

As part of a comprehensive update of the development process, the Planning and Engineering Departments are announcing several changes ***effective July 1, 2022***.

These changes are being made to streamline Town processes with the goal to better service the development community in the most efficient way possible.

### **Here's What's Changing:**

**1. Rolling Submittals** – Beginning July 1<sup>st</sup>, the Town of Clayton Planning Department will accept all development applications on a rolling basis. Applications can be submitted to one of the Development Services Coordinators Monday -Friday from 8:30am – 4:30pm in person in the Planning Department located on floor G2 of the Clayton Town Hall. Applications can also be mailed to the Planning Department or submitted via email to [Planning-EngineeringSubmittlas@townofclaytonnc.org](mailto:Planning-EngineeringSubmittlas@townofclaytonnc.org). Please keep in mind our application checklists require both a hardcopy and one digital copy. Applicants submitting via email will still need to provide a hardcopy of all materials, especially for site plans that are more than 3 pages. Review fees are due at the time of submittal. Pre-application meetings are still required for the following applications prior to submitting:

- Site Plan
- Major Subdivisions and Phases of Master Plans
- Conditional Zoning with Master Plan
- Special Use Permit

The following applications will need to be discussed with Planning Department staff prior to applying, and *may* require a pre-application meeting:

- Rezoning
- Variance
- Minor Subdivision
- Exempt/Recombination plats
- Administrative Amendments
- Annexation

The following application **DOES NOT** require a pre-application meeting prior to submitting:

- Final Plat

**2. Extended Review Timelines** – Due to an increase in development activity within the Town, and to better align with updated Engineering review timelines, Planning has extended its Review timelines to give staff adequate time to review and provide thorough feedback for development applications. New Timelines are listed below.

<b>Town of Clayton Planning Application Timelines</b>	
<i>* Review timelines WILL NOT start until completed application packets and ALL review fees are received.</i>	
Administrative Amendment	15 Business Days
Annexation	15 Business Days with 3 Council hearing meetings (2-3 mos.)
Cell Tower Application (New or Modification)	30-90 day third party consultant review
Conditional Zoning w/Master Plan	30 business day initial review, 15 business day revision review, 2-3 mos. Board review
Rezoning	30 business day initial review, 15 business day revision review, 2-3 mos. Board review
Road Name Application	Will run concurrent with preliminary plat review
Permanent Sign Permit	10 Business Days
Site Plan	30 business day initial review, 15 business day revision review
Special Use Permit	30 business day initial review, 15 business day revision review, 1-2 mos. Board review
Final Plat	30 business day initial review, 15 business day revision review
Preliminary Plat-Subdivisions (Major or Minor)	30 business day initial review, 15 business day revision review
Recombination/Exempt Plat	15 business days initial review
Temporary Sign Permit	5 business days
Temporary Use Permit	Up to 30 business days
Tree Clearing Certificate	15 business days
Variance	30 business day initial review, 15 business day revision review, 1 month board review
Zoning Compliance	5 business days
Zoning Verification Letter Request	Up to 10 business days (depends on depth of information being requested)

<b>Town of Clayton Engineering Application Timelines</b>	
<i>* Review timelines WILL NOT start until completed application packets and ALL review fees are received.</i>	
Construction Drawing (Subdivisions or Sites)	30 business day initial review, 15 business day revision review
Construction Drawing Amendment	15 business day review
Pump Station CD Review	30 business day initial review, 15 business day revision review
As-Builts/Record Drawing Review	15 business day initial review/ re-revision review.
Bond Release/Reduction	30 days
Early Grading	30 business day initial review, 15 business day revision review
Final Acceptance of Public Infrastructure *May require Town Council action	30 -60 days
Warranty acceptance of Public Utilities	30 -60 days

*Requires Town Council action	
WasteWater Allocation Review *May require Town Council action for final approval	Follows the same timeline as accompanying site plan/subdivision application.
Erosion Control Review	Follows the same timeline as accompanying site plan/subdivision application.
Stormwater Plan Review	Follows the same timeline as accompanying site plan/subdivision application.

- 3. External Technical Review Committee (TRC) Meetings** – External TRC meetings with staff are no longer mandatory. TRC meetings will now be scheduled only upon applicant request on the 3<sup>rd</sup> Wednesday of each month from 9am – 12pm using our online Acuity Scheduler. \* **New Acuity calendar will be available on the planning website beginning July 5<sup>th</sup> for scheduling.** Meetings must be scheduled no later than the Thursday prior to the requested meeting date. Requests should only be made after applicant has received their first set of review comments from staff.
  
