



DOING BUSINESS IN CLAYTON GUIDE



PREPARED BY

Town of Clayton Staff

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Doing Business in Clayton

INTRODUCTION

As of the 2020 U.S. Census, the Town of Clayton is the fastest growing town in Johnston County, which is one of the fastest growing counties in the State of North Carolina. We appreciate your desire to join or continue your operations with us in the Town of Clayton!

The Doing Business in Clayton guide is a culmination of information from various Town departments that may play a role in your future business plans. We understand that opening and running a small business is hard and the Town wants to make our process transparent, however, **please keep in mind that rules and regulations may change over time as this is a fluid process.**

The **Electric & Water Resources Departments** provide public utilities to our businesses.

The **Planning Department** is the front door for all of the growth and development activity in Clayton and is most often the first step in any plan.

The **Engineering Department** plays a key role in development plan review, utility permitting, construction administration, state agency permitting, basic design, and a new development utility inspection.

The **Building Inspections Department** is responsible for approving building plans, issuing building permits, and construction compliance inspections in accordance with all North Carolina Building Codes.

The **Economic Development Department** focuses on business recruitment, retention, and expansion. Businesses should contact them for resources.

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CONVENTIONAL NON-RESIDENTIAL ZONING DISTRICTS IN CLAYTON

CRM

Corridor Commercial: The Corridor Commercial (CRM) District is applied to lots along the Town's major commercial roadways and major intersections like those found along Highway 70 and NC Highway 42. The district accommodates the widest range of commercial development types, including large floorplate shopping uses likely to generate significant amounts of traffic.

DTNC

Downtown Core: The Downtown Core (DTNC) district is the Town's central business district located on the blocks abutting Main Street in the center of Town. The district includes a wide array of allowable uses, including retail, entertainment, offices, institutional, and residential uses.

DTNN

Downtown Neighborhood: The Downtown Neighborhood (DTNN) district boundary is depicted in the 2045 Comprehensive Growth Plan and includes three groups of neighborhood blocks located to the north and south of Main Street and surrounded on most sides by the Downtown Transitional (DTNT) district. The Downtown Neighborhood (DTNN) district is comprised of neighborhoods with mid-century and older single-family residential dwellings on contiguous lots around the downtown area.

DTNT

Downtown Transitional: The Downtown Transitional (DTNT) district boundary is depicted in the 2045 Comprehensive Growth Plan and includes the lots surrounding the Town's central business district along Main Street and lands surrounding the downtown core. The district provides a gradual transition in development densities and intensities from the downtown core to the surrounding lower-density neighborhoods and auto-oriented commercial uses along Highway 70.

HID

Heavy Industrial: The Heavy Industrial (HID) district is established to provide industrial and similar high impact uses associated with manufacturing, energy production, and utilities. HID areas are typically found on larger lots in areas proximate to major roadways and rail access and located away from residential and environmentally sensitive areas. The district is intended to provide employment opportunities to Town residents and to help the community maintain a diversified tax base.

NCM

Neighborhood Commercial: The Neighborhood Commercial (NCM) District accommodates commercial, institutional, and several forms of residential development on lots located adjacent to major roadway corridors and intersections. Non-residential buildings are low-rise, small-scale, with small footprints, and with building heights of no greater than two stories. Development in the district is human-scaled, designed to promote visual interest for pedestrians, and to provide convenient retail and services for patrons from nearby neighborhoods.

LID

Light Industrial: The Light Industrial (LID) District accommodates a wide range of light industrial and commercial uses on lands well-served by public infrastructure, including water, sewer, and good transportation access. The district provides employment opportunities and contributes to the Town's non-residential tax base. Buildings tend to be one or two-story structures that are smaller than the buildings occupied by heavy industrial uses.

OFI

Office/Institutional: The Office Institutional (OFI) district is established to accommodate office uses, personal services, institutional facilities, educational uses, research and development, and health-related uses in high quality single-building and multi-building campus-style developments.

