

Proposed Uses and Zoning Conditions for Town Tract

1. The LI-CZ Rezoned Lands may be used for, and only for, the uses listed below. The permitted uses are subject to the limitations and regulations stated in the UDO and any additional limitations or regulations stated below. For convenience, some relevant sections of the UDO may be referenced; such references do not imply that other sections of the UDO do not apply. An “S” indicates that a use category or specific use type is allowed only is reviewed and approved in accordance with the procedures and standards of UDO Sec. 2.3.5 Special Use.
 - a. Yard waste transfer station (S)
 - b. Utility, minor
 - c. Government Services
 - d. Chipping and mulching (S)
 - e. Communication tower, commercial (S)
 - f. Communication tower, public safety (S)
 - g. Greenway
 - h. Organics (food waste) drop off, recycling, recovery, processing, and/or composting (S)
 - i. Composting facility (S)
 - j. Recycling Center (S)
 - k. Recycling Collection Station (S)
2. Required buffers and screening:
 - A 60’ Type A buffer shall be provided along US Hwy 1, except for electric substations under the use “Utility, minor”; there is no buffer required along the boundary of the electric substation and associated lines coming into the substation.
 - If the other permitted uses are visible through the electric substation or associated lines, those other permitted uses must be screened from US Hwy 1 through the planting of a line of evergreen trees/shrubs meeting a 10’ Type A standard or by way of an 8’ tall opaque fence in lieu of vegetation; the screening (vegetation or fence) can be located either on the highway side or development side of the electric substation and associated lines, as determined by the Planning Director after consultation with the Electric Utilities Director.
3. All other standards of the UDO may be varied based on the financial and operational needs of the Town of Apex, but any changes to the site shall be required to be shown on a site plan for Technical Review Committee review and comment, and made available to the public on the Interactive Development Map or similar. Known variations include, but are not limited to:
 - a. The right-of-way, road improvements, and buffers typically required by the UDO shall not be required along the existing Perry Rd section that is to be abandoned.
 - b. Road improvements to the new/realigned Perry Road shall be the responsibility of ACRE, the developer of the parcel(s) west of the new/realigned Perry Road as set forth in the Hopson Gateway PUD.
 - c. If a tree located within a buffer has a portion of the critical root zone extending outside of that buffer, the Town shall not be required to protect the critical root zone outside the buffer.
 - d. A tree survey is only needed within the buffers immediately adjacent to the limits of disturbance.
 - e. Outdoor storage is allowed as a stand-alone use; no building shall be required for any use with outdoor storage.
 - f. Resource Conservation Area (RCA) within a perimeter buffer that is shown on a Minor or Major Site Plan may be relocated through a Site Plan revision to accommodate future development with adjoining properties.
 - g. Existing lighting shall be considered legally established, non-conforming lighting and shall be allowed to remain until such time as the property is redeveloped in such a manner that the lighting is replaced.

- h. The yard waste pile associated with a “Yard waste transfer station” shall be limited to 30’ in height, with a slope no greater than 2:1.