

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 2.1.9 of the Unified Development Ordinance is added to read as follows with additions shown as bold underlined text:

2.1.9 Apex Environmental Advisory Board

A) *Powers and Duties*

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

- 1) Advise the Environmental Committee of the Apex Town Council regarding suggested changes to the Unified Development Ordinance related to the environment and the Planning Committee of the Apex Town Council regarding suggested changes to the Unified Development Ordinance related to the impacts of development upon the environment.
- 2) Review, with applicants, during the pre-application phase of a proposal, all requests for conditional rezoning and recommend zoning conditions to the applicant and Town Council that will mitigate anticipated impact to the natural environment as a result of the project under consideration.

B) *Rules Governing Board*

The rules governing the other responsibilities and procedures of the Environmental Advisory Board are established in Article IV of Chapter 2 of the Code of Ordinances, Town of Apex, North Carolina.

Section 2. Section 8.3 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 Off-Street Parking and Loading

8.3.2 Off-Street Parking Requirements

E) *Maximum Number of Spaces Allowed*

The minimum parking requirements shall not be exceeded by more than 25% for uses that require up to 100 spaces or 15% for uses that require more than 100 spaces. The level(s) of structured parking above the ground level and parking located under a building shall not count toward the maximum number of spaces allowed. The maximum number of spaces shall only be exceeded according to the standards below.

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8.3.6 Parking Lot Design Standards

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F) Access to Parking Areas

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- 2) When an off-street parking area does not abut a public street, there shall be provided an access drive ~~not less than 24 feet in width for two-way traffic,~~ connecting the off-street parking area with a public street. **The width of the access drive shall be based on the following:**

Table 8.3-5 Minimum Drive Aisle Width

<u>Parking configuration</u>	<u>Minimum Drive-Aisle Width</u>
<u>Two-way traffic with double-loaded 90 degree parking</u>	<u>24 feet</u>
<u>Two-way traffic with double-loaded parking less than 90 degrees or with single-loaded parking at any angle</u>	<u>20 feet</u>
<u>One-way traffic with single- or double-loaded parking less than 90 degrees</u>	<u>AASHTO design standard; except 20' minimum for emergency route(s)</u>

The access drive shall be paved in the manner required for off-street parking lots and may not traverse property in a residential district unless the drive provides access to a parking area serving a use allowed in a residential district. Where an access or service drive is such that satisfactory turn-around is not possible, a turn-around shall be provided as required by the Fire Department.

8.3.7.A Use of Off-Street Parking Areas, Vehicle Stacking Areas

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1) *Minimum Number of Spaces*

The minimum stacking spaces from Table 8.3-56 may be provided, cumulatively, by using multiple drive-through lanes. Each lane is not required to provide the minimum number of spaces. Off street stacking spaces shall be provided as follows:

Table 8.3-56: Minimum Required Vehicle Stacking Spaces

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8.3.8 Accessible Parking for Physically Handicapped Persons, Number of Spaces

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Table 8.3-67: Required Accessible Parking for Physically Handicapped Persons

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Section 3. 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 4. 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 5. The ordinance shall be effective upon enactment on the _____ day of September 2019.

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX

Donna Hosch, MMC, NCCMC
Town Clerk

Lance Olive
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney