. Signs on the roof or above the parapet of a building;

~~I.~~J. Any sign which the Planning Director determines obstructs the view of bicyclists, pedestrians, or motorists using any street, approach to any street intersection, sidewalk, public trail, or which interferes with the effectiveness of or obscures any traffic sign, device, or signal;

~~J.~~K. Signs, lights, rotating features, words, and other devices, which resemble or may be erroneously construed as traffic signals, traffic signs, or emergency vehicle lights;

~~K.~~L. Illuminated or highly reflective signs that law enforcement determines hampers the vision of motorists, pedestrians, or bicyclists;

~~L.~~M. Any sign which interferes with free passage from or obstructs any fire escape, downspout, door, stairway, ladder, or opening intended as a means of ingress or egress;

~~M.~~N. Any sign placed on a utility pole, street sign post, traffic signal support, hydrant, bridge, tree, aspect of public infrastructure, or street paving that is not installed or approved by an appropriate governmental agency;

~~N.~~O. Signage affixed to a stationary motor vehicle, boat, or trailer on a lot or site not occupied by the business being advertised. Nothing shall prohibit a motor vehicle, boat, or trailer with signage at a location while services are being provided at that location.

~~O.~~P. Signs with speakers intended for audio playback;

~~P.~~Q. Unpainted plywood; and

~~Q.~~R. Use of vinyl or fabric material over or around a cabinet sign frame.

6.13.6 PROHIBITED SIGN LOCATIONS

A. In no instance shall a sign or sign support structure be located within the following areas:
   1. Within five feet of the street right-of-way, except as allowed in Section 6.13.7C.2, Signs Allowed in the Right-of-Way;
   2. Sight distance triangles, unless required by NCDOT;
   3. Required open space set-asides; or
   4. Within a public utility or drainage easement.

B. Nothing shall limit the placement of a sign or sign support structure within a required zoning district setback, provided it complies with the applicable standards in this section and does not interfere with landscaping materials required by Section 6.6, Landscaping and Screening.

6.13.7 PROVISIONS APPLICABLE TO ALL SIGNS

A. SIGN PERMIT REQUIRED

1. Unless exempted by Section 6.13.3, Exemptions, or included in Section 6.13.7B, Signs Not Subject to Sign Permit, all signs shall require issuance of a sign permit in accordance with Section 2.3.21, Sign Permit, prior to construction, installation, revision, or display.
2. Some signs may also require building and electrical permits in accordance with the North Carolina Building Code.

B. SIGNS NOT SUBJECT TO SIGN PERMIT

1. The following sign types shall not be required to obtain a sign permit, but shall comply with all applicable requirements in this section and this Ordinance:
   a. The placement of one or more incidental signs, subject to the applicable standards in Section 6.13.9, Permanent Sign Standards; and
   ~~b. The placement of a temporary sign, subject to the applicable standards in Section 2.3.25, Temporary Permit, and Section 6.13.9, Sign Standards by Sign Type; and~~
   ~~c.~~b. Public art, subject to the standards in Section 4.5.5D, Art Installation.
2. Failure to comply with the standards for these sign types shall be a violation of this Ordinance subject to the provisions in Chapter 7, Violations.

C. SIGNS IN PUBLIC STREET RIGHTS-OF-WAY

1. GENERALLY

No sign shall be permitted within a public street right-of-way except in accordance with Section 6.13.7C.2, Signs Allowed in the Right-of-Way.

2. SIGNS ALLOWED IN THE RIGHT-OF-WAY

a. Only the following signs may be permitted in or above a public street right-of-way: **AMENDED 12.16.24 (UDOTA3-24)**
   i. Governmental signage erected by the Town of Clayton;
   ii. Signage erected by NCDOT;
   iii. Emergency warning signage erected by a governmental agency, public utility, or contractor performing work within the right-of-way;
   iv. Farm signs in accordance with NCGS§136-32; and
   ~~iv.~~v. Political signs in accordance with NCGS§136-32.
   ~~v. Sidewalk Signs; and~~

b. ~~Allowable farm signs.~~The following signs may be permitted in or above the public street right-of-way subject to an encroachment agreement with the Town and compliance with the applicable provisions in this Ordinance:
   i. Awning signs;
   ii. Banner signs;
   iii. Projecting signs;
   iv. Subdivision signs;
   v. Suspended signs;
   vi. Sidewalk signs; and
   vii. Walkway decal signs.

~~vi.~~3. VERTICAL CLEARANCE

~~b.~~ Except for sidewalks signs, signs permitted within a street right-of-way shall maintain a minimum vertical clearance of at least eight feet above the paving, curb, gutter, sidewalk, or grade, as appropriate (see Figure 6.13.7, Minimum Vertical Clearance). **AMENDED 12.16.24 (UDOTA3-24)**

FIGURE 6.13.7: MINIMUM VERTICAL CLEARANCE

J. ALTERNATIVE SIGN PLAN[111]

1. GENERALLY

a. An alternative sign plan may be proposed as part of a Sign Permit application in accordance with Section 2.3.2, Alternative Plan. Revisions to an already-approved Sign Permit shall be considered in accordance with Section 2.4.16, Amendment of Approved Application.

b. When proposed, the alternative sign plan shall be reviewed and decided by the Planning Director prior to a decision on the associated Sign Permit, and based on the standards in this subsection.

2. INTENT

To be approved, any alternative sign plan shall meet the intent of the applicable signage standards of this Ordinance.

3. ALLOWABLE MODIFICATIONS

a. The following standards may be modified by an alternative sign plan:

i. The maximum number of signs per lot, tenant, or development;
ii. The maximum sign height or minimum sign clearance;
iii. The maximum allowable sign face area size;
iv. Minimum sign setbacks (except for limitations prohibiting sign placement within a right-of-way);
v. The ability to include changeable copy or how changeable copy is configured; and
vi. Illumination.

b. The following standards may not be waived or modified as part of alternative sign plan:

i. Prohibited signs or prohibited signage locations, including allowable zoning districts and minimum separation requirements;
ii. The degree to which a sign moves or appears to move (excluding electronic message boards);
iii. The ability to locate a sign within a right-of-way;
iv. Standards applied to dilapidated or obsolete signs;
v. Deviations from the nonconforming signage provisions in Section 5.3, Nonconforming Signs; and
vi. Structural configuration requirements.

4. APPLICATION CONTENTS

a. A written statement detailing the project information, the proposed alternatives being requested, and an explanation of how the proposed alternative meets the standards in Section 2.4, Review Procedures;

b. The location of land subject to the Alternative Sign Plan;

c. The proposed allocation of permitted sign area among tenants and any other proposed signs;

d. The total allowable sign face area for the project;

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;

f. Color specifications for each sign component shall be specified, including but not limited to sign face backgrounds, lettering, and the sign structure;

[111] See STN # 101.

g. A plan or other graphical depiction showing where each particular sign type is proposed;

h. A written justification for the alternative sign plan request, including how the proposed signage will result in a development that is in closer alignment with the Town's Adopted Policy Guidance or the standards in Section 1.7, Purpose and Intent of Ordinance; and

i. Any additional information requested by the Planning Director considers necessary to measure the application's conformance with the applicable review criteria.

5. DOCUMENTATION

~~2.~~ In cases where a proposed development employs flexibility provisions to address the signage requirements of this section, the Sign Permit, or other approval shall document the locations where and describe the extent to which signage flexibility provisions were employed.

6.13.8 SIGN MEASUREMENT

A. SIGN FACE AREA DETERMINATION

1. The sign face area of a sign is computed as including the entire area within a parallelogram, triangle, circle, semi-circle, or other regular geometric figure, including all of the elements of the display, including incidental or changeable copy signage, frames, display of identification or licensing officially required by any governmental body, and structural elements.
2. The supporting structure for a sign shall not be included within the calculation of the sign face area unless otherwise indicated in this Ordinance.
3. In the case of signs mounted back-to-back, only one side of the sign is to be included in the calculation of sign face area. Otherwise, the face area of each sign is to be separately computed.
4. When two identical sign faces are placed back-to-back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
5. For multi-faced signs, the sign area shall be computed by summing the area of all sign faces.
6. In the case of cylindrical signs, signs in the shape of cubes, or other signs, which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces, is included in the computation of sign face area.
7. Embellishments such as display portions of signs extending outside the primary sign face area, incidental signage, changeable copy, or supplemental signage affixed to or included on a sign or sign support structure shall be computed as part of the total face area of the sign, unless otherwise indicated in this Ordinance.
8. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence on which the sign face or letters are placed shall be calculated in the sign face area.

FIGURE 6.13.8.C: WALL AREA DETERMINATION FOR WALL SIGNAGE



LEGEND

One Wall

Ⓐ Area of Parallel Vertical Surfaces Along a Single Building Elevation, Regardless is One Wall

Ⓑ Front of Each Unit of a Multi Tenant Commercial Building is One Wall

Ⓒ Area of An Angled Wall Surface is Part of the Adjoining Wall Surface it is Most Parallel With

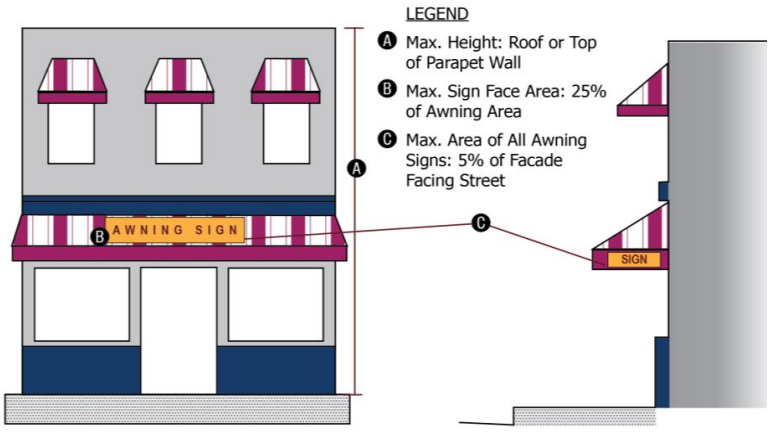
Ⓓ 45 Degree Angled Wall May Count as Part of Either Adjoining Wall, But Not Both

6.13.9 PERMANENT SIGN STANDARDS ~~BY SIGN TYPE~~ [112]

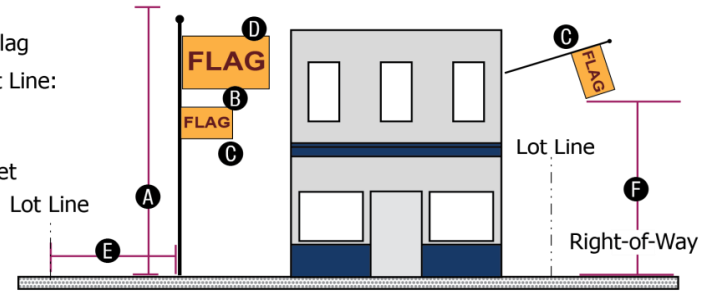
The following section sets out the standards applicable to each permanent sign type regulated by this Ordinance.

[112] See STN # 54.

A. AWNING SIGN~~S~~

1. Definition	A sign that is part ~~of~~ or permanently attached to an awning, canopy, or other protective canvas, plastic, or metal cover affixed to a building and located over a door, entrance, window, or other outdoor area. Colors, stripes, or patterns on an awning's surface shall not be considered as signage. A sign made from fabric or plastic that is not permanently attached is a "banner."					
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**	**OFI, NCM**	**DTNC, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	No	No	Yes	Yes	Yes	Yes
3. Dimensional Standards	**Maximum Number of Awning Signs per Lot**	1 per every ten linear feet of building façade facing a street [1]				
	Maximum Height	Under the roof or top of a parapet wall [2]				
	Maximum Sign Face Area per Individual Awning Sign	25 percent of the awning area upon which it is located, including the drip flap, if provided				
	Maximum Sign Face Area of all Awning Signs per Lot	5 percent of each façade facing a street [1]				
	NOTES:	[1] Signage on umbrellas or shade structures associated with an outdoor dining area are not counted as awning signs and are exempted from the awning sign number and face area standards. [2] Awning signs attached to a building shall maintain a minimum height of at least nine feet above grade.				
4. Additional Requirements	a. Signage may be located on the drip flap, subject to the maximum sign face area standards.					
	b. No awnings above the 3rd building story may be internally illuminated.					
	c. Awning signs, when allowed within a street right-of-way, shall not project more than five feet into a right-of-way, nor closer than two feet from the curb line.					
	d~~c~~. An awning sign may only be established on a lot with a principal structure.					
5. Sample Calculation	 EXAMPLE: Total Awning Area of Lower Awning = 90 sf Total Area of Facade Facing Street = 600 sf Max. Awning Sign Area on Lower Awning = 25% x 90 = **22.5 sf** Max. Area of All Awning Signs: 5% x 600 sf = **30 sf**					

~~D.~~C. FLAGS

1. Definition	A piece of cloth or similar material, typically rectangular or square in shape, that is attached to a pole or rope along one side (typically the shorter side) of the material. Flags are intended to move in the breeze and do not include frames or supporting structures that cause them to retain their shape regardless of the wind. Flags ~~flown by a governmental agency, located on land owned or operated by a governmental agency, or on a building owned or operated by a governmental agency are exempt from these standards~~that include supporting frames, that are attached to light or utility poles or that are ~~.~~ ~~Flags~~ affixed to two or more poles at the same time are ~~subject to the standards for~~ "banners." Feather flags and bow signs are prohibited.					
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**	**OFI, NCM**	**DTNC, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	Yes	Yes	Yes	Yes	Yes	Yes
3. Dimensional Standards	**Maximum Number of Flags per Lot**			3		
	Maximum Flagpole Height			40 feet above grade or 40 feet above the highest point of a building if building-mounted [1]		
	Maximum Number of Flags per Flag Pole			2		
	Maximum Size per Flag			60 square feet		
	Minimum Setback from any Lot Line for a Flagpole or other Mounting Device			The height of the flagpole or mounting device if building-mounted		
	NOTES:	[1] In cases where a flag projects out into a street right-of-way, the flag shall maintain a minimum vertical clearance of 18 feet above the street pavement and ~~9~~8 feet above a sidewalk.				
4. Additional Requirements	a. Flags and flagpoles shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.					
	b. Except on lots in residential districts, flags on poles shall be located no more than 10 feet from the front building line.					
5. Sample Calculation	LEGEND A Max. Height: 40' or 40' Above Highest Point of Building if Mounted B Max. Flags per Pole: 2 C Max Flags Per Lot: 3 D Max. Size: 60 sf per Flag E Min. Setback from Lot Line: Height of Flagpole or Mounting Device F If Projecting into Street Right-of-Way, Min. Vertical Clearance: 18' Above Street; 8' Above Sidewalk 					

E.D. GROUND SIGNS

1. Definition

Any sign, other than a pole sign, that is attached directly to the ground by means of a supporting system comprised of a solid pedestal, or other bracing system where there is no open space between the bottom of the sign face area and the ground. Ground signs are configured so that the base of the sign support structure is at least as wide as the sign face area. Ground signs may also be referred to as "pedestal" signs or "monument" signs. Any sign with an opening between the bottom of the sign's face area and ground or where the sign face area is wider than the sign support structure shall be considered as a pole or "freestanding" sign, which are prohibited. Ground signs are not mounted to a building wall, and are not located within a street right-of-way. Ground signs are permanent, not "temporary" signs.

2. Districts Where Permitted

CON, PUB	Residential, CZR	OFI, NCM	DTNC, CZD, MXD, CZM	CRM, CZC	LID, HID, CZI
Yes	Yes	Yes	Yes	Yes	Yes

3. Dimensional Standards

Maximum Number of Ground Signs Per Lot		1 [1]
Maximum Height [2]		6 feet for lots in residential districts; 15 feet for lots in all other districts [3] [4]
Maximum Sign Face Area [2]	Lots in CON, PUB, and residential districts	32 sf per sign
	Lots in OFI, NCM	32 sf per sign
	Lots in DTNC, CZD, MXD CZM	48 sf per sign
	Lots in CRM, CZC, LID, HID, CZI	150 sf per sign
Minimum Setback from any Lot Line		Up to 75 sf in face area: 5 feet [5]
		75 or more sf in face area: 10 feet
Min. Separation between Ground Signs on Same Lot		At least 250 feet apart at the closest point
Min. Separation between Ground Signs on Adjacent Lots		50 feet [6]

NOTES:

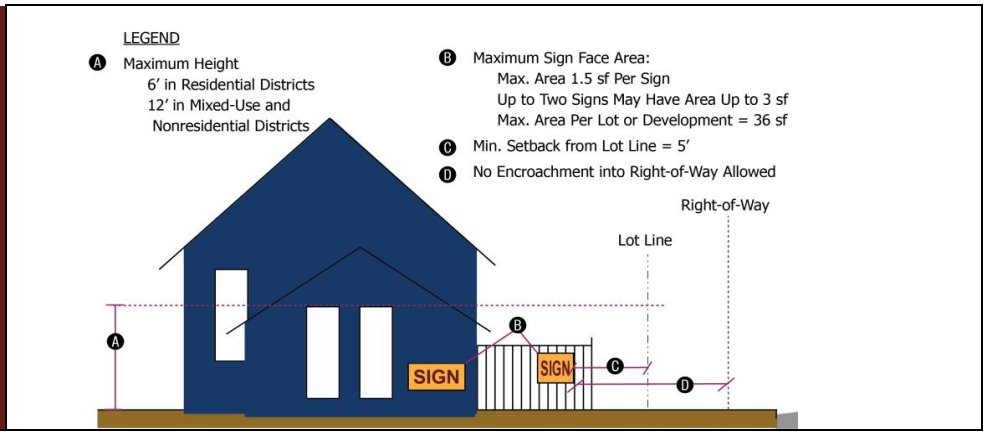
[1] Developments on corner lots of 2 acres in size or greater may have a ground sign for each roadway frontage.
[2] The following features may be excluded from the calculation of maximum sign height and maximum sign face area:
a. The first 36 inches in height of a sign's base when it is surrounded by evergreen shrubs configured as a fully opaque screen and sized in accordance with Section 6.6.8C, Shrub Size and Variety.
b. Architectural embellishments along the side of the sign support structure, such as columns, pilasters, coping, or vertical design features with a maximum width of up to 1 foot, provided such embellishments do not include advertising copy.
c. Architectural embellishments along the top of the sign support structure, such as caps, cornices, coping, eaves, or horizontal design features with a maximum height of up to 1 foot and a maximum projection of up to 6 inches beyond the sign face, provided such embellishments do not include advertising copy.
[3] Sign height shall be determined based on the higher of: the adjacent grade level or the grade level of the adjacent street.
[4] The support structure shall be included within the measurement of the sign's maximum height.
[5] All portions of a ground sign shall be at least 5 feet from a public street right-of-way.

Continued on the Following Page

~~F.~~E. INCIDENTAL SIGNS~~S~~[113]

1. Definition	Any small or nondescript sign ~~that only~~intended to provide~~s~~ on-site directional, ~~information or~~ safety, or ideological information ~~for the public~~. Examples of incidental signs include signs addressing on-site traffic circulation (such as "entrance" or "exit" signs), public safety (such as "high voltage" or "beware of dog" signs), ~~or~~ address signs, ~~,~~ or ideological signs.					
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**	**OFI, NCM**	**DTNC, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	Yes	Yes	Yes	Yes	Yes	Yes
3. Dimensional Standards [1]	**Maximum Number of Incidental Signs Per Lot**	Lots with an existing single family detached dwelling or manufactured home	1 per principal + 1 per secondary building			
		Lots with a single family attached, duplex, triplex, or quadplex dwelling unit	1 per dwelling unit			
		Multi family dwelling	1 per building + 5			
		Lots in a mixed-use or non-residential district	[2]			
	Maximum Height	6 feet for lots in residential districts; 12 feet for lots in mixed-use and non-residential districts [3]				
	Maximum Sign Face Area	1½ square feet per sign [4]				
	Total Incidental Sign Face Area per Mixed-use or Nonresidential Lot or Development	36 square feet				
	Minimum Setback from any Lot Line	5 feet [5]				
	NOTES:	[1] Incidental signs that exceed the maximum height or sign face area shall be considered as a wall sign, ground sign, pole sign, or projecting sign, as appropriate. [2] See total incidental sign face area per mixed-use or nonresidential lot or development. [3] Sign height shall be determined based on the grade adjacent to the sign. [4] Up to two incidental signs on any single lot may be up to three square feet in sign face area size. [5] In no instance shall an incidental sign be located within a right-of-way, a sight distance triangle, or in locations that obstruct the safe movement of vehicles and pedestrians				
4. Additional Requirements	a. No sign permit shall be required for the establishment of incidental signs, but all incidental signage shall comply with the standards in this section.					

[113] See STN # 54. NOTE: This sign type is intended to replace the "yard sign" type from the Wake Forest example.

