

PLANNING BOARD REPORT TO TOWN COUNCIL

Unified Development Ordinance Amendments

Planning Board Meeting Date: May 11, 2026



Report Requirements:

Per NCGS §160D-604, all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to the Planning Board, the Town Council may act on the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board.

Planning Board Recommendation:

Motion: Recommend approval of Amendment 1

Introduced by Planning Board member: Kristy Yule

Seconded by Planning Board member: Mark Spanioli

- Approval of the proposed UDO amendment(s)
- Approval of the proposed UDO amendment(s) with the following conditions:

- Denial of the proposed UDO amendment(s)

With 8 Planning Board Member(s) voting "aye"

With 1 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 11th day of May 2026.

Attest:


Keith Braswell, Planning Board Chair

Amanda Bunce Digitally signed by Amanda Bunce
Date: 2026.05.11 18:03:44 -04'00'
Amanda Bunce, Assistant Planning Director

PLANNING BOARD REPORT TO TOWN COUNCIL
Dissenting Member Comments



Planning Board Member Name: Sarah Soh

Meeting Date: 05/11/2026

Rezoning # _____

Long Range Plan amendment(s) _____

Other Amendments to UDO - New Business Item #1

Reason(s) for dissenting vote:

I understand the need to separate LI & a new HI zoning land-use, to be more cognizant of what future entails for Apex. In my opinion, more time is needed to process and work out the details, further separating the usages, construction, lighting, etc.

In regards to B3 zoning, at the moment solely for the food truck court usage, there seems to be many overlaps and redundancy with B1 & B2. Could it somehow be embedded with existing B1 or B2? What other usages would fall under this zoning? I have more luring and would like to see answers prior to making a decision to whether recommend or not to Town Council.

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Planning Board Recommendation:

Motion: Recommend approval of Amendment 2

Introduced by Planning Board member: Alyssa Byrd

Seconded by Planning Board member: Jeff Hastings

- Approval of the proposed UDO amendment(s)
- Approval of the proposed UDO amendment(s) with the following conditions:
Increase the separation standard from 1,320 to 1,620 feet.

Denial of the proposed UDO amendment(s)

With 9 Planning Board Member(s) voting "aye"

With 0 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 11th day of May 2026.

Attest:

Keith Braswell, Planning Board Chair

Amanda Bunce Digitally signed by Amanda Bunce
Date: 2026.05.11 18:04:40 -04'00'

Amanda Bunce, Assistant Planning Director

PLANNING BOARD REPORT TO TOWN COUNCIL
Unified Development Ordinance Amendments

Planning Board Meeting Date: May 11, 2026



Report Requirements:

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Planning Board Recommendation:

Motion: Recommend approval of Amendment 3

Introduced by Planning Board member: Jeff Hastings

Seconded by Planning Board member: Mary Petersen

- Approval of the proposed UDO amendment(s)
- Approval of the proposed UDO amendment(s) with the following conditions:

- Denial of the proposed UDO amendment(s)

With 7 Planning Board Member(s) voting "aye"

With 2 Planning Board Member(s) voting "no"

Reasons for dissenting votes:

This report reflects the recommendation of the Planning Board, this the 11th day of May 2026.

Attest:

A handwritten signature in blue ink, appearing to read "Keith Braswell", is written over a horizontal line.

Keith Braswell, Planning Board Chair

Amanda Bunce Digitally signed by Amanda Bunce
Date: 2026.05.11 18:06:06 -04'00'

Amanda Bunce, Assistant Planning Director

PLANNING BOARD REPORT TO TOWN COUNCIL
Dissenting Member Comments



Planning Board Member Name: Sarah Soh

Meeting Date: 05/11/2026

Rezoning # _____

Long Range Plan amendment(s) _____

Other Amendments to UDO - New Business Item #1 - Amendment 3: B3 Food Truck Court

Reason(s) for dissenting vote:

I am not against a Food Truck Court, having a designated area solely for a "permanent" food truck spot with nice furniture and restrooms. It could be a successful project with the right developer, owner maintaining the beautified area. There are other towns and cities where food trucks station at parking lots and it becomes and hot spot.

I am dissenting this due to the thought of having may be a little too much control on it. Food trucks are nomadic and have a high turnover. Most of these owners cannot afford brick & mortar so this is their way to start their beginning. I am concerned that we may be touching on their means & methods of where to park, what they need to provide, etc. I do wish we could have more input from existing truckers to get their thoughts and also those neighbors, residents and/or business owners the trucks park close to.

In addition, the language needs to be defined on duration of time of parking and min/ max quantity of trucks in an square footage area.

PLANNING BOARD REPORT TO TOWN COUNCIL
Dissenting Member Comments



Planning Board Member Name: Mark Spanioli

Meeting Date: 5/11/2026

Rezoning # _____

Long Range Plan amendment(s) _____

Other UDO Amendment #3 to New Business Item #1

Reason(s) for dissenting vote:

I don't believe that the Town should permit Food Truck Courts. This is just promoting food trucks to cluster and in some respects cause visual clutter along public facing corridors (trucks, tables and chairs, garbage cans, etc). Code Compliance will not be able to keep up with these properties. These trucks also compete with restaurants that have many more UDO requirements compared to a food truck court. The cost to run a restaurant far exceeds that of a food truck and therefore provides unfair competition. Do we want beautiful facades and urbanized pedestrian friendly corridors or food trucks parked in parking lots of existing restaurants at prominent locations? Also, promoting the public to congregate in a parking lot can cause safety concerns with vehicle and pedestrian conflicts within the food court area.