

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. Section 8.1.2.C.10 of the Unified Development Ordinance is amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

8.1.2.C *Size of the RCA*

...

10) *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, but shall not be less than 15%. **On properties where the combined acreage of required perimeter and street buffers, riparian buffers, and preserved wetlands exceeds 35% of the gross acreage of the site, RCA may be reduced to no less than 35% to permit grading in portions of riparian buffers where state regulations and UDO Sec. 6.1 Watershed Protection Overlay Districts allow and to reduce buffer widths where permitted by UDO Sec. 8.1.2.C.7 Resource Conservation Area Exchanged for Reduced Width Buffers.**

Section 2. The Director of Planning and Community Development 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 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 ordinance shall be effective upon enactment on the ____ day of _____ 2021.

Introduced by Council Member _____

Seconded by Council Member _____

Attest: TOWN OF APEX

Donna Hosch, MMC, NCCMC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney