



**Town of Clayton
Town of Clayton Planning Board Agenda
Monday, September 23, 2024 @ 6:00 PM
Town Council Chambers**

<https://www.youtube.com/TownofClaytonNC>

THE PLANNING BOARD MEETING WILL BE HELD IN PERSON.

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

THE PUBLIC MAY VIEW THE LIVE MEETING ON THE TOWN'S YOUTUBE CHANNEL:

<https://www.youtube.com/TownofClaytonNC>

1. CALL TO ORDER

2. ADJUSTMENT OF THE AGENDA

3. APPROVAL OF MINUTES

- a. August 26, 2024 Planning Board Meeting Minutes
[August 26, 2024 Planning Board Minutes](#)

4. PUBLIC MEETING

2024-92 - RZ Triangle Coffee Shop
Presenter: Audrey Duchesne, Senior Planner
[2024-92 - RZ Triangle Coffee Shop - Planning - Pdf](#)

5. NEW BUSINESS

6. INFORMAL DISCUSSION AND PUBLIC COMMENT

7. ADJOURN



Town of Clayton
Planning Board Minutes
Monday, August 26, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Board Members Present:

James Moore, Chair
Kevin Lee
James Lipscomb
Derrick Applewhite
Jodie Dupree
Daniel Gleason
Mike Surasky (*left at 7:00 p.m.*)

Board Members Absent:

Jeffrey R. Spence
Ronald Williams
Anita Bland

Staff Present:

Andria Archer, Council Liaison
Audrey Duchesne, Senior Planner
Conrad Olmedo, Planning Director
Heidi Holland, Town Clerk

Guests Present:

Chad Meadows, Consultant with CodeWright Planners
(*Remote*)
Dan Lambert, Consultant with McAdams (*Remote*)

1 CALL TO ORDER

- a) Board Chair Moore called the meeting to order at 6:00 p.m. Mr. Olmedo provided the roll call.

2 ADJUSTMENT OF THE AGENDA

- a) No adjustments.

3 APPROVAL OF MINUTES

- a) Minutes
- April 22, 2024
 - June 24, 2024

Adoption of Minutes

RESULT:	CARRIED 7-0
MOVER:	Jodie Dupree
SECONDER:	Derrick Applewhite
YES:	James Moore, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, and Mike Surasky
NO:	None
ABSENT:	Jeffrey R. Spence, Ronald Williams, and Anita Bland

4 PUBLIC MEETINGS

a) UDOTA 2-24

Presenter: Chad Meadows, Consultant with CodeWright Planners

Chad Meadows joined the meeting remotely. He stated this is the second round of UDO amendments which contain 111 changes and are organized into 7 groups. These amendments occur on a quarterly process. He spoke briefly about the amendment process.

He discussed the robust process on how to track these amendments; shared was a copy of the summary table. He stated many of these changes are minor in nature, shared were these changes.

Administrative/Non-Substantive:

- 'Building Inspector' to 'Inspections Director', pp. 34, 37, 48, 63, 65, 516
- Remove references to riparian buffer procedures, pp. 54, 145, 146
- 'Complimentary' to 'complementary', pp. 214, 218, 430, 539, 540
- Typos, Missing Words, Extra Words, pp. 76, 99, 116, 186, 345
- Updated Images (to properly reflect codified text), pp. 417, 425, 480, 527

Procedures:

- Determination – Adds Inspections Director, pp. 48, 78
- Land Disturbance Permit – Pre-app optional, pp. 48
- Alternative Sign Plan – Town Council decided, not Planning Director, pp. 50, 118, 119
- Driveway Permit – Not required for access to a private road, but does require zoning compliance permit + allows a construction professional to prepare application instead of PE, pp. 83
- Final Plat Recordation – Allows staff or applicant to record + caveat about failure to provide recorded copy to staff, pp. 106
- Performance Guarantees – Adds landscaping to eligible features, adds sedimentation/erosion control in ineligible features, clarifies Town Council decides post-approval applications, pp. 111, 112
- TIA – Engineering Director 'accept' or 'not accept' instead of 'decide' + can still deny application based on TIA, pp. 139, 140
- Family Subdivision Certification Statement, pp. 800
- Family Subdivision, Limited Subdivision, Minor Plat – added to application requirements table, pp. 806, 807

Districts:

- Type 3 Conditional Rezoning – Concept plan subject to vesting; does not run with the land, pp. 71
- DTNC – Removed height provision for corner buildings, pp. 183

- Mixed-use Development must comply with Mixed-Use Design Standards in Ch. 6 (DTNC, DTNN, DTNT, MXD), pp. 184, 188, 191, 196
- MXD District – There is a maximum street setback, not a minimum street setback, pp. 197
- RLD District – Sidewalks may be required in certain areas, pp. 211
- Methods of Demonstrating Higher Quality Development for Type 3 Conditional Rezonings (landscaping, parking, traffic lights), pp. 227
- Lot Coverage - Only areas under buildings or roofs = lot coverage; prior approvals subject to rules in effect when approved, pp. 243
- Off-Street Parking – May encroach into setbacks except in DTNC and DTNT, pp. 251

Uses:

- Parking and Shipping Uses – permitted by-right in PUB, pp. 284
- Vehicle Towing or Storage – Allowed in CZC, pp. 285
- Bungalow Court – Requires Type B (not Type C buffer), pp. 295
- Single-Family Attached – All lots in Downtown districts less than 50-feet-wide must be rear loaded, pp. 325
- Secondary Structures – some permitted in front of principal dwelling when lot is 2 acres in size or more; requires doubled front setback, pp. 354
- Push carts added to mobile restaurants; removes separation from schools, churches, cemeteries, pp. 356, 364, 365
- RV Parking – Removed from CRM, LID, HID, CZC, CZI, pp. 356
- Vehicle Towing or Storage – Added as a secondary use, subject to same standards applied to principal use, pp. 356, 361, 372
- Outdoor dining may take place on an adjacent lot, but if so, not credited towards open space set-aside standards, pp. 366

Infrastructure:

- Placement of features within an easement requires prior approval from easement holder, pp. 490
- Easements are permitted features in passive and active open space set-asides, pp. 553, 555
- Potable water & sanitary sewer minimum connection distances are measured as straight lines from point-to-point, pp. 495, 510

Development Standards:

- Clarifies applicability of access & circulation standards for redevelopment (increase by 50% or more of floor area, use area, provided parking), pp. 411
- Single-Family Attached – ‘Parent’ parcel must be at least 30-feet-wide, pp. 412
- Increase min. driveway depth for single-family detached from 20 to 25 feet, pp. 416

- Driveway spacing – Must be 20 feet, whether on same or different lots, pp. 418
- Setbacks from Alternative Access are same as street setback; Engineering Director may allow alternative accessway of 30 feet (down from 50'), pp. 419
- Driveways – Town or NCDOT can restrict #; Added driveway width (12/24); Driveway depth from NCDOT street determined by NCDOT, pp. 420
- Parking Lot Cross-Access – Separation from driveway or street reduced from 60 feet to 50 feet; Engineering Director may reduce further, pp. 424
- Mixed Use standards applied to all principal buildings in a mixed-use development, pp. 430
- Bike Lanes in Mixed-Use developments – provided in accordance with Adopted Policy Guidance, pp. 431
- Mixed-Use parking location – limited to the side or rear, pp. 434
- Mixed-Use weather protection – only required over windows/doors; max. projection of 5 feet, pp. 435
- Multi-family buildings must be parallel to street when within 100 feet of street, pp. 439
- Multi-Family Building Façade elements – applied to all building facades, not just those fronting streets; 2 or more dormers; shutters on at least $\frac{3}{4}$ of windows; 2+ bay windows; removed cornice, pp. 441, 442
- Multi-family building articulation required on all sides, not just street facing, pp. 444
- Clarifies max. multi-building height (18') within 100' of single-family detached or attached dwellings, pp. 444
- Limits use of gates across accessways serving multi-family, pp. 446, 509
- Clarifies non-residential design standards apply to attached structures added to an existing building, pp. 449
- Non-residential building articulation features only counted on the wall where located, pp. 453
- Non-residential outparcels on street corners must include at least 2 of 4 required design features, pp. 459
- Large format retail structures may utilize allowable alternatives to transparent windows and doors, pp. 462
- Residential design guidelines apply to triplexes & quadplexes, pp. 463
- Removes limits on concrete foundations, pp. 464
- Distinctly different requirements for SFD reduced from 6 to 4, pp. 468
- Lighting plans shall be prepared a lighting professional, pp. 478
- Allows gravel to be used for surface parking when within or next to railroad ROW, subject to specific standards, pp. 579, 580

Definitions:

- Mid-block Alley - 745
- Vehicle Towing or Storage – 792 (its or, not and)

Mr. Surasky suggested on the driveway spacing standards, it might be a good idea to look at this on the next round of drafts and talk about the hierarchy of roadways within the Town and ETJ. He stated as the roads are a little more rural but become more urban and suburban, if you allow driveways to be 20' apart, in 10 years it would look weird when houses are close to each other. He spoke on the possible safety issues this could cause. Mr. Meadows asked if he is suggesting we be more careful in applying this and not allow driveways every 20' on arterial or collector streets and to think about long-term as the street moves from a minor collector or minor arterial to a higher-level street? Mr. Surasky stated yes.

Mr. Applewhite stated regarding districts, what are the methods for demonstrating higher quality level development for type three conditional? He asked if these would be the first examples that would be placed into the UDO and how would staff go about collecting other alternative ideas that are not included? Mr. Meadows stated they are actively working with Council now on how to deal with the density issue, the yield issue, and situations where applicants are seeking densities that exceed the caps installed. He stated he would be interested in any suggestions the Planning Board may have.

Mr. Lipscomb stated regarding development standards number 15, which talks about a max building height of 18', is that to the top of the wall on the second floor or is that to the ridge of the roof. Mr. Meadows stated it's to the ridge. Mr. Lipscomb stated he is thinking about a 9' first floor with an 8' second floor and a 1' of floor structure; that is 18' without the roof. Mr. Olmedo stated the height is measured on the pitch roof from the midpoint of the roof. Mr. Meadows clarified that Mr. Lipscomb stated the 18' is insufficient if there was a pitch roof structure because the roof would need to have some pitch of around 2-3'. He stated this could be raised to 20'. Mr. Lipscomb stated he is thinking in terms of stories rather than feet. Mr. Meadows stated he would share this suggestion with Council; to strike the 18' and state it as 2 stories.

Mr. Meadows stated this presentation would go before Council on September 3, 2024 at their work session and up for adoption at the September 16, 2024 regular meeting.

Mr. Applewhite read the consistency statement and made a motion to recommend these amendments to Town Council. Mr. Lipscomb seconded but with the caveat of including the three recommendations made tonight:

1. restricting number of new driveways for new lots created fronting arterial roads
2. considering additional and further discussing enhancements for conditional rezonings

3. revising the maximum height of multi-family buildings within 100' of an existing single-family residence to be only two stories and removing the 18-foot height reference

Motion To Recommend to Council with 3 Recommendations Listed in the Minutes

RESULT:	CARRIED 7-0
MOVER:	Derrick Applewhite
SECONDER:	James Lipscomb
YES:	James Moore, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, and Mike Surasky
NO:	None
ABSENT:	Jeffrey R. Spence, Ronald Williams, and Anita Bland

- b) Downtown Master Plan - Recommendation
Presenter: Dan Lambert, Consultant with McAdams

Mr. Olmedo stated this project is 2 years in the making. This item was presented to the Downtown Development Advisory Board earlier in August and was recommended for approval. Dan Lambert, with McAdams, joined remotely. He stated this presentation shows the changes that have been made by the DDA and the Planning Board. He stated some clerical edits have been made, those would not be referred to.

He stated a couple items included in this draft have referred to conversations with the NC Railroad. This has been revised to imply there has been progress despite some difficulties. There are also references to the 2010 master plan and how it was very aggressive in recommendations on redevelopment for adaptive reuse and a lot of that did not occur between 2010 and this plan.

The vision statement and community values were shared. He discussed the two new districts that have been added: Historic Downtown Core District and the Downtown Development District.

Discussion began on the recommendations.

Future Land Use Map Recommendations:

- FLUM - 01. Revisit and refine areas designated as Downtown Support
- FLUM - 02. Expand Downtown Core area
- FLUM - 03. Replace the Downtown Core designation with a new pair of designations, the Historic Downtown Core and Downtown Development

Zoning Map Recommendations:

- ZONM - 01. Expand the area considered to be the Downtown Core

- ZONM - 02. Replace the Downtown Core (DTNC) zoning district, dividing it into the Downtown Development District (DTDD) and the Historic Downtown Core District (HDCD) per the Downtown Plan

Traffic Transportation and Parking Recommendations:

- TTPK - 01. Add a 75-foot eastbound left-turn lane on Main Street at Robertson Street
- TTPK - 02. Add a 100-foot westbound left-turn lane on Main Street at Robertson Street
- TTPK - 03. Add a 125-foot eastbound left-turn lane on Main Street at O'Neil Street
- TTPK - 04. Add a 125-foot westbound right-turn lane on Main Street at O'Neil Street
- TTPK - 05. Add a 50-foot westbound left-turn lane on Main Street at Smith Street
- TTPK - 06. Do NOT widen the roads in downtown Clayton in the future
- TPK - 07. Reduce the speed on Main Street to 25 mph from Stallings Street to Robertson Street, especially once a sidewalk is constructed. The reduced speed limit will help with creating a sense of arriving in Downtown Clayton and slower vehicle speeds will give drivers more reaction time to stop for pedestrians who are crossing the road.
- TTPK - 08. Incorporate a four-way stop to the intersection of Main Street and Moore Street following speed limit reduction and addition of sidewalks to the intersection.
- TTPK - 09. Develop Main Street into more of a 'Complete Street'
- TTPK - 10. Realign the western end of Stallings Street keeping the entirety of the downtown stretch north of the railroad corridor. Close the North Carolina Railroad crossing at Stallings Street as a part of the Stallings realignment.
- TTPK - 11. Close the North Carolina Railroad crossing at Church Street
- TTPK - 12. Hire commuter rail planning consultants to study best possible location(s) for a commuter rail station in or near downtown Clayton
- TTPK - 13. Continue to pursue BRT opportunities on US 70 BUS as well as bike/ped connectivity to downtown
- TTPK - 14. Establish a three-route network of microtransit including the Green Route (Barber Mill + North O'Neil), Gold Route (US 70, and Pink Route (NC 42)
- TTPK - 15. Perform a formal Downtown Parking Study using projections derived from the land use and development patterns recommended in this Downtown Plan
- TTPK - 16. Establish agreement with NCRR to allow First Street and Front Street parking and pedestrian improvements.
- TTPK - 17. Design + construct First Street and Front Street parking and pedestrian improvements

- TTPK - 18. Contract a need and feasibility study for surface and structure parking to identify possible sites, triggers for development of each and cost factors for implementing each.
- TTPK - 19. Add funding line item to budget and Capital Improvements Plan to begin accruing necessary funds to implement either solution.
- TTPK - 20. Acquire property for implementation of recommended solution based on need and feasibility study.
- TTPK - 21. Design + construct preferred parking solution (Surface or Structure).

Bicycle and Pedestrian Improvements Recommendations:

- BKPD - 01. Parking Lane/Enhancement Zone: curb extensions, parklets, bicycle corrals, etc. can be constructed in the pavement width typically used for on-street parallel parking.
- BKPD - 02. Pedestrians at Signalized Intersections: install pedestrian signal heads, provide adequate pedestrian crossing time.
- BKPD - 03. Priority Project #2: Main Street Pedestrian Improvements from Moore Street to Central Street.
- BKPD - 04. Priority Project #7: East Coast Greenway Complete Downtown Clayton Feasibility Stud
- BKPD - 05. Connecting First Street to Main Street, between Fayetteville Street and Church Street
- BKPD - 06. Connecting First Street to Main Street, between Church Street and Horne Square
- BKPD - 07. Improve signage identifying parking at the Clayton Center and the route to Main Street
- BKPD - 08. Connecting Second Street to Main Street, between Lombard Street and Smith Street
- BKPD - 09. Pedestrian railroad crossings should also be improved, particularly at Robertson Street, O'Neil Street and Central Street. Based on the September 24, 2020 traffic counts at the railroad crossings in conjunction with the recommendation to close the Church Street crossing, these intersections are the most used by pedestrians.
- BKPD - 10. Ahead of constructing a greenway tunnel under the railroad, pedestrian facilities should be constructed to connect the tunnel to the existing sidewalk on Main Street at Robertson Street.
- BKPD - 11. A grade separated pedestrian rail crossing, which has been analyzed in the past by the Town, should also be considered at Lombard Street adjacent to Horne Square. There is potential and desire to construct a greenway tunnel to connect Main Street to the East Coast Greenway, which would create a designated rail crossing for greenway traffic
- BKPD - 12. Plan, prioritize, design + construct consistent greenway scale walkway access along the length of the rail corridor through Downtown Clayton making connections to all pedestrian crossings of the rail corridor

and improving access to Municipal Park from all parts of the Downtown Core.

- BKPD - 13. Design + Construct East Main Street Sidewalk Connector from Central Street to US 70 Business.
- BKPD - 14. Design + Construct the Mountain to Sea (MTS) Greenway Trail, also known as the Cross-Clayton Connector. This is included in the Move Clayton Transportation Plan as Priority Project #1: Robertson Street Sidewalk Gaps and Crossing Improvements from Clayton High School to Main Street.
- BKPD - 15. Consistent sidewalk access should be provided to each of these destinations above, as well as other main attractions in Clayton that are within walking distance of the public parking provided downtown.
- BKPD - 16. Opportunities to close sidewalk gaps should be explored as funding becomes available. For example, the sidewalk gap on Stallings Street from Crawford Parkway to McCullers Street is approximately 900 feet long, and if funding becomes available for sidewalk construction, closing this gap would provide a more direct connection to the residents on Crawford Parkway to Municipal Park.