- 4. Updated Fee Schedule** – The Planning and Engineering Departments have proposed an updated fee schedule to Council for the upcoming 2022-23 budget. Council approved the recommended budget and fee schedule at the June 21st Town Council Meeting. The approved fees include several application fee increases as well as the implementation of resubmittal fees for selected application types. A list of the updated Planning and Engineering fees can be found on the Town website. Other Town fees may have changed as a result of the approved fee schedule including some Inspections Department fees. Please contact a permit specialist in the Inspections Department with any questions regarding any potential fee increases.
  
- 5. New Combined Submittal Option** – In an effort to streamline processes the Planning and Engineering departments will be offering the option of a combined site plan (or major subdivision preliminary plat)/CD review process. Site Plans, construction drawings, and stormwater management plans can now be reviewed concurrently. A new application for the combined site plan/construction drawing review has been created and can be found on the Town of Clayton Planning Department’s webpage under Permits and Applications beginning July 1<sup>st</sup>.

**Combined Review Process**

Site Plans, Construction Drawing Plans and Stormwater Management Plans are reviewed and acted on by staff. When a Site Plan application is submitted concurrently with a Construction Plan application, the applicant benefits from a more streamlined review but incurs greater upfront costs in preparing detailed plans and the risk of greater costs if plans have to be revised multiple times. Applicants submitting for combined Site Plan/Construction Plan Approval pay all fees outlined in the fee schedule for each application, but an additional Engineering review is included in the fees. Below is a summary of the Site Plan and Construction Plan review process. \*Note that this process is similar (except where noted) regardless of whether the application is a combined review, site plan review or construction plan review.

### Overview of Review Process



#### a. Pre-Application Meeting:

A pre-application meeting with Town staff is required by the UDC. A concept plan depicting the location and general layout of the project and including basic dimensions and land use information must be submitted online at the time of scheduling the pre-application meeting. Pre-application meetings are held on the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Tuesday from 9-11am, and on the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Thursday from 1-3pm.

Meetings can be scheduled through the Town's online [Acuity scheduling system](#). Scheduling is contingent upon availability.

Staff from various Departments including Planning, Engineering, Inspections, Electric and Fire, will be in attendance at the pre-application conference. Preliminary feedback on the concept plan, major ordinance requirements and an overview of the review process will be provided at the meeting. The information discussed at the meeting is conceptual. Therefore, neither party is bound by the representations made at the meeting. Nonetheless, the pre-application conference provides a good opportunity to identify major issues before formal plans are prepared and assists in developing a realistic schedule for review and construction.

#### b. Application Submittal:

Applications can be submitted either in-person, by mail, or via a submittals email ([Planning-EngineeringSubmittals@townofclaytonnc.org](mailto:Planning-EngineeringSubmittals@townofclaytonnc.org)). *If you are submitting an application packet via email or US mail, please contact Planning staff to ensure the application materials have been received.* Staff will continue to notify applicants when applications are deemed accepted for review. Applications can be submitted at any time. The application should include all the required information on the attached checklist in PDF format only (if submitting digitally). Staff will review the application for completeness within two days and notify the applicant of any deficiencies. All application fees will be required at the time of submittal. Payments can be made by phone with the Town's Development Services Coordinators (Visa or Mastercard only), sent via mail or dropped off to the Planning Department. Please note that there will be a 3.5% of the total fee for payments using debit or credit card.

Review of an application does not start until staff determines that the application is complete, and the required payment is received. If the application is determined to be incomplete, the applicant will be notified of any deficiencies and has 90 days to resubmit a complete application. If a complete application is not submitted within 90 days, the application is considered withdrawn, and all fees are forfeited. An applicant who has paid the appropriate fee pursuant to the submission of an application, but who chooses to withdraw such application prior to its distribution for review shall be entitled to a refund of the total amount paid, less 10% for administrative costs, upon written request to the appropriate department. Once review has begun, no refund shall be available, except that unused notice surcharges shall be refunded less 10% for administrative purposes.

### **c. Staff Review:**

Applications typically have an average overall review time of 4-5 months for combined submittals, and 3-4 months *each* for site plans or construction drawings submitted separately, from the date of acceptance. Three submittals are included for planning: two for engineering if only CD review, 3 for engineering if combined site/CD review. If more reviews are needed, an additional fee will be charged for each additional submittal.

The length of the review process can vary based on the complexity of the project, responsiveness to staff comments and the length of time between submissions. If the applicant fails to submit revisions (revised site plans **and written responses to each comment**) within 15 days of receiving staff comments, the review time will most likely take longer than the timelines referenced above. If revisions are not submitted within 90 days of receiving comments, the application is considered withdrawn from the review process. ***\*Applicants SHOULD NOT put responses to staff comments on the site plan when re-submitting. Written responses should be submitted using the exported comment sheet sent with review comments to ensure the applicant is acknowledging and responding to ALL comments. Failure to respond to all applicable comments can result in longer review times.***

Staff's standard review time for first submittals is 30 business days. Subsequent submittals are reviewed in 15 business days. Applicants are encouraged to contact staff with any questions prior to submittal and between submittals to expedite the process and allow it to go as smoothly as possible.

### **d. Technical Review Committee Meeting (TRC) (Optional)**

After receiving comments from the first review, applicants have the option to schedule a meeting to discuss these comments, and any other questions the applicant might have about the project. Like the Pre-Application meeting, the TRC Meeting would be attended by members from each of the departments that reviewed the Site and Construction Plan. This meeting is optional, but benefits applicants by allowing staff and applicants to clarify any misunderstandings. Having these meetings generally reduces the number of reviews that plans undergo. TRC Meetings can be scheduled using the Town's online [Acuity Scheduling](#) system (available online beginning July 5<sup>th</sup>) every fourth Wednesday of the month from 9am-12 pm.

### **e. Staff Decision on Site Plan Application:**

The Planning Director may either approve the application as submitted; approve the application subject to conditions necessary to ensure UDO compliance or deny the application if UDO requirements are not met. The final decision on the application will be sent via email. The final set of plans will be stamped with a digital approval stamp and an approval letter will be generated. If conditional approval is granted, the conditions must be addressed within 90 days of the approval date unless a different timeframe (i.e., prior to building permit) is expressly stated in the approval.

Site Plan approval expires if no significant work occurs within 2 years of the date of approval. Any change to an approved Site Plan requires approval by staff. The required approval is based on the extent of the change and could be in the form of an Administrative Amendment, which has its own separate application and review process. Please reach out to staff to discuss potential changes to an approved site plan.

**f. Staff Decision on Construction Plan Application:**

After Site Plan approval has been granted, the Engineering Department may act on the Construction Drawing Plan. The Engineering Director or Assistant Town Engineer may approve the application, approve the application with conditions, or deny the application. If combined plans were submitted, action on the Construction Plan may occur simultaneously with the approval of the site plan.

**g. Conditional Construction Plan Approval:**

Conditional Construction Plan approval is typically granted prior to Final Construction Plan approval. An applicant has 120 days to satisfy any of the conditions. Standard conditions include the establishment of performance guarantees, payment of any required fees, submittal of CAD file for GIS, and submitting applicable project permits (Stormwater, Erosion Control, NCDEQ, etc.). Any further requirements will be referenced in the Conditional Approval Letter.

The Engineering Director or Assistant Town Engineer may place other conditions on the approval deemed necessary to meet UDC or other applicable agency requirements. Construction Drawing final approval cannot be granted until erosion control permit, if one is required, is granted. A building permit application may be submitted to the Inspections Department after Construction Drawing final approval has been granted.

**h. Final Construction Plan Approval:**

If all conditions of approval have been satisfied within the required 120 days, Final Construction Plan approval will be granted along with the associated Stormwater & Erosion Control permits. Construction Plan approval remains valid if the associated Site Plan and Stormwater Management Permit are valid. Construction Plan approval will be considered administratively withdrawn if no substantial progress is made within one year of the date of the letter. A Stormwater Management Permit expires if no substantial work is done pursuant to the permit within one year after the date of approval or within a single one-year extension, if granted.

If either construction plan is administratively withdrawn or Stormwater permit expires, the plan set will have to be resubmitted and updated to comply with all design standards and specifications in place at the time of resubmittal. After Final Construction Plan approval is granted, the applicant will need to contact the Development Services Coordinator at 919.359.9390, to request a pre-construction meeting.

Please contact a Development Service Coordinator in the Planning or Engineering Departments with any additional questions you may have regarding these updated processes.

Elizabeth Worner – 919.359.9390 – [EWorner@townofclaytonnc.org](mailto:EWorner@townofclaytonnc.org)

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