

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

Section 1. Sec. 2.1.10 of the Unified Development Ordinance is added to read as follows with additions shown as bold underline text:

**2.1.10 Housing Advisory Board**

**A) Powers and Duties**

**The Housing Advisory Board shall have the following powers and duties under the provisions of this Ordinance:**

- 1) Recommendations to Mayor and Town Council. Recommend to the Mayor and Town Council, policies and funding recommendations related to affordable housing.**
- 2) Housing Advocacy to Mayor, Town Council, and Planning Board. Advise the Mayor, Town Council, and Planning Board on housing advocacy efforts related to affordable housing.**
- 3) Housing Annual Report. Assist in the creation of the housing annual report.**

**B) Membership**

- 1) Number. The Housing Advisory Board shall consist of nine (9) members. The Housing Advisory Board shall include one (1) Planning Board member and one (1) Town Council member. The Planning Board member and Town Council member shall be non-voting members.**
- 2) Appointment. Members shall be recommended by the Mayor and appointed by the Town Council.**
- 3) Initial establishment. At the initial establishment of the Housing Advisory Board, four (4) members shall be appointed for a term of three (3) years, three (3) members shall be appointed for a term of two (2) years, one Planning Board non-voting member shall be appointed for a term of (1) year and one Town Council non-voting member shall be appointed for a term of one (1) year. Thereafter, new appointments for terms of three (3) years shall be made with the exception of the Planning Board non-voting member and Town Council non-voting member which shall remain on a term of (1) year. No member of the Housing Advisory Board shall serve more than nine (9) consecutive years after being appointed with the exception of the Planning Board non-voting member and Town Council non-voting member which shall serve no more than three (3) consecutive years after being appointed.**
- 4) Removal. Any member of the Housing Advisory Board shall be removed for cause (neglect of duty, malfeasance, misconduct, or failure to faithfully attend meetings) by the Town Council upon written charge and after a public hearing.**
- 5) Filling of vacancy. Vacancies shall be filled by the same method as the original appointment. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by the same method as the original appointment.**

C) Officers

- 1) Chair and vice-chair. The chair and vice-chair of the Housing Advisory Board shall be appointed by the Mayor from the members of the Board and confirmed by the Town Council. The term of the chair and vice-chair shall be for one (1) year. A past chair or vice-chair may be re-appointed, even though no chair or vice-chair shall serve for more than three (3) consecutive terms. Vacancies within a term shall be filled by the same method as the original appointment. The chair shall decide all points of order on procedure, and shall take such action as shall be necessary to preserve the order and integrity of all proceedings before the Housing Advisory Board. In absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair. In the absence of both the chair and vice-chair, an acting chair shall be selected for that meeting by a majority of those members present. The acting chair shall have the authority and responsibilities of the chair for that meeting.
- 2) Secretary. The Housing Program Manager or designee shall serve as the Secretary of the Housing Advisory Board and shall keep minutes of all proceedings. These minutes shall be a summary of all proceedings before the Housing Advisory Board, which shall include the vote of all members upon every consideration, and be attested to by the Secretary. The minutes shall be approved by a majority of the Housing Advisory Board members voting. In addition, the Secretary shall maintain all records of the Housing Advisory Board meetings, hearings, proceedings, and correspondence as public records in the offices of the Planning and Community Development Department.

D) Quorum

No meeting of the Housing Advisory Board shall be called to order, nor may any business be transacted by the Housing Advisory Board, without a quorum consisting of the majority of the Housing Advisory Board's membership, excluding vacant seats, being present.

E) Conflict of Interest

Any member who has an interest in a matter under consideration by the Housing Advisory Board shall declare such interest prior to the vote of the Board and abstain from voting on the question. The member declaring the interest is not exempted from participation in the discussions of the Board on the matter prior to its vote.

F) Staff

The Planning and Community Development Department shall be the professional staff to the Housing Advisory Board.

G) Rules of Procedure

The Housing Advisory Board shall, by a majority vote of the voting membership, adopt rules and regulations governing its procedure as it may consider necessary or advisable.

H) Meetings

Regular meetings of the Housing Advisory Board shall be held quarterly to consider matters properly before the Board. Special Board meetings may also be called on an as needed basis. The chair, vice-chair, or any two (2) members of the Board may at any time call a special Board meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. A special Board meeting may also be called or scheduled by vote of the Board in open session during another duly called meeting.

I) Compensation

The members of the Housing Advisory Board shall serve with compensation as authorized by Town Council in the annual budget.

Section 2. Section 8.3.11.B 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:

8.3.11 Electric Vehicle Charging Spaces

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B) *Accessible Electric Vehicle Charging Spaces*

Unless otherwise expressly stated in this Code, electric vehicle charging spaces shall be sized but not marked as exclusively accessible in accordance with Table 8.3-10.