Main Street Streetscape Recommendations:

NEAR TERM

- MSNT - 01. Implement Pedestrian Intersection Guidance at Signalized Intersections
- MSNT - 02. Implement Pedestrian Traffic Signal Enhancements
- MSNT - 03. Study Main Street Corridor for Potential to Incorporate Mid Block Crossings under the NCDOT Action Plan

LONG TERM

- MSLT - 01. Implement Parking Lane / Enhancement Zone Concept Throughout Downtown Core Area

Other Downtown Pedestrian/Streetscape Improvements Recommendations:

NEAR TERM

- ODNT - 01. Incorporate Funding for Sidewalk Gap Closures + Crossing Improvements
- ODNT - 02. Establish Priority List of Sidewalk Gap Closures + Crossing Improvements
- ODNT - 03. Seek Alternative Funding Sources for On-Street Connections such as bike lanes or shared lane markings to Area Greenways + East Coast Greenway Completion through Downtown Greenway Completion
- ODNT - 04. Form Active Transportation Advisory Committee (ATAC) + Include Downtown Representation
- ODNT - 05. Become Designated as a Walk Friendly Community
- ODNT - 06. Contract Planning + Design Services for an Integrated Branding, Signage + Wayfinding System

- ODNT - 07. Erect Decorative / Protective Fencing Along Rail Corridor Along First Street + Front Street for Full Length of Downtown Corridor from Atkinson Street to Central Street Restricting Crossings
- ODNT - 08. Improve Pedestrian Facilities at Railroad Crossings Including Controlled Access Control Measures

LONG TERM

- ODLT - 01. Implement + Construct Integrated Branding, Signage + Wayfinding System

Downtown Events and Programming Recommendations:

NEAR TERM

- DENT - 01. Identify Preferred Location for Construction of a Permanent Public Restroom Building for Year-Round Event and Public Use
- DENT - 02. Add Funding Line Item to Annual Budget to Reserve Funds for Construction, Maintenance, and Security Patrol of Permanent Public Restroom Building and Related Infrastructure

LONG TERM

- DELT - 01. Contract, Plan, Design + Construct Permanent Public Restroom Building + Related Infrastructure

Farmers' Market Recommendations:

NEAR TERM

- DENT - 03. Identify Preferred Location for Permanent Pavilion Structure(s) for Year-Round Market Use
- DENT - 04. Add Funding Line Item to Annual Budget to Reserve Funds for Construction of Permanent Pavilion Structure(s) and Infrastructure
- DENT - 05. Study Vendors from Current + Prior Farmers' Markets and Identify Gaps in Offerings to Customers

LONG TERM

- DELT - 02. Actively Seek a Variety of Vendors, Craftsmen, Artisans + Artists to Contract Spaces at the Farmers' Market
- DELT - 03. Contract, Plan, Design + Construct Farmers' Market Pavilion Structure(s) + Infrastructure

Clayton Concert Series and Family Movie Night Recommendations:

NEAR TERM

- DENT - 06. Identify Preferred Location for Construction of Permanent Stage/Bandshell Structure for Year-Round Performance Event Use
- DENT - 07. Add Funding Line Item to Annual Budget to Begin Reserving Funds for Construction of Permanent Stage/Bandshell Structure and Related Infrastructure

- DENT - 08. Identify Available Location for Expanded Concert Series Including Different Venues at Different Scales
- DENT - 09. Work with Other Series Such As Family Movie Night to Fill Empty Slots in Schedule with Regular Functions
- DENT - 10. Work with Cultural Arts Department and The Clayton Center to Book Complimentary Performance Events

LONG TERM

- DELT - 04. Actively Seek Larger and More Frequent Events through Targeted Marketing Campaigns
- DELT - 05. Create a new position or empower an existing position to coordinate downtown events and their planning

Infrastructure Improvements Recommendations:

NEAR TERM

- INFR - 01. Utilizing the Downtown Stormwater Analysis Study (anticipated completion in late 2024), identify capacity needed and trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates.
- INFR - 02. Contract a Water and Wastewater Analysis Study to identify capacity needed and identify need for new treatment facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates.
- INFR - 03. Contract an Electrical Service Capacity Analysis Study to identify capacity needed and identify need for new supply and transmission facilities and locations for them as well as trigger points at which expansion of the needed capacity would occur at anticipated plan growth rates.

LONG TERM

- INFR - 04. Establish plan and funding for integrated utility network information to be created, populated, and updated in a format that works well with design firms working within the Town (such as a BIM system) as well as unification and consolidation of GIS data.
- INFR - 05. Pursue utility conversion from overhead to underground to alleviate visual clutter and to reduce conflicts.

UDO Text Recommendations:

- 1.8 REVIEW AUTHORITIES - To establish authority for enforcement of architectural guidelines in the Historic Downtown Core District (HDTC), a review board and its review authority and process needs to be established within section 1.8.
- 1.11 VESTED RIGHTS - For properties entitled to lesser densities, particularly in the newly established Downtown Development

- 2.2 APPLICATION SUMMARY TABLES - Include new district classifications in all application process language including any variation specific to the new districts and their criteria
- 2.3 APPLICATION TYPES - Include new application type for Historic Downtown Core Architectural Review including procedures, policies, forms and fees
- 2.4 REVIEW PROCEDURES - Include review procedure(s) for Historic Downtown Core Architectural Review
- 3.2 CONVENTIONAL ZONING DISTRICTS - Add language for two new zoning districts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts.
- 3.4 GENERAL DIMENSIONAL STANDARDS - Add language for two new zoning districts, Downtown Development District (DTDD) and Historic Downtown Core District (HTDC), and revisit language for Downtown Core (DTNC) with it being parsed into two new districts.
- 3.8 ZONING MAP - Revise Zoning Map to reflect Future Land Use Map recommendations from the Downtown Plan including two new classifications
- CHAPTER 5 NONCONFORMITIES - Revise each section within this chapter to reflect the restrictive requirements of the new Historic Downtown Core District (HDTC) such that it incentivizes the redevelopment of properties that do not match the intended preserved and enhanced character of the district.
- 6.2 DESIGN STANDARDS + GUIDELINES - Add a new subsection establishing the architectural and design standards and guidelines for the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)
- 6.3 THROUGH 6.18 - Revise each section's language to establish the design standards and guidelines for these elements in the new Historic Downtown Core District (HDTC) and Downtown Development District (DTDD)
- CHAPTER 7 VIOLATIONS - Revise the sections in this chapter to add significant disincentives to nonconformance within the Downtown as well as to establish preferred paths of transition to new zoning through enforcement of declared violations.
- ARCHITECTURAL GUIDELINES [ADD FOR HISTORIC DOWNTOWN CORE DISTRICT + DOWNTOWN DEVELOPMENT DISTRICT] - Add to the Unified Development Ordinance a set of enforceable architectural design standards for new construction, redevelopment, and adaptive re-use to establish design styles and architectural elements as well as to establish maximum heights of architectural elements, structures, placement and treatments for utilities and peripheral items, and to define a process for review, public input, approval or denial, and for appeal of decisions.

Mr. Surasky asked if a way is there to make parking dependent on density. Mr. Lambert stated yes and he would craft that text. Mr. Surasky stated in his opinion, there is not enough density in this plan. He stated there are a couple places where there are competing interests. He stated he understands the push from the public to keep the small town feel and he feels we can keep that feel with density. Mr. Lambert stated the two densities referred to in the historic core is a two to four-story max and outside of that is a six-story max.

Mr. Applewhite asked for clarification; he stated in the staff report it mentions DDA requested a couple items to be removed including the item that would have called for removal of the on-street parking on Barbour Street and the parking issue with partnerships with developers. He asked to hear thoughts from anyone that was at that meeting. Mr. Lambert stated the parking on Barbour Street was removed from the document and the other was discussion on public and private parking ventures. He stated language has been added to the document discussing that but there is not a specific recommendation tied to it.

Mr. Applewhite stated he is asking for a summary of the discussion that occurred with the DDA and how they requested those recommendations. Mr. Olmedo stated about the discussion on Barbour Street, there did not seem to be a strong need to remove the parking (TTPK – 22). He stated there is enough width there to accommodate both on-street parking and have one lane of travel direction. He stated the overall theme is to retain as much parking as possible downtown. The removal of on-street parking was discouraged. Mr. Lambert stated the original recommendation came from Ramy Kemp's original study because of how narrow the street is and there was more potential conflict for both safety and traffic flow.

Mr. Moore asked Mr. Lambert to share page 73. He stated he noticed the population growth from 2010 to 2022 indicated for Clayton to be 117%; he stated he knew that 17,385 to 27,678 was incorrect. On page 78, he stated he thinks the correct number should have been 37,678. Looking at the whole data instrument, he knows it is flawed. He stated Clayton's current population is currently listed as anywhere between 26,000 and 30,000. He stated it bothered him there is a data set that was incorrect when this plan was started. There was more discussion on data set errors throughout this draft. He stated the validity is not there on a lot of the data sets in the draft.

He stated what is also missing is the return on investment for the Town. He stated for the Town it is not projected out for a five or 10-year population estimate. He stated things can't be funded for the future based on these data sets; he can't trust the future data set because the current data set is incorrect.

Mr. Lambert stated on page 71, you will see the source for Kathleen Rose, her market analysis and the data sources she pulled information from. He stated he has trust in her numbers. He stated he would consult with her and confirm she agreed with this data, he stated he could not personally speak to it without

knowing her methodology. He stated she does have projections per year, so he could do the math to get those interim numbers for the Town and provide those. If there is a concern numbers are wrong, he needs to confirm with her first the methodology to get those numbers. He stated he would verify with her. He stated one thing that is potentially different between the beginning of this process and now is data was received from 2022. He stated things have changed in 2 years, but he doesn't think it has changed to see lesser growth.

Mr. Lipscomb stated he wanted to make sure the DDA's recommendations were heard. He stated we need to get through the adoption of this plan to get moving with hopeful improvements. He agreed with Mr. Moore's comments on data sets and return on investments. Overall he felt this is a good plan and gives us a direction to go in.

Motion To Recommend To Council

RESULT:	CARRIED 5-1
MOVER:	Derrick Applewhite
SECONDER:	James Lipscomb
YES:	Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, and Daniel Gleason
NO:	James Moore
ABSENT:	Jeffrey R. Spence, Ronald Williams, Mike Surasky, and Anita Bland

5 NEW BUSINESS

- a) Mr. Olmedo stated the Comprehensive Transportation Plan is underway. He thanked the board for their time and patience with the plans they have reviewed recently. He stated he hoped to wrap the Comprehensive Transportation Plan up this fall. He discussed continuing to work with Chad Meadows on additional text amendments. The board welcomed Audrey Duchesne, the Town's new Senior Planner. Mr. Olmedo stated on board is also Planner I Whitney Murphy and Planning Technician Susan Long. He stated the Planning Department is fully staffed.

6 INFORMAL DISCUSSION AND PUBLIC COMMENT

7 ADJOURN

- a) With nothing further, the meeting was adjourned at 7:38 p.m.

Motion To Adjourn

RESULT:	CARRIED 7-0
MOVER:	Jodie Dupree
SECONDER:	James Lipscomb

YES:	James Moore, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, and Mike Surasky
NO:	None
ABSENT:	Jeffrey R. Spence, Ronald Williams, and Anita Bland

Duly adopted this the 23rd day of September 2024.

James Moore
Board Chair

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk



Planning Board Agenda Cover Sheet

Meeting Date

September 23, 2024

Agenda Location

PUBLIC MEETING

Item Title

2024-92 - RZ Triangle Coffee Shop

Presenter(s)

Audrey Duchesne, Senior Planner

Suggested Action

Adoption of Ordinance - To provide a recommendation on the proposed rezoning to Town Council.

Strategic Priorities Alignment



☐
Think Clayton
(Administrative)



☐
Think Arts &
Culture



☐
Think
Downtown



☐
Think
Economic
Development



☒
Think Land
Use &
Housing



☐
Think
Mobility



☐
Think Parks,
Recreation
& Natural
Resources



☐
Think Public
Services &
Infrastructure

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

Other/Special Instructions: Public notice posted on property

Summary

Applicant is seeking to rezone 0.13 acres from Office Institutional (OFI) to Downtown Core (DTNC).

Recommendation

Staff recommends approval of the rezoning request per Option 1 of the Consistency Statements Sheet.

