

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Sections 7.2.1, 7.2.4, 8.2.6, and 13.4 of the Unified Development Ordinance are now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

7.2.1 Design Standards, Streets

l) Temporary Turnaround

A temporary turnaround shall be provided at the terminus of any stub street exceeding 150 feet in length. Temporary turnarounds shall be constructed within a temporary public access easement or within the public right-of-way and shall comply with all applicable standards, including the Town of Apex *Standard Specifications and Standard details*.

- 1) *Applicability.* The provisions of this subsection shall apply only to temporary turnarounds approved after January 13, 2026.
- 2) *Easement and Design.* The temporary turnaround shall be placed in a temporary public access easement meeting the standards of Sec. 7.2.4.C *Temporary Public Access Easement* or within a dedicated public right-of-way until such time as the roadway is extended.
- 3) *Fee-In-Lieu (FIL).* A fee-in-lieu pursuant to Sec. 7.5.4.F *Stub Street Fee-In-Lieu* shall be required for the future conversion and removal of the temporary turnaround prior to Master Subdivision Final Plat or Site Plan Final Plat approval.
- 4) *Removal and Restoration.* The developer of the adjacent property making a street connection to the existing stub street shall be responsible for the removal of the temporary turnaround, restoration of the affected area, landscaping to meet the buffer type that would have been required had the temporary turnaround not been located there, and construction of any additional improvements required by the Town at the time the road connection is made.
- 5) *Use Limitations.* Temporary turnarounds shall not be used for parking and/or driveways.
- 6) *Signage.* When a temporary turnaround is provided, a clearly visible street sign per the Town of Apex's *Standard Specifications and Standard Details* shall be erected at the end of the stub street stating that the street is planned to be connected to a future street.
- 7) *Size and Dimensions.* The temporary turnaround shall comply with the size and dimensional requirements set forth in the Town of Apex's *Standard Specifications and Standard Details*.

- 8) **Platting.** Any plat containing a stub street shall include the following note: “The street system shown on this plat includes one or more stub streets that are intended to connect to adjacent property when such property is developed. These connections are required to promote the efficient flow and distribution of traffic and to provide additional points of access for emergency vehicles.”
- 9) **Materials.** The temporary turnaround shall be built to the Town of Apex’s standards per Town of Apex Standard Specifications and Standard Details.

7.2.4 Design Standards

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- C) **Temporary Public Access Easement.**
Where a street is terminated temporarily at the edge of a development and creates a stub street, a temporary public access easement shall be provided. The temporary public access easement shall be of sufficient size to allow for necessary construction and future conversion of the roadway to a through street. Any slope easements, construction easements and/or right-of-way dedication needed to construct the future roadway connection shall be dedicated. The temporary public access easement shall follow one of the following methods:
 - (1) If the adjacent land is owned by the subdivider, a temporary turnaround can be provided with a temporary public access easement on such adjacent land. Temporary turnarounds shall meet the standards found in Sec. 7.2.1.I Temporary Turnaround; or
 - (2) The subdivider may provide the required turnaround on one of the last lots or common area nearest to the adjacent land and fronting on the temporary stub street through use of a temporary public access easement dedicated to the Town. Temporary turnarounds shall meet the standards found in Sec. 7.2.1.I Temporary Turnaround.

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8.2.6 Landscaping, Buffering, and Screening, Buffering

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- C) *General Buffering Requirements*

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- 4) *No Development Within the Required Buffer*
 The required buffer shall not contain any development, built-upon area, or site features that do not function to meet the standards of this Section or that require removal of existing vegetation, except for signs within platted sign easements, utilities within public utility easements, public access easements, and public art on private property within a platted public art on private property easement (see Secs. 8.1.2.C.9 and 8.2.2.C.2.a). When a public utility and/or a public access easement is located within a Fully-and Limited-Controlled Access Highway Buffer,

Streetfront Buffer, or a Thoroughfare Buffer that is 20 feet or greater in width, a minimum 20-foot-wide planting area shall be provided as measured from the edge of the easement. For all other required buffers, a minimum 10-foot-wide planting area shall be provided as measured from the edge of the easement. The planting area shall be as wide as necessary in order to accommodate all required buffer plantings. Tree species with compact root systems shall be used adjacent to the easement.

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13.4 Transportation, Definitions

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Temporary Turnaround

A turnaround area, constructed in accordance with the *Town of Apex Standard Specifications and Standard Details*, located within a temporary public access easement or public right-of-way at the terminus of a street that is planned for future extension.

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Section 2. The Planning Director and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the terms of this ordinance.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. The ordinances shall be effective upon enactment on the ____ day of _____ 2025.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX

Allen Coleman, CMC, NCCCC
Town Clerk

Jacques K. Gilbert
Mayor

Approved as to Form:

Laurie L. Hohe
Town Attorney