Table 8.3-10 Accessible Electric Vehicle Charging Spaces

Total Required <del>Provided</del> Electric Vehicle Charging Spaces	Minimum Number of Accessible Charging Spaces	Minimum Number of Van-Accessible Charging Spaces
1-25	1	1
26-50	2	1

Section 3. Sections 9.1, 9.2, and 9.3 of the Unified Development Ordinance are amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

9.1 DESIGN STANDARDS, GENERAL

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9.1.2 Applicability

A) These design standards shall be applicable to all nonresidential development under this UDO, **except as specifically noted in Secs. 9.2 Building Aesthetics and 9.3 Architectural Character.**

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9.2 BUILDING AESTHETICS

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9.2.2 Building Design

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E) *Massing*

1) A single, large, dominant building mass shall be avoided. Where large structures are required, mass should be broken up through the use of setbacks, projecting and recessed elements, and similar design techniques. **This shall not apply to buildings over 125,000 square feet located within a North Carolina Certified Site and in the Light Industrial (LI) zoning district.**

2) Changes in mass shall be related to entrances, the integral structure, and/or the organization of interior spaces and activities and not merely for cosmetic effect.

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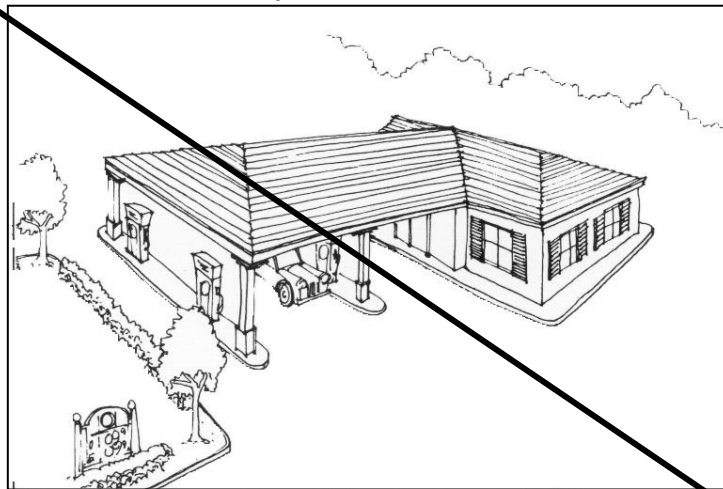
9.2.3 Avoiding Monotony of Design

Monotony of design in single or multiple building projects shall be avoided by varying detail, form, and siting to the maximum extent **reasonable and** practicable, within the standards set forth in this ~~a~~Article, to provide visual interest.

9.2.4 Harmony of Design

A) *Purpose*

The purpose of this ~~s~~Section is to preserve the design character of existing development, to protect the visual pattern of the community, and to promote harmony in the visual relationships and transitions between new and older buildings. New buildings should respect the scale, form, and proportion of existing development. This can be done by repeating building lines and surface treatments and by requiring some uniformity of detail, scale, proportion, texture, materials, color, and building form. **Buildings over 125,000 square feet located within a North Carolina Certified Site and in the Light Industrial (LI) zoning district shall meet this standard to the maximum extent reasonable and practicable.**



*Figure 9.2.4.A: Maintain Scale and Design Character of Local Architecture*

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9.3 ARCHITECTURAL CHARACTER

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9.3.3 Facades

A) *Recesses and Projections*

- 1) **Except as provided in subsection 2 below, F**acades greater than 100 feet in length, measured horizontally, must incorporate recesses and projections along at least 20% of the length of the façade ~~and~~ ~~W~~ windows, awnings, and arcades should total at least 60% of the façade length abutting a public street.
  
- 2) **Buildings over 125,000 square feet located within a North Carolina Certified Site and in the Light Industrial (LI) zoning district shall incorporate recesses and projections including windows and awnings at all public entrances. At least 10% of the façade along a public street shall contain windows or other glazing. In the case of a corner lot, this standard shall only apply to the façade(s) that contains a public entrance or the façade closest to the public entrance.**

B) *Repeating Design Patterns*

Facades greater than 100 feet in length, measured horizontally, shall incorporate a repeating pattern of change in color, texture, and material modules. All elements should repeat at intervals of no more than 30 feet, either horizontally or vertically. **For buildings over 125,000 square feet located within a North Carolina Certified Site and in the Light Industrial (LI) zoning district, all elements should repeat at regular intervals proportional to the length of the façade and designed to break up the mass of the building.**

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**Section 4.** 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 5.** 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 6.** 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

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Jacques K. Gilbert  
Mayor

Approved As To Form:

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Laurie L. Hohe  
Town Attorney