Funding Source

N/A

Corresponding Documentation

[Staff Report - Staff Report - PB 9.23.24 - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 1 - Application - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 2 - Owner's Consent Form - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 3 - Adjacent Property Owners List - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 4 - Neighborhood Meeting Documents - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 5 - Signed & Sealed Boundary Survey - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 6 - Ordinance \(Draft\) - 2024-92 - RZ - Triangle Coffee Shop](#)

[Att 7 - Consistency Statements Sheet - 2024-92 - RZ - Triangle Coffee Shop](#)

Submitted By: Audrey Duchesne, Planning

Reviewed By:

Conrad Olmedo, Planning Director

Approved - Sep 13 2024



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 September 23, 2024

STAFF REPORT

Application Number: 2024-92-RZ
Project Name: Triangle Coffee Shop

Tag #: 05015019
Location: 102 E Street, Clayton NC, 27520
Existing Zoning District: Office Institutional (OFI)
Proposed Zoning District: Downtown Core (DTNC)
Acreage: 0.130 +/- acres
Existing Use: Single-Family Dwelling Detached
Consultant: N/A
Applicant: Danny Parra
Owner(s): B3 II, LLC
Public Noticing:

- Neighborhood meeting: August 06, 2024
- Sign posted: September 13, 2024
- Letters mailed: September 13, 2024

REQUEST: This is a request for a Conventional Rezoning, per UDO Section 2.3.8, to rezone property currently zoned Office Institutional (OFI) to be Downtown Core (DTNC). The property is located, consists of approximately 0.13 acre, and is identified as Johnston County Tag #05015019.

PROJECT OVERVIEW

The property currently contains a structure originally designed as a single-family detached dwelling, which has not been used for residential purposes for some time. This application seeks to repurpose the building for commercial use. As a Conventional Rezoning, all uses allowed in the Downtown Core (DTNC) zoning district will be permitted, per UDO Table 4.2.5.

While not a part of this request, the applicant is expecting to use the property as a café. Planned renovations will be required to restore the structure and ensure compliance with the Building Code standards and all proposed modifications and uses will adhere to the Unified Development Ordinance.

ADJACENT ZONING, LAND USES, AND FUTURE LAND USE MAP

Direction	Zoning	Existing Land Use(s)	Future Land Use Map
North	Downtown Core (DTNC)	Single-Family Dwelling	Downtown Core
South	Public Facilities (PUB)	Town Hall	Downtown Support
East	Downtown Core (DTNC)	Single-Family Dwelling	Downtown Core
West	Public Facilities (PUB)	Clayton Town Square Park	Recreation and Open Space

PLANNING BOARD CONSIDERATIONS

- The Planning Board shall make a recommendation regarding the application to the Town Council. The Planning Board's recommendation shall include a written statement to the Town Council describing whether its recommendation is consistent with the adopted plans and policies of the Town. If the Planning Board fails to make a recommendation, the Town Council may process the request without a recommendation.
- The Planning Board may recommend approval or denial, or modifications to the Conventional Rezoning request based on its consistency with the Comprehensive Plan, Zoning Unified Ordinance (UDO), and overall public interest.

STAFF RECOMMENDATION

Staff recommends approval of the Conventional Rezoning request to rezone the property from Office Institutional (OFI) to Downtown Core (DTNC) zoning district per Motion 1 in the provided consistency statements sheet, "Approval - Consistent with the 2045 Comprehensive Growth Plan".

ATTACHMENTS:

- 1) Application Materials
- 2) Neighborhood Meeting Materials
- 3) Signed & Sealed Boundary Survey
- 4) UDO Section 2.3.8 - Conventional Rezoning
- 5) UDO Table 4.2.5 - Listing of Common Principal Uses
- 6) Ordinance (Draft)
- 7) Consistency Statements Sheet



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

REZONING APPLICATION COVER SHEET

Name of Project: TRIANGLE COFFEE SHOP Date: 07/06/2024
Applicant Name: DANNY PARRA

The following checklist to be completed by applicant:

- ☒ Pre-Application Meeting on: 08/06/2024
- ☒ Review Fee
- ☒ Completed Application
- ☒ Owner's Consent Form
- ☒ Adjacent Property Owner's List - Include Names, Full Mailing Addresses & Parcel/NC Tag #
- ☒ Neighborhood Meeting Notice Letter (1 copy)
- ☒ Signed & Sealed Boundary Survey
- ☐ One printed copy of all required items must be submitted with application and payment

Reviewed by: _____



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
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Phone: 919-553-5002
Fax: 919-553-1720

REZONING APPLICATION

☒ Rezoning Fee (consult www.ClaytonNC.org/Fees)

Public Noticing Fees (Mailing & Sign) will be confirmed/invoiced by town staff prior to payment.

SITE INFORMATION

Name of Project: TRIANGLE COFFEE SHOP
Acreage of Property: 0.13 Zoning District: OFl
County Tag #: 05015019 NC Pin #: 166913-02-2863
Address/Location: 102 E SECOND ST.
Existing Zoning District: OFl Proposed Zoning District: DNTC

APPLICANT INFORMATION

Applicant: _____
Mailing Address: 508 BIG PINE RD, CLAYTON NC 27520
Phone Number: 7866576549 Fax: _____
Contact Person: DANNY PARRA
Email Address: TRIANGLECOFFEESHOPUS@GMAIL.COM

PROPERTY OWNER INFORMATION

Name: B3 II, LLC
Mailing Address: 11600 SIX FORKS RD, RALEIGH NC. 27614
Phone Number: 919-6163680 Fax: _____
Email Address: BJONES@ENSALES.COM

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: _____

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

YES, WE ARE FULLY COMMITTED TO ADHERING TO THE TOWN'S ADOPTED PLANS AND ENSURING OUR ACTIONS ARE ALIGNED WITH THEM.

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

THE SUBJECT PROPERTY IS WELL-SUITED FOR THE USES PERMITTED BY BOTH THE CURRENT AND PROPOSED DISTRICTS, ENSURING COMPATIBILITY AND FUNCTIONALITY FOR ITS INTENDED PURPOSES.

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

YES, THE PROPOSED CHANGE IMPROVES THE BALANCE OF USES AND ADDRESSES SPECIFIC DEMANDS IN THE TOWN EFFECTIVELY.

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

YES, ADEQUATE PUBLIC FACILITIES AND SERVICES, ARE AVAILABLE FOR THE PROPOSED USE.

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

IT HAS BEEN CONFIRMED THAT THE PROPOSED USE DOES NOT VIOLATE THE LEGAL PURPOSES FOR WHICH ZONING EXISTS. WE ARE IN COMPLIANCE WITH ALL RELEVANT ZONING REGULATIONS.

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

IT HAS BEEN DETERMINED THAT THERE WILL NOT BE AN ADVERSE EFFECT ON ADJOINING PROPERTY OWNERS.

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

NO PROPERTY OWNERS WILL BENEFIT MATERIALLY AT THE PUBLIC'S
EXPENSE.

APPLICANT AFFIDAVIT

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

Danny LaRae.

Print Name

Danny LaRae

Signature of Applicant

08/13/2024.