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Step 1

VERIFY YOUR BUSINESS

If you have questions or need assistance, we welcome you to reach out to the Town of Clayton's Planning Department at Planning@townofclaytonnc.org.

Zoning designation is a method used by local governments to regulate the use and development of land for the purpose of promoting the health, safety, values, and general welfare of its citizens.

The Town is divided into zoning districts, which regulate where various types of uses (commercial, residential, industrial, office, retail, grocery, salon, etc.) can locate. The Planning Department updates the town's [Official Zoning Map](#), which can help you determine your zoning district.

A [Zoning Compliance Permit](#) allows staff to review a request for consistency with the Unified Development Ordinance (UDO) and ensure that a use is allowed in the proposed location.

We recommend that you apply for a Zoning Compliance Permit BEFORE signing a lease to ensure that land use and building uses are compatible.

See [UDO section 2.3.33](#) A Zoning Compliance Permit is required for the following examples:

- New businesses or uses
- New or changed business locations
- Food trucks
- Home business occupation
- Change utility accounts

The [Combined Building & Zoning Compliance Permit Application](#) has been created to combine the Building Permit and Zoning Compliance Permits so that reviews are done simultaneously. Building Permits will only be approved at the approval of both departments. Zoning must be approved before a Building Permit can be issued. **All new businesses require a permit confirming the use is compliant.** You can either get a permit specifically for your new use by submitting for a Zoning Compliance Permit, or, if you will be renovating your space, you can indicate this will be a new use on the Building and Zoning Compliance Permit application for those renovations. Please note that a Building Permit cannot be issued unless you have the use-type through one of these permitting processes.

Visit [Table 4.2.5](#) for listing of Common Principal Uses allowed in the different zoning districts.

Learn more by exploring the Town of Clayton's online [ArcGIS Online Homepage](#) to view the Zoning Map.

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Step 1

VERIFY YOUR BUSINESS (CONTINUED...)

You need to determine the type of business you will be conducting in your business space. There are several types of businesses listed in the Unified Development Ordinance for the Town of Clayton. You will need to provide business details to help determine your usage type and using terms such as “retail” or “commercial” is not enough information. Please collect the following information to help determine your usage type:

- Number of employees
- Number of visitors at a time
- Professional Operators Licenses or Certifications
- Type of service or goods provided
- List of products that might be regulated (Alcohol, Tobacco, CBD, Hazardous materials, etc.)
- Types of waste production

For assistance with determining your business type, reach out to Planning@townofclaytonnc.org.

Once you determine the zoning is appropriate the next step is to determine if the building meets the safety standards set by the [North Carolina State Building Code](#).

It is required that you work with an architect or contractor in determining whether the space meets these minimum requirements. Building modifications may be needed to meet the minimum building standards. Building code requirements safeguard public health, safety and general welfare. Some examples of building elements which are reviewed when a new tenant proposes to occupy a space:

- Dimensions of business space
- Required structural fire-ratings
- Required sprinkler systems or alarms
- Maximum number of people allowed (occupant load) per occupant classification
- Number of exits and travel distance
- Minimum lighting and ventilation levels
- Minimum number of plumbing fixtures, (i.e. toilets, lavatories, drinking fountains)
- Storage of materials, dependent on hazardous classification
- All ADA requirements

The minimum building code requirements are applied based on the business activities and the occupancy classification of the tenant as confirmed by the building official. Your building will need to undergo any applicable inspections to meet these requirements. The [Development Services](#) website may provide additional information or if you need assistance with scheduling inspections.

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Step 2

DOCUMENTS

If the property owner is a company or organization, the person signing the Owner's Consent Form needs to have documentation confirming their authority in the organization by the following examples:

- A letter on company letterhead written by the CEO, president, or board of directors stating this individual has authority to sign on behalf of the business.
- Listed in the organization's information with the North Carolina Secretary of State.
- Documented Power of Attorney for the organization.
- Identified on organization's website with an appropriate title for decision making.

The applicant must be the party responsible for paying and managing the utilities. This is often the tenant or property owner. The Zoning Compliance Permit (ZCP) is used to by the Town to set up utilities, so it cannot be filed under anyone else. Please be as specific as possible about the nature and significance of your land use.

