



Requested by the Economic Development Committee:

Please note that the amendments to Sec. 6.1 Watershed Protection Overlay Districts in order to reduce the width of riparian buffers for North Carolina Certified Sites are no longer being requested.

- 1. **Amendments to Secs. 7.5 Required Improvements; 8.1.2 Resource Conservation Area; and 13.19 Traffic Impact Analysis Required** in order to provide more development flexibility for North Carolina Certified Sites. The proposed changes include requiring no more Resource Conservation Area than what is located within onsite perimeter and street buffers, riparian buffers, and preserved wetlands; providing a tree survey for only those areas within required buffers; delaying the submission of a Traffic Impact Analysis until Site Plan submittal; and delaying full design of water and sewer infrastructure until Site Plan submittal.

7.5 Required Improvements

...

7.5.3 Water Lines and Sanitary Sewers

...

E) North Carolina Certified Site

For sites designated as a North Carolina Certified Site, the Master Subdivision Plan shall show the general location of proposed water and sewer infrastructure. The final design of such infrastructure shall not be required until the submission of each Minor Site Plan.

8.1.2 Resource Conservation Area

...

B) Criteria for Establishing RCA

...

2) Site and Tree Survey Required

...

- d) Provide tree survey locating all specimen (hardwood) trees 18" caliper and larger within RCA and buffers on site. **For North Carolina Certified Sites, the tree survey shall only be required within buffers.** Fifty (50) feet outside of the perimeter of the site, document location of all trees 18" caliper and larger by providing an aerial photograph, registered forester's or certified arborist's report, tree survey, or other appropriate means.

...

C) Size of the RCA

...

1) *Planned Developments*

The RCA for all planned developments shall be determined by the Town Council per Sec. 2.3.4.F.1.c and per Sec. 8.1.2.C.4, 5, ~~or 6~~, **or 9** as applicable, based on the criteria set forth in subsection B. above.

...

4) *Development located north and east of NC 540*

All developments which do not meet the criteria of subsections 8.1.2.C.2-~~or 3, or 9~~ above and which are located north and east of NC 540 shall provide buffers and RCA equal to or greater than 20% of the gross site acreage.

5) *Development located south and west of NC 540*

All developments which do not meet the criteria of subsections 8.1.2.C.2, 3, ~~or 4, or 9~~ above and which are located south and west of NC 540 shall provide buffers and RCA equal to or greater than 25% of the gross site acreage.

...

9) North Carolina Certified Sites

Any development designated as a North Carolina Certified Site by the North Carolina Department of Commerce shall provide RCA equal to or greater than the area located within required perimeter and street buffers, riparian buffers, and preserved wetlands.

13.19 Traffic Impact Analysis Required

A Traffic Impact Analysis (TIA) shall be prepared by a qualified professional engineer registered to practice in North Carolina and submitted with the initial application for any development that would generate 1,000 or more vehicular trips per day or 100 a.m. or p.m. peak hour trips, whichever is greater. A TIA is also required for a subdivision that individually or collectively (with the subdivision(s) it has its only access to a thoroughfare through whether that access is at one or more points) generates 1,000 or more vehicular trips per day or 100 a.m. or p.m. peak hour trips, whichever is greater. **For sites designated as a North Carolina Certified Site by the North Carolina Department of Commerce, the TIA may be submitted at the time of Minor Site Plan submittal instead of Master Subdivision Plan submittal.** The calculation of vehicular trips per day as used in this section shall be determined according to the current Institute of Transportation Engineers (ITE) Trip Generation Manual. If an applicable ITE land use is not available or contains limited data, an alternate trip generation rate may be approved by the Town. The TIA shall indicate the average daily and peak hour vehicular trips generated by the proposed development and shall indicate the trip distribution allocation on all roads and intersections within a study area approved by the Town. The recommendations provided in the TIA shall at a minimum be based on the following:

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed UDO amendments.

PLANNING BOARD RECOMMENDATION:

The Planning Board heard this item at their August 12, 2019 meeting and unanimously recommended approval.

PLANNING BOARD REPORT TO TOWN COUNCIL

Unified Development Ordinance Amendments

August 12, 2019 Planning Board Meeting



Report Requirements:

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Planning Board Recommendation:

Motion: To approve with modification

Introduced by Planning Board member: Mark Steele

Seconded by Planning Board member: Beth Godfrey

Approval of the proposed UDO amendment(s)

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

"...reinstalled or" prior to "replaced"
in 8.6.4.K.

Denial of the proposed UDO amendment(s)

With 8 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 12th day of August 2019.

Attest:

Margo Bills
Margo Bills, Planning Board Chair

Dianne F. Khin
Dianne Khin, Planning Director



TOWN OF APEX

POST OFFICE BOX 250
APEX, NORTH CAROLINA 27502
PHONE 919-249-3426

PUBLIC NOTIFICATION OF PUBLIC HEARING

AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the following amendment(s) to the Unified Development Ordinance:

Requested by the Economic Development Committee:

1. Amendments to Secs. ~~6.1 Watershed Protection Overlay Districts~~; 7.5 *Required Improvements*; 8.1.2 *Resource Conservation Area*; and 13.19 *Traffic Impact Analysis Required* in order to provide more development flexibility for North Carolina Certified Sites. The proposed changes include requiring no more Resource Conservation Area than what is located within onsite perimeter and street buffers, riparian buffers, and preserved wetlands; providing a tree survey for only those areas within required buffers; delaying the submission of a Traffic Impact Analysis until Site Plan submittal; and delaying full design of water and sewer infrastructure until Site Plan submittal.

Public Hearing Location: Apex Town Hall
73 Hunter Street, Apex, North Carolina
Council Chambers, 2nd Floor

Town Council Public Hearing Date and Time: October 1, 2019 7:00 PM

The UDO can be accessed online at: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP
Planning Director



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Dianne F. Khin, AICP
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Published Dates: September ~~20~~23-October 1, 2019