Date



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

OWNER'S CONSENT FORM

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

Project Name: TRIANGLECOFFEESHOP **Address or PIN #:** 102 E SECOND ST, CALYTON, NC.

AGENT/APPLICANT INFORMATION:

DANNY PARRA

(Name - type, print clearly)

508 BIG PINE RD

(Address)

CLAYTON, NC, 27520

(City, State, Zip)

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

REZONING

CONSTRUCTION DRAWING

SITE PLAN

PERMITS BUILDING

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

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

OWNER AUTHORIZATION:

BARRY JONES

(Name - type, print clearly)

11600 SIX FORKS RD

(Address)

RALEIGH, NC, 27614.

(City, State, Zip)

STATE OF

North Carolina

COUNTY OF

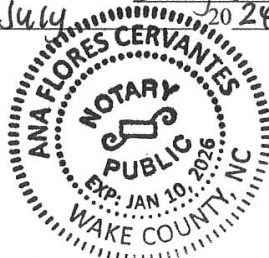
Wake

Sworn and subscribed before me Barry Jones
the 19 day of July, 2024.

a Notary Public for the above State and County, this

SEAL

June 2024



Ana Flores Cervantes
Notary Public

My Commission
Expires:

January 10, 2026

Page 1 of 1

ADJACENT PROPERTY OWNERS LIST

Project Name: **TRIANGLE COFFEE SHOP**

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

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

PARCEL NUMBER	NAME	ADDRESS
05015019	B3 II, LLC	11600 SIX FORKS RD, RALEIGH, NC 27614-9505
05015022	TOWN OF CLAYTON	P O BOX 879 CLAYTON, NC 27528-0000
05015014	MCADAMS, EMILY	267 VINSON FARM LN CLAYTON, NC 27520-7544
05015074	TOWN OF CLAYTON	P O BOX 879 CLAYTON, NC 27528-0000
05019046	PLATT, RICHARD L.	70 CHESTERTOWN CT CLAYTON, NC 27527-9742
05019009	STAR COMPANY, LLC	114 W MAIN ST STE 102 CLAYTON, NC 27520-2321
05019012	TOWN OF CLAYTON	P O BOX 879 CLAYTON, NC, 27528-0000
05015015B	FOUR OAKS BANK & TRUST	PO BOX 398 BLAIRSVILLE, GA 30514-0398
05019011	STAR COMPANY, LLC	104 N FAYETTEVILLE ST CLAYTON, NC 27520-2430
05015020	MINTER, MILTON L	579 RANCH RD CLAYTON, NC 27520-6465
05015021	JOBBER'S UNLIMITED, LLC	216 US 70 HWY W GARNER, NC 27529-3943
05015058	TOWN OF CLAYTON	P O BOX 879 CLAYTON, NC 27528-0000
05015076	JOHNSON, RACHELLE RENEE	1 CAPTAIN DR UNIT 336 EMERYVILLE, CA 94608-1727
05015077	MY GIRLFRIENDS PROPERTIES, LLC	701 RIPLEY RD NW WILSON, NC 27893-2119
05019047A	WILLIAMS, ANTHONY E II	103 WEST 2ND ST CLAYTON, NC 27520-0000
05019050	ADAMS, TERESA L.	220 S FAYETTEVILLE ST CLAYTON, NC 27520-2433
05015059	HORNE MEMORIAL METHODIST CHURCH	121 E SECOND ST, CLAYTON, NC 27520.

ADJACENT PROPERTY OWNERS LIST

Project Name: TRIANGLE COFFEE SHOP

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

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

[illegible]

07/22/2024

Dear Clayton Area Property Owner:

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

Meeting Date: 08/06/2024

Meeting Time: 6:00pm.

Meeting Location: Zoom Meeting Link

<https://us04web.zoom.us/j/7909604323?pwd=TEZINzhub2Z1NCs2OXBoZXZ6R05NZz09&omn=71695112252>

ID Meeting: 790 960 4223

Password: n2HWsK

Type of Application: Rezoning

Project/proposal property address: 102 e Second St, Clayton NC 27520

Description of project/proposal: Coffee Shop

Upcoming public meetings for this application (Planning Board and/or Town Council): TBD

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

1. A copy of the project application.
2. A schedule of all upcoming public meetings for the application.
3. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal. A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at 786-6576549 . You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

Danny Parra

Cc: Town of Clayton Planning Department

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: TRIANGLE COFFEE SHOP

Application: REZONING

Location/Date: ZOOM MEETING 08/06/2024, 6:00PM

	NAME	ADDRESS
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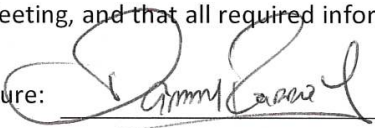
NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: REZONING
Date of Mailing: 07/24/2024
Date of Meeting: 08/06/2024 Time of Meeting: 6:00PM
Location of Meeting: ZOOM MEETING

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: DANNY PARRA

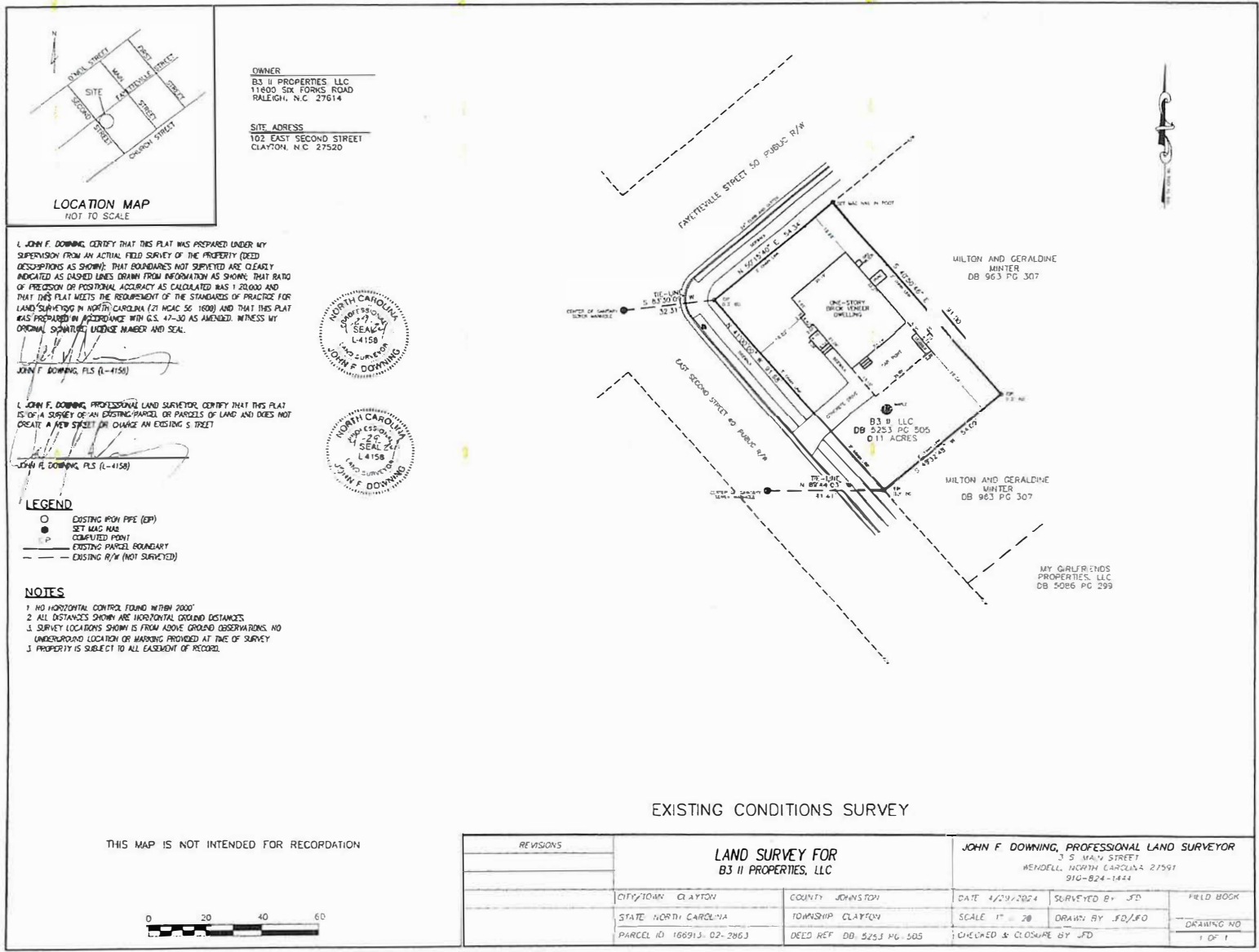
Signature: 

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

The meeting started at 6:00pm on August 6, 2024 and ended at 6:40pm on the same day.

No one attended the meeting. There is a backup Zoom video if needed.

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



ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF CLAYTON, NORTH CAROLINA IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton by rezoning property from Office Institutional (OFI) to Downtown Core (DTNC). The property is located on the northeast corner of the intersection of E. Second St. and S. Fayetteville Ave., addressed as 102 E. Second St., and identified as Johnston County Tax Number 05015019 (File 2024-92 - RZ - Triangle Coffee Shop); and

WHEREAS said property is owned by B3 II, LLC; and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) at their September 23, 2024 meeting and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in The Johnstonian, a local newspaper, as required by Section 2.4.8(D) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listing, and to the owners of all parcels of land abutting that (those) parcels(s) of land and within 300 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 2.4.4(C) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS notice of the proposed zoning classification action was posted on the property as required by Section 2.4.8(F) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS the said public hearing was conducted at the Town Council meeting held at 6:00 p.m. on October 21, 2024, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

THEREFORE, after duly considering the matter, **THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:**

SECTION 1. That the Official Zoning Map of the Town of Clayton is hereby amended to include in the Downtown Core District of the following described property(ies):

General Description:

Located within the Town of Clayton limits; 102 E SECOND ST. CLAYTON, NC 27520.

Specific Description:

NC Parcel TAG Number(s): 05015019

SECTION 2. That the Town of Clayton Unified Development Ordinance is hereby amended.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Ordinance.

SECTION 4. That the Town Council hereby adopts the following Statement of Consistency and Reasonableness for the proposed rezoning:

We find this rezoning action to be consistent with the Town of Clayton's 2045 Comprehensive Growth Plan Future Land Use Map, Goal LU 1, Policy LU 1.3, and Goal DT1.

The proposed zoning amendment is reasonable and in the public interest because it supports the Town of Clayton 2045 Comprehensive Growth Plan's policies above and because:

1. The request strengthens the identity of the downtown core by integrating a commercial use that aligns with the activities of the area, further supporting the Town of Clayton 2045 Comprehensive Growth Plan's goals; and
2. This rezoning is consistent with the zoning of adjacent parcels near this site.

SECTION 5. That this ordinance shall become effective immediately upon its adoption.

Duly adopted this 21st day of October 2024, while in regular Session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Heidi Holland, CMC, NCCMC
Town Clerk

Jim Cauley
Town Attorney

Motions for Consistency Statements | 2024-92 - RZ - Triangle Coffee Shop

The Planning Board may choose from one of the four suggested motions below.

Staff Recommends the Motion in Red Bold Text

Motion 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of this rezoning request based on consistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The property is designated as Downtown Core (DC) in the Future Land Use Map.**
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.**
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.**
- Goal DT 1 promotes quality adaptive re-use and infill development projects in Downtown while preserving historic character.**

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages commercial uses in this area.**
- The request is compatible with existing zoning and land uses in the area.**

Motion 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of this rezoning request. While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The property is designated as Downtown Core (DC) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.
- Goal DT 1 promotes quality adaptive re-use and infill development projects in Downtown while preserving historic character.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages commercial uses in this area.
- The request is compatible with existing zoning and land uses in the area.

Motion 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of this rezoning request. While the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- The property is designated as Downtown Core (DC) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.
- Goal DT 1 promotes quality adaptive re-use and infill development projects in Downtown while preserving historic character.

This action is reasonable and in the public interest, in that:

- The requested rezoning is incompatible with existing land uses in the area.
- The current zoning designation is preferable to the area.

Motion 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of this rezoning request based on inconsistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The property is designated as Downtown Core (DC) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.
- Goal DT 1 promotes quality adaptive re-use and infill development projects in Downtown while preserving historic character.

This action is reasonable and in the public interest, in that:

- The requested rezoning is incompatible with existing land uses in the area.
- The current zoning designation is preferable to the area.