Construction and renovation require additional documentation. If you have questions, you can reach out to Planning or Development Services to answer project specific questions.

Documentation Checklist:

- Check your Business Registration with the Secretary of State.
- Owner's Consent Form
- Business Examples-----
- Federal Firearms License (FFL)
- Mobile Food Facility Permit (Food truck)
- Environmental Health Services, NCDHHS (Childcare)
- FDPD NCDA&CS for products with <2% meat (Bakery, Confectionary Products, Beverages, Other)
- MPID NCDA&CS for products with >2% meat (Bakery, Confectionary Products, Beverages, Other)

For business licenses visit the NC Business and Occupational License Database for updated information.

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SUBMIT PERMITS

A permit is required any time a new tenant moves into a space, however which permit(s) are needed may change based on your intended use and proposed changes. A permit is required if any modifications (including installation, reconstruction, alterations, extensions or repairs) are made to the building including structural, plumbing, electrical, mechanical, sprinkler, or fire alarm.

If you are planning to move into an **existing building** and **your business fits the current use of the space**, apply for the [Zoning Compliance Permit](#) when there is only a change of tenant with previous permitting for the same building occupancy type, **AND no major modifications will occur.**

If your **space does NOT match the existing use**, you will need to apply for the [Combined Building and Zoning Compliance Permit](#) when there is a **change of occupancy** (moving into a space that was previously approved for a different occupant classification). **You will need to submit a layout of your proposed floor plan, and a life safety (including NC Appendix B) page will be required.**

If you are planning to move into an existing building and have reviewed the Listing of Common Principal Uses [Table 4.2.5](#) in the UDO and your business use fits the current use, you only need to apply for a Zoning Compliance Permit. **Please verify with a member of the Planning Department.** View the [Submittal Schedule](#) for a permitting timeline and view the [List of Fees](#) for permitting costs.

The Town of Clayton may also require you to submit a [Wastewater allocation request](#). The Fire Marshall requires building inspections for all publicly accessible buildings.

Licensing & Permitting:

- Food service should check the [Johnston County Environmental Health Department](#).
- Certain food producers (bakeries, frozen ice cream and yogurt) should check the [NC Department of Agriculture](#).
- Alcohol sales (including temporary) should check the [North Carolina Alcohol & Beverage Control Commission](#).
- For business licenses visit the [NC Business and Occupational License Database](#) for updated information.

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Step 4

SIGN YOUR LEASE

Before entering into a contract for a property, it's important to do your homework:

- Verify the land use zoning and usage type to confirm it will allow your type of business in Step 1.
- Follow the [North Carolina Licensing Board for General Contractors](#) recommendations prior to signing a contract in Step 2.
- Obtain a Building Permit if necessary for building interior upfits in Step 3.

Steps 1-3 outline some of the due diligence that is recommended you complete before you sign a lease.

All publicly accessible buildings need to have the Fire Marshal perform an inspection.

Welcome to the Town of Clayton! We appreciate you being a part of our great community. If you are interested in where your taxes and fees are going, you can check out the [Annual Budget Taxes & Fees](#) breakdown. Your services or goods may have applicable taxes as well as your property. These are all part of what keeps our great community thriving. Thank you being a valuable part of our Town!

Think CLAYTON. Think Business.



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UTILITIES

Call Town of Clayton customer service to determine which town-provided utilities are available at your location and establish all necessary accounts. The Town of Clayton provides electric, water and sewer services to many areas within the Town limits and occasionally within its extraterritorial jurisdiction (ETJ).

Businesses are served by many different providers for water, sewer, electricity, broadband, garbage, recycling, and natural gas. The Town of Clayton's Customer Service Department is happy to help you walk through which town provided utilities are available at your location. For the Town of Clayton Customer Service, please call (919) 553-5002.

Please note, Utilities & Billing will require approval from the Planning Department (in the form of a ZCP) for new business accounts.