5. Sample Calculation	

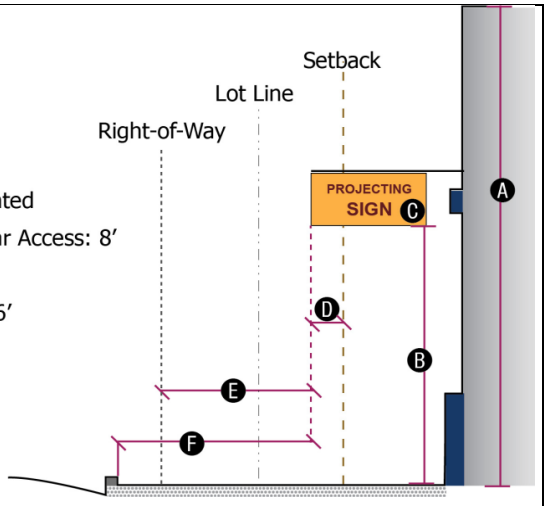
G.F. PROJECTING SIGNS

1. Definition	Any sign that projects outward from a building's exterior wall where the sign face area is not parallel to the building wall upon which is mounted. Projecting signs are also referred to as "marquee" signs. Signs mounted to a building wall with sign face areas that are parallel to the building wall are considered "wall" signs. A sign comprised of fabric or similar material is an "awning sign", "flag", or a "banner" ~~sign~~.					
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**	**OFI, NCM**	**DTNC, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	No	Yes	Yes	Yes	Yes	Yes
3. Dimensional Standards	**Maximum Number of Projecting Signs Per Lot**			One per building façade		
	Maximum Height			A projecting sign shall not project above the height of the wall it is mounted to [1]		
	Maximum Sign Face Area			40 square feet [2]		
	Minimum Setback from any Lot Line			A projecting sign shall not encroach into a required yard by more than 6 feet [3]		
	NOTES:	[1] Any projecting sign that projects into a right-of-way or that projects over a sidewalk or vehicular accessway shall maintain a minimum clearance of at least 9 feet above grade. [2] Projecting signs with 3 sides may have up to 80 square feet of sign area. [3] A projecting sign shall not project into a right-of-way by more than 36 inches, and shall maintain a minimum of two feet of horizontal distance from the back of the curb.				
4. Additional Requirements	a. Projecting signs of 1½ square feet in total sign area or less shall be considered incidental signs.					
	b. Any electrical wiring shall be located within the sign or the wall it is affixed to.					
	c. Projecting signs shall not be located on the same lot as a single-family detached, attached, duplex, triplex, or quadplex dwelling.					
	d. A projecting sign may only be established on a lot with a principal structure.					

5. Sample Calculation

LEGEND

- Ⓐ Max. Height: Wall on Which Sign is Mounted
- Ⓑ Min. Clearance Over Sidewalk or Vehicular Access: 8′
- Ⓒ Max. Sign Face Area: 40 sf
- Ⓓ Max. Encroachment into Required Yard: 6′
- Ⓔ Max. Projection into Right-of-Way: 36″
- Ⓕ Minimum Distance from Back of Curb: 2′



~~H. SIDEWALK SIGNS~~

~~L~~I. WALL SIGN~~S~~

1. Definition	Any sign, other than a projecting or suspended sign, that is mounted to or painted on an exterior building wall. Wall signs have only one sign face and are configured to be parallel to the building wall upon which they are located. Signs mounted perpendicular to a wall are "projecting" signs. Signs mounted from the ceiling of a building's canopy or overhang are "suspended" signs. Signs made of fabric or other material that moves are "banners" or "flags." Signs visible through a window are "window" signs.						
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**		**OFI, NCM**	**DTNC, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	Yes	Yes		Yes	Yes	Yes	Yes
3. Dimensional Standards	**District**	**Type of Tenancy**	**Type of Façade [1]**	**Max. # of Signs**	**Total Sign Area/Façade [2]**		
	CON, PUB, Residential, CZR	All	Primary [3]	1	16 square feet		
	OFI, NCM	Single-tenant	Primary [3]	1	32 square feet		
		Multi-tenant	Primary [3]	1/tenant			
	All Others AMENDED 4.15.24 (UDOTA1-24)	Single-tenant [4]	Primary	2	Lesser of: 1.5 sf per linear foot of building façade or 200 sf		
		Single-tenant [4]	Secondary and Tertiary	1	Lesser of: 1 sf per linear foot of building façade or 100 sf		
		Multi-tenant	Primary	1/tenant	Lesser of: 1.5 sf per linear foot of building façade or 200 sf		
		Multi-tenant	Secondary and Tertiary	1/tenant [5]	Lesser of: 1 sf per linear foot of building façade or 100 sf		
		~~Large format retail~~Individual buildings with a footprint of 70,000 sf or more	Primary	4	Lesser of: 1.5 sf per linear foot of building façade or 200 sf		
			Secondary and Tertiary	2	Lesser of: 1 sf per linear foot of building façade or 100 sf		
	Maximum Mounting Height	No wall sign shall extend above, below, or beyond the building wall to which it is attached [6]					
	Maximum Distance from a Building Corner or Multi-Tenant Boundary	Wall signs shall be no less than 18 inches from the outside corner of a building wall or from the boundary of a tenant's wall frontage on a multi-tenant building					

6.13.10 TEMPORARY SIGN STANDARDS [114]

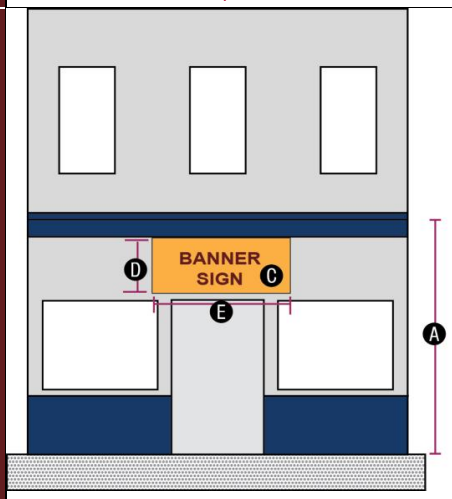
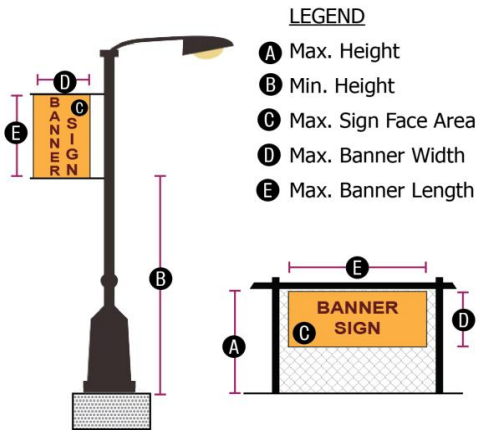
The following section sets out the standards applicable to each temporary sign type regulated by this Ordinance.

~~N.~~A. BANNER SIGN~~S~~

1. Definition	A temporary sign made of a flexible fabric or plastic material that is affixed to a building wall, ~~or other~~ vertical projection~~, except~~ such as a street light or utility pole~~s~~, on a fence, or is ground-mounted, but is not an "awning" sign or a "flag." Feather flags and bow signs are ~~not banners and are~~ prohibited by this Ordinance.					
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**	**OFI, NCM**	**DTNC, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	~~No~~Yes	No	~~No~~Yes	Yes	Yes	No
3. Dimensional Standards	**Maximum Number of Banners per Lot**	Building wall:	1 per use or non-residential tenant in a multi-tenant building [1]			
		Pole-mounted:	1 per pole [2]			
		Ground or fence-mounted:	1, but may be two-sided			
	Maximum Mounting Height	Building wall:	Below the roof or parapet [~~2~~3]			
		Pole-mounted:	At least 18 feet above a street, 8 feet above a sidewalk, or 8 feet above the grade			
		Ground or fence-mounted	12 feet to the highest point			
	Maximum Sign Face Area per Individual Banner	Building wall:	20 square feet			
		Pole mounted:	15 square feet			
		Ground or fence-mounted	20 square feet			
	Maximum Banner Length	Building wall:	10 linear feet			
		Pole-mounted:	6 linear feet			
		Ground or fence-mounted	10 linear feet			
	Maximum Banner Width	Building wall:	4 linear feet			
		Pole-mounted:	3 linear feet			
		Ground or fence-mounted:	4 linear feet			
	Minimum Setback	Building wall, ground, or fence-mounted:	10 feet from the edge of pavement or minimum necessary to avoid placement within a street right-of-way [~~3~~4]			
		Pole-mounted:	Must be on an existing pole or other vertical projection			
	Maximum Duration	One occurrence for a maximum duration of 30 consecutive days per use or tenant per calendar year [~~4~~][5]				

[114] See STN # 54.

A. BANNER SIGN CONTINUED

	NOTES:	[1] Maximum of 3 banners per multi-tenant development at any one time. [2] May be located within a public street right-of-way or on land owned or operated by the Town are subject to an encroachment agreement. [3] ~~When located on a fence, wall, or as a freestanding banner, a maximum height of 12 feet to the highest point.~~ When located on a building ~~wall~~wall of two or more stories in height, the banner shall not be mounted above the first floor. [4~~3~~] Banners in a unified development subject to a single site plan shall be at least 10 feet from the outside perimeter boundary of the development. ~~[4] Placement of a banner shall require prior issuance of a temporary use permit in accordance with Section 2.3.25, Temporary Permit.~~ [5] Pole-mounted banners in public rights-of-way or on land owned or operated by the Town are not subject to a maximum duration.
4. Additional Requirements	a. Banners shall be adequately secured through the use of grommets, d-rings, brackets, or similar fastening devices.	
	b. Banners over 9 square feet in size shall incorporate wind slits.	
	c. Banners shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.	
	d. Except for open air uses of land, a banner may only be established on a lot with a principal structure.	
	e. A banner may consist of durable, UV resistant, professionally printed fabric that may be stretched taught over an interior frame is permitted.	
	f. A banner showing visible disrepair (fading, torn corners, etc.) may be required to be removed or repaired.	
5. Sample Calculation		

P.C. ~~TEMPORARY~~ SHORT-TERM SIGN~~S~~

1. Definition	A ~~ny~~ temporary sign ~~that is~~ comprised of rigid material (such as plywood, corrugated plastic (polypropylene), acrylic, PVC board)), or similar material that is mechanically- attached to a building wall or suspended above the ground via a pole or rigid structural framework, but is not permanently affixed ~~to the ground or a building which~~and ~~can~~ is intended to be removed ~~without special handling and which is in place for a limited duratio~~when no longer in use~~n~~. Temporary signage that is not rigid is a "~~B~~banner" sign or a "flag."~~s and~~ ~~i~~Incidental signs are ~~not supplemental signs~~permanent signs: ~~Ideological signs are considered supplemental signs~~. Signs visible through a window are "window" signs.					
2. Districts Where Permitted	**CON, PUB**	**Residential, CZR**	**OFI, NCM**	**DTNC, DTNT, CZD, MXD, CZM**	**CRM, CZC**	**LID, HID, CZI**
	Yes	Yes	Yes	Yes	Yes	Yes
3. Dimensional Standards	**Maximum Number of ~~Supplemental~~ Short-Term Signs Per Lot**	1 per lot + 1 per non-residential tenant in a multi-tenant development				
	Maximum Sign Height [1]	Residential Districts	6 feet			
		All Other Districts	12 feet			
	Maximum Sign Face Area ~~[2]~~	Residential Districts	6 square feet			
		All Other Districts	32 square feet [~~3~~2]			
	Minimum Setback	10 feet from the edge of pavement or minimum necessary to avoid placement within a street right-of-way [~~4~~3]				
	Maximum Duration	Up to a total of 30 days per site per calendar year [4]				
	Maximum Frequency	Not more than twice per site per calendar year [4]				
	NOTES:	[1] Sign support structures shall be included in maximum sign height and face area. [2] ~~Signs visible through a window are also subject to the standards for window signs.~~ ~~[3]~~In the case of a multi-tenant building, the ~~temporary~~ short-term sign provided to each individual tenant shall not exceed 6 square feet in area. [~~4~~3] Signs in a unified development shall be at least 10 feet from the outside perimeter boundary of the development. [4] In instances where the property upon which a short-term sign is located is actively marketed for sale or lease, the maximum duration may be extended until the property is no longer actively marketed.				
4. Additional Requirements	~~a. Temporary signs shall not require issuance of a Sign Permit but do require approval of a Temporary Permit.~~					
	a~~b~~. ~~Temporary~~ Short-term signs shall not be located within a street right-of-way.					
	b~~e~~. ~~Temporary~~ Short-term signs may not be illuminated.					
	c~~f~~. ~~Temporary~~ Short-term signs shall not block windows or doors.					
	~~h. A temporary sign consisting of durable, UV resistant, professionally printed fabric stretched taught over an interior frame is permitted provided the sign does not show visible disrepair (fading, torn corners, etc.).~~					

D. SOCK SIGN

1. Definition

A temporary sign constructed of cloth, plastic, or other flexible material designed to fit over, or on top of, and cover a pre-existing lawfully-established permanent sign. A sock sign is temporary covering of pre-existing signage intended to remain in place only while new permanent signage is being fabricated. Sock signs are removed following installation of new permanent signage.

2. Districts Where Permitted

CON, PUB	Residential, CZR	OFI, NCM	DTNC, CZD, MXD, CZM	CRM, CZC	LID, HID, CZI
Yes	Yes	Yes	Yes	Yes	Yes

3. Dimensional Standards

Maximum Number of Signs per Lot	Same as the number of lawfully-established existing signs being covered [1]
Maximum Height	Same as the height of the lawfully-established existing sign being covered [2]
Maximum Sign Face Area per Individual Sock Sign	Same as the face area of the lawfully-established existing sign(s) being covered
Maximum Sign Face Area of all Sock Signs per Lot	Same as the total face area all of lawfully-established existing signs being covered
Maximum Duration	90 consecutive days from the date the permanent replacement signage is approved by the Town

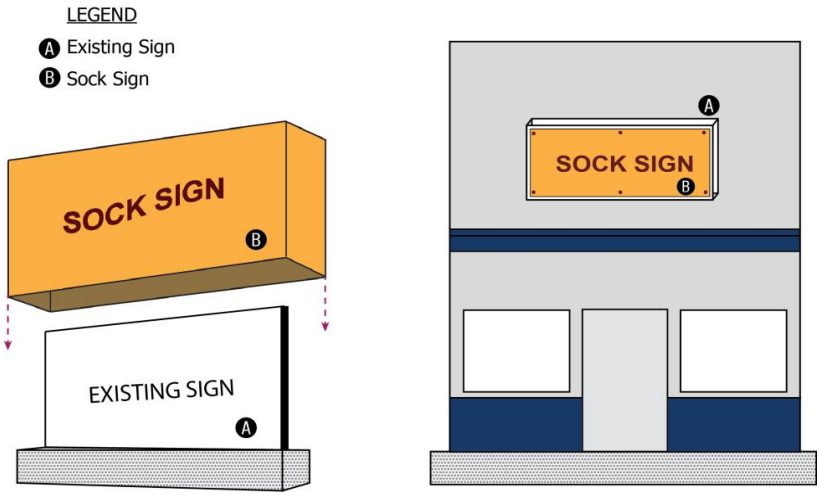
NOTES:
[1] Sock signs may not be placed over or instead of any temporary signs.
[2] Sock signs shall not project higher than the top of the sign face area being covered, regardless of how the existing sign is mounted

4. Additional Requirements

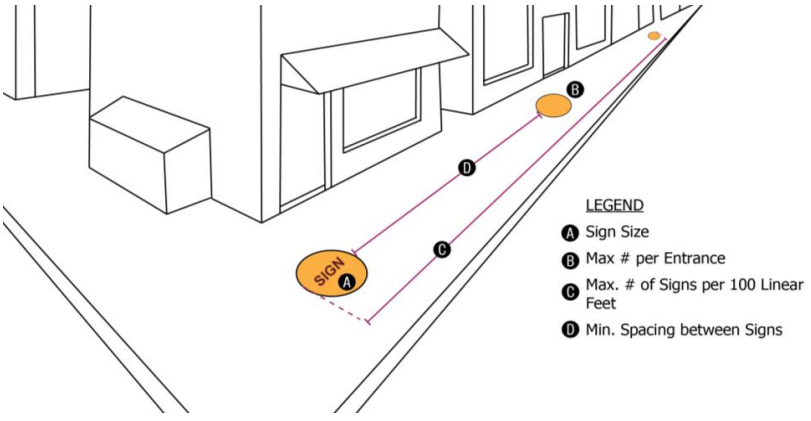
a. Sock signs shall be fitted to the existing sign being covered and shall be tied or mechanically-attached to the existing sign, wall, or sign-support structure.

b. Sock signs that are torn, ripped, or visibly damaged shall be removed and replaced, but in no instance shall a sock sign remain in place for longer than the maximum duration.

5. Sample Calculation



E. WALKWAY DECAL SIGN

1. Definition	A sign temporary sign comprised of vinyl or other soft material (but not paint) that is applied to the surface of a sidewalk or pedestrian walkway via adhesive. The decal is comprised of thin material with a thin layer of adhesive so as to avoid becoming a tripping hazard. A walkway decal sign is intended for visibility by persons walking along the walkway.					
2. Districts Where Permitted	CON, PUB	Residential, CZR	OFI, NCM	DTNC, CZD, MXD, CZM	CRM, CZC	LID, HID, CZI
	Yes	Yes	Yes	Yes	Yes	Yes
3. Dimensional Standards	Maximum Size	Six square feet [1]				
	Maximum Number of Decals per Primary Building Entrance	One [2]				
	Maximum Number of Decals per 100 Linear Feet of Sidewalk or Walkway	Three				
	Minimum Spacing Between Decals	At least 30 feet from sign edge to sign edge				
	Maximum Duration	One per tenant for a total of 90 days per calendar year [3]				
	NOTES:	[1] No single decal dimension shall exceed three feet in any direction. [2]Shall be no closer than 12 inches from the back of the curb or to the edge of the walking surface. [2] Limited to no more than three occurrences per calendar year with at least 10 days between occurrence.				
4. Additional Requirements	a. Decals located within the public right-of-way shall require an encroachment agreement.					
	b. Decals shall not be affixed atop gravel, crushed stone, grass, soil, or other soft surface.					
	c. Decals shall be comprised of vinyl or other pliable material and in no instance shall they be thicker than one-eighth of an inch nor extend more than one quarter of an inch above the walkway surface.					
	d. Decals shall be removeable upon demand, and shall be properly maintained so as to avoid becoming a tripping hazard.					
	e. In no instance shall a decal be configured to appear as an official traffic or public safety sign.					
5. Sample Calculation						

i. An installation performance guarantee shall be required by the Town prior to the commencement of construction of all required structural or engineered stormwater controls.
ii. Installation performance guarantees shall be submitted, reviewed, retained, and released in accordance with Section 2.3.20, Performance Guarantee. However, submittal of an installation performance guarantee identified in this section shall be mandatory, not optional.

b. MAINTENANCE PERFORMANCE GUARANTEE

A maintenance performance guarantee shall be required by the Town following construction and inspection of a required structural or engineered stormwater control.

3. MAINTENANCE GUARANTEE[115]

a. AMOUNT

The amount of a maintenance guarantee shall be ~~25~~ 10 percent of the total cost of construction of the BMP or SCM.

b. COSTS IN EXCESS OF PERFORMANCE SECURITY

If the Town acts upon such failure by the applicant or owner, the Town may collect from the applicant or owner the difference between the amount of the reasonable cost of such action and the amount of the guarantee held, in addition to any other penalties or damages due.

c. FORM OF MAINTENANCE GUARANTEE

i. The form of the maintenance guarantee shall be at the discretion of the applicant, but shall take one of the forms identified in Section 2.3.20E, Form.
ii. The owner or party responsible for the maintenance of the SCM may retain the maintenance guarantee, but shall provide evidence of the guarantee's amount and ability to be produced to the Town upon demand.

d. DEFAULT

i. Upon default of the owner to maintain, repair and, if necessary, reconstruct any structural SCM in accordance with the applicable permit or operation and maintenance agreement, the Stormwater Administrator shall obtain and use all or any portion of the maintenance guarantee to make necessary improvements based on an engineering estimate.
ii. Such expenditure of funds shall only be made after requesting the owner to comply with the permit or maintenance agreement.

~~e. RELEASE~~

~~A maintenance guarantee shall not be released, but instead shall be held by the Town until the associated BMP or SCM is lawfully removed by the owner or responsible party.~~

E. NOTICE TO OWNERS

1. DEED RECORDATION AND INDICATIONS ON PLAT

a. The applicable operations and maintenance agreement and conservation easement, pertaining to every structural and engineered stormwater control shall be referenced on the Final Plat and shall be recorded with the Johnston County Register of Deeds upon Final Plat approval.
b. If no Subdivision Plat is recorded for the site, then the operations and maintenance agreement, conservation easement, or dedication and acceptance into public maintenance, whichever is applicable, shall be recorded with the Johnston County Register of Deeds so as to appear in the chain of title of all subsequent purchasers under generally accepted searching principles.

[115] See STN # 3.

6.16 SUBDIVISION DESIGN

6.16.1 PURPOSE AND INTENT

The purpose of this section is to establish standards for the subdivision of land and extension of public infrastructure in the Town's planning jurisdiction. More specifically, this section is intended to:

A. Provide for the orderly growth and development of the Town;
B. Maintain conditions essential to the public's health, safety, and welfare;
C. Facilitate the further re-subdivision of larger tracts into smaller parcels of lands and individual lots, where appropriate;
D. Coordinate the provision of streets within and contiguous to proposed subdivisions;
E. Provide for the dedication or reservation of rights-of-way, and easements, in accordance with the Town's adopted policy guidance; and
F. Ensure lots and public infrastructure are configured in ways that ensure public safety, easy maintenance, and good planning practice.

6.16.2 APPLICABILITY

Unless exempted in accordance with Section 6.16.3, Exemptions, any division of land consistent with the definition of a subdivision in Section 8.3, Terms Defined, that is located within the Town's planning jurisdiction or the subject of a development agreement to become part of the Town's planning jurisdiction at some point in the future shall comply with the requirements of this section, the standards in Chapter 6, Standards, and the relevant application procedures in Chapter 2, Applications.

6.16.3 EXEMPTIONS

The following divisions of land shall be exempt from these subdivision standards:

A. Exempt subdivisions in accordance with Section 2.3.14, Exempt Subdivision;
B. Court-ordered subdivisions that comply with Chapter 29 of the North Carolina General Statutes;
C. In no instance shall any division of land be exempted from the standards in the following sections:
  1. Section 6.1, Access and Circulation;
  2. Section 6.5, Infrastructure;
  3. Section 6.11, Resource Conservation Areas;
  4. Section 6.12, Riparian Buffers;
  5. Section 6.14, Soil Erosion & Sedimentation Control, unless the amount of land disturbance is below established thresholds; and
  6. Section 6.15, Stormwater.

6.16.4 APPROVAL AND RECORDATION OF PLATS REQUIRED

A. No subdivision of land within the Town's planning jurisdiction, as defined in Section 8.3, Terms Defined, shall occur, and no lot or parcel created by such division of land may be conveyed or developed unless the division complies with the standards of this Ordinance as well as the applicable standards in Section 2.3.18, Limited Subdivision, or Section 2.3.19, Major Subdivision, ~~or Section 2.3.18, Minor Subdivision,~~ as appropriate.
B. Subdivisions of land subject to these standards shall be recorded in the office of the Johnston County Register of Deeds following approval of the plat by the Town.
C. The owner of land or an authorized agent shall sign a statement on the plat prior to recordation that states whether or not all the land shown on the plat is within the Town's planning jurisdiction.

TABLE 6.17.4: SUSTAINABLE DEVELOPMENT PRACTICE INCENTIVES

Type of Incentive	Minimum Number of Sustainable Development Practices Necessary to Utilize Incentive	
	From Schedule A	From Schedule B
A density bonus of up to ten~~one~~ additional dwelling unit per acre beyond the maximum allowed in the base zoning district [1]	1	2
A density bonus of up to 20~~two~~ additional dwelling units per acre beyond the maximum allowed in the base zoning district [2]	1	3
A density bonus of up to ~~three~~ 30 additional dwelling units per acre beyond the maximum allowed in the base zoning district [2]	2	4
An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district	2	3
A reduction from the minimum parking space requirements by 15 percent, or an increase to the maximum allowable number of parking spaces provided by 15 percent	2	2
An increase in the maximum allowable sign area or maximum height for wall or ground-based signs by 10 percent	1	3

NOTES:
[1] All zoning district dimensional requirements still apply.
[2] Zoning district dimensional requirements may be reduced in accordance with the standards and procedures for an Administrative Adjustment.

6.17.5 PROCEDURE

A. Development seeking to use incentives in this section shall include a written request with the development application that identifies the type of sustainable development practice proposed and demonstrates how compliance with the standards will be achieved.

B. Review for compliance with this section, and granting of requests in accordance with this section shall occur during review of a Site Plan, Subdivision, Type 3 Conditional Rezoning, Special Use Permit, or Building Permit, as appropriate. The review authority responsible for review of the development application shall also be responsible for the review of sustainable development incentive request.

C. Approval of use of a particular incentive shall be based on the number of sustainable development practices provided, in accordance with Table 6.17.4, Sustainable Development Practice Incentives, and Table 6.17.6, Menu of Sustainable Development Practices. To obtain the right to a particular incentive, development shall provide the minimum number associated of sustainable development practices from both schedule A and schedule B in the table below.

TABLE 6.17.6: MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

SCHEDULE [1]	TYPE OF PRACTICE	DOCUMENTATION OF COMPLIANCE
A	Inclusion of underground parking or parking structures sufficient to accommodate 51 percent or more of the off-street parking requirements	
A	Setback of a second- or higher story primary building façade wall from a multi-family building's first floor primary façade plane by 12 feet or more	
B	Include operable windows on all building sides	
B	Provision of on-site transit facilities (e.g., designated park-and-ride parking spaces, bus shelters, or similar features)	
B	Inclusion of showering and dressing facilities in non-residential developments for employees using alternative forms of transportation	Inclusion on construction drawings
B	Provision of at least one enclosed recycling station per building suitable for storage and collection of recyclable generated on-site	Indication on site plan
B	Setback of a second- or higher story primary building façade wall from a multi-family building's first floor primary façade plane by six feet or more	
RESIDENTIAL DESIGN STANDARDS		
BB	Voluntary compliance with applicable residential design guidelines	Indicate on site plan

NOTES:
[1] In cases where there are two or more letters listed in the Schedule column, the sustainable development practice qualifies as two or three sustainable development practices.

6.17.7 FAILURE TO INSTALL OR MAINTAIN SUSTAINABLE DEVELOPMENT PRACTICES

The failure to install or maintain approved sustainable development practices is a violation of this Ordinance, shall render the subject development nonconforming, and may result in revocation of the authorization for use of sustainable development practice incentives.

E. NONPAYMENT

If payment is not received or an equitable settlement reached within 30 days after demand for payment is made, the Town may recover any unpaid civil penalty by filing a civil action in the nature of debt.

F. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to assessment of a civil penalty for each succeeding violation over the course of a calendar year.

7.6.2 CONDITIONED PERMIT OR AUTHORIZATION

A. The Planning Director or other designated Town official may condition a permit, authorization, or other approval for land, subdivision, building, structure, sign, use, or development activity on the correction of the violation, payment of civil penalties, and/or the posting of a compliance guarantee approved by the appropriate governmental authority.

B. In no instance shall the authorization of any permit, certificate, or approval for one property with a violation or outstanding enforcement action be conditioned with the correction of a violation, payment of civil penalties within a specified time, or the posting of a compliance guarantee for a different property.

~~B.~~**C.** In no instance shall the Town withhold a permit or Certificate of Occupancy on one lot or site for an applicant's failure to comply with the provisions of this Ordinance on a different lot or site.[116]

7.6.3 CRIMINAL PENALTIES

Violations of certain environmental standards may subject the violator to the imposition of criminal penalties in accordance with the following sections:

A. Section 7.8, Violation of Flood Protection Controls;
B. Section 7.9, Violation of Soil Erosion and Sedimentation Controls;
C. Section 7.10, Violation of Stormwater Controls;
D. Section 7.11, Violation of Stream Buffer Controls; and
E. Section 7.12, Violation of Water Supply Watershed Controls.

7.6.4 DENIAL OF PERMIT OR AUTHORIZATION

The Planning Director or other designated Town official may withhold or deny a permit or other authorization for the same land, subdivision, building, structure, sign, use, or development activity in which there is an uncorrected violation of a provision of this Ordinance, or of a condition or qualification of a permit, certificate, or other authorization previously granted. In no instance shall the Town withhold issuance of a Building Permit or a Certificate of Occupancy for an applicant's failure to complete installation of required improvements or site features on a separate property subject to a different development approval.

7.6.5 EQUITABLE REMEDY

The Town may apply to a court of law for any appropriate equitable remedy to enforce the provisions of this Ordinance. The fact that other remedies are provided under general law or this Ordinance shall not be used by the responsible party as a defense to the Town's application for equitable relief.

[116] See STN # 3 and 20.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
BANK, CREDIT UNION, OR SIMILAR USE	An establishment that provides retail banking services, mortgage lending, cash or checks for the purposes of payments or investments, or similar services to individuals and businesses. Financial institutions include those establishments engaged in the on-site circulation of cash money and check-cashing facilities including bail bond brokers. Banks or credit unions may also provide automated teller machines (ATM) services, located within a fully enclosed space or building, or along an exterior building wall intended to serve walk-up customers only, as well as drive-through facilities. Establishments where patrons compete against others for cash or other prizes in games where the outcome is based on skill are electronic gaming operations.
BANNER	A sign of lightweight fabric or similar material which is rigidly mounted to a pole or a building by a rigid frame at two or more opposite sides. Flags are mounted along one side and shall not be considered banners.
BAR, COCKTAIL LOUNGE, OR PRIVATE CLUB	An establishment having as its principal or predominant use the serving of beer, wine, or liquor for consumption on the premises, and which sets a minimum age requirement for entrance, consistent with state law. The primary source of revenue for such use is derived from alcohol sales, and the secondary source from the serving of food. Such uses may also provide on-site entertainment in the form of live performances, dancing, billiards, or other entertainment activities.
BARBED, CONCERTINA, OR RAZOR WIRE	Wire serving as a fence or located on top of a fence, wall, or building, that includes clusters of short spikes set at regular intervals or supplemented with strands of sharpened metal used as a security method to deter people or animals from climbing the fence, building, or wall.
~~**BARBER OR BEAUTY SALON**~~	~~A personal services establishment where one or more persons provides grooming services to members of the general public. Such uses may include secondary retail sale of personal products for patrons.~~
BASE FLOOD	For the purposes of the Flood Protection Overlay District standards, the flood having a 1 percent chance of being equaled or exceeded in any given year.
BASE FLOOD ELEVATION (BFE)	For the purposes of the Flood Protection Overlay District standards, a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a federal, state, or other source using FEMA approved engineering methodologies. This elevation, when combined with the freeboard, establishes the Regulatory Flood Protection Elevation.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
CHECK CASHING / PAY DAY LENDING	An establishment engaged in loaning money upon deposit of personal property or signature on a promise to repay. Such uses also store personal property on site and may sell goods at retail sale.
CHEMICAL STORAGE FACILITY	For the purposes of the Flood Protection Overlay District standards, a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.
CHICANE	A serpentine curve added to a street as a traffic calming measure.
CHILD CARE, INCIDENTAL	A secondary use where, at any one time, three or more children under the age of 13, receive child care on a regular basis of at least once per week for at least four (but less than 24) hours per day from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. This definition does not include child day care centers, cooperative arrangements among parents, or other activities not defined as child care by NCGS§ 110-86. Provision of child care services for more than six children in a residential dwelling is not a secondary use and is subject to the standards for a child day care center.
CHILD DAY CARE	A commercial or non-profit use licensed by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on a regular basis of at least one occurrence per week for more than four hours per occurrence. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises (e.g., churches, shopping malls, hotels, health spas).
CHRONIC VIOLATOR [117]	A responsible party who owns or maintains property whereupon, in the previous 12 months since issuance of the first notice of violation, the Town has given notice of violation of this Ordinance or the Town Code of Ordinances at least three separate times.
CITATION	As used in Chapter 7, Violations, a formal notice to a person that he or she is charged with a violation of this Ordinance, and that penalty is due.
CIVIL ACTION	A legal action at law brought between a private party(ies) and the Town to protect a civil right or to compel a civil remedy (as opposed to criminal prosecution).
CIVIL PENALTY	A fine or other financial penalty imposed by a court, the County, or another governmental entity as restitution for violation of this Ordinance or other wrongdoing.
CLEAN WATER ACT	For the purposes of stormwater management, the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended, 33 USC 1251, et seq.

[117] See STN # 65.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
DWELLING	Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses or appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home, mobile home, or recreational vehicle if used solely for a seasonal vacation purpose.
DWELLING UNIT	A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
DWELLING UNIT, ACCESSORY	A separate or distinct residential dwelling or housekeeping unit that is located either internally or fully detached from a principal single-family dwelling. An accessory dwelling unit is a complete residential dwelling or housekeeping unit.
DWELLING UNIT, ACCESSORY (DETACHED)	An accessory dwelling unit established on the same lot as a principal single-family detached dwelling but within a separate structure that is clearly separate and detached from the principal single-family detached dwelling.
DWELLING UNIT, ACCESSORY (INTERNAL)	An accessory dwelling unit established within the perimeter walls and roof of an existing single-family detached residential dwelling unit.
DWELLING, CARETAKER	A secondary dwelling unit on a non-residential, mixed-use, or multi-family development site that houses staff responsible for security or maintenance of the site. Accessory dwelling units are not considered as a caretaker dwelling.
DWELLING, DUPLEX	A single detached dwelling on one lot that contains two dwelling units. The units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings.
DWELLING, LIVE/WORK	A structure or portion of a structure combining a dwelling unit with an integrated non-residential work space used by one or more of the residents. The non-residential work space is found on the building's ground floor.
DWELLING, MANUFACTURED HOME	See "Manufactured Home."
DWELLING, MOBILE HOME	See "Mobile Home."
DWELLING, MODULAR HOME	See "Modular Home."

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
DWELLING, MULTI-FAMILY	A structure containing five or more dwelling units that are not located on individual lots. Units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings. Multi-family dwellings include what are commonly called apartments, or condominium units, but not single-family attached dwellings since single-family attached dwellings are on their own individual lots. Structures containing two dwelling units on one lot are duplex or duplex uses. Structures containing three dwelling units on one lot are triplexes. Structures containing four dwelling units on one lot are quadplexes.
DWELLING, QUADPLEX	A single residential structure on one fee simple lot that contains four dwelling units. The units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings. A residential structure containing four units, each on its own fee simple lot, is single-family attached.
DWELLING, SINGLE-FAMILY ATTACHED	A principal dwelling unit in its own structure located on its own fee simple lot. One or more dwelling unit walls on each lot may be shared, party walls. Lots may maintain individual lot frontages on a public street, or may be located entirely within a larger parcel owned in common that incorporates shared parking, recreation features.
DWELLING, SINGLE-FAMILY DETACHED	A dwelling in a single structure located on its own fee simple lot containing one principal dwelling unit meeting the minimum size requirements in the North Carolina Building Code that is occupied by one family and that is not physically attached to any other principal structure on an individual lot. For regulatory purposes, this term does not include Class A or B manufactured dwellings, mobile homes, or recreational vehicles, but does include modular homes. An accessory dwelling unit may be within, attached to, or on the same lot as a single-family detached home.[118]
DWELLING, TEMPORARY	A structure established to serve as a temporary domicile while an existing principal residence is constructed, repaired, or established. A temporary dwelling may also be located on a non-residential construction site and occupied by persons having construction or security responsibilities over the construction.
DWELLING, TEMPORARY DISASTER	A residence (which may be a manufactured home) that is located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster.

[118] See STN # 24.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
GENERAL ASSEMBLY	The General Assembly for the State of North Carolina. Also referred to as the Legislature.
GENERAL PUBLIC	Residents of and visitors to the Town on a lot, site, or within a building, but who do not own the lot, site, or building, or who do not belong to an owners' association with maintenance responsibility of the lot, site, or building.
GENERAL RETAIL	See "Retail, General."
GENERAL STATUTES	A statute is a written law passed the General Assembly that sets forth general propositions of law that courts apply to specific situations.
GLARE	The effect produced within the visual field by a high intensity or insufficiently shielded light source that is significantly brighter than the level to which the eyes are adapted, causing annoyance, discomfort, or loss of visual performance or visibility of objects.
GLAZING	The portion of an exterior building surface occupied by glass or windows. Also referred to as transparency.
GOLF COURSE (PUBLIC OR PRIVATE)	A tract of land laid out with at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse (with or without eating facilities), shelters, a driving range, putting green, maintenance facilities, an irrigation system, and outdoor storage of materials and equipment.
GOOD CAUSE	Legally adequate or substantial grounds or reason to take a certain action based upon the circumstances of each individual case.
GOOD FAITH	Sincere conduct free from malice or a desire to defraud others.
GOVERNMENT OFFICE	An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.
GOVERNMENT MAINTENANCE AND STORAGE FACILITY	A lot or site engaged in the operation, storage, or maintenance of government equipment and associated materials. Such uses may include secondary offices, membrane structures, outdoor storage areas, vehicle storage, and related aspects.
GOVERNMENTAL TRAINING FACILITY	A governmental operation, including structures, open areas, and other facilities intended for training use by governmental emergency service providers and personnel. Governmental training facilities are not open to members of the general public.
GRADE, ESTABLISHED	The ground elevation at a specific point on a site after completion of development activity or prior to development activity on a vacant site.
GRADE, FINISHED	See "Finished Grade."
GRADING	Excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.
GRATE	Metal, wood, or plastic configured to cover or obscure an opening in a wall, roof, or the ground.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
LANDOWNER	The holder of the title to land in fee simple. Absent evidence to the contrary, the Town may rely on county tax records to determine the landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as their representative for the purpose of making applications for development approvals.
LANDSCAPE FABRIC	A geotextile material used to control weeds by inhibiting their exposure to sunlight.
LANDSCAPE ISLAND	The portion of a parking lot intended for landscaping material and pervious surfaces.
LANDSCAPE STRIP	Linear landscape islands located between two parallel rows of off-street parking spaces.
LANDSCAPING	The improvement of a lot, parcel, or tract of land with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, ornamental objects such as fountains, statuary, and objects designed and arranged to produce an aesthetically pleasing effect.
~~**LARGE FORMAT RETAIL**~~	~~See "Retail, Large Format."~~
LATTICE TOWER	A guyed or self-supporting, open, steel frame structure, with three or more sides, that is used to support telecommunications equipment.
LAUNDRY AND FABRIC CLEANING	A commercial establishment engaged in the cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in water or volatile solvents. Such uses may provide cleaning and laundering services on-site or in off-site locations.
LEGISLATIVE PUBLIC HEARING	See "Public Hearing, Legislative."
LETTER OF MAP CHANGE (LOMC)	For the purposes of the Flood Protection Overlay District standards, an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include a Letter of Map Amendment (LOMA) - an official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
LETTER OF MAP REVISION (LOMR)	For the purposes of the Flood Protection Overlay District standards, a revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
MARKET VALUE	For the purposes of the Flood Protection Overlay District standards, the building value, not including the land value and that of any secondary structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.
MASS GRADING	Removal, deposition, ~~Movement~~ or redistribution of ~~large quantities of~~ soil or fill material ~~on a development site.~~ that takes place across 75 percent or more of the surface of a single lot, site, or development phase that is five acres or more in area. Mass grading involves the cut and fill of substrate rather than deposition and redistribution of topsoil. Mass grading is accomplished with bulldozers, excavators, and graders rather than with skid steers or with hand tools. Mass grading typically takes place early in the construction process in advance of fine or finish grading associated with installation of building foundations, erosion control measures, landscaping, or paving. Mass grading activities typically result in the removal of all or substantially all existing vegetation from a lot, site, or development phase. [119]
MASTER PLAN	See "Plan, Master."
MATERIAL RETURN	The continuation of one or more exterior building materials on one building façade beyond an inside or outside building corner to a logical termination point on a different wall plane.
MATURE TREE	A tree that has reached more than one-third of its expected maximum size.
MAUSOLEUM	See "Cemetery or Mausoleum."
MAXIMUM EXTENT PRACTICABLE (POSSIBLE)	No feasible or practical alternative exists, as determined by the Town, and all possible efforts to comply with the standards or regulation to minimize potential harmful or adverse impacts have been undertaken by an applicant. Economic considerations may be taken into account but shall not be the overriding factor determining "maximum extent practicable."
MDC	For purposes of Stormwater Management, minimum design criteria as set forth by the Department for stormwater control devices in the Design Manual.
MEAN SEA LEVEL	The National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988, or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which Base Flood Elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.
MECHANICAL EQUIPMENT	Equipment and fixtures used for HVAC, fabrication, assembly, or production purposes.

