

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: NEW BUSINESS

Meeting Date: August 26, 2025

Item Details

Presenter(s): Mayor Jacques K. Gilbert (sponsor)

Department(s): Governing Body

Requested Motion

Discussion and possible motion to initiate an amendment to the Unified Development Ordinance (UDO) related to student parking in residential areas.

Approval Recommended?

TBD

Item Details

On August 12, 2025, this item was discussed and requested for continuance until August 26, 2025.

On Sunday, July 20, 2025, Honorable Mayor Jacques K. Gilbert submitted a request to sponsor an item on the upcoming August Regular Town Council Meeting agenda. More specifically, he requested a discussion item to consider amending the Town's current Unified Development Ordinance (UDO) to address a specific use case and allow for broader consideration of similar circumstances in the future.

The proposed amendment summary is as follows:

Unified Development Ordinance (UDO) Language Proposed:

4.2.1.I Prohibited Uses in Residential Districts

In addition to the uses listed in subsection H above, parking that is not accessory to the residential use is prohibited, **except for student parking on residential property meeting the accessory use standards in Sec. 4.5 Accessory Uses and Structures**. This includes, but is not limited to, student parking, parking for a nearby special event, and off-site parking for another use. For the purpose of this Section, student parking is defined as parking at a residence or on a residential lot, for the purpose of coming and going from a vehicle to a school or from a school to a vehicle. This definition of student parking shall not apply to students who reside at the home.

4.5.7 Accessory Uses and Structures, Student Parking on Residential Property

Add new accessory use with the standards listed above.

Conditions associated with the proposed amendment:

- Allow only in ETJ in the Rural Residential (RR) and Residential Agricultural (RA) zoning districts.
- The “student parking on residential property” accessory use shall be located on a lot with an existing, conforming residential use to avoid a vacant lot from being used solely for student parking.
- The accessory use must be clearly incidental and subordinate to the existing, conforming residential use (e.g. under 50% of the lot area to be used for student parking; 40% is recommended as the standard).
- Allow only within 100’ of a high school if located on the same side of the street as the high school; or if located across the street, allow only within 100’ of a signalized crosswalk serving a high school.
- No more than one property can be used in this manner within 1,000’ of the same accessory use.
- The parking area shall be surfaced with number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric. This surface is exempt by the State from built-upon area calculations.

Attachments

- N/A

