

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 8.7.1.A.13 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:

8.7.1 Permitted Signs: Location, Size, and Number

A) *Conditions*

...

13) *Menu Board*

An accessory sign providing items and price associated with a drive-thru window or walk-up window and meets the conditions below:

Changeable menu boards shall be allowed provided that:

- a) Such signs shall not exceed ~~thirty-two (32)~~ square feet in area, **except as provided in subsection c. below,** and six (6) feet in height.
- b) **Except as provided in subsection c. below,** ~~two (2)~~ signs shall be permitted per drive-through not to exceed ~~sixty-four (64)~~ combined square feet.
- c) **One (1) menu board sign up to 40 square feet in area and six (6) feet in height shall be allowed, as opposed to two (2) menu board signs as referenced in subsections a. and b. above.**
- ~~e) d)~~ Such signs shall not be legible from a public right-of-way or adjacent property.
- ~~e) e)~~ Such signs may be internally and externally illuminated per Sec. 8.7.6.~~(B)~~, *Sign Illumination*.
- ~~e) f)~~ Also subject to Sec. 8.7.4 *Sign Design and Color* and 8.7.5 *Master Sign Plan Requirement*.

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 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 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