[119] See STN# 41.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
MEMBRANE STRUCTURE	A secondary structure comprised of a metal frame covered by tensioned membrane of fabric, plastic, or poly carbonate material that is secured to the ground and used for the purposes of storage, maintenance, or minor fabrication of goods or materials. A membrane structure is typically not considered a permanent structure, though it may remain in place for months or years. [120]
METAL FABRICATION	A commercial establishment engaged in the alteration or modification of metal goods, building supplies, tools, or other products comprised primarily of metal. Such uses may include welding, folding, shaping, assembly, coating, or other activity associated with raw forms of metal, but metal fabrication uses are not involved in the creation of metal products from raw materials.
METAL HALIDE	A method of providing illumination by a bulb filled with gas or vapor that provides illumination when an electrical current is passed through it.
MICRO BREWERY, MICRO DISTILLERY, OR MICRO WINERY	An establishment engaged in the production and packaging of malt beverages, wine or spirits for distribution, retail, or wholesale both on and off-premises. A micro brewery is a facility that produces less than 15,000 barrels of beer per year and sells the majority of the beer it produces for off-site resale and consumption. A micro winery produces less than 100,000 gallons of wine per year. A micro distillery produces less than 15,000 gallons of alcoholic spirits per year. Secondary uses may include a taproom, seating areas, ancillary sales of related merchandise, event space, and warehouse space for stored product.
MICRO RETAIL	See "Retail, Micro."
MID-BLOCK ALLEY AMENDED 9.16.24 (UDOTA2-24)	A street, whether public or private, meeting the specifications and configuration of an alley street that transects a single block of lots approximately mid-way along the block face. Mid-block alleys connect streets or connect a street with another alley.
MINOR MODIFICATION	An insignificant deviation in an application, proposed development, or portion of a development that does not impact the operation, appearance, function, value, or compatibility of proposed development.
~~**MINOR SUBDIVISION**~~	~~See "Subdivision, Minor."~~
MINOR UTILITY	See "Utility, Minor."
MINOR VARIANCE (WATERSHED)	A variance from the minimum statewide watershed protection rules that results in a relaxation by a factor of up to 10 percent of any management requirements.

[120] See STN # 28.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
MIXED-USE DEVELOPMENT	A format that includes some combination of integrated residential, commercial, industrial, or institutional use types in one single building or within one single development that is planned, built, themed, or operated in a unified manner. Mixed use development may include different use types within the same building or different use types within the same development that is comprised of multiple buildings.
MOBILE HOME	A detached residential dwelling unit constructed prior to July 15, 1976, that does not bear a certification of compliance with National Manufactured Housing Construction and Safety Standards Act of 1974. A mobile home is designed for transportation after fabrication on streets or highways on its own wheels or a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and similar features. Mobile homes are typically 16-feet-wide or less.
MOBILE HOME PARK	A commercial use where land is divided into individual leaseholds, but not individual lots owned in fee simple that are intended for occupation by individual mobile, manufactured, or modular homes. Mobile home parks may include shared or individual accessways, recreation facilities, and other shared secondary uses like laundries, storage, or refuse collection areas.
MOBILE RESTAURANT	A motorized vehicle that is designed to be readily moved and operated for the purpose of preparing and or selling food and or non-alcoholic beverages to the general public on a recurring basis.
MODIFICATION, MAJOR	See "Amendment."
MODIFICATION, MINOR	A change, revision, addition, or deletion to a development approval of a de minimum or small nature that does not impact the basic configuration or operation of development.
MODULAR HOME	A prefabricated detached residential dwelling unit that is built in sections (or modules) in a factory setting and then transported to a permanent location for assembly. Modular homes are placed on a permanent foundation and must comply with the North Carolina Residential Building Code. For the purposes of this Ordinance, modular homes are considered identical to site-built single-family detached dwellings. [121]
MOLDING	An ornamentally shaped outline as an architectural feature, especially in a cornice.
MONOPOLE TOWER	A communication tower consisting of a single pole, constructed without guy wires and ground anchors.
MONUMENT	A permanent marker, typically inserted into the ground, showing the location of a lot line, lot corner, or other demarcation associated with a lot or right-of-way.

[121] See STN # 24.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
RESIDENTIAL DEVELOPMENT	Buildings for residence such as attached and detached single-family dwellings, apartment complexes, condominiums, and their associated outbuildings such as garages, storage buildings, and gazebos and customary home occupations.
RESIDENTIAL TREATMENT FACILITY	Inpatient facility which provides care for persons with drug and/or alcohol dependency problems and which may include outpatient follow-up care to the facility's patients.
RESIDUALS	Any solid or semi-solid waste generated from a wastewater treatment plant, water treatment plant, or air pollution control facility permitted under the authority of the Environmental Management Commission.
RESOLUTION	The official written expression of the opinion or the will of the Town Council, Board of Adjustment, or Planning Board.
RESTAURANT	An establishment where meals or prepared food, including beverages and confections, are served to customers for consumption on or off the premises. Seating for patrons consuming products on site are located either indoors or outdoors, and the use does not provide drive-through service. Such uses may include a bar or cocktail lounge as a secondary use.
RESTAURANT, MOBILE	See "Mobile Restaurant."
RESTORATION	The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.
RETAIL, GENERAL	Commercial establishments engaged in the retail sale of goods and services.
~~**RETAIL, LARGE FORMAT**~~	~~A retail establishment consisting of a single or multiple tenants in one or more buildings totaling 70,000 square feet or more of indoor and outdoor area with 70 percent or more of the total floor area occupied by retail sales activities.~~
RETAIL, MICRO	Small-scale commercial operations employing two or fewer people on a shift in a building or individual tenant space of 1,000 square feet or less. A micro-retail use may share building floor area with other residential or non-residential uses.
RETAINING WALL	See "Wall, Retaining."
RETENTION POND (WET)	A stormwater control measure consisting of a depression in the land that is designed to capture runoff from a design storm and release it gradually over a specified period of time via a properly designed outlet structure.
REVEGETATION PLAN	A plan depicting the re-establishment or replanting of required vegetation or landscaping material on a lot or site where clearing has taken place in violation of this Ordinance or a condition of approval.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
SIGN	Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, trade names or trademarks by which any message is made known, including any surface, fabric or other material or structure designed to carry such devices that are used to designate or attract attention to an individual, a firm, an event, an association, a corporation, a profession, a business or a commodity or product that are exposed to public view. The definition of a sign does not include flags, badges, or insignias of any governmental unit.
SIGN CABINET	A metal enclosure housing sign face displays and methods of internal illumination, when provided.
SIGN FACE AREA	The portion of sign that contains the message being conveyed, as determined in accordance with Section 6.13.8, Sign Measurement.
SIGN HEIGHT	The height to the tallest point of a sign structure, as determined in Section 6.13.8, Sign Measurement.
SIGN PERMIT	A development approval associated with the erection, alteration, continuation, or removal of signage or ancillary features associated with a sign.
SIGN SUPPORTING STRUCTURE	The framework and structural support for a sign.
SIGN, AWNING	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, BANNER	See Section 6.13.10, Temporary Sign Standards. ~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, BILLBOARD	See "Sign, Outdoor Advertising."
SIGN, BOW	A feather flag sign with an elongated mounting post that curves at the top to form a circular shape within which the sign material is mounted.
SIGN, CHANGEABLE COPY	A sign with a portion of the face area that accommodates the regular or occasional manual modification to the message or copy.
SIGN, DILAPIDATED	A sign that is old or that has been poorly maintained that poses a public safety hazard or is difficult to read.
SIGN, ELECTION	See "Sign, Political."
SIGN, FEATHER FLAG	A sign made of fabric or similar material in a curvilinear shape that is mounted to a pole along the long edge of the sign.
SIGN, FENCE WRAP	A temporary sign affixed to fencing surrounding an active construction site.
SIGN, FLASHING	A sign with a message that is intermittently on and off or supplemented with lights that turn on and off in rapid succession.
SIGN, GOVERNMENT	Any temporary or permanent sign erected and maintained for any government purposes.
SIGN, GROUND	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
SIGN, INCIDENTAL	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, INFLATABLE	A hollow sign that is intended to expand as air is pumped inside of it. Inflatable signs are tethered to the ground or some other structure.
SIGN, MONUMENT	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, MOVING	A sign that moves or has moving parts, including but not limited to the sign face area, the sign support structure, or some other element of the sign. Flags and banners are not considered moving signs.
SIGN, NONCONFORMING	Any sign that was lawfully established, but does not meet the standards of this Ordinance.
SIGN, OBSOLETE	A sign advertising a use or establishment that is no longer present.
SIGN, OUTDOOR ADVERTISING	A sign, configured for viewing primarily by persons travelling in an automobile on an interstate or primary commercial highway. Outdoor advertising directs attention to a business, commodity, service, or entertainment that is conducted, sold, or offered either on the premises or off the premises where the sign is located.
SIGN, PROJECTING	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, SHORT-TERM	See Section 6.13.10, Temporary Sign Standards.
SIGN, SIDEWALK	See Section 6.13.10, Temporary Sign Standards. ~~Section 6.13.9, Sign Standards by Sign Type.~~
SIGN, SOCK	Section 6.13.10, Temporary Sign Standards.
SIGN, SUBDIVISION	See Section 6.13.9, Permanent Sign Standards~~6.13.9, Sign Standards by Sign Type~~.
SIGN, SUSPENDED	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, TEMPORARY[122]	~~See Section 6.13.9, Sign Standards by Sign Type.~~Signage and supporting structures intended to display signage for a limited duration of time.
SIGN, TRAFFIC WARNING	Signage devoted to warning motorists, pedestrians, or bicyclists of a potential traffic hazard or other danger.
SIGN, WALKWAY DECAL	Section 6.13.10, Temporary Sign Standards.
SIGN, WALL	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SIGN, WINDOW	See Section 6.13.9, Permanent Sign Standards~~Section 6.13.9, Sign Standards by Sign Type~~.
SILL	A horizontal piece or structural member typically found below a window, door, or other opening.

[122] See STN # 54.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
SUBDIVISION, FAMILY	A division of land where lots are conveyed from one immediate family member to another immediate family member.
SUBDIVISION, LIMITED	A subdivision of three or fewer lots comprised of more than five acres in accordance with Section 160D-802 of the North Carolina General Statutes.
SUBDIVISION, MAJOR	A division of two or more lots involving the extension or installation of public infrastructure, or the division of land creating six or more lots with no extension or installation of public infrastructure.
~~**SUBDIVISION, MINOR**~~	~~A division of land creating more than one but fewer than six lots, with no extension or installation of public infrastructure.~~
SUBSIDIARY	For the purposes of Soil Erosion and Sedimentation, an affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person.
SUBSTANTIAL CHANGE	An amendment or deviation in a development, a development application, a use, or a site condition that is significant enough to alter the nature of the development or proposal, its function, or its impact on its surroundings. Substantial changes typically require re-review or additional consideration by an appropriate review authority.
SUBSTANTIAL COMMENCEMENT	The initiation of development or development-related activity subject to the requirements of this Ordinance. Each of the following activities must have taken place in order to achieve substantial commencement: - All required authorizations to begin the development (including a Building Permit) are secured; and - All application fees and applicable fines have been paid in full; and - Any required notice of commencement to all governmental entities or other identified parties has taken place; and - Performance of some form of site-related activity that requires prior approval from the Town has taken place. Initiation of site-related activity that does not require some form of approval from the Town, such as surveying, site investigation, plan or study preparation, minor clearing or grubbing of the site, full or partial demolition, or agricultural related activity associated with a bona fide farm, shall not be considered as substantial commencement. Substantial commencement does not require the start of construction on a principal structure or commencement of the anticipated operation of the approved use.
SUBSTANTIAL CONFORMITY	A condition where there is no variation from the preliminary plan or plat, other than minor changes in the size of lots, the location of lot lines, the locations or sizes of easements, or the width of streets. Change in types or numbers of land uses, any variance in residential density, or any change in location of a public right-of-way shall not be considered as being in substantial conformity with an initial approval. For the purposes of this definition, minor changes shall be changes in dimensional attributes of five feet or less or any variation of a dimensional standard of five percent or less.

TABLE 8.3: TERMS DEFINED	
TERM	**DEFINITION(S)**
UNDERTAKEN	For the purposes of Soil Erosion and Sedimentation, the initiating of any activity, or phase of activity, which results or will result in a change in the ground cover or topography of a tract of land.
UNIFIED DEVELOPMENT	A development consisting of two or more principal structures on one or more lots that is planned, organized, and ~~operated~~ developed as a single development for the purposes of the development standards.
UNLICENSED VEHICLE	A motor vehicle, including a trailer, that does not have a valid and unexpired license plate.
UPPER STORY RESIDENTIAL	See 'Dwelling, Upper-Story Residential."
URBAN ARCHERY	A regulated program of noncommercial bowhunting of deer as a means of managing overpopulated herds. [123]
URBAN HEAT ISLAND	A portion of an urban or metropolitan area that is significantly warmer than its surroundings due to additional paving, building mass, and lack of shade. The temperature difference usually is larger at night than during the day, and is most apparent when winds are weak.
URGENT CARE	A walk-in clinic or medical facility focused on the delivery of ambulatory care for injuries or illnesses requiring immediate care, but not serious enough to require a hospital emergency department.
USABLE OPEN SPACE	A parcel or parcels of land or an area of water as a combination of both land and water and designed for the recreational use and enjoyment of residents of the proposed development, not including streets or off-street parking areas. Not more than one half of the required usable open space may be areas covered by water. Usable open space shall be substantially free of structures but may contain such improvements as are appropriate for the benefit of residents. A maximum of five percent of the area designated as usable open space may be covered by structures clearly ancillary to the recreational use of the space. Except for such structures, all usable open space shall be unobstructed except for plants, lawn furniture, swimming pools, terraces, walkways, play equipment, etc., so arranged to provide for the free movement of the people within the space. No portion of any such usable open space shall be located in any required yard area adjacent to a public street. Parking areas, vehicle drive aisles, and storage areas shall not be included in the calculation of usable open space.
USE	The purpose for which land or structures thereon is designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased.
USE STANDARD	The requirements in this Ordinance applied to a particular use type regardless of the zoning district where it is located.
USE TYPE	See "Use."

[123] See STN#35.

PROCEDURES MANUAL

UNIFIED DEVELOPMENT ORDINANCE

REFERENCE ONLY
NO ACTION REQUIRED

Effective: June 17, 2025

ABOUT THE UDO PROCEDURES MANUAL

This Procedures Manual (PM) is intended to supplement the Town of Clayton's Unified Development Ordinance (UDO) by providing policy requirements. The information contained in this PM is approved at the administrative, Town staff, level and as such, is able to be modified and updated without direct Town Council approval. This allows for a quicker approach to adjust to feedback from the development community, business and property owners, and staff's ongoing improvement of administrative operations.

In the UDO Text Amendments (UDOTA) 1-25, approved by the Town Council on June 17, 2025, several Sections and Chapters were removed from the UDO. These removed Sections and Chapters were placed into this PM. The text from removed Chapters and Sections was also updated to reflect current practice by Town Staff.

Sections and Chapters of the UDO that were removed in UDOTA 1-25 (approved on June 16, 2025) and included in this PM are the following:

- Frequently Asked Questions (FAQ)
- Section 4.7.2: Use Category Descriptions
- Chapter 9.1: Subdivision Plat Certifications and Declarations
- Chapter 9.2: Information Required with Applications

An addition to the UDO Procedures Manual is the Suggested Plant Materials List. This list includes both native and non-native plant species of trees, shrubs, groundcover and grass for planting in Clayton. The list also includes a list of invasive species as identified by the North Carolina Agricultural Extension, the North Carolina Forest Service, or the North Carolina Invasive Plant Council (https://nc-ipc.weebly.com/nc-invasive-plants.html).

NC Invasive Plant Species Resources:

- NC Agricultural Extension: https://content.ces.ncsu.edu/invasive-plants-and-your-forests
    - https://www.srs.fs.usda.gov/pubs/gtr/gtr_srs119.pdf
- NC Invasive Plant Council: https://nc-ipc.weebly.com/piedmont-invasive-plants.html
- NC Forest Services: https://www.ncagr.gov/divisions/nc-forest-service/forest-health/invasive-plants

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UDO PROCEDURES MANUAL

1 FREQUENTLY ASKED QUESTIONS

The following is a list of frequently asked questions about the UDO and the development review process. In the event of conflict between an answer listed in this Frequently Asked Questions and Answers section and the adopted UDO text, the UDO text will control. Questions about the Answers provided below should be directed to the Town's Planning Department at (919) 553-5002 or email at planning@townofclaytonnc.org for more information.

Table 1: Frequently Asked Questions and Answers

QUESTION	ANSWER
WHAT IS THE UNIFIED DEVELOPMENT ORDINANCE	The Unified Development Ordinance (or "UDO") is the set of laws used by the Town to ensure land is subdivided and used in ways that promote the health, safety, and welfare of all Town residents, visitors, and landowners. The UDO sets rules for how land can be used in the Town and how to change the application of these rules to allow different uses. The UDO also includes development rules for things like parking, landscaping, signage, fencing, and building architecture. The text of the UDO is available in the offices of the Town of Clayton Planning Department at 111 E Second Street. It is also available online from the Town's website at: https://www.townofclaytonnc.org/746/Unified-Development-Ordinance
WHAT IS THE OFFICIAL ZONING MAP?	The Official Zoning Map shows the zoning districts for each property as adopted by the Town of Clayton. Zoning districts control how land is used, as well as the size, width, and required setbacks for each lot. A property's zoning district designation may be changed by following the steps required in the UDO. Copies of the Official Zoning Map are available in the offices of the Town of Clayton Planning Department at 111 E Second Street. It is also available online from the Town's website at: https://www.townofclaytonnc.org/238/Maps-GIS
WHAT IS THE COMPREHENSIVE PLAN?	The Think Clayton: 2045 Comprehensive Growth Plan is the Town's plan for future growth. The Plan expresses a vision for how the Town can accommodate opportunities for new residents and businesses while retaining what the community loves about Clayton. This plan was adopted by the Town Council on November 15, 2021 and is the guiding direction that informs the regulations within the UDO. For more details on what is included in the Comprehensive Plan, please visit: www.townofclaytonnc.org/234/2045-Comprehensive-Growth-Plan

Table 1: Frequently Asked Questions and Answers	
Question	**Answer**
What can I do or place on my land?	Land may be developed in the Town of Clayton based on the zoning district designation for the land. Zoning districts include allowable uses as specified in Chapter 4 of the UDO. Bona fide farm and forestry uses are allowed everywhere in the Town.
What permits do I need to build a house?	All single-family detached dwellings require prior approval of a Zoning Compliance Permit, and a Building Permit issued from the Town of Clayton. In cases where the home is on its own well or septic system, the dwelling also requires prior approval from Johnston County Environmental Health to ensure the lot has a potable water supply and a method for dealing with sewage. Dwellings located in a floodplain or flood prone area also require issuance of a Floodplain Permit. If significant amounts of grading or soil deposition is required before the house can be built, it may be necessary to obtain a Land Disturbance Permit before construction starts. During construction, the building must be inspected by Town Building Inspectors as required by State law, and a Certificate of Occupancy must be issued before the home may be occupied.
Do I need a permit to build a deck?	Building a porch or a deck on or near a single-family detached dwelling requires approval of a Building Permit. Zoning review will be done at the time of building permit submittal. Decks should never be built within any easements on a property, such as a drainage or public utility easement.
Do I need a permit to build a fence?	A Zoning Compliance Permit is required to build a fence. Fences over six feet in height also require a Building Permit to show compliance with wind loading requirements required under State law. Section 6.3 of the UDO contains the rules for fences and walls.
Do I need a permit for a sign?	All forms of signage require approval of a Sign Permit by the Town unless specifically exempt, as listed in UDO Section 6.13.3.

Table 1: Frequently Asked Questions and Answers	
Question	**Answer**
Do I need a Permit to Have Operate a Business in my Home?	Operating a home-based business (also called a "home occupation") requires approval of a Zoning Compliance Permit issued by the Town. Home occupation is an allowed secondary use in the zoning districts designated in UDO Table 4.5.4. Owners should note that there are several uses that are prohibited as home occupations as listed in Section 4.4.3. While the Town does not issue a Business License, a business must register with the North Carolina Secretary of State: https://www.sosnc.gov/divisions/business_registration
How do I create an Additional Lot for a Family Member?	Lots may be created for family members on a limited basis using the process for a "family subdivision" per UDO Section 2.3.18.D.2. A subdivision of land creating lots for family members must be signed by Town personnel and recorded within 30 days of Town approval at the Johnston County Register of Deeds at 207 E. Johnston Street, Suite 209, Smithfield, NC, 27577. Failure to record a plat for a family subdivision will interfere with obtaining a Building Permit to build a structure on the lot.
What is the Process for Rezoning my Land?	Rezoning land is a change to the Town's Official Zoning Map and must be approved by the Town Council at a public hearing. This process takes into consideration the recommendation of Town staff and the Planning Board. A rezoning may either be Conventional or Conditional.
Who Makes Decisions on Applications?	Development applications are decided by the Planning Director, the Engineering Director, the Building Inspector, the Town Council, or the Board of Adjustment based on the type of application. The UDO includes Table 2.2.1 that identifies who decides which kinds of applications.
How can I Appeal a Decision?	Any decision by a Town staff member (like the Planning Director) may be appealed to the Board of Adjustment. Decisions from decision-making bodies like the Board of Adjustment may be appealed to the Superior Court for Johnston County. Appeals must be petitioned within certain time frames based on the decision type, refer to UDO Section 2.3.2.
Who Should I call About Flooding?	Persons with questions about flooding should contact the Engineering Department at (919) 553-5002 or email at engineering@townofclaytonnc.org
Who Should I call About Code Violations or Other Nuisances?	Persons with questions about code violations or other nuisances should contact the Planning Department at (919) 553-5002 or email at planning@townofclaytonnc.org

Table 1: Frequently Asked Questions and Answers	
QUESTION	**ANSWER**
HOW CAN I LEARN MORE?	To learn more, contact the Town's Planning Department at (919) 553-5002 or email at planning@townofclaytonnc.org or visit the Planning Department's website at: https://www.townofclaytonnc.org/217/Planning

2 USE CATEGORY DESCRIPTIONS

The following tables set out the range of use categories, use characteristics, and example use types by use classification listed in Section **Error! Reference source not found.**, **Error! Reference source not found.**.

2.1 AGRICULTURAL USE CLASSIFICATION

Table 5.1, Agricultural Use Categories, sets out the use categories included in the agricultural use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 5.1: AGRICULTURAL USE CATEGORIES

USE CATEGORY	CHARACTERISTICS EXAMPLES
Agricultural Processing	The Agricultural Processing Use Category is characterized by uses engaged in the storage, distribution, refinement, packaging, and transport of agricultural products and by-products.
	Example use types include grain and feed elevators, processing, caning, and dehydration plants, as well as storage facilities. Processing of animal products is an industrial use.
Agricultural Production	The Agricultural Production Use Category is characterized by general agricultural activities, including the cultivation and production of orchard, garden, or nursery crops on a small or large scale, the production of field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses. The use category also includes agronomy, aquaculture, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), fisheries, honey production, and similar uses. Secondary uses may include offices, storage areas and repair facilities related to agriculture uses.
	Example use types include agronomy, aquaculture, biotechnical, crop farming, fisheries, apiculture, silviculture, plant nurseries, and similar uses.
Agricultural Support Services	The Agricultural Support Services Use Category is characterized by commercial establishments engaged in the sales, repair, rental, and storage of tools, equipment, supplies, and machinery in support of farms, farming, agriculture, or horticulture.
	Example use types include farm equipment sales, sales of farming supplies, establishments engaged in repair, refurbishment, servicing of farm equipment (whether on-site or in a centralized location), agricultural research facilities, and similar uses.

TABLE 5.1: AGRICULTURAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Livestock-Related	The Livestock-Related Use Category is characterized by the commercial and non-commercial propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals and livestock.
	Example use types include the raising and production of cattle (beef and dairy), pigs, mules, ducks, horses, goats, poultry, sheep, and similar livestock or domesticated animals. Breeding and rearing of animals typically thought of as household pets (e.g., dogs, cats, small rodents, etc.) is not animal husbandry.

2.2 COMMERCIAL USE CLASSIFICATION

Table 5.2, Commercial Use Categories, sets out the use categories included in the commercial use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 5.2: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Animal Related	The Animal-Related Use Category is characterized by uses related to the provision of medical services and treatment to animals, including veterinary services, animal hospitals, and the boarding of animals related to the provision of these services.
	Examples use types include animal shelters, animal grooming, kennels (outdoor and indoor), animal hospitals, and veterinary clinics.
Eating & Drinking	The Eating and Drinking Use Category includes use types that prepare and sell food and beverages for immediate or direct on- or off-premise consumption. Secondary uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.
	Example use types include restaurants (including brewpubs) with indoor and outdoor seating, caterers, restaurants, specialty eating establishments (ice cream parlors, bakery shops, dessert shops, juice, or coffee houses). Secondary uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.

TABLE 5.2: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Equipment Related	The Equipment-Related Use Category is characterized by commercial establishments engaged in the rental and repair of large and small equipment, tools, tables, chairs, party supplies, plants, and similar features available for short term rental for consideration.
	Example use types include tool rental, and heavy and light equipment repair/refurbishment uses.
Event Venue	The Event Venue Use Category is characterized by establishments that provide gathering spaces and facilities available for conducting events, receptions, and similar shared experiences. Such facilities are rented hourly or by the day, and may include dining, catering, and activity areas. Secondary uses may include classrooms, accommodations, and equipment storage.
	Example use types include conference halls, conference centers, retreats, wedding venues, and similar spaces.
Financial Services	The Financial Services Use Category includes use types engaged in the provision of financial advice, savings, making of loans, and secure storage of currency or similar valuables.
	Example use types include banks, credit unions, investment offices, payday loan establishments, credit counselling, and pawn shops.
Lodging	The Lodging Use Category includes use types that provide lodging units or space for short-term stays for rent, lease, or interval occupancy. Secondary uses may include pools and other recreational facilities, limited storage, restaurants, bars, supporting commercial, meeting facilities, offices, and parking.
	Example use types include hotels, motels, bed and breakfast inns, extended stay facilities, campgrounds, and hunting lodges.
Office Related	The Office Use Category includes use types that provide for activities that are conducted in an office setting and generally focus on business, professional, or financial services. Secondary uses may include cafeterias, day care facilities, recreational or fitness facilities, parking, supporting commercial, or other amenities primarily for the use of employees in the business or building.
	Example use types include business and sales offices (such as tax preparers, and real estate agents), and professional services (such as lawyers, accountants, engineers, or architects). Offices that are part of and located with a principal use in another use category are considered secondary to the establishment's primary activity. Contractors and others who perform services off-site are included in the Offices Use Category if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site. Government offices and medical and dental clinics, medical or dental labs, and blood collection facilities are classified as Institutional uses.

TABLE 5.2: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Parking Related	The Parking-Related Use Category includes uses engaged in the provision of short-term, temporary off-site parking for automobile, trucks, motorcycles, battery powered vehicles, and similar vehicles intended for personal transport. Such uses may or may not permit the temporary storage of trailers and similar vehicle-related appurtenances.
	Example use types include parking lots and parking structures. Uses engaged in sales or rental are vehicle-related uses.
Personal Services	The Personal Service Use Category is characterized by use types related to the provision of services or product repair for consumers. Personal services use types meet frequent or recurrent service needs of a personal nature, including the repair of small personal items such as shoes, watches, jewelry, and clothing.
	Example use types include laundromats, laundry and dry-cleaning drop-off establishments, photographic studios, mailing or packaging services, photocopy and blueprint services, funeral homes, fitness centers, locksmiths, hair salons and barber/beauty shops, tanning and nail salons, tattoo parlors and body piercing establishments, massage therapy and day spas, dance or music instruction, and psychics or mediums.
Recreation Related	The Recreation-Related Use Category is characterized by use types that provide recreational, amusement, and entertainment opportunities that are privately-owned and commercial in nature. Uses may be either indoors, outdoors, or both.
	Example use types include recreational uses occurring outdoors (private golf driving ranges and privately-owned miniature golf facilities; go-cart racing, race-track, or dirt-track facilities; water parks, and amusement parks; and privately-owned active sports facilities), billiard halls, indoor commercial recreation uses, bowling alleys, movie theatres, dance and yoga studios, fitness centers, sports instructional schools, martial arts instruction, and similar uses.
Retail Sales	The Retail Sales Use Category includes use types involved in the sale, lease, or rent of new or used products primarily intended for the general public. Secondary uses may include offices, storage of goods, limited assembly, processing, or repackaging of goods for on-site sale, concessions, ATM machines, outdoor display/sales areas, and parking. Use types within this use category are categorized based on their intensity, scale, and function.

TABLE 5.2: COMMERCIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include stores selling, leasing, or renting consumer, home, and business goods, whether new or used, including art and art supply stores, audio/video stores, bicycle sales, book stores, clothing stores, convenience stores, department stores, dry good sales, electronic equipment stores, fabric shops, furniture stores, florist shops, garden supply centers, gift shops, grocery stores, hardware stores, stores that sell household products, jewelry stores, office supply stores, pet and pet supply stores, and pharmacies. Secondary uses may include storage of products for sale, offices, concessions, seating areas, areas for testing of products prior to purchase, and provision of product-related service or repair.
Sexually-Oriented Business	An adult use as defined in Section 14-202.10(2) of the North Carolina General Statutes.
Storage Related	The Storage-Related Use Category includes uses engaged in the temporary short-term storage of goods, personal property, vehicles, and similar aspects in off-site areas. Storage of goods can take place in indoor and outdoor facilities.
	Example use types include self-storage facilities.
Vehicle Related	The Vehicle-Related Use Category includes use types involving the direct sale; rental; storage; and servicing of automobiles, trucks, boats, motorcycles, recreational vehicles, and other consumer motor vehicles intended to transport persons or goods over land or water or through the air, whether for recreation, commerce, or personal transport. Secondary uses may include offices, sales of parts, maintenance facilities, parking, outdoor display, and vehicle storage.
	Example use types include vehicle sales or rentals; automotive repair and servicing; automotive painting/bodywork; boat and marine sales or rental; aircraft parts, sales, and maintenance; transmission shops; automotive wrecker services; oil change, state vehicle inspection, and muffler shops; automotive parts sales and maintenance; car wash and auto detailing; and tire sales and mounting services.

2.3 INDUSTRIAL USES

Table 5.3, Industrial Use Categories, sets out the use categories included in the industrial use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 5.3: INDUSTRIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Energy Related	The Energy-Related Use Category is characterized by establishment engaged in the industrial-scale production of energy (electricity).
	Example use types include solar energy conversion, wind energy conversion, geothermal, and gas energy conversion activities, as well as coal-fired plants, natural gas plants, and hydro-electric facilities.
Extractive Industry	The Extractive Industry Use Category includes use types involving the extraction, removal, or basic processing of minerals, liquids, gases, or other natural resources. Such uses also include quarrying, well operation, drilling, mining, or other procedures typically done at an extraction site. Secondary uses may include offices, limited wholesale sales, security or caretaker's quarters, outdoor storage, and maintenance facilities.
	Examples use types include quarries, borrow pits, mining, and sand and gravel operations.
Flex Space	The Flex Space Use Category includes uses engaged in the provision of covered floor area available for short-term or long-term rental for the conduct of light industrial, assembly, storage, office, and related functions.
	Example use types include industrial floor area that is available for rental and configuration as a wide variety of use types.
Industrial Services	The Industrial Services Use Category includes use types involving the repair or servicing of industrial, business, or consumer machinery equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar use types perform services off-site. Few customers, especially the general public, come to the site. Secondary activities may include limited retail or wholesale sales, offices, parking, warehousing, and outdoor storage.
	Example use types include machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; heavy equipment sales, rental, or storage; heavy equipment servicing and repair; building, heating, plumbing, or electrical contractors; fuel oil or bottled gas distributors; research and development facilities; laundry, dry-cleaning, and carpet cleaning plants; and general industrial service uses. Contractors and others who perform services off-site are included in the Office Use Category under Commercial Use Classification if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site.

TABLE 5.3: INDUSTRIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Manufacturing	The Manufacturing Use Category includes use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. The use category also includes custom industries (establishments primarily engaged in the on-site production of goods by use of hand tools and small-scale equipment). Goods are generally not displayed or sold on site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the manufacturing site. Secondary uses may include retail or wholesale sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, fueling facilities, security and caretaker's quarters.
	Manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, the manufacture of other wood products; production or repair of small machines or electronic parts and equipment; and similar uses.
Utility-Related	The Utility-Related Use Category is characterized by activities associated with the provision of a utility or infrastructure-related service such as electricity distribution, potable water treatment, storage, or delivery, wastewater collection, storage, or treatment. Facilities are classified as major or minor depending upon their impacts or scale.
	Example use types include potable water treatment plants, utility equipment and storage yards, utility substations, water towers, pump stations, stormwater management facilities, telephone exchanges, and facilities serving transit.
Warehouse-Related	The Warehouse-Related Use Category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Secondary uses include offices, truck fleet parking, outdoor storage, and maintenance areas.
	Example use types include separate storage warehouses (used for storage by retail stores such as furniture and appliance stores); distribution warehouses (used for distribution by trucking companies; cold storage plants; and outdoor storage (as a principal use). Self-storage is a commercial use type.

TABLE 5.3: INDUSTRIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Waste-Related	The Waste-Related Use Category includes use types that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. This use category also includes use types that receive wastes from others. Secondary uses may include offices, outdoor storage, recycling of materials, and repackaging and trans-shipment of by-products.
	Example use types include recycling and salvage centers, convenience centers, transfer stations, land clearing and construction debris landfills, tire disposal or recycling, waste composting, incinerators, energy recovery plants, salvage yards and junkyards, and recycling drop-off centers.
Wholesale Sales	The Wholesale Use Category includes use types involving the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or taking of orders and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer. Secondary uses may include offices, product repair, warehouses, minor fabrication services, outdoor storage, and repackaging of goods.
	Example use types include sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, plants and landscaping materials, auto parts, and building hardware.

2.4 INSTITUTIONAL USES

Table 5.4, Institutional Use Categories, sets out the use categories included in the institutional use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 5.4: INSTITUTIONAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Assembly	The Assembly Use Category is characterized by uses and facilities that bring people together for the purposes of learning or discussion, worship, recreation, or as part of a fraternal organization. Secondary uses may include entertainment or recreation facilities, day care, food preparation facilities, offices, parking, and similar features.
	Example use types include auditoriums, community centers, fraternal clubs, lodges, and religious institutions. Schools are included in the education related category.
Cultural Facility	The Cultural Facility Use Category includes use types of a public, nonprofit, or charitable nature that provide cultural amenities and educational services. Services and facilities typically include meeting areas, display areas, recreational features, as well as indoor facilities used primarily for business or professional conferences, seminars, and training programs. Generally, such uses are open to or provide services to members of the general public. Secondary uses may include parking, training facilities, kitchens/cafeterias, recreation areas, offices, meeting rooms, storage, food sales or consumption.
	Example use types include museums, libraries, senior centers, youth clubs, and art galleries.
Day Care	The Day Care Use Category includes use types that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence, and for less than 24 hours a day. Care can include education and development activities. Care can be provided during daytime or nighttime hours. Secondary uses include offices, food preparation, recreation areas, and parking.
	Example use types day care centers, nurseries, nursery schools, adult day care facilities. Home day care is considered a secondary use. Drop-in or short-term day care provided in connection with employment or at a shopping center, recreational facility, religious institution, hotel, or other principal uses are not included in the Day Care Use Category.
Education Related	The Educational Use Category is characterized by uses engaged in the provision of educational services to children and adults, whether through public or private learning institutions. Secondary uses include living quarters, food preparation facilities, recreational facilities, offices, gathering spaces, and related activities.
	Example use types include primary and secondary schools, colleges, vocational schools, and establishments engaged in providing training whether for profit or as a community service.
Governmental Related	The Government-Related Use Category includes facilities and establishments engaged in governance and the provision of governing-related services, public safety, and operations.

TABLE 5.4: INSTITUTIONAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include governmental offices, governmental maintenance facilities, post offices, law enforcement facilities, fire stations, and similar uses.
Health Care	The Health Care Use Category includes use types that provide medical or surgical care and treatment to patients as well as laboratory services. Secondary uses may include offices, laboratories, laundry facilities, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, housing for staff or trainees, and limited accommodations for family members.
	Example use types include hospitals, outpatient medical facilities, urgent care providers, medical offices (doctors, dentists, radiologists, etc.), clinics, congregate care, memory care, drug and alcohol treatment facilities, psychiatric treatment facilities, and blood/tissue collection facilities.
Open Space	The Open Space Use Category includes use types that focus on open space areas largely devoted to vegetative landscaping or outdoor recreation and that tend to have few structures. Secondary uses may include club houses, recreational structures, statuary, fountains, maintenance facilities, concessions, parking, and columbaria and mausoleums (as secondary to cemeteries).
	Example use types include arboretums or botanical gardens, parks, community gardens, areas of undisturbed vegetation on land owned by the public or a conservation entity, and cemeteries.
Recreation Related	The Recreation Use Category includes active and passive recreation uses and facilities (whether indoor or outdoor) that are available for use by the general public or by the residents of a neighborhood or community.
	Example use types include athletic fields or courts, swim clubs, country clubs, golf courses, indoor recreation uses, and similar facilities.
Telecommunications	The Telecommunications Use Category is characterized by uses and facilities engaged in the provision of wireless telecommunication signals and information.
	Example use types include telecommunications antennae, signal processing equipment, antenna supporting structures, broadcasting studio and broadcasting towers.
Transportation	The Transportation Use Category includes use types that provide for the landing and takeoff of airplanes and helicopters, and passenger terminals for surface transportation. Secondary uses may include freight handling areas, concessions, offices, parking, maintenance, and fueling facilities.

TABLE 5.4: INSTITUTIONAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include airports, helicopter landing facilities, and passenger terminals for ground transportation (train, bus). Transit route facilities such as bus stops, bus shelters, and park-and-ride facilities are classified as Utilities.

2.5 RESIDENTIAL USES

Table 5.5, Residential Use Categories, sets out the use categories included in the residential use classification in Table 4.2.5, Listing of Common Principal Uses. It also describes the characteristics and examples of the use types in each use category.

TABLE 5.5: RESIDENTIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
Assisted Living	The Assisted Living Use Category is characterized by establishment providing residential occupancy to unrelated individuals in need of care, treatment, or assistance. Assistance may take the form of daily life care, specialized medical care, counselling, addiction, or fostering services.
	Example use types include congregate care, nursing homes, rehabilitation centers, and retirement communities.
Group Living	The Group Living Use Category includes use types that provide for the residential occupancy of a structure by a group of people who do not meet the definition of "household." The size of the group may be larger than the average size of a household. Tenancy is typically arranged on a monthly or longer basis. Generally, group living structures have a common eating and or congregating area for residents. The residents may receive care, training, or treatment. Secondary uses include recreational facilities, dining facilities, and parking of vehicles for occupants and staff.
	Example use types include dormitories, family care homes, group homes, rooming, boarding houses, and similar uses. Facilities for rehabilitation or the treatment of addiction are considered assisted living facilities.
Household Living	The Household Living Use Category includes use types that provide for the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Secondary uses commonly associated with household living are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations are secondary uses that are subject to additional regulations.

TABLE 5.5: RESIDENTIAL USE CATEGORIES	
USE CATEGORY	CHARACTERISTICS EXAMPLES
	Example use types include detached residential dwellings like single-family detached dwellings or manufactured homes, attached residential structures like townhouses, multi-family uses, upper story dwellings, and similar uses.

3 SUBDIVISION PLAT CERTIFICATIONS AND DECLARATIONS

This section includes the required language and format for subdivision plat certifications and declarations required under the UDO. The exact wording of these statements may change from time to time as conditions warrant and/or agency policies change. Failure to include a required certification or declaration may be the cause for declaring an application to be incomplete.

TABLE 2: REQUIRED CERTIFICATES AND NOTES

Type of Certificate	Exempt Plat	Final Plat	Preliminary Plat	Construction Drawings
Certificate of Survey Accuracy signed by surveyor	X	X	X	
Plat Certification by Surveyor	X	X		
Certificate of Ownership		X		
Certificate of Ownership and Dedication		X		
Certificate of Approval		X	X	X
Certificate of Exemption	X			
Review Officer's Certificate	X	X		
Certificate of Floodway Information		X	X	
Certificate for Water Supply and Sewage Disposal Systems		X		
Design and Installation of Utilities and Other Required Improvements		X		
Certificate of Public Utilities		X		

3.1 CERTIFICATE OF OWNERSHIP

To be used when no easements, rights-of-way or other properties are to be dedicated.

CERTIFICATE OF OWNERSHIP

I (We) hereby certify that I am (we are) the owner(s) of the property described hereon, which property is within the subdivision regulation jurisdiction of the Town of Clayton, and that I (we) freely adopt this plan of subdivision.

Owner, Printed Name(s)	Owner, Signature(s)
Date	

3.2 CERTIFICATE OF OWNERSHIP AND DEDICATION

To be used when plat includes the dedication of easements, rights-of-way or any other property or property interest.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (We), _____, hereby certify that I am (we are) the owner(s) of the property described hereon, which property is located within the subdivision regulation jurisdiction of the Town of Clayton, that I (We) hereby freely adopt this plan of subdivision and dedicate to all areas shown on this plat as roads, alleys, walks, parks, open space, and easements to the public or for private use as specifically indicated, and that I (we) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority or private entity. All property shown on this plat as dedicated for a public use shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by the Town of Clayton in the public interest.

Owner, Printed Name(s)	Owner, Signature(s)
Date	

3.3 CERTIFICATES OF APPROVAL

CERTIFICATE OF APPROVAL WHERE STREETS OR UTILITIES ARE NOT PROVIDED BY THE TOWN

I hereby certify that this plat has been found to comply with the Unified Development Ordinance of Clayton, North Carolina, and that this plat has been approved for recording in the Office of the Johnston County Register of Deeds.