Moving in, moving out, or transferring service to a new address? Check out [Start/Stop Utility Service](#) page. If you have general questions about energy usage or setting up online [Utilities & Payments](#), we have a great page to help answer frequently answered questions.

Town staff would be happy to discuss being your service provider. For example, our electric department offers **rate analysis** which could lower your power bill. For questions and support with **load management** (i.e. peak shaving generators) and **sustainability**, contact the **Electric Department** by calling (919) 553-1530.

The Town of Clayton Sewer ordinance 52.085 covers grease traps and how to manage them. For information on [Sewer Use Ordinance \(SUO\)](#) please review the document. Users shall empty and service grease traps and interceptors as often as necessary to comply with the Town's Sewer ordinance. Individual customers may prepare and submit an alternative schedule for review and approval by the Public Works Director.

Contact **Water Resources** if you need assistance with the following:

- Do you need a grease trap?
- Do you have grease trap that needs to be serviced?
- Do you need information on grease trap management?
- Do you need help with your FOG BMP account?
- Has it been more than 60 days since your grease trap was serviced?
- **After hours emergency needs to call for assistance (919) 553-1530**

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UTILITIES CONTACTS

For service providers that service parts of Clayton, it may be helpful to call one or more of the following:

ELECTRIC

Town of Clayton: (919) 553- 5002

Duke Energy: (800) 452-2777

WATER & SEWER

Town of Clayton: (919) 553- 5002

Aqua: (877) 987-2782

Carolina Water Service (800) 525-7990

Johnston County Public Utilities: (919) 989-5075

SOLID WASTE (ABC)

All Star Waste: (919) 989-9520

GFL (919) 662-7100

Patriot Sanitation (919) 773-8008

Anchor Disposal (919) 585-2035

Republic Services (877) 692-9729

Johnston County Public Utilities: (919) 989-5075

NATURAL GAS

Piedmont Natural Gas: 1-877-279-3636

NC Natural Gas

Telecommunications

For an up-to-date map, visit the [FCC's website](#) to search for a specific address.

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GETTING SIGNAGE

Is your business planning an event? Need a temporary "Now Open" sign?

To help preserve the character of our town, the Town of Clayton regulates signs through its sign ordinance. A sign is described as any visual device or representation designed or used for the purpose of communicating a message or identifying a product, service, person, organization, business, or event, with the use of words or characters, visible from outside the premises on which such device is located.

Signs

All signs (permanent and temporary) must be approved and permitted by the Town's Planning Department. All signs are subject to the rules and regulations of [Section 6.13 Signage](#) of the Unified Development Ordinance.

Signs advertising your business must be displayed on the property of your business.

The following signs are exempt from the requirements to obtain a building permit before erection:

- Nonilluminated wall signs
- Temporary signs
- Signs erected by transportation authorities
- Projecting signs not exceeding 6 square feet
- The changing of moveable parts of an approved sign that is designated for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration.

You can find the [Sign Permit Application](#) which includes a calculator to help determine the amount of signage you can have. The [Temporary Sign Permit Application](#) will help you determine the sign permit requirement for the type of temporary sign being used. For a list of applicable fees, you can visit the www.ClaytonNC.org/Fees list.

You can also contact the [Planning Department](#) for help with signage that will be permitted on your property or business.

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Step 7

READY TO OPEN!

You've made it! You have satisfied zoning, business space use requirements, building inspection requirements, and fire marshal's office. It's now time to celebrate your grand opening. Be sure to double check on if a temporary use or temporary sign permit is needed.

Is your business planning a Grand Opening event? Let us know! Many businesses also choose to join the [Clayton Chamber of Commerce](#). When you open, the Clayton Chamber will help you celebrate by hosting a complimentary ribbon cutting at your location per your membership.

