

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 8.2.2 and 12.2 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:

8.2.2 General Landscaping Design Standards

...

B) *Plant Materials*

...

3) *Plant Sizes and Standards*

...

- g) Grass shall be planted in species normally grown as permanent lawns in the Town and region. In swales or other areas subject to erosion, solid sod, erosion-reducing net, or suitable mulch shall be used and nursegrass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be free and clean of weeds and noxious pests or diseases. Ground cover shall be planted in such a manner as to provide 75% complete coverage after two growing seasons.

h) *Artificial Turf*

- (i) As an alternative to grass, artificial turf meeting the requirements of N.C.G.S. §143-214.7D may be permitted as pervious where its use enhances site durability, minimizes erosion, or addresses maintenance constraints, provided it is installed to ensure adequate drainage and long-term performance. Artificial turf shall be a natural grass color and shall be limited to areas where the Planning Director or designee determines that natural vegetation is impractical to establish or sustain, including but not limited to:**

(a) Athletic fields;

(b) Narrow pedestrian corridors between buildings or courtyards;

(c) Roof terraces;

(d) Shaded gathering areas;

(e) Small or confined areas subject to high foot traffic; or

(f) Common areas intended for a high volume of foot traffic.

- (ii) Artificial turf that does not meet the requirements of N.C.G.S. §143-214.7D may be permitted as impervious provided that the**

total built-upon area does not exceed the limitations in Sec. 5.1 Table of Intensity and Dimensional Standards.

(iii) Artificial turf shall be prohibited within required landscape buffers, Resource Conservation Area (RCA), privately-owned play lawns, riparian buffers, floodplains, and any areas prohibited by state law, and shall not be credited toward required landscape materials or minimum planting area calculations.

i) Existing Installations of Artificial Turf

Artificial turf installed prior to February 24, 2026, may remain in place, provided it is maintained in good condition and does not create drainage, erosion, or stormwater compliance issues. Existing artificial turf installations shall be subject to the following provisions:

(i) **Maintenance.** Existing artificial turf shall be maintained in good condition, free of tears, fading, deterioration, or drainage deficiencies.

(ii) **Expansion.** Expansion of artificial turf areas beyond their originally installed footprint shall not be permitted except in conformance with current Ordinance requirements.

12.2 Terms Defined

...

Artificial Turf

Artificial turf means a surface composed of synthetic fibers designed to replicate the appearance and function of natural grass. It is typically used in locations where natural grass would otherwise be installed, including sports fields, residential areas, and commercial developments.

...

Grass

Grass means natural, living vegetation consisting of perennial turf-forming species suitable for use as groundcover in lawns, landscaped areas, and open spaces. Grass does not include artificial or synthetic turf.

...

Section 2 Section 8.3.6 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

8.3.6 Parking Lot Design Standards

...

D) *Surfacing and Maintenance*

All off-street parking areas shall be paved and kept in a dust-free condition at all times. Permeable pavement, if used, shall comply with the North Carolina Department of

Environmental Quality's Minimum Design Criteria in the NCDEQ Stormwater Design Manual.

1) *Exceptions*

Parking for the following shall be gravel or paved and kept in a dust-free condition at all times:

- a) All uses in the CB Conservation Buffer zoning district;
- b) Athletic Fields only under the category of "Entertainment, Outdoor" where allowed;
- c) Uses associated with Landmark and other historic structures. Exposed aggregate concrete, or similar, may be used for paving and railroad ties or landscape timbers may be used in lieu of concrete wheel stops;
- d) Land clearing and inert debris landfills; ~~and~~
- e) All Agricultural uses; and
- f) Overflow parking areas serving a "Church or place of worship" or an "Assembly Hall, nonprofit" use that is located within the Residential Agricultural (RA) or Rural Residential (RR) zoning district, provided the overflow area does not exceed 25% of the total number of required or provided parking spaces onsite, whichever is greater, and complies with the gravel construction standards listed below.

2) In order to be considered pervious, gravel parking areas shall be constructed and maintained in compliance with N.C.G.S. 143-214.7D, including all applicable stormwater, sedimentation, and erosion control requirements, and shall remain in a stable, dust-free condition. Otherwise, Ggravel parking shall at a minimum meet the following specifications:

- a) Compacted Subgrade;
- b) 6 Inches Aggregate Base Course;
- c) 1.5 Inches #78M Stone; and
- d) Drive aisles must be repaired or replaced with #78M Stone every six (6) months.

Section 3. Section 8.3.9 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

8.3.9 Off-Street Parking Alternative

...

C) *Shared Parking*

...

Table 8.3-8: Shared Parking Demand by Land Use and Time of Day

Land Use	Weekday		Weekend		Nighttime
	Daytime (6am-5pm)	Evening (5pm-12am)	Daytime (6am-5pm)	Evening (5pm-12am)	(12am-6am)
Residential	60%	100%	80%	100%	100%
Office/warehouse/ industrial	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Restaurant	70%	100%	100%	70%	10%
Hotel/motel	75%	100%	75%	100%	100%
Entertainment	40%	100%	80%	100%	10%
Church or place of worship	10%	10%	100% during regularly scheduled worship/ service times, including 1 hour before and after such times; otherwise 10%	10%	5%
Bank	100%	5%	100% 5%	5%	5%
Health/fitness centers and spas	70%	100%	80%	60%	5%
Medical/dental office	100%	50%	100% 10%	5%	5%

...

Section 4. Section 2.3.6 of the Unified Development Ordinance is now amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

2.3.6 Site Plan

Exemptions

- 1) Any development or activity that is exempt from site plan review pursuant to Subsection 2.3.6.C.2.b., d., e., f., g., h., i., or j. below shall not be undertaken without an administrative approval **of an Exempt Site Plan** by the Planning Director. Any proposed expansion exempt under 2.3.6.C.2.g. must meet all applicable provisions of this Ordinance to the extent of the expansion and not increase any nonconformity. The application for administrative approval shall be in a form approved by the Planning Director

Section 5. 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 6. 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 7. The ordinances shall be effective upon enactment on the ____ day of _____ 2026.

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