Planning Director _____ Date _____

CERTIFICATE OF APPROVAL WHERE STREETS OR UTILITIES ARE PROVIDED BY THE TOWN

I hereby certify that the Town of Clayton, NC has approved this plat for recording in the Office of the Johnston County Register of Deeds, and accepts the dedication of streets, easements, rights-of-way, and public lands shown thereon, but assumes no responsibility to open or maintain the same until, in the opinion of the Clayton Town Council, it is in the public interest to do so.

Town Manager _____ Date _____

3.4 CERTIFICATE OF EXEMPTION

Plats deemed to be exempt from the provisions of this ordinance shall contain the following statement.

The plat is exempt from the provisions of the Town of Clayton Unified Development Ordinance and may be recorded with the Office of the Johnston County Register of Deeds.

Planning Director

Date

3.5 CERTFICIATE OF FAMILY SUBDIVISION

Plats deemed to be a family subdivision shall contain the following statement. Any certificate for a Family Subdivision shall also include a certificate of exemption or other certification, as appropriate as well as the Review Officer's Certificate.

LANDOWNER ATTESTATION

I acknowledge that this plat creating up to one additional lot from the parent tract was approved under the provisions of a Family Subdivision as described in Table 2.2.2 and as defined in the Clayton Unified Development Ordinance, and is solely for the purpose for one immediate family member to homestead on the newly created lot.

_____ _____

Owner/Subdivider Date

NOTARY PUBLIC CERTIFICATION

I, _____, a Notary Public for said County and State, do hereby certify that

_____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the _____ day of

_____, 20 _____

Notary

My commission expires (Seal)

_____, 20____

3.6 REVIEW OFFICER'S CERTIFICATE

All plats to be recorded shall have the following certificate.

REVIEW OFFICER'S CERTIFICATE

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

I, _____ , Review Officer of Johnston County, certify that the plat to which this certification is affixed meets all statutory requirements for recording.

_____ _____
Review Officer Date

3.7 SURVEYOR CERTIFICATES

CERTIFICATE OF SURVEY AND ACCURACY

I, _____, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book _____, page _____, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, page _____; that the ratio of precision as calculated is 1:_____; that this plat was prepared in accordance with NCGS 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, A.D., 20_____.

Seal or Stamp of

Surveyor

_____

Surveyor

_____

Registration Number

PLAT CERTIFICATION BY SURVEYOR

I, _____, certify to one of the following:

A. This survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
B. This survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
C. Any one of the following:
1. This survey is of an existing parcel or parcels of land and does not create a new road or change an existing road;
2. This survey is of an existing building or other structure, or natural feature, such as a water course;
3. This survey is a control survey;
D. This survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision; or
E. The information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

Signed:

SEAL

_____
Surveyor

_____
Date

3.8 CERTIFICATE OF FLOODWAY INFORMATION

The property shown hereon is (is not) located in a FEMA designated flood zone.

FLOOD HAZARD PANEL NUMBER:

EFFECTIVE DATE:

_____

Surveyor

_____

Date

FOR DESIGN AND INSTALLATION OF UTILITIES AND OTHER REQUIRED IMPROVEMENTS

I hereby certify that all streets, utilities, and other required improvements have been installed in an acceptable manner and according to town specifications and standards in the Town's Engineering Specifications and Design Manual, or that a financial guarantee has been posted with the Town of Clayton to assure the completion of all required improvements in the case of default.

_____

Engineering Director

_____

Date

CERTIFICATE OF PUBLIC UTILITIES

All obligations and requirements for the utilities to serve _____ Subdivision, Section _____ , lots _____ , as set forth by the Town of Clayton Water Resources Department, have been met and are satisfactory for the purpose of recording the subdivision plat.

_____
Engineering Director

_____
Date

NOTES:

A. No structures to be built inside any utility easement.
B. Homeowner is required to connect to public water (and sewer, where available) before a Certificate of Occupancy is issued for the principal structure.

3.9 CERTIFICATES AND NOTES REGARDING NEW STREETS

One or more of the Certificates and related notes may be required depending on the status of the new streets within the development.

CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS

I hereby certify that the Town of Clayton, NC has approved this plat for recording in the Office of the Johnston County Register of Deeds, and accepts the dedication of streets, easements, rights-of-way, and public lands shown thereon, but assumes no responsibility to open or maintain the same until, in the opinion of the Clayton Town Council, it is in the public interest to do so.

Town Manager _____ Date _____

DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS CERTIFICATE

PROPOSED SUBDIVISION ROAD CONSTRUCTION STANDARDS CERTIFICATION.

APPROVED:

NCDOT District Engineer _____

Date _____

NOTES:

A. Only North Carolina Department of Transportation approved structures are to be constructed on public right-of-way.
B. Site triangle takes precedent over any sign easement.
C. Owner, developer, or contractor shall set the centerline of the existing roadway ditch back to a minimum of 12 feet from the existing/proposed edge of pavement along all road front lots.
D. All drainage easements shall be dedicated as public and it shall be the responsibility of the property owners to maintain the drainage easements and any drainage structures therein, so as to maintain the integrity of the drainage system and insure positive drainage.

ROAD MAINTENANCE STATEMENT OF UNDERSTANDING

I, _____, developer/owner am responsible for the construction, maintenance and required road improvements of subdivision streets until:

Approved/taken over by North Carolina Department of Transportation for public roads,
Or

Approved/taken over by homeowners association for private roads maintenance,
Or

Private road maintenance agreement is signed and recorded by owners of each lot.

_____
Owner/Developer

_____
Date

4 INFORMATION REQUIRED WITH APPLICATIONS

4.1 APPLICATION MATERIALS

A. Submission of all applications filed under this Ordinance shall contain the following information, as appropriate.

B. An "X" in a cell in the table below indicates that the noted information is required on the particular type of plan or plat.

C. A "•" symbol in a cell in the table below indicates that the noted information is not required on the particular type of plan or plat.

D. Failure to include one or more required elements indicated with an "X" may result in the application being considered incomplete.

E. Additional materials may be required in order to determine if an application is complete.

F. The Planning Director may waive required items listed in the table below if they are determined to not be necessary to complete the review, in the sole discretion of the Planning Director. **AMENDED 9.16.24 (UDOTA2-24)**

TABLE 3.1: REQUIRED APPLICATION MATERIALS

"X" = Required
"•" = Not Required

Required Information	Concept Plan (CZ) Rezoning	Concept Plan (SUP)	Site Plan	Family Sub.	Limited Sub.	Minor Plat	Preliminary Plat	Construction Drawings	Final Plat
Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person		•	X	X	X	X	X	X	X
Certifications from the appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development and that all necessary easements have been provided		•	X	X	•	•	•	X	X
Detailed descriptions of recreational facilities to be provided		•	X	•	•	•	X	•	•
Legal documentation establishing owners' associations or other legal entities responsible for control over required common areas and private infrastructure		•	X	•	•	•	•	•	X
Bonds, letters of credit, or other performance guarantees		•	X	•	X	X	•	•	X

TABLE 3.1: REQUIRED APPLICATION MATERIALS

"X" = Required
"•" = Not Required

Required Information	Concept Plan (CZ) Rezoning	Concept Plan (SUP)	Site Plan	Family Sub.	Limited Sub.	Minor Plat	Preliminary Plat	Construction Drawings	Final Plat
A transportation impact analysis performed and prepared by a qualified transportation or traffic engineer		X	X	•	•	•	X	•	•
Time schedules for the completion of phases in staged development		•	X	•	•	X	X	X	•
The environmental impact of a development, including its effect on historically significant or ecologically fragile or important areas and its impact on pedestrian or traffic safety or congestion		X	X	•	•	X	X	•	X
If any road is proposed to intersect with a state-maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulation		•	•	X	•	•	•	X	X
Proposed deed restrictions or covenants to be imposed upon newly created lots		•	X	X	X	X	X	•	X
Documentation of submission of an Erosion Control Plan, if disturbing more land area than the maximum permitted without such plan		•	•	•	•	•	•	X	•
Documentation of approval of an Erosion Control Plan, if disturbing more land area than the maximum permitted without such plan		•	•	•	•	•	•	X	•
Evidence of notification to U.S. Army Corps of Engineers of earth-disturbing activities in jurisdictional wetlands, if applicable		•	X	X	X	X	X	X	•
Clarify that the lot may not be sold for a period of at least three years following approval of the plat **AMENDED 9.16.24 (UDOTA2-24)**		•	•	X	•	•	•	•	•

4.2 REQUIRED INFORMATION FOR PLANS AND/OR PLATS

A. All plans and plats filed under this Ordinance shall contain the following information.

B. Failure to include one or more required elements may result in the application being considered incomplete.

C. An "X" in a cell in the table below indicates that the noted information is required on the particular type of plan or plat.

D. A "•" symbol in a cell in the table below indicates that the noted information is not required on the particular type of plan or plat.

E. Failure to include one or more required elements indicated with an "X" may result in the application being considered incomplete.

F. Additional materials may be required in order to determine if an application is complete.

G. The Planning Director may waive required items listed in the table below if they are determined to not be necessary to complete the review, in the sole discretion of the Planning Director.

4.3 PLAN OR PLAT SIZE

A. Construction plans and site plans shall not exceed 24" x 36" unless authorized by the Planning Director.

B. Plans and plats may be drawn on more than one sheet with appropriate match lines.

C. Plats to be recorded shall be of a size and material as required by the Office of the Johnston County Register of Deeds.

D. For plats to be recorded, preliminary plats, construction drawings and site plans, a scale of not less than 1" equal to 100' shall be used unless all lots are greater than 3 acres and then a scale of 1" = 200' may be used.

E. For concept plans, drawing shall be at a scale of not less than 1" equal to 40 feet.

TABLE 3.3: TABLE OF REQUIRED PLAN/PLAT ELEMENTS

"X" = Required
"•" = Not Required

Required Information	Exempt Plats	Final Plats	Preliminary Plats	Construction Drawings	Concept Plans	Site Plans
Title Block						
Name of development/project	X	X	X	X	X	X
Recorded reference (plat book/page number and/or deed book/page number)	X	X	•	•	X	X
Tax map number	•	•	X	X	X	X
Type of development application	X	X	X	X	X	X
Owner's name with address	X	X	X	X	X	X
Developer's name, address, and phone number (if different from owner's)	•	X	X	X	X	X
Building contractor's name, address, and phone number	•	•	•	X	•	X
Location (including township, county, state)	X	X	X	X	X	X
Street address	•	•	•	X	X	X
Date(s) of map preparation	X	X	X	X	X	X

TABLE 3.3: TABLE OF REQUIRED PLAN/PLAT ELEMENTS

"X" = Required
"•" = Not Required

Required Information		Exempt Plats	Final Plats	Preliminary Plats	Construction Drawings	Concept Plans	Site Plans
Scale of drawing in feet per inch (by text and bar graph)		X	X	X	X	X	X
Name, address, telephone # and registration number of preparer of map (licensed surveyor, engineer, or architect)		X	X	X	X	X	X
Vicinity Information							
Vicinity map showing location of site relative to surrounding area (typically drawn in upper right-hand corner)		X	X	X	X	X	X
Zoning district(s) within the property and adjacent properties		X	X	X	X	X	X
Names of adjoining property owners (or subdivisions or developments of record with plat book reference)		X	X	X	X	X	X
Corporate limits, county lines, and other jurisdiction lines, if any, on the tract		X	X	X	X	X	X
North arrow and orientation (north arrow should not be oriented towards bottom of map)		X	X	X	X	X	X
Site Features							
Source of property boundaries signed or sealed by registered land surveyor, architect, landscape architect, or engineer		•	•	X	X	•	X
Boundaries of the tract to be subdivided or developed:	Distinctly and accurately represented and showing all distances	X	X	X	X	X	X
	Tied to nearest street intersection (within 300') or USGS (within 2,000')						
	Showing locations of intersecting boundary lines or adjoining properties						
Location and descriptions of all monuments, markers, and control corners		X	X	X	X	•	•
Existing property lines on tract to be subdivided. If existing property lines are to be changed, label as 'old property lines' and show as dashed lines		X	X	X	X	•	•
Dimensions, location, and use of all existing and proposed buildings; distances between buildings measured at the closest point; distance from buildings to the closest property lines; building setback lines. A dashed line should be shown on the plat outlining all known structures, ponds or lakes removed or filled		•	•	X	X	X	X
Proposed principal and secondary use(s)		•	•	X	X	X	X
The name and location of any property or building on the National Register of Historic Places or locally designated historic property		•	•	X	X	X	X

TABLE 3.3: TABLE OF REQUIRED PLAN/PLAT ELEMENTS

"X" = Required
"•" = Not Required

Required Information	Exempt Plats	Final Plats	Preliminary Plats	Construction Drawings	Concept Plans	Site Plans
Railroad lines and rights-of-way	X	X	X	X	X	X
Water courses, ponds, lakes, or streams	X	X	X	X	X	X
Marshes, swamps, and other wetlands	X	X	X	X	X	X
Location of public water supply watershed boundaries	X	X	X	X	X	X
Vegetative cover (from trees meeting the minimum planting requirements)	•	•	X	X	X	X
Areas to be dedicated or reserved for the public or a local jurisdiction	•	X	X	X	X	X
Areas designated as common area or open space under control of an Owners' Association	•	X	X	X	X	X
Proposed building locations for zero lot-line developments	•	•	X	X	X	X
Location of manufactured dwelling spaces and whether they are designated for single or double wide dwellings	•	•	X	X	X	X
Typical diagram of manufactured dwelling space	•	•	X	X	X	X
Location of designated open space set-asides including type of recreation areas and facilities	•	•	X	X	X	X
Location of floodway and floodway fringe from Flood Hazard Boundary Maps and cross-section elevations	X	X	X	X	X	X
Existing and proposed topography of tract and 100' beyond property showing existing contour intervals of no greater than 5' (2' where available) and labeling at least two contours per map and all others at 10' intervals from sea level	•	•	X	X	X	•
The general location of individual development areas, identified by land use(s) and/or development density or intensity	•	•	•	•	X	•
The general configuration and relationship of the principal elements of the proposed development, including general building types	•	•	•	•	X	•
The general location, amount, and type (whether designated for active, passive, or gathering area) of open space set-aside	•	•	•	•	X	•
The location of environmentally sensitive lands, wildlife habitat, and resource protection lands	•	•	•	•	X	•
The general location of all other on-site public facilities serving the development, including but not limited to parks, schools, bus shelters, and facilities for fire protection, police protection, EMS, and solid waste management;	•	•	•	•	X	•
Dimensional Aspects						

TABLE 3.3: TABLE OF REQUIRED PLAN/PLAT ELEMENTS

"X" = Required
"•" = Not Required

Required Information		Exempt Plats	Final Plats	Preliminary Plats	Construction Drawings	Concept Plans	Site Plans
Proposed lot lines and dimensions		X	X	X	X	X	X
Square footage of all proposed lots under an acre in size and acreage for all lots over an acre in size		X	X	X	X	•	X
Lots sequenced or numbered consecutively		X	X	X	X	•	X
Site calculations, including:	Acreage in total tract	X	X	X	X	•	X
	Total number of proposed lots	X	X	X	X	•	X
	Linear feet in roads	•	X	X	X	•	
	Area in newly dedicated rights-of-way	•	X	X	X	•	X
Identify, for the entire district and each development area, the acreage, types and mix of land uses, number of residential units (by use type), non-residential floor area (by use type), residential density, and non-residential intensity (floor area square footage)		•	•	•	•	X	•
The applicable dimensional standards, including consistency with the conditional zoning district dimensional requirements or any requested deviations		•	•	•	•	X	•
Streets and Roads							
Addresses assigned by Johnston County for each lot		X	X	•	•	X	X
Existing and proposed rights-of-way lines within and adjacent to property (shown with a cross-hatch pattern)		X	X	X	X	X	X
Existing and proposed rights-of-way within and adjacent to property showing	Total right-of-way width dimension	•	•	X	X	•	X
	Right-of-way width dimension from centerline of existing public roads	•	X	X	X	•	X
Existing and proposed roads showing	Pavement or curb lines	•	•	X	X	•	X
	Pavement width dimension (face-to-face)	•	•	X	X	•	X
	Cul-de-sac pavement radius	•	•	X	X	•	X
	Existing and proposed road names	X	X	X	X	•	X
	Road profiles	•	•	X	X	•	X
The on-site transportation circulation system, including the general location of all streets, existing or projected transit service, pedestrian, and vehicular circulation features, and how they will connect with existing and planned systems		•	•	•	•	X	•

TABLE 3.3: TABLE OF REQUIRED PLAN/PLAT ELEMENTS

"X" = Required
"•" = Not Required

Required Information		Exempt Plats	Final Plats	Preliminary Plats	Construction Drawings	Concept Plans	Site Plans
Utilities							
Location, dimension, and type of all easements, existing and proposed		X	X	X	X	X	X
Type of wastewater disposal (public sewer, septic, etc.)		•	X	X	X	X	X
Type of potable water supply (public water system, private well, etc.)		•	X	X	X	X	X
Utility Layout Plan showing connections to existing systems, line sizes, materials, fire hydrants, blowoffs, valves, manholes, catch basins, force mains, etc. for the following types of utilities:	Sanitary sewer	•	•	X	X	X	X
	Water distribution	•	•	X	X	X	X
	Natural gas, electric, cable, fiber optic, etc.	•	•	X	X	X	X
Electric power provider		•	•	X	X	X	X
Location of individual on-site septic system, if applicable		•	•	X	X	X	X
Location of off-site and multi-user septic systems, if applicable		•	•	X	X	X	X
The general location of on-site potable water and wastewater facilities, and how they will connect to existing systems		•	•	•	•	X	•
Stormwater Management Plans and Erosion Control							
Area to be disturbed with number of graded acres and percentage noted		•	X	X	X	X	X
Location of temporary erosion control devices		•	•	X	X	X	X
Maximum allowable built -upon area for each lot or tract (if applicable)		X	X	X	X	X	X
Total impervious surface area, including roads, roofs, patios, parking areas, sidewalks, and driveways		•	•	X	X	X	X
Permanent watershed protection controls/ Stormwater Best Management Practices including wet detention ponds, maintenance and access easements and natural filtration and infiltration areas		•	X	X	X	X	X
Location and width of required riparian buffer areas		X	X	X	X	X	X

TABLE 3.3: TABLE OF REQUIRED PLAN/PLAT ELEMENTS

"X" = Required
"•" = Not Required

Required Information	Exempt Plats	Final Plats	Preliminary Plats	Construction Drawings	Concept Plans	Site Plans
Stormwater network, including swales, culverts, inlet and outlet structures with grades, elevations, dimensions, and hydraulic calculations	•	•	X	X	X	X
Engineering certification statement, when required by this Ordinance	•	X	X	X	X	X
Documentation of maintenance of diffuse flow to the buffer	•	•	X	X	X	X
The general location of on-site stormwater control measures, and how they will connect to existing public systems	•	•	•	•	X	•
Off-Street Parking and Loading						
Location and dimensions of all parking areas, aisles, driveways, service areas, off-street loading facilities	•	•	X	X	X	X
Clearly indicate each parking space with angle and size including handicap spaces	•	•	X	X	X	X
Provide number of required and provided parking spaces	•	•	X	X	X	X
Pedestrian walkways and crosswalks within the site	•	•	X	X	X	X
Landscaping						
Location of all planting yards and/or parking lot plantings	•	•	X	X	X	X
Location and screening of features required to be screened	•	•	X	X	X	X
Location, species, size, number, spacing, height of trees and shrubs in required planting areas (If existing vegetation is to be preserved, indicate approximate height and species mix)	•	•	X	X	X	X
Location and size of planting yard, walls, berms, and fences	•	•	X	X	X	X
Provisions for watering, soil stabilization, plant protection, and maintenance access	•	•	X	X	X	X
Location and description of barriers to protect any vegetation from damage both during and after construction	•	•	X	X	X	X
Building Location and Design						
Location of each principal building	•	•	X	X	X	X
Location, dimensions and details of proposed clubhouses, pools, tennis courts, tot lots or other common area recreation facilities	•	•	X	X	X	X
Front, side, and rear elevations of proposed commercial, mixed-use, and multi-family buildings	•	•	X	X	X	X

5 SUGGESTED PLANT MATERIALS LIST

5.1 LARGE VARIETY TREES (35 FEET OR GREATER)

LARGE VARIETY TREES (MATURE HEIGHT: 35 FEET OR GREATER)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Native Evergreen					
Ilex opaca American Holly	40—60′	20—30′	S	S-SH	Tolerates a variety of conditions, male and female plants needed for fruit, pyramidal form
Juniperus virginiana Eastern Red Cedar	40—50′	15—25′	M	S-PS	Tolerates a variety of conditions, pyramidal form, male and female plants needed for fruit
Magnolia grandiflora Southern Magnolia	60—80′	30—40′	R	S-PS	Less shade tolerant with age, attracts wildlife, fragrant spring and summer flowers
Pinus taeda Loblolly Pine	90—120′	30—40′	R	S	Tolerates flooding and drought, critical to Brown-headed Nuthatch
Quercus laurifolia or hemisphaerica Laurel Oak	60—80′	30—40′	R	S-SH	Shade tolerant, good for moist sites
Native Deciduous					
Acer barbatum or floridanum Southern Sugar Maple	50—60′	20—35′	M	S-PS	Heat tolerant, dislikes dry, compact soil
Acer rubrum Red Maple	60—90′	30—50′	R-M	S-SH	Tolerates a variety of conditions, including wet soil, fall color
Acer saccharum Sugar Maple	90—120′	40—60′	S	S-PS	Extensive root system, fall color, shade tolerant
Betula nigra River Birch	60—80′	30—50′	R	S-PS	Lacy texture, tolerates a variety of conditions, including wet soil, tends to drop small limbs, cultivars available
Celtis laevigata Southern Hackberry or Sugarberry	70—80′	30—50′	R	S-PS	Tolerates a variety of conditions
Cladrastis kentukea Yellow-wood	40—50′	40—45′	M	S	Tolerates a variety of conditions, fragrant white blooms in alternate years
Diospyros virginiana American Persimmon	30—60′	20—25′	S-M	S-PS	Tolerates dry soil, good fall color, fruit attracts wildlife. Separate male and female plants.
Gymnocladus diocus Kentucky Coffee-tree	60—75′	40—50′		S	Tolerant of air pollution and drought, fall color

LARGE VARIETY TREES (MATURE HEIGHT: 35 FEET OR GREATER)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Liquidambar styraciflua Sweet Gum	80—120′	40—60′	R	S	Fall color, best in natural areas due to fruit drop
Liquidambar styraciflua 'Rotundiloba' Fruitless Sweet Gum	60—70′	20—30′	R	S	Pyramidal in form, does not set much fruit, tolerates clay soil
Liriodendron tulipifera Tulip-Tree or Yellow Poplar	90—120′	60—80′	R	S	Tolerates a variety of conditions, drops limbs, best in natural areas, host for N.C. State butterfly
Nyssa sylvatica Black Gum	50—80′	30—50′	M	S-PS	Fall color, pyramidal when young
Platanus occidentalis Sycamore	80—120′	40—60′	R	S-PS	Showy bark, tolerates a variety of conditions but needs water, best in natural areas
Prunus serotina Wild Black Cherry	60—80′	30—50′	R	S-PS	Tolerates a variety of conditions, seeds heavily, best in natural areas
Quercus alba White Oak	80—100′	40—60′	S-M	S-PS	Sensitive to construction damage, good fall color
Quercus bicolor Swamp White Oak	50—60′	50—60′	M-R	S	Needs acidic soil, drought resistant, intolerant of salt and air pollution
Quercus coccinea Scarlet Oak	50—80′	40—50′	R	S	Good fall color, tolerates dry, sandy soil
Quercus falcata Southern Red Oak	70—80′	30—40′	R	S-PS	Tolerates drought
Quercus imbricaria Shingle Oak	50—60′	50—60′	S-M	S	Tolerates a variety of conditions
Quercus lyrata Overcup Oak	35—45′	35—40′	M	S	Tolerates a variety of conditions
Quercus macrocarpa Bur Oak	60—80′	60—80′	S	S	Tolerant of city conditions
Quercus nigra Water Oak	70—90′	30—50′	R	S	May retain some leaves through the winter, tolerates a variety of conditions
Quercus palustris Pin Oak	60—80′	40—50′	R	S	Tolerates a variety of conditions, pyramidal form, good fall color
Quercus phellos Willow Oak	80—100′	40—50′	R	S-PS	Tolerates a variety of conditions, golden fall color
Quercus rubra Red Oak	80—90′	30—50′	R-M	S-PS	Needs moist soils, good fall color
Quercus shumardii Shumard Oak	90—100′	40—50′	R-M	S	Tolerates a variety of conditions
Quercus texana or nuttallii Nuttall Oak	60—80′	30—40′	R	S-PS	Tolerates poorly drained soils, drought tolerant
Taxodium distichum Bald-cypress	100—120′	30—40′	R	S	Pyramidal when young, tolerates wet and dry soils, fall color, attractive trunk

LARGE VARIETY TREES (MATURE HEIGHT: 35 FEET OR GREATER)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Tilia americana Southern Basswood or American Linden	50—70′	30—45′	M	S-PS	Tolerates drought and clay soil, intolerant of air pollution, consider 'Redmond' cultivar
Non-Native Evergreen					
Cedrus deodara Deodar Cedar	40—70′	30—40′	M	S-PS	Tolerates drought and hot, dry summers, likes acidic soil
Cryptomeria japonica Japanese Cryptomeria	50—60′	25—30′	M	S-PS	Tolerates a variety of conditions, pyramidal shape, many cultivars available
Thuja 'Green Giant' Green Giant Arborvitae	40—50′	15—20′	R	S-PS	Tolerates a variety of conditions, may need some wind protection, bronzes in winter
Non-Native Deciduous					
Acer × freemanii Freeman Maple	Gen. 40—70′	Gen. 15—40′	M	S-PS	A hybrid of red maple and silver maple, cultivars vary in size and characteristics
Cercidiphyllum japonicum Katsura Tree	40—60′	20—40′	M-R	S	Intolerant of hot, dry sites, fall color
Ginkgo biloba Ginkgo	50—80′	30—40′	S	S	Plant male trees to avoid messy, smelly fruit, tolerates a variety of conditions, bright yellow fall color
Metasequoia glyptostroboides Dawn Redwood	70—100′	15—25′	R	S	Tolerates a variety of conditions, tolerates wet soils, attractive trunk
Platanus × acerifolia London Planetree	65—80′	75—100′	M	S-PS	Good street tree, light brown exfoliating bark
Quercus robur 'Fastigata' Upright English Oak	50—60′	10—20′	S	S	Tolerates drought and air pollution, narrow, upright form
Sophora japonica or Styphnolobium japonicum Japanese Scholartree or Japanese Pagodatree	50—70′	50′	M-R	S-PS	Resistant to air pollution and drought, but marginally heat hardy in Piedmont N.C.
Tilia cordata 'Greenspire' Greenspire Littleleaf Linden	30—40′	25—35′	S-M	S	Piedmont N.C. is at southern extreme of range, air pollution tolerant, cultivars available
Tilia tomentosa Silver Linden	40—70′	25—45′	R	S-PS	Tolerates drought and air pollution and a variety of soil conditions
Ulmus hybrida Hybrid Elm	75—125′	60—120′	M-R	S-PS	Tolerates a variety of conditions; Dutch Elm disease resistant varieties available
Zelkova serrata Japanese Zelkova	50—80′	40—50′	M	S-PS	Good street tree; tolerates urban conditions well, cultivars available

5.2 MEDIUM VARIETY TREES (25 TO 35 FEET)

MEDIUM VARIETY TREES (MATURE HEIGHT: 25 TO 35 FEET)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Native Evergreen					
Ilex × attenuata 'Fosteri' Foster's Holly	20—30'	10—20'	R	S-PS	Red fruits, male plants not needed for fruiting, best berry production in full sun
Magnolia virginiana Sweet Bay Magnolia	20—30'	10—15'	M	S-PS	Tolerates some shade, good for wet sites, cultivars provide evergreen and deciduous options
Pinus virginiana 'Wate's Golden' Wate's Golden Virginia Pine	15—30'	10—20'	S-M	S	Grows in poor soils, turns golden in winter, seeds eaten by birds, especially Brown-headed Nuthatch
Prunus caroliniana Carolina Laurel Cherry	20—40'	15—20'	M-R	S-PS	Tolerates a variety of conditions, colonizes
Native Deciduous					
Carpinus caroliniana American Hornbeam or Ironwood	20—30'	20—30'	S	S-PS	Does well in moist to wet soil, attractive trunk, interesting fruit
Cercis canadensis Eastern Redbud	20—30'	25—35'	M	S-PS	Tolerates a variety of conditions, many cultivars available, early spring purple/pink blooms
Cornus florida Flowering Dogwood	15—30'	15—20'	S-M	PS	Best in part shade, many cultivars available, flowers in spring, fall color and red fruit
Gleditsia triacanthos var. inermis Thornless Honeylocust	30—70'	30—40'	R	S	Range of soil types, drought tolerant;
Halesia tetraptera Common Silverbell	20—40'	20—35'	M	S-PS	Tolerates a variety of conditions, showy white blooms in spring, cultivars available
Ostrya virginiana Eastern Hop-hornbeam	20—30'	20—30'	S	S-PS	Tolerates a variety of conditions, interesting fruit
Oxydendrum arboreum Sourwood	20—30'	10—15'	S	S-PS	Tolerates a variety of conditions, white summer flowers, fall color, source of sourwood honey
Non-Native Evergreen					
Ilex × 'Nellie R. Stevens' Nellie Stevens Holly	30—40'	10—15'	R	S-PS	Red fruit, drought and heat tolerant, male and female plants (I. cornuta) needed for best fruiting, also used as a large shrub
Pinus thunbergii Japanese Black Pine	20'	20'	S-M	S	Select small tree cultivar from among dwarf cultivars, heat and drought tolerant
Non-Native Deciduous					

MEDIUM VARIETY TREES (MATURE HEIGHT: 25 TO 35 FEET)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Acer buergerianum Trident Maple	25—35'	20—30'	M	S-PS	Tolerates a variety of conditions; good fall color
Acer campestre Hedge Maple	25—35'	25—35'	S	S	Tolerates drought and air pollution; shallow root system
Carpinus betulus 'Fastigata' Pyramidal European Hornbeam	30—40'	20—30'	S-M	S-PS	Pyramidal when young, tolerates a range of conditions
Koelreuteria paniculata Goldenrain Tree	20—40'	15—35'	M-R	S-PS	Tolerates drought and air pollution, yellow flowers in June
Magnolia × soulangiana or soulangeana Saucer Magnolia	15—25'	15—25'	M	S-PS	Late flowering cultivars avoid frost damage to blooms
Pistacia chinensis Chinese Pistachio	25—35'	20—30'	M-R	S	Drought tolerant, male and female plants needed for fruit, fall color
Prunus 'Kwanzan' Kwanzan Cherry	20—30'	15—25'	M	S-PS	Pink blooms in April, may be short-lived, good fall color, no fruit
Prunus 'Okame' Okame Cherry	15—30'	20—30'	M-R	S	Tolerates a variety of conditions, pink blooms in late winter lasting longer than most cherries
Prunus subhirtella 'Autumnalis' Fall Blooming Cherry	20—30'	15—25'	R	S-PS	Flowers best in full sun, flowers both in fall and late winter, may be short lived
Prunus subhirtella 'Pendula' Weeping Cherry	20—40'	15—30'	M	S	Tolerant of heat and clay soil; white to pinkish flowers in early spring; relatively long lived
Prunus × yedoensis Yoshino Cherry	30—40'	30—50'	R	S	Tolerates a variety of conditions, pale pink to white flowers in early spring, many cultivars available

5.3 SMALL VARIETY TREES (LESS THAN 25 FEET)

SMALL VARIETY TREES (MATURE HEIGHT: LESS THAN 25 FEET)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Native Evergreen					

SMALL VARIETY TREES (MATURE HEIGHT: LESS THAN 25 FEET)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Ilex vomitoria Yaupon Holly	15—20'	10—20'	S-M	S-SH	Tolerates a variety of conditions, male and female plants needed for fruit, many cultivars available in many sizes
Magnolia grandiflora 'Little Gem' Little Gem Magnolia	15—20'	8—10'	R	S-PS	Dwarf cultivar of Magnolia grandiflora
Morella or Myrica cerifera Wax-myrtle	10—15'	8—10'	R	S-PS	Tolerates wet to dry soils, can colonize, many cultivars available, male and female plants needed for fruit, also can be used in shrub form
Native Deciduous					
Aesculus pavia Red Buckeye	10—20'	10—20'	M	S-PS	Especially attracts hummingbirds and pollinators, red flowers in spring, leaf scorch may develop in dry soils
Amelanchier × 'Autumn Brilliance' Autumn Brilliance Serviceberry	25—40'	20—30'	S	S-PS	Tolerates a variety of conditions, rust fungus can attack fruit, early spring white blooms, fall color, other cultivars available
Chionanthus virginicus Fringe-tree or Old Man's Beard	12—20'	12—20'	S-M	S-PS	Tolerates a variety of conditions, male and female plants needed for fruit, fragrant white flowers in spring
Crataegus viridis 'Winter King' Winter King Green Hawthorn	15—30'	10—20'	S	S-PS	Drought tolerant, has thorns, other native species available, white flowers in spring, fall color, interesting bark
Non-Native Evergreen					
Ilex cornuta 'Burfordii' Burford Holly	8—20'	5—10'	S-M	S-PS	Drought and heat tolerant, red fruit produced without pollinator, dwarf cultivar available
Non-Native Deciduous					
Acer palmatum Japanese Maple	15—25'	10—25'	S-M	S-PS	Avoid hot, dry and windy sites; many cultivars available
Chionanthus retusus Chinese Fringe-tree	15—25'	10—25'	M	S-PS	Tolerates a variety of conditions, showy white flowers in spring
Cornus kousa Kousa Dogwood	15—30'	15—30'	S	S-PS	Resistant to anthracnose, white flowers in May, fall color
Lagerstroemia indica cvs. Crapemyrtle	15—30'	6—15'	R	S	Summer blooms, attractive bark, overused, many cultivars (including dwarfs) available, do not top
Magnolia stellata Star Magnolia	10—15'	6—10'	S-M	S-PS	Blooms best in full sun, late winter white flowers
Malus hybrida Hybrid Crabapple	15—25'	10—20'	M	S	Plant only disease resistant cultivars, many cultivars available, showy spring flowers and fall fruit

SMALL VARIETY TREES (MATURE HEIGHT: LESS THAN 25 FEET)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Prunus sargentii Sargent Cherry	20—40'	20—40'	R	S	One of the hardiest cherries; pink flowers; sensitive to air pollution; reddish bark
Prunus serrulata 'Snowgoose'	15—25'	15—20'	M	S-PS	White sprung flowers; reddish bark; may be short-lived
Snowgoose Japanese Cherry					
Syringa reticulata Japanese Tree Lilac	20—30'	15—20'	M	S	Tolerates a variety of conditions; creamy white flowers in mid-summer

5.4 EVERGREEN SHRUBS AND SCREENING PLANTS

EVERGREEN SHRUBS AND SCREENING PLANTS					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Native					
Ilex opaca American Holly	40—60'	20—30'	S	S-SH	Tolerates a variety of conditions, male and female plants needed for fruit, pyramidal form, cultivars available
Ilex × attenuata 'Fosteri' Foster's Holly	20—30'	10—20'	R	S-PS	Red fruits, male plants not needed for fruiting, best berry production in full sun
Juniperus virginiana Eastern Red Cedar	40—50'	15—25'	S	S-PS	Tolerates a variety of conditions, pyramidal form, male and female plants needed for fruit
Morella or Myrica cerifera Wax-myrtle	10—15'	8—10'	R	S-PS	Tolerates wet to dry soils, can colonize, many cultivars available, male and female plants needed for fruit, can reach small tree size
Prunus caroliniana Carolina Laurel Cherry	20—40'	15—20'	M-R	S-PS	Tolerates a variety of conditions, colonizes
Thuja occidentalis American Arborvitae	Var.	Var.	Gen. S	S	Many cultivars in countless shapes and sizes, some tolerate part shade, some reach small tree size
Non-Native					

EVERGREEN SHRUBS AND SCREENING PLANTS					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Ilex cornuta 'Burfordii' Burford Holly	8—20′	5—10′	S-M	S-PS	Leaves have spines, drought and heat tolerant, red fruit without pollinator, dwarf cultivar available
Ilex × 'Nellie R. Stevens' Nellie Stevens Holly	30—40′	10—15′	R	S-PS	Red fruit, drought and heat tolerant, male cultivar (I. cornuta) needed for best fruiting, also used as a large shrub
Juniperus chinensis cvs. Chinese Juniper cultivars	5—7′	8—10′	M	S	Tolerates a variety of conditions, including drought and air pollution
Pinus thunbergii Japanese Black Pine	20′	20′	S-M	S	Select small tree cultivar from among dwarf cultivars, heat and drought tolerant

5.5 LANDSCAPING SHRUBS (36 INCHES OR MORE)

LANDSCAPING SHRUBS (MATURE HEIGHT: 36 INCHES OR MORE)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Native Evergreen					
Agarista populifolia Florida Leucothoe or Agarista	8—12′	8—12′	R	PS	Tolerates a variety of conditions, but prefers moist soil
Ilex glabra Inkberry Holly	5—9′	5—10′	S-M	S-PS	Drought tolerant but prefers moist soil, many cultivars available, male and female plants needed for fruit
Ilex vomitoria Yaupon Holly	10—20′	8—12′	M-R	S-PS	Tolerates wet to dry soils, male and female plants needed for fruit, dwarf and other cultivars available
Illicium floridanum Florida Star-anise	5—8′	6—8′	M	PS-SH	Prefers moist, well-drained soil high in organic matter, many cultivars available, showy spring flowers
Illicium parviflorum Yellow Anise-tree	7—10′	8—10′	M	S-PS	Tolerates a variety of conditions, drought tolerant, can colonize, some cultivars available

LANDSCAPING SHRUBS (MATURE HEIGHT: 36 INCHES OR MORE)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Morella or Myrica cerifera Wax-myrtle	10—15′	8—10′	R	S-PS	Tolerates wet to dry soils, can colonize, many cultivars available, male and female plants needed for fruit, can reach small tree size
Rhododendron catawbiense Catawba Rhododendron	6—12′	6—10′	M	PS	Showy flowers, needs excellent drainage and organic soil, many cultivars available
Thuja occidentalis 'Emerald' Emerald American Arborvitae	6—10′	3—6′	M	S-PS	Tolerates a range of soils and conditions; good screening plant
Native Deciduous					
Calycanthus floridus Sweet-shrub or Carolina Allspice	6—9′	6—12′	S-M	S-PS	Tolerates a range of conditions, drought tolerant, fragrant maroon flowers in early spring, fall color, cultivars available
Callicarpa americana American Beautyberry	3—4′	4—5′	R	S-PS	Prefers moist soil, showy purplish berries in fall
Ceanothus americanus New Jersey Tea	3—4′	3—5′	S-M	S-PS	Easy to grow in a wide range of conditions, drought tolerant, early summer flowers
Clethra alnifolia Sweet-pepperbush	4—8′	4—6′	S-M	S-PS	Needs moist soil, fragrant white summer flowers, may colonize, fall color
Fothergilla gardenii Witch-alder or Fothergilla	3—5′	3—4′	S	S-PS	Drought tolerant, fall color, may colonize, fragrant white spring flowers
Fothergilla major Large Witch-alder	6—10′	5—9′	S	PS	Drought tolerant, cultivars include 'Mt. Airy,' white spring flowers
Hamamelis virginiana Witch-hazel	15—30′	15—25′	S-M	S-PS	Multi-stemmed, yellow fall flowers and leaf color, tolerates heavy clay soil
Hydrangea arborescens Smooth Hydrangea	3—5′	3—5′	R	PS	Suffers in full sun and with drought, likes moist well-drained soil, attracts bees, prune in early spring, cultivars available, including 'Annabelle,' long bloom period
Hydrangea quercifolia Oakleaf Hydrangea	4—8′	3—8′	R	PS-S	Somewhat drought tolerant, attractive bark, needs mulch to keep roots cool, long bloom period in spring and summer, fall color, dwarf cultivars available
Ilex decidua Possum-haw	6—7′	6′	M	PS	Prefers moist, well-drained soil, male and female plants needed for fruit
Ilex verticillata Winterberry	6—15′	6—10′	S-M	S-PS	Tolerates a range of conditions, but prefers moist soil, male and female plants needed for fruit, dwarf cultivars available

LANDSCAPING SHRUBS (MATURE HEIGHT: 36 INCHES OR MORE)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Itea virginica Sweetspire	3—6′	4—6′	M	S-PS	Tolerates wide range of moisture, excellent fall color, fragrant white spring flowers
Lindera benzoin Spicebush	6—12′	6—12′	S-M	S-PS	Prefers moist, well-drained soil, male and female plants needed for fruit, fall color, early spring yellowish flowers
Physocarpus opulifolius Eastern Ninebark	5—8′	6—10′	M-R	S-PS	Drought tolerant, tough and durable, white spring flowers, attractive bark, dwarf cultivars available
Rhododendron calendulaceum Flame Azalea	4—8′	8—10′	S	PS	Good for naturalistic landscape, needs some direct sun, orange/yellow flowers in late spring, needs well-drained organic soil
Rhododendron periclymenoides Pinxterbloom Azalea	3—6′	4—7′	S	S-PS	Drought tolerant, needs some sun, pink spring flowers, needs well-drained organic soil
Rhododendron viscosum Swamp Azalea	2—8′	3—8′	M	PS	Likes moist organic soil, but tolerates some drought, fragrant white flowers in early summer
Sambucus canadensis American Elderberry	5—12′	5—12′	R	S	Likes moist soil, may colonize, white summer flowers and dark fruit
Vaccinium arboreum Sparkleberry	10—20′	10—15′	M	S-SH	Tolerates drought, needs multiple genetic strains for fruit set, fall color
Vaccinium stamineum Deerberry	3—5′	3—5′	M	S-PS	Drought tolerant, needs acidic soil, needs multiple genetic strains for fruit set
Vaccinium virgatum or ashei Rabbiteve Blueberry	8—12′	6—10′	M	S-PS	Drought tolerant, needs acidic soil, needs multiple genetic strains for fruit set, fall color, grown for fruit production
Viburnum acerifolium Mapleleaf Viburnum	4—6′	4—6′	M	S-SH	Tolerates drought, may colonize, needs multiple genetic strains for fruit set, white spring flowers, fall color
Viburnum dentatum Arrow-wood Viburnum	6—10′	6—15′	M	S-PS	Tolerates drought but prefers moist soil, may colonize, needs multiple genetic strains for fruit set, white spring flowers, fall color, cultivars available
Viburnum nudum Possumhaw or Southern Wild Raisin	6—10′	6—10′	M	S-PS	Prefers moist to wet soil, needs multiple genetic strains for fruit set, white spring flowers, fall color, cultivars available
Viburnum prunifolium Blackhaw Viburnum	12—15′	8—12′	S-M	S-SH	Drought tolerant, needs multiple genetic strains for fruit set, white spring flowers, fall color

LANDSCAPING SHRUBS (MATURE HEIGHT: 36 INCHES OR MORE)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Viburnum rafinesqueanum Downy Arrow-wood Viburnum	4—6′	4—6′	M	S-PS	Drought tolerant, needs multiple genetic strains for fruit set, white spring flowers, fall color
Viburnum rufidulum Southern Black Haw Viburnum	10—20′	10—15′	M	PS	Needs multiple genetic strains for fruit set, white spring flowers, fall color
Non-Native Evergreen					
Abelia × grandiflora Glossy Abelia	5—8′	5—8′	M-R	S-PS	Tolerates a variety of conditions, drought tolerant, summer flowers, many dwarf cultivars available
Aucuba japonica Aucuba	6—10′	4—6′	S	PS-S	Needs winter shade, drought tolerant, many cultivars available
Berberis julianae Wintergreen Barberry	4—8′	6—8′	S	S-PS	Tolerates a variety of conditions, drought tolerant, has spines, good barrier plant
Berberis verruculosa Warty Barberry	3—6′	3—4′	S	S-PS	Tolerant of drought and urban conditions, tolerates a variety of soils
Buxus microphylla Littleleaf Boxwood	2—8′	2—8′	S	S-PS	Many shapes and sizes, var. japonica is often used, generally densely branched, leaves may bronze in winter
Buxus sempervirens Common Boxwood	15—20′	10—15′	S	S-PS	Drought tolerant, protect from wind, many cultivars available
Camellia japonica Camellia	8—15′	5—10′	S-M	PS	Excess sun, cold or shade can reduce flowering, many cultivars available, blooms in early spring
Camellia sasanqua Sasanqua Camellia	6—10′	5—7′	M-R	S-PS	Drought tolerant, many cultivars available, blooms in the fall
Euonymus japonicus Japanese Euonymus	10—15′	5—6′	R	S-SH	Tolerates drought and variety of soil types, subject to scale insects
Ilex cornuta cvs. Chinese Holly (i.e., Dw. Burford Holly)	3—25′	4—10′	S-M	S-PS	Favorite cultivars include Dw. Burford and Carissa hollies, many others available, red fruit when present, leaves have spines, drought and heat tolerant, male and female plants needed for fruit
Ilex crenata cvs. Japanese Holly (i.e., Compacta Holly)	4—10′	3—5′	S-M	S-PS	Many cultivars available in varying shapes and sizes, black fruit when present, generally hardy, male and female plants needed for fruit
Juniperus chinensis cvs. Chinese Juniper	Var.	Var.	Var.	S	Many cultivars available in varying shapes and sizes, generally heat and drought tolerant, male and female plants needed for fruit
Loropetalum chinensis Loropetalum	6—10′	6—10′	R	S-PS	Tolerates a variety of conditions, drought tolerant, long spring bloom period, dwarf cultivars available

LANDSCAPING SHRUBS (MATURE HEIGHT: 36 INCHES OR MORE)					
PLANT NAME/ COMMON NAME	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Osmanthus heterophyllus Tea Olive	8—10′	5—10′	S-M	S-PS	Drought and heat tolerant, a good plant for screening, many cultivars available, fragrant fall flowers
Osmanthus × fortunei Fortune's Osmanthus	15—20′	15—20′	M	S-SH	Drought tolerant, good for screening and barriers, fragrant fall flowers
Pinus mugo Mugo Pine	15—20′	25—30′	S	S-PS	Varies greatly in size; tolerates clay soil, cultivars available
Prunus laurocerasus Cherrylaurel	4—8′	5—8′	M	S-SH	Favorite cultivars are Zabel, Otto Luyken and Schip laurel, need well-drained soil, some disease problems and scale insects
Rhaphiolepis cvs. Indian Hawthorn	4—10′	4—10′	S	S-PS	Tolerates a variety of conditions, drought tolerant, many cultivars available
Rhododendron hybrida Evergreen Azalea	2—8′	2—10′	M	PS	Many hybrids and cultivars available, needs well drained soil
Sarcococca confusa Sweetbox Sarcococca	3—5′	3—5′	S-M	PS-SH	Drought tolerant, fragrant flowers in late winter
Viburnum awabuki 'Chindo' Chindo Viburnum	10—15′	6—8′	R	S-PS	Pyramidal form, drought tolerant
Viburnum rhytidophyllum Leatherleaf Viburnum	10—15′	10—15′	M	PS-SH	Protect from winter wind and sun
Non-Native Deciduous					
Chaenomeles speciosa or japonica Japanese Flowering Quince	5—8′	4—8′	R	S-PS	Varied flower colors, flowers best in full sun, tolerates a variety of conditions, many cultivars available, stems often have spines
Cotinus coggygria Smoketree or Smokebush	10—15′	8—12′	M-R	S	Tolerates a range of soil types, drought tolerant, showy summer flowers, many cultivars available
Forsythia × intermedia Border Forsythia	8—10′	10—12′	R	S-PS	Tolerates a variety of conditions, blooms in early spring, best in full sun, many cultivars to choose from
Hydrangea macrophylla Bigleaf Hydrangea	3—4′	4—6′	R	PSH	Moist well drained soil, wilts in drought, long bloom period, needs pruning after blooming
Hydrangea paniculata Panicle Hydrangea	6—20′	6—8′	R	S-PS	Drought tolerant, white flowers in summer, long bloom period, many cultivars available
Kerria japonica Japanese Kerria	3—6′	6—9′	M	PS-SH	Drought tolerant, early spring yellow flowers, interesting green stems, cultivars available
Spiraea cvs. Spirea (excl. Spiraea japonica)	Var.	Var.	Gen. R	S	Spring or summer flowering shrubs, many cultivars available, Spiraea japonica species is considered an invasive exotic in N.C.

5.6 GROUNDCOVERS AND GRASS

GROUND COVER AND GRASSES						
PLANT NAME/ COMMON NAME	**DECIDUOUS/ EVERGREEN**	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Native						
Carex pensylvanica Pennsylvania Sedge or Oak Sedge	Semi-E	.5—1′	.5—1′	M	PS-SH	Plant in moist or dry soil, easy to grow and drought tolerant
Carex plantaginea Seersucker Sedge	E	.5—1′	.5—1′	M	PS	Needs moist soil
Chrysogonum virginianum Green-and-Gold	Semi-E	.5—1′	.75—1.5′	M	PS-SH	Needs good drainage, yellow spring blooms
Fragaria virginiana Wild Strawberry	D	.25—.75′	.75—1′	M-R	S-PS	Native, prefers full sun, fruit is small but flavorful
Heuchera americana or villosa American Alumroot	E	1—2′	1—2′	M	PS-SH	Attractive mottled foliage and small flowers on long wiry stems, prefers moist to average well-drained soil, many cultivars available
Juniperus horizontalis Creeping Juniper	E	1—2′	3-4	M-R	S	Tolerates a variety of conditions, drought tolerant, cultivars available, native to NE US
Mitchella repens Partridge-berry	E	.25′	1′+	S-M	PS-SH	White spring flowers, red fall fruit, prefers moist organic soil
Pachysandra procumbens Allegheny-spurge	E	.5—1′	1-2+′	M	PS-SH	Drought tolerant, very interesting winter leaf, early spring bloom
Phlox stolonifera Creeping Phlox	E	.5—1′	.75-1.5′	R	PS-SH	Prefers light shade and moist soil, spring blooms, many cultivars available
Phlox subulata Moss Phlox	E	.25—.5′	1-2+′	M	S	Good drainage important, drought tolerant, late winter through spring bloom period, many cultivars available
Non-Native						
Cephalotaxus harringtonia 'Prostrata' Prostrate Japanese Plum Yew	E	2—3′	2—5′	S	S-PS	Drought tolerant, can be used for a ground cover
Cotoneaster dammeri cvs. Bearberry Cotoneaster	E	1—2′	3—6′	S-R	S-PS	Needs good drainage, but tolerates poor soils and drought once established;

GROUND COVER AND GRASSES						
PLANT NAME/ COMMON NAME	**DECIDUOUS/ EVERGREEN**	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
						white flowers in spring and small red fruit
Cotoneaster salicifolius cvs. Willowleaf Cotoneaster	Semi-E	1-1.5′	5—6′	M	S-PS	Drought tolerant, tolerates a variety of conditions; foliage turns purplish red in winter, white flowers in spring and small red fruit
Hemerocallis spp. Daylily	D	.75—3′	2—3′	R	S-PS	Tolerates a variety of conditions, summer heat and humidity tolerant, needs dividing, summer blooms, many cultivars available including repeat bloomers
Hypericum calycinum Aaronsbeard	Semi-E	1—1.5′	1.5—2′	M-R	S-PS	Tolerates a variety of conditions, blooms best in full sun
Juniperus conferta Shore Juniper	E	.75—1.5′	6—8′	R	S	Tolerates a variety of conditions, drought tolerant, many cultivars available
Juniperus procumbens Japanese Garden Juniper	E	1—1.5′	10—12′	S	S	Tolerates a variety of conditions, doesn't like wet soils, very hardy, 'Nana' is a popular dwarf cultivar
Liriope muscari Lily-Turf or Liriope	Semi-E	1—1.5′	.75—1′	R	S-PS	Tolerates a variety of conditions, summer flowers, stays green through the winter but needs cutting back in early spring, cultivars available
Microbiota decussata Russian Arborvitae	E	.5—1.5′	3′-8′	M	S-PS	More shade tolerant than some other junipers, foliage turns bronze-purple in fall and winter
Ophiopogon japonicus Mondo	Semi-E	.75—1.3′	1′	R	PS-SH	Tolerates a variety of conditions, cultivars available, colonizes
Pachysandra terminalis Japanese Pachysandra	E	.5—1′	1—1.5′	R	PS-SH	Tolerates a variety of conditions but needs well-drained soil, cultivars available

GROUND COVER AND GRASSES						
PLANT NAME/ COMMON NAME	**DECIDUOUS/ EVERGREEN**	**HEIGHT**	**SPREAD**	**GROWTH RATE** S = SLOW; M = MODERATE; R = RAPID	**LIGHT NEEDS** S = SUN; SH = SHADE; PS = PARTIAL SUN	**COMMENTS**
Rubus pentalobus or calycinum Creeping Raspberry	E	.5—1′	3—6′	M	S-PS	Tolerates variety of conditions, leaves turn burgundy in fall and winter
Sarcococca hookeriana var. humilis Dwarf Sweetbox	E	1-1.5′	2—4′	S-M	PS-SH	Drought tolerant, good for shady areas, fragrant winter flowers
Ornamental Grasses - Native						
Andropogon gerardii Big Bluestem or Turkeyfoot	E	4—6′	2—3′		S	Tolerates a wide variety of conditions, drought tolerant, needs sun
Andropogon virginicus Broomsedge	E	3—4′	2—3′		S	Drought tolerant
Muhlenbergia capillaris Pink Muhlygrass or Hairgrass	E	2—3′	2—3′		S-PS	Tolerates a wide variety of conditions, showy pink flowers in summer through fall, cultivars available
Panicum virgatum Switchgrass	E	3—6′	2—3′		S-PS	Tolerates a wide variety of conditions, wet to dry, good fall color, many cultivars available
Schizachyrium scoparium Little Bluestem	E	2—3′	1—2′		S	Tolerates a wide variety of conditions, drought tolerant, cultivars available
Sorghastrum nutans Yellow Indiangrass	E	3—5′	1—2′		S	Tolerates a wide variety of conditions, good fall color
Ornamental Grasses – Non-Native						
Calamagrostis × acutiflora 'Karl Foerster' Feather Reed Grass	E	3—5′	1.2—2.5′		S	Fall color, good for medium to wet soils
Pennisetum alopecuroides Fountain Grass	E	2.5—5′	2.5—5′		S-PS	Tolerates a wide variety of conditions, good fall color, many cultivars available
Pennisetum orientale 'Karley f' Oriental Fountain Grass	E	2—3′	2—3′		S-PS	Drought tolerant, deep pink plumes last from early summer to fall

5.7 INVASIVE SPECIES

INVASIVE SPECIES			
PLANT NAME	**COMMON NAME**	**PLANT NAME**	**COMMON NAME**
Invasive Trees			
Ailanthus altissima	Tree of Heavan	Paulownia tomentosa	Princess Tree
Albizia julibrissin	Silktree/Mimosa	Schinus terebinthifolius	Brazilian Peppertree
Pyrus calleryana	Callery / Bradford Pear	Cinnamomum camphora	Camphortree
Triadica sebifera	Chinese Tallowtree	Melia azedarach	Chinaberrytree
Firmiana simplex	Chinese Parasoltree	Frangula alnus	Glossy Buckthorn
Broussonetia papyrifera	Paper Mulberry	Triadica sebifera	Tallowtree, Popcorntree
Vernicia fordii	Tungoil Tree		
Invasive Shrubs			
Eleagnus umbellate	Autumn Olive	Lespedeza bicolor L. thunbergii	Bicolor / Shrubby Thunberg's Lespedeza
Berberis (Mahonia) bealei	Leatherleaf Mahonia	Berberis thunbergii	Japanese Barberry
Multiflora Rose	Rosa multiflora	Buddleja davidii	Butterfly bush
Elaeagnus angustifolia	Russian Olive	Elaeagnus pungens	Thorny Olive
Euonymus alata	Burning Bush	Ligustrum sinense L. vulgare L. obtusifolium L. ovalifolium L. amurense L. japnoicum	Chinese Privet European Privet Border Privet California Privet Amur Privet Japanese Privet
Lonicera fragrantissima	Fragrant Honeysuckle	Lonicera maackii	Bush Honeysuckle)
Nandina domestica	Heavenly Bamboo	Poncirus trifoliata	Trifoliate Orange / Hardy Orange
Tamarix ramosissima	Salt Cedar		

INVASIVE SPECIES			
PLANT NAME	**COMMON NAME**	**PLANT NAME**	**COMMON NAME**
Invasive Vines			
Ampelopsis brevipedunculata	Porcelainberry	Pueraria Montana var. lobata	Kudzu
Celastrus orbiculatus	Oriental Bittersweet	Wisteria sinensis / Wisteria floribunda	Chinese/Japanese Wisteria
Hedera helix	English Ivy	Akebia quinata	Chocolate Vine
Ipomoea quamoclit	Cypressvine Morningglory	Ampelopsis brevipedunculata	Porcelain Berry
Lonicera japonica	Japanese Honeysuckle	Cayratia japonica	Bushkiller
Clematis terniflora	Sweet Autumn Virgin's Bower	Euonymus fortunei var. radicans	Winter Creeper
Persicaria perfoliata	Mile-A-Minute Vine	Tribulus terrestris	Puncturevine
Invasive Herbs and Grasses (Herbaceous Plants)			
Alliaria petiolate	Garlic Mustard	Lespedeza cuneata	Sericea Lespedeza
Microstegium vimineum	Japanese Stiltgrass	Miscanthus sinensis	Chinese Silvergrass
Arthraxon hispidus	(Small Carpetgrass)	Reynoutria japonica	Japanese Knotweed
Arundo donax	(Giant Reed)	Cyperus entrerianus	Deep-rooted Sedge)
Ficaria verna	Fig Buttercup	Glechoma hederacea	Ground Ivy
Heracleum mantegazzianum	Giant Hogweed	Imperata cylindrica	Cogongrass
Iris pseudacorus	Yellowflag Iris	Lespedeza cuneata	Chinese Lespedeza
Lygodium microphyllum	Old World Climbing Fern	Lythrum salicaria	Purple Loosestrife
Microstegium vimineum	Japanese Stilt Grass	Miscanthus sinensis	Chinese Silvergrass
Oplismenus hirtellus ssp. undulatifolius	Wavyleaf Basketgrass	Perilla frutescens	Beefsteak Plant

INVASIVE SPECIES			
PLANT NAME	**COMMON NAME**	**PLANT NAME**	**COMMON NAME**
Phalaris arundinacea	Reed Canarygrass	Phragmites australis	Common Reed
Phyllostachys aurea	Golden Bamboo)	Reynoutria japonica	Japanese Knotweed
Solanum viarum	Tropical Soda Apple	Sorghum halepense	Johnson Grass
Stellaria media	Common Chickweed	Youngia japonica	Asiatic Hawsbeard
Invasive Aquatic Plants			
Alternanthera philoxeroides	Alligatorweed	Egeria densa	Brazilian Waterweed
Hydrilla verticillata	Hydrilla	Ludwigia hexapetala	Creeping Water Primrose
Myriophyllum aquaticum	Parrot feather	Nymphoides cristata	Crested Floating Heart
Salvinia molesta	Giant Salvinia		

Resources:

- North Carolina Forest Service, accessed May 9, 2025: https://www.ncagr.gov/divisions/nc-forest-service/forest-health/invasive-plants
- North Carolina Invasive Plant Council, accessed May 9, 2025: https://nc-ipc.weebly.com/piedmont-invasive-plants.html
- United States Department of Agriculture, accessed May 9, 2025: https://www.srs.fs.usda.gov/pubs/gtr/gtr_srs119.pdf

Consistency Statements Sheet

The Planning Board may choose from one of the four suggested motions below.

Staff Recommends the Option in Red Bold Text

Motion 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of the Unified Development Ordinance Text Amendments, UDOTA 1-25, based on consistency with the adopted 2045 Comprehensive Growth Plan, in that:

- **GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.**
- **Policy LU 1.1 Manages future growth and encourages quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.**
- **Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.**

This action is reasonable and in the public interest, in that:

- **The 2045 Comprehensive Growth Plan encourages an up-to-date Unified Development Ordinance.**
- **The request is compatible with providing a relevant and community-reflective land use regulatory framework.**

Motion 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan4

I make a motion to recommend approval of the Unified Development Ordinance Text Amendments, UDOTA 1-25. While the request is inconsistent with the adopted 2045 Comprehensive Growth Plan, in that:

- GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 Manages future growth and encourages quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.
- Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.

This action is reasonable and in the public interest, in that:

- The 2045 Comprehensive Growth Plan encourages an up-to-date Unified Development Ordinance.
- The request is compatible with providing a relevant and community-reflective land use regulatory framework.

Motion 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of the Unified Development Ordinance Text Amendments, UDOTA 1-25, while the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 Manages future growth and encourages quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.
- Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.

This action is reasonable and in the public interest, in that:

- The 2045 Comprehensive Growth Plan does not encourage an up-to-date Unified Development Ordinance.
- The request is incompatible with providing a relevant and community-reflective land use regulatory framework.

Motion 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of the Unified Development Ordinance Text Amendments, UDOTA 1-25, based on inconsistency with the adopted 2045 Comprehensive Growth Plan, in that:

- GOAL LU-1 Seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 Manages future growth and encourages quality development through the implementation of the Comprehensive Plan, the Unified Development Ordinance (UDO), and other plans and regulations adopted by the Town Council.
- Strategy LU 1.1.3 Reviews and updates the Unified Development Ordinance within 1-2 years to ensure consistency with the Goals, Policies and Strategies of the Comprehensive Growth Plan.

This action is reasonable and in the public interest, in that:

- The 2045 Comprehensive Growth Plan does not encourage an up-to-date Unified Development Ordinance.
- The request is incompatible with providing a relevant and community-reflective land use regulatory framework.