Be sure to follow us on social media! Tag the Town of Clayton, NC or Downtown Clayton, NC handle on Facebook or Instagram (@downtownclaytonnc)

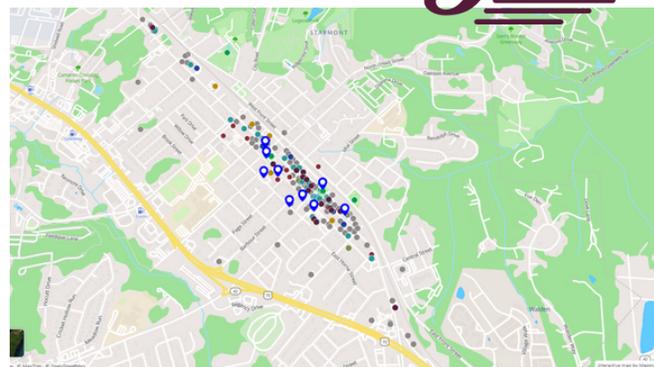
Join us at a [Town Council meeting](#) to introduce yourself and your business during the public comment section.

Make sure your Certificate of Occupancy is on display!

Planning a special event that will need additional space? [Temporary Use Permits](#) are required for special events (examples: bouncy house, tent, events changing normal function and last more than one day, etc.).

Outdoor displays or sales area on a public sidewalk need to meet UDO requirements. Areas that include public right-of-way will require an encroachment agreement with the Town

DOWNTOWN
Clayton



Check out the [Downtown Clayton Map!](#)

If your business is in the Downtown Overlay District, you can contact the Community Events and Engagement Coordinator at (919) 553-5002 and please visit our [Downtown Clayton website](#) to keep informed about upcoming events!

RESOURCES

Welcome to Clayton! Below is a list of resources new and existing businesses can take advantage of.

TOWN

Downtown Facade Grant Program

www.townofclaytonnc.org

The objective of this Grant is to improve the facades of downtown buildings and site features so that after completion of work, citizens will notice a marked improvement in the appearance of the buildings and/or property.

CHAMBER OF COMMERCE

Phone: (919) 553-6352 www.claytonchamber.com

The mission of the Clayton Chamber of Commerce is to champion business, economic development and education in Clayton, NC.

LAUNCH JOCO Entrepreneurship Program

Launch Johnston County is a new initiative supporting and developing entrepreneurs and small business in Johnston County by providing access to business training, micro-loans, mentoring, and networking.

COUNTY

Johnston Community College Small Business Center

Phone: (919) 209-2015 www.johnstoncc.edu/sbc

The SBC is part of the [Small Business Center Network](#) of NC and is one of 58 centers throughout North Carolina that supports the development of new businesses and the growth of existing businesses.

ADDITIONAL SUPPORT

U.S. Small Business Association

Phone: (800) 827-5722 www.sba.gov

The primary functions of the SBA include delivering loans, loan guarantees, contracts, counseling sessions and other forms of assistance to small businesses.

Small Business & Technology Development Center

Phone: (800) 258-0862 www.sbtfdc.org

The SBTDC provides management counseling and educational services to small and mid-sized businesses. All services are confidential, and most services are free.

Carolina Small Business Development Fund

Phone: (919) 803-1437 www.carolinasmallbusiness.org

Providing small business loans, training, and research to support entrepreneurs, our vision is to create economic opportunity for all people.

CONTACT A DEPARTMENT

FOR MORE INFORMATION ON EACH OF THE FOLLOWING AREAS CONTACT:

PLANNING

(919) 553-5002

Email: Planning@townofclaytonnc.org

Building Permits, Zoning Compliance Permits, Sign Permits, Temporary Use Permits, Trade Permits, and Zoning Verification Letters must be submitted via email to PermitSubmittals@townofclaytonnc.org or in-person at the Planning Department.

ENGINEERING

(919) 553-1554

Email: Engineering@townofclaytonnc.org

UTILITIES & BILLING

(919) 553-5002

Utilities@townofclaytonnc.org

TOWN OF CLAYTON - MAIN LINE

(919) 553- 5002

- BUILDING INSPECTIONS
- DEVELOPMENT SERVICES
- DOWNTOWN DEVELOPMENT

ECONOMIC DEVELOPMENT

(984) 310-7722

EconomicDevelopment@townofclaytonnc.org

